

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AUTHORIZING THE ACCEPTANCE OF A
CORONAVIRUS AID, RELIEF, AND ECONOMIC
SECURITY (CARES) ACT CORONAVIRUS RELIEF FUND
(CRF) ALLOCATION OF \$3,360,914 FROM THE STATE OF
CALIFORNIA AND APPROPRIATING FUNDS IN THE
GENERAL FUND IN FISCAL YEAR 2020/21**

WHEREAS, in January 2020, as a result of the COVID-19 virus, the World Health Organization (“WHO”) declared a Public Health Emergency of International Concern and the United States Secretary of Health and Human Services declared a Public Health Emergency; and

WHEREAS, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020; and

WHEREAS, on March 4, 2020, as the number of confirmed cases and deaths related to COVID-19 continued to rise, California Governor Gavin Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency as a result of the COVID-19 virus; and

WHEREAS, on March 13, 2020, due to the escalating number of COVID-19 virus cases nationwide and within California, the City of Chula Vista Director of Emergency Services issued a Proclamation declaring a Local Emergency, as authorized by Government Code section 8630 and Chula Vista Municipal Code section 2.14.080(a), which was subsequently ratified and adopted by the Chula Vista City Council on March 17, 2020; and

WHEREAS, the Centers for Disease Control and Prevention, the California Department of Public Health, and the San Diego County Department of Public Health have all issued recommendations and orders, including, but not limited to, social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, pursuant to California Health and Safety Code sections 101040, 120175, and 120175.5 (b) the Health Officer of the County of San Diego (“Health Officer”) has issued multiple Orders of the Health Officer and Emergency Regulations (the “County Orders”) mandating and prohibiting certain activities, including the following, with certain limited exceptions: the requirement that all persons stay at home; the prohibition of all public and private “gatherings” of more than one person; the closure of all non-essential businesses; the cessation of classes and other school activities; cloth face covering requirements; and social distancing protocols; and

WHEREAS, on March 27, 2020 the President of the United States signed into law the Coronavirus Aid Relief and Economic Security Act, more commonly known as the CARES Act, which authorizes \$2.1 trillion in federal relief; and

WHEREAS, included in the CARES Act is the Coronavirus Relief Fund (CRF) that provided \$150 billion to states and those local municipalities with populations greater than 500,000 based on a specific formula; and

WHEREAS, on June 29, 2020, the State Fiscal Year 2020-21 Budget was signed by the Governor, which included CARES Act CRF funds to cities that did not receive a direct allocation from the federal government; and

WHEREAS, the City of Chula Vista's allocation totals \$3,360,914 and the City's use of these funds must comply with CARES Act CRF grant requirements, which mandate that all expenditures be directly related to the public health emergency caused by COVID-19; and

WHEREAS, eligible categories of COVID-19 expenditures include:

- a. Administrative Expenses
 - Costs for providing CRF payments to other entities or individuals
 - Costs for implementing new programs (such as a new grant program) designed to respond to or mitigate COVID-19
 - Administrative expenses of an audit conducted under the Single Audit Act.
- b. Budgeted Personnel and Services Diverted to a Substantially Different Use
 - Costs of diverting educational support staff or faculty to develop online learning capabilities (if information technology support is not part of their ordinary responsibilities)
 - Costs of diverting any staff from their normal, routine duties to duties that are substantially dedicated to mitigating or responding to the COVID-19 (The exception is staff diverted to support testing or contact tracing. These costs should be included in the category below.)
 - Costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures
- c. COVID-19 Testing and Contact Tracing
 - Costs of providing COVID-19 testing, including serological testing
 - Payroll costs or contract costs for staff conducting contract tracing
- d. Economic Support (Other than Small Business, Housing, and Food Assistance)
 - Costs for a government payroll support program
 - Grants to individuals facing economic hardship to allow them to pay for and continue to receive essential services such as utility bills
- e. Expenses Associated with the Issuance of Tax Anticipation Notes (TANs)
 - Payment of the interest expense payable on TANs by the borrower

- Unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs
- f. Facilitating Distance Learning
 - Technological improvements such as increasing broadband capacity
 - Software purchases that enable distance learning
 - Hardware purchases for students and/or teachers such as laptops and tablets
 - g. Food Programs
 - Costs for establishing and operating a food bank
 - Costs for food delivery to residents, including senior citizens and other vulnerable populations
 - Costs for expanding farming and meat processing capacity, including by paying overtime to USDA meat inspectors, if expanding the capacity is necessary to respond to COVID-19, i.e., increased capacity is necessary to allow farmers and processors to donate meat to food banks,
 - h. Housing Support
 - Rental assistance
 - Mortgage assistance
 - Emergency shelters and housing that facilitate compliance with public health orders, including quarantine and isolation
 - i. Improve Telework Capabilities of Public Employees
 - Technological improvements such as increasing broadband capacity and setting up virtual private networks
 - Software purchases that enable employees to telework
 - Hardware purchases such as laptops and tablets
 - Costs for developing online or automated processes for work that previously required in-person visits for employees and customers/citizens
 - j. Medical Expenses
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment
 - k. Nursing Home Assistance
 - Expenses incurred to specifically assist a nursing home with responding to and mitigating the COVID-19 public health emergency
 - l. Payroll for Public Health and Safety Employees
 - Payroll expenses for public safety, public health, human services, and similar employees (including salaries, benefits, and overtime pay) whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll costs for public health and public safety employees may be presumed to be payments for services substantially dedicated to

mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

- Can include sworn officers, firefighters, and ambulance staff/EMTs
 - Costs of redeploying police to support management and enforcement of stay-at-home orders.
- m. Personal Protective Equipment (PPE)
- Costs for acquisition and distribution of PPE
 - Costs to create a reserve of PPE
- n. Public Health Expenses
- Costs for communication and enforcement of public health orders related to COVID-19
 - Costs for acquisition and distribution of medical and protective supplies, including sanitizing products, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency
 - Costs for disinfection of public areas and other facilities, in response to the COVID-19 public health emergency
 - Costs for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety
 - Costs for public safety measures undertaken in response to COVID-19
 - Costs of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions
 - Costs of sanitation and improvement of social distancing measures at state prisons and county jails
 - Costs for care provided to the homeless population to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions
 - Costs to address increase in solid waste, such as relates to the disposal of used PPE
- o. Small Business Assistance
- Costs for a small business grant program, including the actual grant costs and the administrative costs of the program
 - Costs for any assistance provided to reimburse the costs of business interruption caused by required closures
 - Costs to assist small business with complying with public health orders such as providing tents for outdoor dining
 - Costs for small business loans
- p. Unemployment Benefits
- Unemployment benefits costs that will not be reimbursed by the federal government pursuant to the CARES Act or otherwise
- q. Workers' Compensation
- Increased workers compensation costs to the government due to first responders and critical health care workers that contract COVID-19

r. Items Not Listed Above

- Users may define additional groupings
- This field may also be used to aggregate “obligations” as an alternative to detailing obligations in the categories above. All expenditures must be allocated to specific expenditure categories or in a user-defined field with a description of the cost incurred.

WHEREAS, prior to acceptance of these funds, the City had to submit a Local Government Certification Form to the State of California in order to receive the funds; and

WHEREAS, funds may only be used for costs that were not accounted for in the budget most recently approved as of March 27, 2020 and were or are incurred between March 1, 2020 and December 30, 2020.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it: (i) authorizes the acceptance of a CARES Act Coronavirus Relief Fund (CRF) allocation of \$3,360,914 from the State of California; (ii) acknowledges and ratifies the submission of the Local Government Certification Form by the City Manager to the State, and authorizes her to complete all documents necessary to obtain the State CARES Act CRF allocation; and (iii) authorizes the appropriations of such funds to the City’s General Fund for fiscal year 2020/21 with expenditures to be made in accordance with the State and County CARES allocation plans (presented as Attachment 3 to the staff report for this item), subject to modifications by the City Manager that may be necessary or appropriate to assure expenditure of all available funds in a qualified and timely manner.

Presented by

Approved as to form by

MARIA V. KACHADOORIAN
City Manager

GLEN R. GOOGINS
City Attorney