

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM: 3.3**  
(ID # 12447)

**MEETING DATE:**  
Tuesday, May 19, 2020

**FROM :** EXECUTIVE OFFICE:

**SUBJECT:** EXECUTIVE OFFICE: Acceptance of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding, Budget Establishment, and Administration, All Districts. [\$431,091,226 – Federal CARES Act funds 100%] (4/5th Vote)

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Accept the CARES Act funding of \$431,091,226 from the United States Department of Treasury;
2. Authorize the Executive Office to administer the funds and take any action needed to assure proper expenditure, monitoring and reporting of said funds;
3. Direct the Auditor Controller to establish a budget for CARES Act Coronavirus Relief, Fund 21730- 1107000000;
4. Authorize the Auditor Controller to make future budget adjustments against this fund not to exceed \$150,000,000 for FY 19/20 for related Coronavirus Relief Efforts;
5. Authorize and allocate CARES Act funding of \$50,000,000 for countywide business assistance in response to COVID-19 impacts to be administered through the Business and Community Services department (formerly known as the Economic Development Agency);
6. Authorize the use of the remaining \$281,091,226 in FY 20/21; and,
7. Direct the Executive Office to provide monthly reports to the Board of Supervisors.

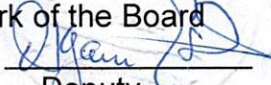
**ACTION:**4/5 Vote Required

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: May 19, 2020  
xc: EO, Auditor

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 150,000,000	\$ 281,091,226	\$ 431,091,226	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> 100% Federal CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES Act)			<b>Budget Adjustment:</b>	<b>Yes</b>
			<b>For Fiscal Year:</b>	<b>19/20 – 20/21</b>

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

This action formalizes the acceptance of CARES Act funding from the federal government and establishes a budget to be administered through the Executive Office for COVID-19 expenses related to county-wide response and preparation activities.

The County of Riverside is the recipient of funding from the federal government to cover expenses necessary to respond to the ongoing public health and economic emergency related to the COVID-19 pandemic. CARES Act funding criteria applies to local government entities with a population of 500,000 or greater according to United States Census data. The county received a direct allocation from the federal government as we are the tenth largest in the nation by population (2.4 million residents).

Riverside County cities have also declared local emergencies due to COVID-19. Cities can apply directly through Cal-OES for FEMA reimbursement, which maximizes the use of all available federal and state funding programs. Cities will also benefit from the indirect increase of sales tax revenue resulting from the business assistance program administered through the county.

CARES Act funding cannot be used to backfill lost revenue. According to the Department of Treasury document, "Guidance for State, Local and Tribal Governments" it is only to be used for COVID-19 related response activities and costs as follows:

1. Necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);
2. Were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and,
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**Examples of eligible expenditures**

1. *COVID-19-Related Medical expenses*
  - For public hospitals, clinics and similar facilities;

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- Establishment of temporary public medical facilities and other measures to increase treatment capacity, including related construction costs;
  - COVID-19 testing, including serological testing;
  - Emergency medical responses, including emergency medical transportation;
  - Establishing and operating public telemedicine capabilities
2. *COVID-19 Public Health expenses*
- Communication and enforcement by local government of public health orders;
  - Acquisition and distribution of medical and protective supplies, including sanitizing products and Personal Protective Equipment (PPE), for medical personnel, police officers, social workers, child protection services, child welfare officers, direct service providers for older adults and individuals with disabilities in community settings and other public health or safety workers;
  - Disinfection of public areas and other facilities, such as nursing homes;
  - Technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety;
  - Public safety measures
  - Quarantining individuals
3. *COVID-19 Payroll expenses*
- For public safety, public health, health care, human services and similar employees
4. *COVID-19 Compliance to Public Health Measures*
- Food delivery to residents, including senior citizens and other vulnerable populations
  - Facilitate distance learning, including technological improvements in connection with school closings;
  - Improve telework capabilities for public employees
  - Expenses of providing paid sick and paid family and medical leave;
  - Expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures;
  - Expenses for care for homeless populations provided to mitigate COVID-19 public health precautions
5. *COVID-19 Provision of Economic Support*
- Expenditures related to provision of grants to small businesses from local government;
  - Expenditures related to local government payroll support program;
  - Unemployment insurance costs if such costs will not be reimbursed by the federal government
6. *Any other COVID-19-related expenses reasonably necessary to the function of government*

For direct guidance from the U.S. Treasury Department, please see Attachments A and B.

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**Implementation of CARES Act Funding**

In coordination with the County Public Health Officer, the county's Emergency Operations Center (EOC) is serving as the responsible entity for the county's COVID-19-related responses. Some of the activities coordinated through the EOC are: laboratory staffing, administering of county COVID-19 testing, staff surge implementation, coordination between the county's hospitals and public health clinics, other hospitals and health care providers, securing hotel and motel rooms for health care, public safety and homeless individuals, recovery from COVID-19, bulk orders for medical equipment and PPE, detention center health sanitation, information technology related to telework and EOC coordination, maintenance of county facilities and federal medical stations, nursing home assistance and guidance, lab equipment, and communication and outreach. The expenses associated with these activities are reimbursable through the CARES Act.

Compliance and monitoring is coordinated through the county for the COVID-19 emergency. California law requires the Emergency Management Department (EMD) to complete a comprehensive After Action Report (AAR) for submission to the Governor's Office of Emergency Services along with updates to the County's Emergency Operation Plan (EOP). Updates to the EOP and associated supporting documents and activities specific to COVID-19 include: surge planning and preparation by our county hospital and medical partners, including mobile outreach to our vulnerable populations, housing COVID-19-affected patients (including homeless individuals), behavioral health assistance, procurement of supplies, detention health and sanitation, surge planning with first responder agencies and emergency medical services (EMS) partners and teleworking of county staff are likely activities to be included. As COVID-19 continues through summer and fall, a myriad of county expenses will be incurred to meet this challenge. These types of activities are covered through the CARES Act.

All COVID-19-related expenses are in the process of being tracked, and as of this writing, \$40 million of expenses have been identified through the Emergency Operations Center. County departments were directed by the Executive Office to review their expenses since March 1 to identify COVID-19-related costs. This process is ongoing and not final as of this writing.

County leadership continues to work with state and federal partners to interpret eligible uses of the CARES Act funding. CARES Act funding cannot be used to backfill county lost revenue.

Through the guidance issued by the U.S. Treasury Department, the county team identified five broad categories eligible for CARES Act funding: business assistance response and recovery, Riverside County government response and preparation, congregate care facilities, homelessness/rental assistance/sheltering/workforce development, and regional hospital response. Some, but not all, of the possible eligible expenses by category are listed below.

**Business Assistance Response:** Due to the impact of COVID-19 on the county business community, this category will be used for small business grants to assist

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businesses affected by interruptions due to the pandemic. The recommended allocation is \$50 million. This program will be administered through the Business and Community Services department (formerly known as the Economic Development Agency).

*The remaining categories are based upon feedback from county departments and the Emergency Operations Center. Each category below has an estimate based on expenses incurred year-to-date and preparation efforts for the continued emergency. The Executive Office will be working with county departments to refine and maximize CARES Act funding, as these estimates exceed the remaining balance. The remaining balance of \$381,095,225 of the CARES Act funding will be distributed among the identified categories below:*

**Riverside County Government Response and Preparation:** For all county departments who have responded with COVID-19 activities, including the Emergency Operations Center activated for this emergency. Expense examples may be medical expenses (supplies, equipment, labor) within the hospital or county clinics, contact tracing, testing, temporary public medical facilities, related construction costs, telemedicine, construction costs for clinical/medical modifications, PPE, county employee time and labor reimbursement, disinfection, county workplace modification, quarantine costs, meals and food delivery, and teleworking, to name a few, are eligible. Estimated costs are \$250 million.

**Congregate Care Facilities:** This category is for COVID-19 related expenses in jails, juvenile halls, skilled nursing facilities, assisted living, memory care, and rehabilitation facilities. As noted nationwide, congregate care facilities present particular challenges for populations in these settings, and as such, prevention planning and environmental measures are critical. Eligible expenses may be PPE, training, testing, disinfection, and quarantine and/or housing of specific individuals. Estimated costs are \$100 million.

**Homelessness/Rental Assistance/Sheltering/Workforce Development:** Rental assistance for people in shelters/ temporary non-congregate settings and eviction prevention, operating Project Roomkey through December, 2020, expansion of domestic violence and youth sheltering options, implementation of respite care program for homeless individuals exiting inpatient care, transitional sheltering support, implementation of resource navigators to assist low-income households, and conversion of job training programs to distance learning formats, are eligible expenses. Estimated costs are \$50 million.

**Regional Hospital Response:** To reimburse our 16 regional hospitals for expenses incurred as a response to the pandemic, as well as preparation for future COVID-19 coordination with the county's Emergency Operations Center. Estimated costs are \$34 million.

**COVID-19-Related County Budget Impacts**

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The full impacts to the COVID-19 pandemic are still being assessed, but the initial estimate is \$100 million in county revenue losses, which includes Prop 172, sales tax, documentary transfer tax, interest earnings, transient occupancy tax and other unknown impacts from the state. Short of any legislative updates, CARES Act funding cannot be used to backfill revenue losses. CARES Act funding is only for the use of county COVID-19-related expenses. The Executive Office has directed departments to prepare for deep cuts to their FY 20/21 budgets, and that any upcoming expenses related to travel, capital projects, and asset purchases, are eliminated. Hiring of staff is subject to extensive review, as the areas of public safety, social work, hospital and clinic staffing need to continue to meet residents' needs. Details and recommendations to the FY 20/21 budget will be forthcoming in future Board meetings.

**Establishment of CARES Act Budgeting**

Approval of this Board item establishes a budget for administration of the CARES Act funding in the amount of \$150 million for FY 19/20, which is an estimate of expenses incurred by the County and also includes establishment of a small business assistance program. Any unused portion of the CARES Act funding will remain within its own fund. A separate budget for FY 20/21 will be established during the regular budget process. This budget is separate from the general fund and will earn its own interest and will not be co-mingled with any other funding source. Federal funding is tied to rigorous oversight, so segregated budgeting and accounting is paramount.

**ATTACHMENTS:**

**(A) U.S. Treasury Department - Coronavirus Relief Fund – Frequently Asked Questions - May 4, 2020**

**(B) U.S. Treasury Department – Coronavirus Relief Fund – Guidance for State, Territorial, Local, and Tribal Governments – April 22, 2020**

**Coronavirus Relief Fund  
Frequently Asked Questions  
Updated as of May 4, 2020**

The following answers to frequently asked questions supplement Treasury’s Coronavirus Relief Fund (“Fund”) Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, (“Guidance”).<sup>1</sup> Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”).

**Eligible Expenditures**

*Are governments required to submit proposed expenditures to Treasury for approval?*

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

*The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the “substantially dedicated” condition?*

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are 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.

*The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a “substantially different use” for purposes of the Fund eligibility?*

Costs incurred for a “substantially different use” include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the 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; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty’s ordinary responsibilities.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online

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<sup>1</sup> The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

***May a State receiving a payment transfer funds to a local government?***

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

***May a unit of local government receiving a Fund payment transfer funds to another unit of government?***

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

***Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?***

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.

***Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?***

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

***Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?***

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

***Are States permitted to use Fund payments to support state unemployment insurance funds generally?***

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.



***Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?***

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

***The Guidance states that the Fund may support a “broad range of uses” including payroll expenses for several classes of employees whose services are “substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” What are some examples of types of covered employees?***

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

***In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers’ compensation coverage. Is the cost of this expanded workers compensation coverage eligible?***

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

***If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?***

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

***May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?***

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

***May Fund payments be used for COVID-19 public health emergency recovery planning?***

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

***Are expenses associated with contact tracing eligible?***

Yes, expenses associated with contract tracing are eligible.

***To what extent may a government use Fund payments to support the operations of private hospitals?***

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

***May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?***

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

***May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?***

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

***Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?***

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

***May recipients create a “payroll support program” for public employees?***

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?***

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

***May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?***

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

***The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?***

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

***The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?***

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

***May Fund payments be used to assist impacted property owners with the payment of their property taxes?***

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

***May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?***

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

***Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?***

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

***The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?***

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

***The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?***

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

***May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?***

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

## **Questions Related to Administration of Fund Payments**

***Do governments have to return unspent funds to Treasury?***

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

***What records must be kept by governments receiving payment?***

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act

***May recipients deposit Fund payments into interest bearing accounts?***

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government’s general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary

expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

***May governments retain assets purchased with payments from the Fund?***

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

***What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?***

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

**Coronavirus Relief Fund**  
**Guidance for State, Territorial, Local, and Tribal Governments**  
**April 22, 2020**

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.<sup>1</sup>

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

***Necessary expenditures incurred due to the public health emergency***

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

***Costs not accounted for in the budget most recently approved as of March 27, 2020***

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

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<sup>1</sup> See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

***Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020***

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

***Nonexclusive examples of eligible expenditures***

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
  - 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.
  - Costs of providing COVID-19 testing, including serological testing.
  - 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.
2. Public health expenses such as:
  - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
  - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, 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.
  - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
  - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
  - Expenses for public safety measures undertaken in response to COVID-19.
  - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
  - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
  - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
  - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
  - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
  - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
  - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
  - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
  - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
  - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

***Nonexclusive examples of ineligible expenditures<sup>2</sup>***

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.<sup>3</sup>
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

---

<sup>2</sup> In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

<sup>3</sup> See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.



4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.



## **ATTACHMENT C**

Addendum to Board Item:  
Letter from the Economic  
Recovery Taskforce

May 15, 2020

Honorable V. Manuel Perez  
Chairman  
Riverside County Board of Supervisors  
4080 Lemon Street  
Riverside, Ca. 92501

Dear Chairman Perez,

On behalf of the Riverside County Economic Recovery Task Force, I want to thank you and your colleagues for the leadership you have shown through this unprecedented COVID-19 crisis. Like you we are anxious to get as many Riverside County businesses, both for-profit and not-for-profit, back to work as quickly as possible in a safe, responsible and economically viable fashion.

It is our goal to develop re-opening guidelines in line with County and State guidance for safety and public health, to operate in a way that drastically minimizes the risk of COVID-19 spread and inhibits any surges of disease.

Our Task Force has been busy since our first meeting April 28, 2020, considering alternatives and reviewing best practices from around the nation that could assist in the reopening of Riverside County's economy. We are currently operating on two different tracks:

1. What can the Task Force recommend to the Board of Supervisors that you can implement immediately to get businesses open and running with the tools and supplies necessary to protect employees and customers alike?
2. How can the Task Force work with the Board of Supervisors, County Public Health Department and other officials to identify roadblocks to Riverside County businesses re-opening, negotiate reasonable variances, and support resource allocations to ensure safe re-opening?

We all know we have a long road to economic recovery and we plan to offer numerous suggestions to the Board of Supervisors over time as circumstances change and evolve. The purpose of this letter is to provide our first set of recommendations to the Board on immediate steps that can be taken that will maintain the ability of essential business to remain open, provide resources needed for those business not yet open, to be ready to do so safely and quickly, as well as other actions that will generally support the economic recovery of the County. These recommendations are

intended to support businesses and organizations throughout the County in both incorporated cities or the unincorporated County communities.

At this time economic data is just beginning to emerge that tells the damaging impact of the Covid-19 pandemic on Riverside County residents and businesses. In the absence of hard data, it is difficult to quantify the exact needs throughout the County, however anecdotal information gathered from the task force through news outlets, regional chambers of commerce, trade associations and the non-profit community indicates significant need. In addition, we recognize that the County has received significant Federal Covid-19 Relief funding that must be appropriated before December 31, 2020. With these factors in mind we recommend immediate strategic investment in the range of \$35 to \$50 million dollars toward the following recommendations below. As hard data emerges regarding needs on the ground, we look forward to working with you to refine targeted funding where it will have the greatest impact and benefit to all of Riverside County. Additionally, we are committed to working with County staff in the creation of appropriate safeguards to ensure both appropriate use of these public dollars as well as transparency regarding their ultimate use, as well as seeking opportunities for matching funds from other philanthropic and corporate sources.

**Recommendation 1:**

Appropriate Federal Covid-19 Relief Funds to provide grants and loans to Riverside County businesses, for-profit and not-for-profit, who have or are retooling their operations to provide critical supplies needed to make reopening of the economy possible. This would include businesses manufacturing and distributing critically needed supplies including Personal Protective Equipment (PPE) such as gowns, hand sanitizers, gloves, face masks, and other necessary items needed to facilitate safe reopening. In addition, those entities involved in the manufacturing of testing and related products that assist with contract tracing should also be eligible.

We would recommend these dollars to be targeted to those business who are making these supplies for Riverside County businesses and health care providers. Once production outpaces local demand, we would encourage these supplies to be made available to our neighboring counties.

**Recommendation 2:**

Appropriate Federal Covid-19 Relief Funds for the purpose of the County providing small businesses, both for-profit and not-for-profit, grants to be used to acquire PPE (gowns, gloves, face masks and shields and other workplace safeguards and equipment), hand sanitizer, cleaning/disinfecting supplies and other supplies needed to facilitate safe reopening. Other expenses including employee/customer testing and health screening equipment, retrofit properties for open windows, better air exchange, filtration, automation and technology adaptation should also be covered under this program.

We also strongly encourage the County to harness its purchasing power to secure these resources and distribute these products to the business community as is reasonable and feasible. Our Task Force stands ready to assist in this effort as appropriate.

**Recommendation 3:**

Appropriate Federal Covid-19 Relief Funds to the Riverside County Covid-19 Business Assistance Program, which you and your colleagues already created and seeded with an initial investment of \$1 million.

As we know, many businesses, both for-profit and not-for-profit, were either unable to take advantage of the relief programs set up by the Federal Government because of a lack of funds or because they did not qualify under the narrow Federal guidelines. There are countless businesses who were shut out and are in desperate need of financial assistance to get back on their feet.

**Recommendation 4:**

The construction and building industries are significant large employers in Riverside County and they have experienced unprecedented disruption across all sectors. We recommend the County of Riverside defer all building permit fees from Building Permit to Occupancy Permit effective immediately. The County should also recommend that the cities in Riverside County do the same. This deferral will provide much needed cash flow to construction projects and will help stabilize projects under construction to ensure they are completed, while also ensuring the County receives the fee's due before a project can be occupied. We would also recommend the County freeze all fees at current levels until June 30, 2021.

**Recommendation 5:**

The Task Force is aware that State and Federal agencies have deployed numerous funding programs to support the business community and local governments affected by COVID-19. Recognizing that the unemployed and vulnerable workers (those who are furloughed, leaving the workforce, or having hours cut) and low-income communities, many of whom are comprised of people of color and are disproportionately affected by COVID-19, the Task Force recommends the County direct staff to create a Resource Table in partnership with regional foundations and corporate funders to identify and apply for public and private philanthropic dollars to provide critical assistance to vulnerable workers and communities. The Task Force further recommends the County continues and expands partnerships with front line organizations to ensure continued delivery of services and assistance.

On behalf of the Riverside County Economic Recovery Task Force we want to thank the Board of Supervisors for the opportunity to offer these initial recommendations to make immediate positive

impacts on the Riverside County economic recovery. We stand ready to partner with you and work with your staff on the design and implementation of the recommendations noted above.

While we have much work to do and a long road to recovery, we are confident Riverside County will emerge stronger and more vibrant than ever before.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lou Monville', with a long horizontal flourish extending to the right.

Lou Monville  
Chairman  
Riverside County Economic Recovery Task Force

cc:

Riverside County Supervisors Vice Chair Karen Spiegel  
Riverside County Supervisor Jeff Hewitt  
Riverside County Supervisor Kevin Jeffries  
Riverside County Supervisor Chuck Washington  
Riverside County Executive Officer George Johnson

10:19

# Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: David Dinnel

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Agenda # 3.3

### PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Be ✓ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

**Note:** If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

\_\_\_\_\_ Support      \_\_\_\_\_ Oppose      \_\_\_\_\_ Neutral

I give my 3 minutes to: \_\_\_\_\_

**From:** Nataly Escobedo Garcia <[ngarcia@leadershipcounsel.org](mailto:ngarcia@leadershipcounsel.org)>

**Sent:** Monday, May 18, 2020 5:47 PM

**To:** District 4 Supervisor V. Manuel Perez <[District4@RIVCO.ORG](mailto:District4@RIVCO.ORG)>; Supervisor Jeffries - 1st District <[district1@RIVCO.ORG](mailto:district1@RIVCO.ORG)>; District2 <[District2@Rivco.org](mailto:District2@Rivco.org)>; District5 <[District5@Rivco.org](mailto:District5@Rivco.org)>; District3 Information <[D3Email@RIVCO.ORG](mailto:D3Email@RIVCO.ORG)>; COB <[COB@RIVCO.ORG](mailto:COB@RIVCO.ORG)>

**Cc:** Walsh, Michael <[MFWalsh@rivco.org](mailto:MFWalsh@rivco.org)>; Rodriguez, Greg L <[GRodrigu@rivco.org](mailto:GRodrigu@rivco.org)>; Lesly Figueroa <[lfigueroa@leadershipcounsel.org](mailto:lfigueroa@leadershipcounsel.org)>; Rebecca Zaragoza <[rzaragoza@leadershipcounsel.org](mailto:rzaragoza@leadershipcounsel.org)>; Phoebe Seaton <[pseaton@leadershipcounsel.org](mailto:pseaton@leadershipcounsel.org)>; Veronica Garibay <[vgaribay@leadershipcounsel.org](mailto:vgaribay@leadershipcounsel.org)>; [silvia@alianzacv.org](mailto:silvia@alianzacv.org)

**Subject:** Public Comment Submission: May 19th Board of Supervisors Regular Meeting

Good evening Riverside County Board of Supervisors,

We hope this email finds you well. In partnership with Alianza Coachella Valley we are submitting the following letter in response to agenda items 3.3, 3.20, 3.21, and 3.38. Thank you for your consideration and we look forward to hearing a response from you during tomorrow's Board Meeting.

If you have any questions, comments, or concerns, please do not hesitate to contact us.

In community,

--

**Nataly Escobedo Garcia, MA | *Policy Coordinator - Water Programs***  
**Leadership Counsel for Justice and Accountability**  
**C: 805-407-9800 | E: [ngarcia@leadershipcounsel.org](mailto:ngarcia@leadershipcounsel.org)**



[Website](#) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

**From:** COB

**Sent:** Tuesday, May 19, 2020 8:36 AM

**To:** Nataly Escobedo Garcia <ngarcia@leadershipcounsel.org>

**Cc:** Walsh, Michael <MFWalsh@RIVCO.ORG>; Rodriguez, Greg L <GRodrigu@rivco.org>; Lesly Figueroa <lfigueroa@leadershipcounsel.org>; Rebecca Zaragoza <rzaragoza@leadershipcounsel.org>; Phoebe Seaton <pseaton@leadershipcounsel.org>; Veronica Garibay <vgaribay@leadershipcounsel.org>; silvia@alianzacv.org

**Bcc:** Perez, Juan <JCPEREZ@RIVCO.ORG>; Saruwatari, Kimberly A. <KSaruwatari@rivco.org>; Federico, Brooke <bcfederico@RIVCO.ORG>

**Subject:** Public Comment Submission: May 19th 3.3, 3.20, 3.21 and 3.38 Board of Supervisors Regular Meeting (Leadership Counsel for justice and Accountability)

Greetings:

The Clerk of the Board of Supervisors is in receipt of your email and attached letter regarding several COVID-19-related funding items, and has included them in the record for May 19, 2020.

Thank you kindly, and please be and stay well,

*Sue Maxwell*

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon Street, 1<sup>st</sup> Floor, Room 127

Riverside, CA 92501

(951) 955-1069 Fax (951) 955-1071

Mail Stop #1010

[cob@rivco.org](mailto:cob@rivco.org)

website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



**TOGETHER, Everybody Counts!**



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## Maxwell, Sue

---

**From:** COB  
**Sent:** Tuesday, May 19, 2020 11:19 AM  
**To:** Nataly Escobedo Garcia; COB  
**Cc:** Walsh, Michael; Rodriguez, Greg L; Lesly Figueroa; Rebecca Zaragoza; Phoebe Seaton; Veronica Garibay; silvia@alianzacv.org  
**Subject:** RE: Public Comment Submission: May 19th 3.3, 3.20, 3.21 and 3.38 Board of Supervisors Regular Meeting (Leadership Counsel for justice and Accountability)

Please stay on hold to retain your place in the phone queue. IT will get to you, as everyone is being connected in the order received for each Agenda Item or Public Comment.

It may have been best to acknowledge that you were on the line when they called your name (and corrected them on the Item number at that time).

I wish you best...and you may have already spoken.

Thank you,

*Sue Maxwell*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon Street, 1<sup>st</sup> Floor, Room 127  
Riverside, CA 92501  
(951) 955-1069 Fax (951) 955-1071  
Mail Stop #1010  
[cob@rivco.org](mailto:cob@rivco.org)  
website: <http://rivcocob.org/>  
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**From:** Nataly Escobedo Garcia <[ngarcia@leadershipcounsel.org](mailto:ngarcia@leadershipcounsel.org)>  
**Sent:** Tuesday, May 19, 2020 10:15 AM  
**To:** COB <[COB@RIVCO.ORG](mailto:COB@RIVCO.ORG)>  
**Cc:** Walsh, Michael <[MFWalsh@rivco.org](mailto:MFWalsh@rivco.org)>; Rodriguez, Greg L <[GRodrigu@rivco.org](mailto:GRodrigu@rivco.org)>; Lesly Figueroa <[lfigueroa@leadershipcounsel.org](mailto:lfigueroa@leadershipcounsel.org)>; Rebecca Zaragoza <[rzaragoza@leadershipcounsel.org](mailto:rzaragoza@leadershipcounsel.org)>; Phoebe Seaton <[pseaton@leadershipcounsel.org](mailto:pseaton@leadershipcounsel.org)>; Veronica Garibay <[vgaribay@leadershipcounsel.org](mailto:vgaribay@leadershipcounsel.org)>; silvia@alianzacv.org

**Subject:** Re: Public Comment Submission: May 19th 3.3, 3.20, 3.21 and 3.38 Board of Supervisors Regular Meeting  
(Leadership Counsel for justice and Accountability)

Good morning,

I am currently on the phone waiting to give my comment. My name was called for item 3.2, even though I submitted the online form for item 3.20. I will remain on the line until this item is called and ask to be allowed to give public comment then.

Best,  
Nataly

On Tue, May 19, 2020 at 8:36 AM COB <[COB@rivco.org](mailto:COB@rivco.org)> wrote:

Greetings:

The Clerk of the Board of Supervisors is in receipt of your email and attached letter regarding several COVID-19-related funding items, and has included them in the record for May 19, 2020.

Thank you kindly, and please be and stay well,

***Sue Maxwell***

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon Street, 1<sup>st</sup> Floor, Room 127

Riverside, CA 92501

(951) 955-1069 Fax (951) 955-1071

Mail Stop #1010

[cob@rivco.org](mailto:cob@rivco.org)

website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



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IECounts.org

**From:** COB

**Sent:** Tuesday, May 19, 2020 11:24 AM

**To:** Rebecca Zaragoza <[rzaragoza@leadershipcounsel.org](mailto:rzaragoza@leadershipcounsel.org)>

**Subject:** RE: Public Comment Submission: May 19th 3.3, 3.20, 3.21 and 3.38 Board of Supervisors Regular Meeting (Leadership Counsel for justice and Accountability)

I hope if you have not already spoken, you will remain on the line and be queue to speak.

Sincerely,

***Sue Maxwell***

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon Street, 1<sup>st</sup> Floor, Room 127

Riverside, CA 92501

(951) 955-1069 Fax (951) 955-1071

Mail Stop #1010

[cob@rivco.org](mailto:cob@rivco.org)

website: <http://rivcocob.org/>

<https://www.facebook.com/RivCoCOB/>



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**From:** Rebecca Zaragoza <[rzaragoza@leadershipcounsel.org](mailto:rzaragoza@leadershipcounsel.org)>

**Sent:** Tuesday, May 19, 2020 10:18 AM

**To:** Nataly Escobedo Garcia <[ngarcia@leadershipcounsel.org](mailto:ngarcia@leadershipcounsel.org)>

**Cc:** COB <[COB@RIVCO.ORG](mailto:COB@RIVCO.ORG)>; Lesly Figueroa <[lfigueroa@leadershipcounsel.org](mailto:lfigueroa@leadershipcounsel.org)>; Phoebe Seaton <[pseaton@leadershipcounsel.org](mailto:pseaton@leadershipcounsel.org)>; Rodriguez, Greg L <[GRodrigu@rivco.org](mailto:GRodrigu@rivco.org)>; Veronica Garibay <[vgaribay@leadershipcounsel.org](mailto:vgaribay@leadershipcounsel.org)>; Walsh, Michael <[MFWalsh@rivco.org](mailto:MFWalsh@rivco.org)>; [silvia@alianzacv.org](mailto:silvia@alianzacv.org)

**Subject:** Re: Public Comment Submission: May 19th 3.3, 3.20, 3.21 and 3.38 Board of Supervisors Regular Meeting (Leadership Counsel for justice and Accountability)

Good morning,

I am also currently on the phone. I signed up for item 3.3. My name is Rebecca Zaragoza and my number is +17607743528. Thank you.

On Tue, May 19, 2020 at 10:14 Nataly Escobedo Garcia <[ngarcia@leadershipcounsel.org](mailto:ngarcia@leadershipcounsel.org)> wrote:

Good morning,

I am currently on the phone waiting to give my comment. My name was called for item 3.2, even though I submitted the online form for item 3.20. I will remain on the line until this item is called and ask to be allowed to give public comment then.

Best,  
Nataly



May 18, 2020

Honorable V. Manuel Pérez  
Chairman  
Riverside County Board of Supervisors  
4080 Lemon Street,  
Riverside, CA. 92501

*Submitted Via Email*

**RE: Public Comments for the Riverside County Board of Supervisors Regular Meeting on May 19, 2020**

Dear Riverside County Board of Supervisors,

We hope this letter finds you well and in good health. On behalf of Leadership Counsel for Justice and Accountability we would like to submit the following public comments and recommendations concerning agenda items 3.3, 3.20, 3.21, and 3.38.

**Agenda Item 3.3: Acceptance of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Funding, Budget Establishment, and Administration**

We are grateful that Riverside County will be able to benefit from funding allocated by the CARES Act. If implemented and used effectively, this funding allocation could significantly improve our local and regional response efforts to COVID-19 in Riverside County. It is unclear, however, how the recommended expenditure plan was developed and whether public comments and general public participation was included in this process. In an effort to elevate transparency and prioritize the needs of the most heavily impacted and vulnerable communities, we recommend that the Board of Supervisors postpone the vote on the recommended motions for Item 3.3 until the County conducts a meaningful and transparent community engagement process that helps create a stronger expenditure plan that accurately captures and reflects the other critical needs and asks that community residents in the Eastern Coachella Valley (ECV) and across Riverside County have been elevating.

On March 20th, April 3rd, and May 5, 2020, we submitted written comments that called on the Board of Supervisors to take swift action in responding to the COVID-19 impacts that are being

felt across the County. More specifically, we have advocated that greater support be given to the most vulnerable communities in the County, including the ECV. In this section, we reiterate several of those comments and outline recommendations on how to do this, as well as community feedback and priorities that we have provided to the Board of Supervisors in previous meetings and letters.

### **Gaps in the Implementation of CARES Act Funding Sections 1, 2, and 4**

#### **1. Business Assistance Response**

Under the section titled “Implementation of CARES Act Funding”, staff recommends that \$50 million be allocated to provide “small business grants to assist businesses affected by interruptions due to the pandemic”. In addition, a letter submitted to the Board from the Riverside County Economic Recovery Task Force to the Board on May 15, 2020 (Attachment C of item 3.3) outlines the different priorities developed by the Task Force for the safe reopening of businesses across the County, including an ask for “investment in the range of \$35 to \$50 million dollars” to fund their 5 goals and recommendations. While we acknowledge the heavy economic impacts that residents and businesses are facing during this time, and appreciate the Task Force’s work to alleviate part of the hardship for the region, we urge a balanced approach that addresses the acute economic impacts to both businesses (including not-for-profit and community based organizations) and Riverside County residents.

We appreciate the Task Force for Recommendation 5 which calls for the creation of a “Resource Table” as it aligns with our continued request for the creation of a community-based and community-led economic recovery task force. Identifying and sharing useful resources with residents who are suffering economically is greatly needed, but they merit the same opportunity to provide feedback, guidance, and priorities to the Board as well as have them be equitably heard and considered.

#### **Key Recommendations:**

- Prioritize funding for programs and assistance for workers and residents struggling to stay in their homes and maintain basic necessities including water, electricity, food, and medicine. This type of investment will promote short and long-term economic stability across the County and ensure that we are prioritizing the economic security of its residents and increasing long-term capacity to participate in an economic recovery.

- Identify and target support to small businesses with owners who are black, indigenous, and/or people of color. Specifically, they should receive assistance to support safety measures and other infrastructure in order to reopen and operate safely.
- Establish a community-led economic recovery task force for Riverside County with sub regional task forces that help capture local issues and utilize this venue to solicit feedback on the expenditure plan and identify key priorities that require immediate and significant assistance (more detail below).

## 2. Riverside County Government Response and Preparation

We support the provision of PPE and other assistance to first-responders and government employees. Their collective work and sacrifice during this time has considerably helped in flattening the curve in Riverside County.

As additional assistance, however, it is vital to also provide these supportive measures to the greater population of Riverside County. This includes providing PPE to all essential workers like farmworkers, grocery workers, and landscape workers and requiring employers to ensure safe and healthy workplaces.

Additionally, the County must make resources available to provide financial support to residents who have been laid-off or had their hours reduced, as well as financial support to workers who have lost their job after contracting COVID-19. Countless workers have been locked out of the full suite of safety net services made available through federal resources. Additional financial support to local food banks, schools, and churches providing meal service and safe drinking water to residents, as well as for direct delivery to more vulnerable residents like senior citizens or immunocompromised residents that make the request is critical to protecting the health and safety of the County's most vulnerable. Funding for rural communities who have limited access to broadband and internet and are heavily impacted by the digital divide.

### **Key Recommendations:**

- Prioritize, enhance, and enforce protective measures for all essential workers, including farmworkers, grocery workers, and landscape workers by providing PPE and enforcing the provision of PPE by employers.
- Allocate funding to support food banks, schools, and churches who are providing food and drinking water to residents and who are also working to directly deliver food to those most vulnerable to COVID-19.
- Implement and extend broadband infrastructure to support residents in rural areas to have stronger access to the internet.

### 3. Homelessness/Rental Assistance/Sheltering/Workforce Development

We support the allocation to assist community residents in rental assistance and other housing opportunities to support tenants who have been struggling to pay rent due to COVID-19, however, we propose there is a priority to support the most vulnerable throughout the county. Ensuring coordinated homelessness prevention strategies are put in place for currently housed individuals is critical in communities who are more vulnerable to intimidation and evictions.

For instance, Oasis mobile home park is in eastern Riverside County near the west shore of the Salton Sea. The park is home to approximately 1,900 people living in more than 200 units. Residents in the mobile home park struggle with contaminated drinking water, substandard housing, severe habitability issues, including frequent water shutoffs, unsafe wastewater infrastructure, increased rent, fees that either exceed the cost of service (e.g. electricity) or for services that are not provided (e.g. trash service), hostile management, threats of retaliation, homeless dogs, flooding due to inadequate stormwater infrastructure, and an illegal waste dump that periodically accumulates at the southside of the park.

It is our understanding that the park is at least partially located on allotted land and because of this, tribal, local and state jurisdiction is limited. However, replacement housing within county jurisdiction is a viable solution, especially for a community that has been severely impacted by COVID-19 and does not benefit from any state or local protections, this is an urgent matter in need of a solution. Residents in this mobile home park continue to face the impact of COVID-19 in job loss, school closures, increased food insecurity, and more. Oasis MHP is one example of the multitude of impacts residents in rural communities are facing and must be addressed to lessen the economic impact on families. We propose the recommended \$50 million for housing efforts to undergo a public process and prioritize the needs of most vulnerable communities.

#### **Key Recommendations:**

- Prioritize and increase rental assistance allocation to most vulnerable communities.
- Include utility assistance as a component of rental assistance.
- Develop a short-term COVID-19 response strategy for Oasis MHP that includes a long-term housing replacement plan.
- Create a public process and stakeholder group to inform the allocation and expenditure of funding for housing, rental assistance, sheltering, and workforce development.
- Fund legal assistance to protect tenants and others vulnerable of losing their homes, including support for both documented and undocumented residents.

In addition to the key recommendations above, we also ask that the following be included and funded under eligible expenditures:

- Transportation assistance for residents needing to access testing sites or other medical facilities in addition to food banks and food dispensaries.
- Ensure that the “mobile outreach to our vulnerable populations” includes rural communities and for material, announcements, and other communication methods are spread through accessible formats and languages, including Spanish and Purhépecha.
- Unemployment and other direct cash assistance for residents who are undocumented and residents who do not qualify for any federal or state relief funds due to their immigration status.
- Riverside County should provide strong oversight, monitoring, and reporting of all expenditures. We appreciate the recommendation for reports to be presented to the Board each month, but also ask for greater transparency and better engagement efforts to gather input into the decision-making process behind these expenses.

#### **Guidance for Implementing a Community-led Economic Recovery Task Force**

As mentioned above, it’s important for Riverside County to be transparent and equitable in its efforts to lead the economic recovery. We recommend the Board to create a county-wide economic recovery task force that will advise, guide, and direct the Board on how to utilize its CARES Act and other emergency relief funds intended to alleviate the impacts of COVID-19 in the community.

#### **Key Recommendations:**

- Establish a community-led economic recovery task force for Riverside County.
- Create sub regional task forces that help capture local issues. One sub regional task force shall be established in the Coachella Valley that includes the communities of Thermal, Oasis, Mecca, North Shore, and the City of Coachella.
- Utilize this venue to solicit feedback on the expenditure plan and identify key priorities that require immediate and significant assistance.
- Ensure that the task forces include residents, tenants, non-profit organizations, community-based organizations, youth, small-business owners, and people of color, and other participants that reflect the community for which the task force represents.
- The subregional task forces shall meet on a regular basis to develop a plan that identifies priorities and funding allocations for their local needs.



- The subregional task forces shall reconvene to merge all plans and identify a path forward for amending and establishing a regional and County-wide expenditure plan for the CARES Act funding.

Overall, we appreciate the progress that Riverside County has made in responding to the public health and economic crises related to COVID-19, but there is still much to be done to support residents and the community. Our recommendation is for the Board to postpone the vote on item 3.3. In order to bring this item back to the Board, we ask that the County consider our requests, conduct meaningful outreach and engagement to solicit public input, and update the expenditure plan for the CARES Act funding allocation that better reflect community priorities.

**Agenda Item 3.20: HOUSING, HOMELESSNESS PREVENTION AND WORKFORCE SOLUTIONS: Approval and Adoption of the 2020-2021 One Year Action Plan of the County's 2019-2024 Consolidated Plan for HUD Community Planning and Development (CPD) Funding, Acceptance of CPD Funding Allocation, and Related Actions**

As the plan is currently written, we have concerns regarding the prioritization of projects and policies and the communities that would benefit from this support. We believe changes need to be made to the plan before it can be adopted and ask that the board consider the following recommendations before approving the Consolidation Plan.

**Citizen Participation Process and consultation process**

**HHPWS needs to implement a robust and inclusive public participation plan.** Neither the One Year Action Plan nor the Citizen Participation Plan includes a robust plan for public engagement. Furthermore, the plan does not include any discussion of public engagement in the context of the COVID-19 pandemic. To ensure the public is adequately engaged throughout the implementation of the Consolidation Plan, we make the following recommendations:

- Ensure that materials are translated into all languages spoken by at least 5 percent of the public served by the agency, who do not speak English or are unable to effectively communicate in English.
- Provide interpretation at all public meetings into all languages spoken by at least 5 percent of the public served by the agency, who do not speak English or are unable to effectively communicate in English.
- Ensure all public meetings are held at accessible times and locations for disadvantaged community residents.
- Demonstrate how the County has incorporated / incorporates public input into the Plan and Plan implementation

## Annual Goals and Objectives

**HHPWS must prioritize low-income residents' housing programs.** While all goals and objectives will be critical to stabilizing housing needs in Riverside County, HHPWS must prioritize goals and objectives that support the most impacted residents in the county. To ensure residents that are most impacted by housing issues, we make the following recommendations:

- Expand the affordable rental housing stock, improve the Conditions of substandard housing, and address farmworkers housing needs, as the first priority of the Consolidation Plan
- Goals and objectives should prioritize the needs of historically marginalized communities, such as neighborhoods in Eastern Coachella Valley

## Projects

**HHPWS needs to explain their selection process for project benefits recipients and ensure transparency through the selection process.** Several of the projects that will be implemented will benefit very few households due to the limited funding available. As such HHPWS must explain their selection process to ensure that project benefits are distributed to residents most in need. To ensure equity and transparency through the selection process, we make the following recommendations:

- Include detailed description of the project benefits selection process.
- Clarify prioritization for residents most in need in the description of the selection process
- Prioritize recipients of project benefits from historically marginalized communities, such as the Eastern Coachella Valley.
  - Almost 200 families are currently facing severe housing insecurity and living in substandard conditions at Oasis Mobile Home Park. Oasis MHP families and others in similar circumstances should benefit from these investments.

Please accept the following recommendations below on a few of the allocations totalling for the FY 2020-2021 of \$8,059,621 in CDBG funds, \$2,531,648 in HOME Program funds, and \$641,710 in ESG funds. It is critical these allocations truly benefit low-income individuals, especially in the duration of the pandemic where tenants are more vulnerable and rent-burdened than before.

**HOME CHDO Set-Aside \$379,348**

The set-aside for the Community Housing and Development Organizations estimates that 5 households will benefit from this allocation. We propose there be a priority for farmworker and low-income housing.

**HOME New Construction \$1,299,368**

The goal of this allocation is to expand the affordable rental housing stock to an estimated 40 households that will directly benefit from this allocation. We propose there be a priority for farmworker and low-income housing.

**ESG20 - County of Riverside \$641,710**

The goal of the ESG allocation is to support homelessness prevention strategies including emergency rental assistance to prevent homelessness. This allocation should include support for residents at risk of losing their home due to non-payment, especially during the pandemic, including and especially those on tribal land who have less access to eviction protections..

**Fair Housing Program Administration \$135,000**

The goal of the program is to provide “no cost” fair housing services to “eligible” clientele, however, the eligibility is unclear as well as the provider of the service. Many residents in the Eastern Coachella Valley are impacted by less traditional housing practices and are vulnerable to evictions and substandard housing. This service should be available to all residents including those who are undocumented and people living on tribal land.

**Emergency Assistance Program - \$20,000**

Riverside Community Housing Corp. will use the CDBG allocation to provide emergency and essential assistance to 10 eligible individuals. This allocation should prioritize rental assistance to low-income tenants and be more flexible to ensure more families can benefit.

**Home Enhancement Program - \$400,000**

The goal of this program is to use this allocation for rehabilitation purposes including mobile homes and will assist about 12 households in the unincorporated Riverside County. This allocation should prioritize mobile homes in the Eastern Coachella Valley, which is in unincorporated county. Prioritizing and investing in affordable housing stock in rural communities will benefit communities vulnerable to evicted and substandard housing most in

need of rehabilitation. This should also include a set-aside of funding to complete the permitting process of unpermitted mobile home parks in the Eastern Coachella Valley.

**Home Enhancement Program - \$267,642**

The goal of this program is to use this allocation for rehabilitation purposes including mobile homes and will assist about 9 households in the unincorporated Riverside County. This allocation should prioritize mobile homes in the Eastern Coachella Valley, which is in unincorporated county and be more flexible to ensure more families can benefit. Prioritizing and investing in affordable housing stock in rural communities will benefit communities vulnerable and substandard housing most in need of rehabilitation. This should also include a set-aside of funding to complete the permitting process of unpermitted mobile home parks in the Eastern Coachella Valley.

It is important these recommendations are taken into consideration and included in the descriptions in the project allocations. It is unclear what the purpose and goal of the Eastern Coachella Valley Empowerment Initiative, we recommend this be clarified and modified with the participation of the community. Lastly, during these times is critical all funds are used in a coordinated and strategic effort to ensure low-income communities who are most vulnerable to crisis are supported.

**Agenda Item 3.21: HOUSING, HOMELESSNESS PREVENTION, AND WORKFORCE SOLUTIONS (HHPWS): Amendment to the Citizen Participation Plan of the 2019-2024 Five Year Consolidated Plan, Acceptance of Community Development Block Grant-CV Funding Allocation, and Approval of the Substantial Amendment to the 2019-2020 One Year Action Plan of the 2014-2019 Five Year Consolidated Plan to include the Ramsey Street Village, COVID19 Micro-Enterprise Financial Assistance Program, COVID19 Rental Assistance Program, and CDBG-CV Program Administration**

We provide recommendations below on the amendment to the Citizen Participation Plan, allocation of the Community Development Block Grant-CV funding, and approval of the amendment to the 2019-2020 One-Year Action Plan and to the 2019-2024 Five-Year Consolidated Plan.

**COVID-19 Micro-Enterprise Financial Assistance Program - \$500,000**

The Amendment to the 2019-2020 One Year Action Plan (Amendment) includes the allocation of the COVID-19 Micro-Enterprise Financial Assistance Program will serve 30-35 micro-enterprises within “eligible areas” of the County. The description of the program does not

provide definitions for the “eligible or a micro-enterprise. Similarly, it doesn’t discuss how eligible entities will prove they have been financially impacted by COVID-19. It is unclear how the micro-enterprises will be chosen and how awarded funds will (or can) be spent.

**Key Recommendations:**

- Provide clarification on the County’s “eligible areas”, selection process, and how entities will demonstrate financial impact from COVID-19 and ensure all communities are eligible
- Prioritize small businesses in disadvantaged and low-income communities

**COVID-19 Rental Assistance Program - \$3,340,000**

The recommended amendment includes COVID-19 Rental Assistance Program serving 2,200 households countywide. We are pleased to see the dedication of funds to help people stay in their homes during this crisis but request greater clarity as to the geographic distribution of the funds, selection criteria, and process for administering funds. It is critical resources are distributed to disadvantaged and low-income communities where the needs are much higher due to high unemployment and underemployment caused by COVID-19 and legacy of rent burdened households. The County should also dedicate resources from this and other funding sources to increase the amount of funds available to address this critical need. Finally, assistance to pay for - sometimes as much or more than base rental costs should be eligible under this program.

It is unclear in the description of the program how non-profits will apply to administer the program as sub-recipients. Additionally, it is unclear how the rental assistance will be received by the tenant or the landlord. This should be made clear within the program and guidance should be given to the sub-recipients who will distribute the rental assistance. Additionally, there should be clear guidance as to how landlords and tenants receive notification and confirmation that rent has been paid in addition to relevant anti-discrimination and anti-intimidation mandates. This is especially critical if rental assistance is distributed to the landlord or property owner rather than the tenant. Additionally the County and / or sub-recipient administering the program should ensure the tenant does not face discrimination, intimidation, or retaliation from the landlord or property owner as a result of their participation in the program.

Residents who live in tribal land and in unpermitted parks within the Eastern Coachella Valley, along with other informal housing situations are most vulnerable to intimidation, retaliation, and evictions. With more than 100 mobile home parks in the Eastern Coachella Valley, it is important the County provides guidance and prioritizes residents in vulnerable housing. Additionally, we request verification that all tenants are eligible for this program and recommend that undocumented tenants who have less access to emergency financial support are prioritized.

Rental assistance is critical to ensuring tenants can stay in their homes during and after the pandemic. As discussed in greater detail below, an eviction moratorium combined with rental assistance will help tenants stay in their homes, prevent increased homelessness and support regional economic sustainability. We recognize rental assistance is a stop-gap and we need to work together to develop an effective and equitable economy to ensure that tenants impacted by the current and impending impacts of COVID-19 are not perpetually at risk of losing their homes.

**Key Recommendations:**

- Prioritize low-income tenants, especially tenants who reside on tribal and allotted land in more vulnerable housing situations
- Clarify the process for nonprofits to become sub-recipients of the rental assistance fund and provide guidance to sub-recipients on prioritizing more vulnerable low-income tenants
- Clarify and provide guidance to ensure rent payments are received by the landlord or property owner to prevent any further landlord-tenant disputes for non-payment of rent from the County or the sub-recipient administering the rental assistance program
- Include in amendment to the 2019-2020 One Year Action Plan to implement utility assistance within the rental assistance program
- Ensure priority of rental assistance to undocumented residents and other vulnerable household in current and future funding allocations
- Expand available resources commensurate with the need for urgent rental assistance
- Fund legal assistance to protect tenants and others vulnerable of losing their homes, including support for both documented and undocumented residents.

**CDBG-CV Reserve Fund/ Program Administration- \$901,211**

The proposed amendment to includes CDBG - CV Reserve Fund/ Program Administration which would allocate \$368,211 to an unallocated reserve or contingency fund to provide more funding to the already listed eligible activities such as the COVID-19 Rental Assistance Program or the COVID-19 Micro-Enterprise Financial Assistance Program. However, it is unclear on how the decision as to how to allocate this funding will be made. We recommend that unallocated funding to go to the COVID-19 Rental Assistance Program.

The proposed amendment recommends an allocation of \$130,000 to the Fair Housing Council of Riverside County Inc..It is unclear what type of support and resources the Fair Housing Council of Riverside County Inc. has provided during the pandemic to date. For example, services and resources have not been shared with residents of the Eastern Coachella Valley. The description

of this program proposes outreach, information, an eviction/foreclosure hotline, and advocacy to tenants within Riverside County. The implementation of the listed services is unclear and does not provide an adequate description of the services that will directly benefit residents in Riverside County, especially more vulnerable residents in rural communities like the Eastern Coachella Valley. Additionally, the program does not estimate the amount of residents who will be able to benefit from this program. The program and services from the Fair Housing Council of Riverside County Inc. shall not exclude undocumented residents.

The description of the program states funds will be used to pay for costs of the overall management and administration of the program. Additionally it is unclear if the leftover funds from the total \$901,211 allocation (totalling \$403,000) will be allocated to this program, and if so, why that is a reasonable expenditure.

**Key Recommendations:**

- Prioritize the \$368,211 allocation for COVID-19 Rental Assistance Program
- Clarify and provide further guidance to ensure services by the Fair Housing Council of Riverside County are provided to the the most vulnerable low-income tenants including undocumented residents.
- Require further justification of the \$403,000 for overall management of program

**Agenda Item 3.38: Supervisor V. Manuel Perez: report back regarding eviction moratorium during covid-19 pandemic and adoption of ordinance no. 958, an urgency ordinance of the county of riverside enacting a temporary prohibition on covid-19 pandemic related evictions in the unincorporated areas of the County of Riverside**

We are grateful for the staff report back and recommendation to adopt ordinance no.958: an urgency ordinance to enact a temporary prohibition on COVID-19 related evictions due to non-payment. We thank Supervisory Perez and the Board of Supervisors for consideration of this measure and recommend the following additions and clarifications to strengthen its efficacy and protections.

**Timeline**

The proposed urgency ordinance is proposed through May 31, 2020, or as may be extended by Governor's Executive Order, for any residential tenant who can demonstrate proof of the failure to pay rent as a direct impact of the COVID-19 pandemic.

**Key Recommendations:**

- Similar to the Judicial Council Rule, the proposed urgency ordinance should remain in place until at least 90 days following the end of the state's or county's stay at home orders, whichever is later.

### Geography

Although the ordinance applies in the unincorporated areas of Riverside County and includes residents living in mobile homes, gaps exist for residents who reside on tribal and allotted land within the Eastern Coachella Valley. For instance, tribal land of the Torres Martinez Desert Cahuilla Indians and allotted land of specific tribal members are exempt from any executive order or the proposed urgency ordinance. Many residents of the Eastern Coachella Valley live in substandard and dilapidated mobile home parks many within and around the checkerboard tribal land pattern where on one end of the street it is Riverside County jurisdiction and the other side is tribal land. This leads to confusion within neighbor's and family members who are under the understanding they are under the same policies. Additionally, within Riverside County in the Eastern Coachella Valley there are also unpermitted and informal mobile home parks called Polanco Parks where many are in the middle of the permitting process and many are not, which in the past has been an issue with tenant rights, drinking water consolidation, and fines..

### **Key Recommendations:**

- Establish coordination with tribal entities and owners of allotted land to ensure Riverside County residents who live on tribal land can enjoy the protections of the proposed urgency ordinance
- Increase innovative communications methods to share updates on housing policies or resources to residents, especially the most linguistically and geographically isolated residents
- The proposed urgency ordinance should extend to unpermitted parks and those in the middle of the permitting process. However, further streamlining the permitting process will create more stability and opportunity for the mobile home parks.

Concerns related to applicability of three-day notices requirements of partial payment and proof requirements



The proposed ordinance allows up to seven days following the day rent is due for the tenant to communicate an inability to pay rent due to direct or indirect COVID-19 impacts but does not prohibit issuance of a “pay or quit” notice during that time. To avoid confusion and intimidation, the ordinance should be amended to prohibit issuance of “pay or quit” notices for at least seven days following the day rent is due and preferably for the duration of the emergency.

Additionally, the proposed urgency ordinance obligates the tenant to pay partial rent when there has been partial loss of income. This is problematic because if the tenant has lost total income or cannot prove loss of income or needs partial income to pay for other expenses from their limited earnings, this provision in the proposed urgency ordinance is limiting and does not fully protect tenants.

The proposed urgency ordinance states tenants must provide verifiable documentation showing financial impact related to COVID-19 within 30 days of the tenant’s written communication to the landlord to delay all or some payment of rent. This is an obstacle for low-income renters who may not be able to prove their loss of income if they are part of an informal economy or are undocumented.

Additionally, all back-rent to be paid by the tenant due 6-months after the expiration or termination should be the date furthest of the State of Emergency, Local Health Emergency, or Executive Order N-37-20, whereas anything earlier puts tenants at risk. If back-rent is due 6-months after the expiration or termination of state local emergency or executive order , is a foreseen challenge to tenants whereas may not be sufficient to pay back all rent that is due within 6 months and should be extended to further support tenants as the economy progresses.

### **Key Recommendations:**

- To simplify procedures and ensure maximum protection for tenants during this uncertain time, amend the ordinance to state that issuance of a 3-day pay or quit notice is prohibited during the duration of the state of emergency and 90 days following the termination of the state of emergency. At the very least, amend the ordinance to prohibit issuance of three day notices until after 7 days have passed (during which time a tenant can notify a landlord that they are unable to pay due to COVID-19)
- Amend the ordinance to be similar to the provision that “*clarifies that “in writing” for purposes of notice to the landlord includes paper copy, email or text communications to the landlord or the owner’s representative with whom the tenant has previously corresponded by email or text.*” This method should also work for proof of loss of income for special circumstances such as if a tenant cannot prove their loss of income
- Amend the ordinance to eliminate the provision stating that partial rent must be paid and instead accept the tenant’s written notification of inability to pay all or some of the owed rent.

- Amend the ordinance to eliminate the provision that states “verifiable documentation” must be provided as proof of loss of income and eliminate the 30-day timeframe. The amended ordinance should read, *“within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, whereas any documentation that is provided to support this claim is presumed to be adequate for this purpose, and the burden is on the landlord to prove that it is inadequate.”*
- Amend ordinance to extend the timeframe for back-rent to be paid back up to 12 months , dependent on the repayment plan between the tenant and the landlord that is deemed fair and reasonable by both parties.
- Amend ordinance to add that during the state of emergency landlords cannot raise rents or utilities
- Riverside County to work with advocacy organizations to secure funding to support rent forgiveness for low-income tenants
- Fund legal assistance to protect tenants and others vulnerable of losing their homes, including support for both documented and undocumented residents.

More comprehensive tenant protections combined with a myriad of critical safety net programs for residents including rental and cash assistance, will serve to provide stronger protections and resources to tenants during these times. With these changing policies and new resources, communication efforts must be increased to ensure both landlords and tenants receive the appropriate information and understand the protections tenants have under the proposed urgency ordinance.

It is critical Riverside County Housing Authority assigns the housing ombudsman to ensure tenants and landlords can work together to settle fair payment plans, clear up misunderstanding, and assist to reinforce tenant protections provided by the proposed urgency ordinance.

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Leadership Counsel greatly believes in the importance of meaningful community engagement and public participation. We hope that the Board will be supportive in our efforts to elevate community priorities, increase transparency at the County level, and meet the needs of residents who are being impacted by COVID-19. We are ready to work alongside community residents, businesses, and the Board of Supervisors to make this happen. Thank you for your time and we look forward to hearing your response.

Sincerely,

Lesly Figueroa, Policy Advocate,  
Leadership Council for Justice and  
Accountability

Rebecca Zaragoza, Senior Policy Advocate,  
Leadership Council for Justice and  
Accountability

Nataly Escobedo García, Water Policy  
Coordinator, Leadership Council for Justice  
and Accountability

Silvia Paz, Executive Director, Alianza  
Coachella Valley

CC:

Riverside County Supervisor Vice-Chair Karen Spiegel

Riverside County Supervisor Jeff Hewitt

Riverside County Supervisor Kevin Jeffries

Riverside County Supervisor Chuck Washington

Riverside County Executive Officer George Johnson