

RESOLUTION NO.

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION: A) AUTHORIZING THE COUNTY MANAGER, OR DESIGNEE, TO REALLOCATE UP TO \$1,800,000 IN UNDISTRIBUTED CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDS FROM THE SMALL PROPERTY OWNER ASSISTANCE PROGRAM TO THE CHILD CARE RELIEF FUND, GRANTS FOR NON-PROFIT ORGANIZATIONS DEDICATED TO THE ARTS, AND THE SMALL BUSINESS ASSISTANCE PROGRAM – TARGETED ZIP CODES; AND

B) AUTHORIZING THE COUNTY MANAGER, OR DESIGNEE, TO ENTER INTO AND EXECUTE AGREEMENTS AND/OR AMENDMENTS OF EXISTING AGREEMENTS WITH THE SMCU COMMUNITY FUND AND COMMUNITY EQUITY COLLABORATIVE TO ADMINISTER AND DISTRIBUTE UP TO \$1,800,000 IN REALLOCATED CARES ACT FUNDS FROM THE SMALL PROPERTY OWNER ASSISTANCE PROGRAM, WITH ADDITIONAL ADMINISTRATIVE FEES PAID TO THE SMCU COMMUNITY FUND IN AN AMOUNT NOT TO EXCEED \$20,000 AND PAID TO THE COMMUNITY EQUITY COLLABORATIVE IN AN AMOUNT NOT TO EXCEED \$2,500

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that:

WHEREAS, on March 3, 2020, and pursuant to Section 101080 of the California Health and Safety Code, the San Mateo County Health Officer (the “Health Officer”) declared a local health emergency throughout San Mateo County related to the novel coronavirus (“COVID-19”) and the Board of Supervisors has ratified and extended this local health emergency, which remains in effect throughout San Mateo County; and

WHEREAS, on March 3, 2020, and pursuant to Section 8630 of the California Government Code and Chapter 2.46 of the San Mateo County Ordinance Code, the San Mateo County Director of Emergency Services proclaimed a local emergency throughout

San Mateo County related to COVID-19 and the Board has ratified and extended the proclamation of a local emergency (“Local Emergency”), which remains in effect; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency related to COVID-19 (“State of Emergency”), effective throughout the State of California; and

WHEREAS, on March 14, 2020, the Health Officer prohibited all public or private gatherings of 50 or more people and urged the cancelation of all gatherings of 10 or more people in a single confined space; and

WHEREAS, on March 16, 2020, the Health Officer issued an order that, among other things, directed all individuals living within San Mateo County to shelter in their place of residence (“Original Shelter-in-Place Order”), and authorized individuals to leave their residences only for certain “Essential Activities,” “Essential Governmental Functions,” or to operate “Essential Businesses,” all as defined in the Original Shelter-in Place-Order; and

WHEREAS, several times since March 16, 2020, and most recently, on June 4, 2020, the Health Officer issued revised Shelter-in-Place Orders extending the Original Shelter-in-Place Order due to evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area; and

WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20, which, imposed a Statewide Shelter-In-Place Order requiring individuals to remain in their places of residence except as needed to maintain continuity of operations of critical infrastructure, access necessities such as food, prescriptions and healthcare, or engage in other authorized activities; and

WHEREAS, on May 8, 2020, Governor Newsom announced a plan to allow the limited reopening of some businesses beyond those in the category of essential critical infrastructure, which is part of the "Resilience Roadmap" for California, the multiphase plan to modify the Statewide Shelter-In-Place Order; and

WHEREAS, on June 16, 2020, the State approved the County's request for a variance allowing the County to align with the Resilience Roadmap for California; and

WHEREAS, on June 17, 2020, the Health Officer rescinded the June 4, 2020 revised Shelter-in-Place Order and replaced it, effective immediately, with a new order aligning the County with the Statewide Shelter-in-Place Order/Resilience Roadmap, emphasizing individual behavior and the practices that businesses must follow as they resume operations, including limiting gatherings to no more than 50 people, outlining social distancing and face covering requirements, allowing for social bubbles, and requiring businesses to implement a social distancing protocol and written health and safety plans, based on evidence of continued significant community transmission of COVID-19 within the County and throughout the Bay Area and the Health Officer will continue to update San Mateo County orders to align with State guidelines; and

WHEREAS, in recent weeks confirmed COVID-19 cases have been on the rise Statewide, with most counties, including the County, moved back to the most restrictive "Purple" tier, and Governor Newsom is likely to announce new Statewide stay-at-home orders and business closures; and

WHEREAS, as of December 2, 2020, confirmed COVID-19 cases in California now exceed 1,270,000, with 19,440 deaths, and confirmed COVID-19 cases in the County total 14,812, with 170 deaths; and

WHEREAS, on September 15, 2020, the Board allocated \$2,000,000 in CARES Act funds to the Small Property Owner Assistance Program in order to assist local small-scale landlords whose rental income has been impacted by COVID-19; and

WHEREAS, the Board has approved a number of other CARES Act-funded grant programs, including the Child Care Relief Fund; grants for non-profit organizations; and the Small Business Assistance Program – Targeted Zip Codes; and

WHEREAS, the Board has been advised that, due to low participation in the Small Property Owner Assistance Program, up to \$1,800,000 of the original \$2,000,000 in allocated CARES Act funds will remain undistributed; and

WHEREAS, on November 17, 2020, the Board directed the County Manager to develop a plan for the potential reallocation of any undistributed CARES Act funds from the Small Property Owner Assistance Program to other CARES Act-funded grant programs previously authorized by the Board; and

WHEREAS, the County Manager analyzed each of the other CARES-funded grant programs previously authorized by the Board based on the following three criteria: (1) currently-available funding for each program; (2) number of eligible, but unfunded, grant applicants for each program; and (3) actual or estimated amount of CARES Act funds needed to provide grants to all eligible remaining applicants for the program; and

WHEREAS, based on the above analysis performed by the County Manager, the Board desires to reallocate \$1,600,000 of the CARES Act funds originally allocated to the Small Landlord Assistance Program to three CARES Act-funded grant programs, as follows: (1) \$450,000 to the Child Care Relief Fund; (2) \$150,000 to non-profit

organizations dedicated to the arts; and (3) \$1,000,000 to the Small Business Assistance Program – Targeted Zip Codes; and

WHEREAS, the above reallocation plan of CARES Act funds from the Small Property Owner Assistance Program will cover approximately 25% of the anticipated amounts needed to provide grants to remaining eligible, but unfunded, applicants for each of the three selected programs; and

WHEREAS, if it is determined that more than \$1,600,000 in CARES Act funds are available for reallocation from the Small Property Owner Assistance Program, the distribution ratio reflected above will be applied to any such additional funds up to \$1,800,000 (i.e., 28% of such additional funds to the Child Care Relief Fund; 9% to non-profit organizations focused on the arts; and 63% to the Small Business Assistance Program – Zip Code Targeted); and

WHEREAS, the SMCU Community Fund (“Community Fund”) is administering the non-profit grant program and the Small Business Assistance Program – Zip Code Targeted, while both the Community Fund and the Community Equity Collaborative (“Collaborative”) are administering the Child Care Relief Fund, and both have agreed to administer and distribute the additional CARES Act funds reallocated to such programs.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED THAT the Board authorizes and directs the County Manager, or designee, to reallocate up to \$1,800,000 in undistributed CARES Act funds from the Small Property Owner Assistance Program to (1) the Child Care Relief Fund, (2) grants for non-profit organizations dedicated to the arts, and (3) the Small Business Assistance Program – Targeted Zip Codes, in a manner consistent with the terms and intent set forth in this resolution.

BE IT FURTHER RESOLVED THAT the Board authorizes and directs the County Manager, or designee, to enter into and execute agreements and/or amendments to existing agreements with the Community Fund and Collaborative to administer and distribute up to \$1,800,000 in reallocated CARES Act funds from the Small Property Owner Assistance Program, with additional administrative fees paid to the Community Fund in an amount not to exceed \$20,000 and paid to the Collaborative in an amount not to exceed \$2,500.

BE IT FURTHER RESOLVED THAT the County Manager, or designee(s), is hereby authorized to execute further amendments to the above agreements and/or amendments to existing agreements which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify such agreement and/or amendment terms and/or services so long as the modified terms or services is/are within the current or revised fiscal provisions.

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