RESOLUTION - ACTION REQUESTED 2020-388

MEETING:    July 7, 2020

TO:        The Board of Supervisors

FROM:    Dallin Kimble, County Administrative Officer

RE:  Resolution to Approve Conditions and Sign Certifications for CARES and Realignment Backfill Funding

RECOMMENDATION AND JUSTIFICATION:
Approve a Resolution Approving the Conditions for Receipt of Funds Under the Budget Act of 2020 and Authorize the County Administrative Officer (CAO) to Sign the Associated Certifications.

In order to counter some of the negative fiscal impacts of COVID-19, the State of California has made two funding sources available to California counties: Coronavirus Relief and Realignment Backfill. Mariposa County is eligible for $1.761 million in Coronavirus Relief and approximately $700,000 in Realignment Backfill.

Receipt of these funds is dependent upon County affirmation and certification that the County is in compliance with state and federal regulations, including public health and stay-at-home orders, and that funds will be used for their intended uses. Full text of the certification is attached for Board review and approval.

The Board has previously expressed a desire to comply with state requirements and regularly directs staff to monitor and audit funds to ensure appropriate expenditure, staff is confident that Mariposa County is eligible for the funds that have been made available. Staff recommends approval of this certification so that funding can be received for COVID-related expenditures and realignment backfill.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The State of California has made Corona Virus Relief funds available to the County of Mariposa under Paragraphs (2) and (3) of Subdivision (d) of Control Section 11.90 of the Budget Act of 2020; and as a condition of receiving these funds, the County must submit a Certification (CRF01 Local Government Certification) that affirms the appropriate use of the funds and adherence to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency.

The State of California has also made Realignment Backfill funds available to the
Resolution - Action Requested 2020-388

County of Mariposa pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020; and as a condition of receiving these funds, the County must submit a Certification (GF01 County Certification) that affirms the County’s proposed uses of the funds provided will be used only for costs that would have otherwise been funded via state-local Realignment revenues and that the County will prioritize support for health and human services, entitlement programs, and programs that serve vulnerable populations; and County will adhere to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If the Board chooses not to approve, the County would forfeit approximately $1.761M in CARES Act Corona Virus Relief Funding and approximately $700K in Realignment backfill funding which is vital to the operations of the Health and Human Services Agency.

FINANCIAL IMPACT:
This Resolution will enable the County to draw down approximately $1.761M in CARES Act Corona Virus Relief Funding and approximately $700K in Realignment backfill funding which will positively impact the Health and Human Services Agency and the County General Fund.

ATTACHMENTS:
Resolution approving conditions for receipt of funds under the Budget Act of 2020 (DOC)
Mariposa County CRF01-Local_Government_Certification_Form (DOCX)
Mariposa County GF01-County_Certification (DOCX)

RESULT: ADOPTED [UNANIMOUS]
MOVED: Rosemarie Smallcombe, District 1 Supervisor
SECONDER: Miles Menetrey, District V Supervisor
AYES: Rosemarie Smallcombe, Marshall Long, Miles Menetrey
EXCUSED: Merlin Jones, Kevin Cann
RESOLUTION APPROVING OF THE CONDITIONS FOR RECEIPT OF FUNDS UNDER THE BUDGET ACT OF 2020 AND AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO SIGN THE ASSOCIATED CERTIFICATIONS

WHEREAS, the State of California has made funds available to the County of Mariposa under Paragraphs (2) and (3) of Subdivision (d) of Control Section 11.90 of the Budget Act of 2020; and,

WHEREAS, as a condition of receiving these funds, the County must submit a Certification that:

A. Affirms that the proposed uses of the funds provided as direct payment under the applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020 will be used only for costs that are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); were not accounted for in the budget most recently approved as of March 27, 2020, for the County of Mariposa; and, were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

B. The County agrees to: (1) adhere to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency; (2) use the funds in accordance with all applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020; (3) report on expenditures and summarize regional collaboration and non-duplication of efforts within the region by September 1, 2020; (4) return any funds that are unspent by October 30, 2020 (unless extended by the Department of Finance based on reported expenditures to date); (5) repay the state for any cost disallowed after federal review; and, (6) retain records to support reported COVID-19 eligible expenditures and participate in audits as outlined by the federal government and State.

WHEREAS, the State of California has also made funds available to the County of Mariposa pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020; and,

WHEREAS, as a condition of receiving these funds, the County must submit a Certification which affirms that:

A. The County’s proposed uses of the funds provided will be used only for costs that would have otherwise been funded via state-local Realignment revenues and that the County will prioritize support for health and human services, entitlement programs, and programs that serve vulnerable populations; and

B. The County will adhere to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency; and
C. The County will use the funds in accordance with Provision 3 of Item 9210-110-0001 of the Budget Act of 2020.

NOW, THEREFORE BE IT RESOLVED:

A. The County of Mariposa affirms that the proposed uses of the funds provided as direct payment under the applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020 will be used only for costs that are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); were not accounted for in the budget most recently approved as of March 27, 2020, for the County of Mariposa; and, were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

B. The County agrees to: (1) adhere to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency; (2) use the funds in accordance with all applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020; (3) report on expenditures and summarize regional collaboration and non-duplication of efforts within the region by September 1, 2020; (4) return any funds that are unspent by October 30, 2020 (unless extended by the Department of Finance based on reported expenditures to date); (5) repay the state for any cost disallowed after federal review; and, (6) retain records to support reported COVID-19 eligible expenditures and participate in audits as outlined by the federal government and State; and

C. The County Administrative Officer is hereby authorized to sign the Certification for Receipt of Funds Pursuant to Paragraphs (2) or (3) of Subdivision (d) of Control Section 11.90 of the Budget Act of 2020.

NOW, THEREFORE BE IT FURTHER RESOLVED:

A. The County’s proposed uses of the funds provided pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020 will be used only for costs that would have otherwise been funded via state-local Realignment revenues and the County will prioritize support for health and human services, entitlement programs, and programs that serve vulnerable populations; and

B. The County will adhere to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency; and

C. The County will use the funds in accordance with Provision 3 of Item 9210-110-0001 of the Budget Act of 2020; and

D. The County Administrative Officer is hereby authorized to sign the Certification for Receipt of Funds Pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020.
THIS RESOLUTION was passed by the Board of Supervisors of the County of Mariposa at a regular meeting thereof held on July 7, 2020, by the following vote:

AYES: SMALLCOMBE, LONG, MENETREY

NOES: NONE

ABSENT: JONES, CANN

Kevin Cann, Chair
Board of Supervisors
By Marshall Long, Vice-Chair

ATTEST:

Rene LaRoche
Clerk of the Board

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel
CERTIFICATION FOR RECEIPT OF FUNDS PURSUANT TO PROVISION 3 OF ITEM 9210-110-0001 OF THE BUDGET ACT OF 2020

I, Dallin Kimble, am the chief executive or authorized designee of Mariposa County, and I certify that:

1. I have the authority on behalf of Mariposa County to request payment from the State of California ('State') pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020.

2. I understand the State will rely on this certification as a material representation in making a direct payment to Mariposa County.

3. Mariposa County's proposed uses of the funds provided under Provision 3 of Item 9210-110-0001 of the Budget Act of 2020 will be used only for costs that:
   a. Would have otherwise been funded via state-local Realignment revenues.
   b. Prioritize support for health and human services, entitlement programs, and programs that serve vulnerable populations.

4. Mariposa County agrees to do all of the following as a condition of receipt of funds:
   a. Adhere to federal guidance and the state's stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency.
   b. Use the funds in accordance with Provision 3 of Item 9210-110-0001 of the Budget Act of 2020.

By: [Signature]

Signature: [Signature]

Title: [Title]

Date: [Date]

The completed certification must be submitted by email to:
CountyGFAlocations@dof.ca.gov

Certifications must be received by no later than 11:59 p.m. Pacific Daylight Time on July 10, 2020. Certifications received after that time will be disallowed. The subject line of the email shall only contain the name of the county (e.g. County of xxx).
CERTIFICATION FOR RECEIPT OF FUNDS PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (d) OF CONTROL SECTION 11.90 OF THE BUDGET ACT OF 2020

I, Dallin Kimble, am the chief executive or authorized designee of Mariposa County, and I certify that:

1. I have the authority on behalf of Mariposa County to request payment from the State of California ('State') pursuant to the applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020.

2. I understand the State will rely on this certification as a material representation in making a direct payment to Mariposa County.

3. Mariposa County's proposed uses of the funds provided as direct payment under the applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020 will be used only for costs that:

   a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).
   b. Were not accounted for in the budget most recently approved as of March 27, 2020, for Mariposa County.
   c. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

4. Mariposa County agrees to do all of the following as a condition of receipt of funds:

   a. Adhere to federal guidance and the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency.
   b. Use the funds in accordance with all applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020.
   c. Report on expenditures and summarize regional collaboration and non-duplication of efforts within the region by September 1, 2020, and return any funds that are unspent by October 30, 2020 (unless extended by the Department of Finance based on reported expenditures to date), and repay the state for any cost disallowed after federal review.
   d. Retain records to support reported COVID-19 eligible expenditures and participate in audits as outlined by the federal government and State.
CERTIFICATION FOR RECEIPT OF FUNDS PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (d) OF CONTROL SECTION 11.90 OF THE BUDGET ACT OF 2020

By:  Jay Dallin Kimble
Signature:  Jay D.K.
Title:  CAO
Date:  7/6/2020

The completed certification must be submitted by email to:
CRFApplications@dof.ca.gov

Certifications must be received by no later than 11:59 p.m. Pacific Daylight Time on July 10, 2020. Certifications received after that time may be disallowed. The subject line of the email shall only contain the name of the local government entity (i.e. City of xxx or County of xxx).

APPROVED AS TO FORM:

[Signature]
STEVEN W. DAHLEM
COUNTY COUNSEL