

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 7, 2020  
**To:** Honorable Mayor & Members of the City Council  
**From:** Development Services Department  
**Presentation by:** Benjamin Moody, Development Services Director

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**Summary**

**Subject:** Recovery of expenditures due to the public health emergency with respect to the Coronavirus Disease 2019

**Recommendation:** Adopt a resolution authorizing the City Manager to request payment from the State of California pursuant to the applicable provisions of Control Section 11.90(d) of the Budget Control Act of 2020 (COVID-19 expenditures)

**Fiscal Impact:** None. Authorizes the City to request available federal funds for costs related to the corona virus disease.

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**Purpose:**

To maintain eligibility for a federal allocation of Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$869,954.

**Background:**

Yuba City is eligible for an allocation of \$869,954 in federal funding of costs associated with the Coronavirus Disease to support activities and expenses that promote public health and safety in response to the COVID-19 public health emergency, including, but not limited to, any of the following:

- State and local public safety, including implementation of social distancing guidelines in public facilities.
- State and local public health, including testing and contact tracing.
- Services for vulnerable populations, including increased caseload.
- K-12 learning loss mitigation.
- County public health, behavioral health, and health and human services.

The California Department of Finance is accepting local government certification for federal funding allocations to Counties and Cities. With the deadline being July 10, 2020.

The funding allocation is to be used as a direct payment under the applicable provisions of subdivision (d) of Control Section 11.90 of the federal Budget Act of 2020 for costs that:

- Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)

- Were not accounted for in the budget most recently approved as of March 27, 2020, for government entity
- Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**Analysis:**

To receive these funds, cities and counties must submit the provided certification form to the State Department of Finance by July 10, 2020.

Staff is seeking Council approval to provide authorization for the City Manager to request these funds and submit the certification form within the required time frame.

**Fiscal Impact:**

Through the federal stimulus CARES Act, \$500 million has been allocated to cities with the City of Yuba City set to receive \$869,954. There are no matching funds required with these funds.

Funding is contingent on the county's adherence to federal guidance, the state's stay-at-home requirements, and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent executive orders or statutes, and all California Department of Public Health orders, directives, and guidance issued in response to the COVID-19 public health emergency.

***Upon confirmation that the funding is secured, staff will return to Council with recommendations for designating the use of the stimulus funds.***

**Alternatives:**

Do not submit the required certification form. The City would may not receive eligible funding through the program.

**Recommendations:**

Adopt a resolution authorizing the City Manager to request payment from the State of California pursuant to the applicable provisions of Control Section 11.90(d) of the Budget Control Act of 2020 (COVID-19 expenditures)

**Attachment:**

A. Authorizing Resolution

Prepared by:

*/s/ Benjamin K. Moody*  
Benjamin K. Moody  
Development Services Director

Submitted by:

*/s/ Diana Langley*  
Diana Langley  
Interim City Manager

Reviewed by:

Finance  
City Attorney

SM  
SLC by email

# ATTACHMENT 1

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
AUTHORIZING THE CITY MANAGER TO REQUEST PAYMENT FROM THE STATE OF  
CALIFORNIA PURSUANT TO THE APPLICABLE PROVISIONS OF CONTROL SECTION  
11.90(D) OF THE BUDGET ACT OF 2020 (COVID-19 EXPENDITURES)**

**WHEREAS**, on June 29, 2020, the Governor signed the Budget Act of 2020 (“Budget Act”); and

**WHEREAS**, said Budget Act provides for payments to certain local county and city jurisdictions throughout the state to pay for costs incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); and

**WHEREAS**, these funds are to be used for 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, for the city.
3. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

**WHEREAS**, on July 1, 2020, the California Department of Finance notified the City of Yuba City (“City”) that under the Budget Act the City is anticipated to receive a maximum funding amount of \$869,954, which if granted will be paid in installments to the City; and

**WHEREAS**, to receive these funds, cities and counties must email a certification form to the California Department of Finance by no later than July 10, 2020; and

**WHEREAS**, in order to submit the certification form to the California Department of Finance, the City Manager or authorized designee must certify that they have authority on behalf of the City to request payment from the State of California pursuant to the application provisions of Control Section 11.90 of the Budget Act of 2020; and

**WHEREAS**, the City Council now desires to grant and confirm that the City Manager authority on behalf of the City of Yuba City to request said payment, and to take any other action to effectuate the application for, and receipt of, said funding allocations.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Yuba City as follows:

1. The City Council hereby specifically finds that all of the facts set forth in the recitals above of this Resolution are true and correct and incorporated herein.
2. The City Council authorizes, grants, and confirms the following:
  - a. The City Manager is granted and has authority on behalf of the City to request payment from the State of California pursuant to the applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020.
  - b. The City understands that the State will rely on the certification submitted by the City Manager as a material representation in making a direct payment to the City.

- c. The City's proposed uses of the funds provided as direct payment under the applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020 will be used only for costs that:
    - i. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).
    - ii. Were not accounted for in the budget most recently approved as of March 27, 2020, for the City.
    - iii. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
  
  - d. The City Manager is authorized to agree on behalf of the City to do all of the following as a condition of receipt of funds:
    - i. Adhere to federal guidance and the state's stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent Executive Orders or statutes, and all California Department of Public Health orders, directives, and guidance in response to COVID-19 emergency.
    - ii. Use the funds in accordance with all applicable provisions of subdivision (d) of Control Section 11.90 of the Budget Act of 2020.
    - iii. Report on expenditures and summarize regional collaboration and non-duplication of efforts within the region by September 1, 2020, and return any funds that are unspent by October 30, 2020 (unless extended by the Department of Finance based on reported expenditures to date), and repay the state for any cost disallowed after federal review.
    - iv. Retain records to support reported COVID-19 eligible expenditures and participate in audits as outlined by the federal government and State.
3. The City Manager is further authorized and directed to submit a Certification for Receipt of Funds on or before July 10, 2020. The City Manager is also authorized and directed to take any other action or execute any other necessary documentation on behalf of the City required to secure said funding as may be warranted, including entering into a grant funding agreement or similar agreement(s) for the funds subject to approval as to legal form by the City Attorney.
4. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on July 7, 2020, by the following vote:

AYES:

NOES:

ABSENT:

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Shon Harris, Mayor

ATTEST:

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Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY:

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Shannon Chaffin, City Attorney  
Aleshire & Wynder, LLP