



# RESOLUTION No. 20-155

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**RESOLUTION APPROVING ACCEPTANCE OF \$50,000 IN “PROJECT ROOM KEY” FUNDING FROM THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF SECURING HOTEL ROOMS FOR TEMPORARY HOUSING OF INDIVIDUALS WHO ARE AFFECTED BY COVID-19 AND LACK THE MEANS TO ISOLATE THEMSELVES DUE TO HOMELESSNESS OR NEEDING ALTERNATIVE HOUSING TO ISOLATE THEMSELVES FROM A VULNERABLE HOUSEHOLD MEMBER WITH WHOM THEY RESIDE, AND AUTHORIZING AND DIRECTING THE AUDITOR-CONTROLLER TO AMEND THE SOCIAL SERVICES BUDGET FOR FISCAL YEAR 2019/20 (4/5 AFFIRMATIVE VOTE REQUIRED)**

WHEREAS, on March 18, 2020 Governor Newsom signed executive order N-32-20 to expedite available funding to address COVID-19 issues in the homeless population; and

WHEREAS, Senate Bill 89 (Chapter 2, Statutes of 2020) grants \$50 million in state-wide funding under the Project Room Key program to expand immediate shelter and isolation capacity and provide COVID-19 preventions to individuals who are affected by COVID-19 and do not have the means to isolate themselves due to homelessness, or being in need for alternative housing to isolate themselves from a vulnerable household member with whom they reside; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) further authorized reimbursement of costs related to emergency non-congregate sheltering settings for individuals that do not require hospitalization, but are in need of emergency non-congregate sheltering due to having tested positive for COVID-19, having been exposed to COVID-19, or who are asymptomatic but at high risk due to being over the age of 65 or having certain underlying health conditions; and

WHEREAS, this state funding can be counted towards the 25% local match requirement necessary under FEMA guidelines to seek reimbursement for Project Room Key costs; and

WHEREAS, to maximize the Project Room Key funding and FEMA reimbursement for the sheltering of individuals affected by COVID-19, Nevada County seeks to partner with homeless services, shelter providers, local hotels, and the Sierra Nevada Memorial Hospital to ensure that COVID-19 symptomatic and asymptomatic medically vulnerable homeless residents and others in need alternative temporary housing to isolate themselves have to ability to isolate or shelter in place.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that \$50,000 in Project Room Key funding be and hereby is accepted from the California Department of Social Services to expand temporary shelter and isolation capacity for individuals who do not have the means to isolate themselves due to homelessness, or are in need of alternative housing to isolate themselves from a vulnerable household member with whom they reside, and provide COVID-19 preventions to the homeless population through the acquisition of hotel rooms pursuant to all state and federal guidelines required to ensure reimbursement of all permissible costs associated with the leasing of hotel accommodations.

BE IT FURTHER RESOLVED that the Chair of the Board of Supervisors authorizes the Director of Social Services to execute all documents required to accept this funding on behalf of the County of Nevada.

BE IT FURTHER RESOLVED that the Auditor-Controller is authorized and directed to amend the Social Services Budget for Fiscal Year 2019/20 as follows:

Fiscal Year 2019/20

Revenue:	1589-50105-494-5001/440450	\$50,000.00
Expense:	1589-50105-494-5001/521520	\$50,000.00

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of April, 2020, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson
- Noes: None.
- Absent: None.
- Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 



Heidi Hall, Chair



**FEMA**

March 27, 2020

Mr. Mark S. Ghilarducci, Director  
Governor's Office of Emergency Services  
3650 Schriever Avenue  
Mather, CA 95655

Re: Request for Approval of Non-Congregate Sheltering  
FEMA-4482-DR-CA (COVID-19)

Dear Mr. Ghilarducci:

This is in response to your letter dated March 25, 2020, requesting that FEMA approve Public Assistance (PA) funding for costs related to emergency, non-congregate sheltering.

In accordance with section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, eligible emergency protective measures taken to respond to the referenced Coronavirus Disease 2019 (COVID-19) disaster, at the direction or guidance of state, local, tribal, and territorial public health officials, may be reimbursed under Category B of FEMA's PA program if necessary to save lives, protect improved property, or public health and safety, and/or lessen or avert the threat of catastrophes.

Based on my review of your request and supporting documentation and information provided, I am approving your request for FEMA's reimbursement of costs related to emergency, non-congregate sheltering (Emergency NCS), subject to the conditions and limitations set forth below. The Emergency NCS will be implemented by the State of California (State) pursuant to (1) the Governor's Executive Order No. N-25-20 ordering all residents to obey any orders and guidance issued by state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19, (2) the Governor's Executive Order N-33-20 (a) incorporating the Order of the State Public Health Officer issued on March 19, 2020, that requires all individuals living in the State of California to stay at home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, and (b) directing the California Governor's Office of Emergency Services to take necessary steps to ensure compliance with the Executive Order, and (3) guidance issued by the California Department of Public Health that includes the need to practice social distancing.<sup>1</sup>

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<sup>1</sup> <https://www.gov.ca.gov/2020/03/16/california-issues-directive-to-fight-covid-19/>.

My approval of the State's request for PA funding for costs related to Emergency NCS includes the populations identified below, which does not include all populations identified in your March 25 letter. Furthermore, my approval of the State's request is subject to and conditioned by the following:

- FEMA will reimburse Emergency NCS costs incurred for:
  - Individuals who test positive for COVID-19 that do not require hospitalization, but need isolation or quarantine (including those exiting from hospitals);
  - Individuals who have been exposed to COVID-19 (as documented by a state or local public health official, or medical health professional) that do not require hospitalization, but need isolation or quarantine; and
  - Individuals who are asymptomatic, but are at "high-risk," such as people over 65 or who have certain underlying health conditions (respiratory, compromised immunities, chronic disease), and who require Emergency NCS as a social distancing measure.
- My approval does not currently include the reimbursement of costs for the sheltering of asymptomatic individuals that are not among the populations identified above, but whose living situation may make them unable to adhere to social distancing guidance.
- My approval includes the reimbursement of costs incurred for wrap-around services directly necessary for the safe and secure operation of NCS facilities. However, costs associated with the provision of support services such as case management, mental health counseling, and similar services are not eligible for reimbursement under the PA program.
- My approval is limited to costs that are reasonable and necessary for providing Emergency NCS to eligible individuals (as identified in bullet point 1 above).<sup>2</sup> In this regard, please note that FEMA does not mandate that the State pursue a specific option or options for temporary facilities to be used for Emergency NCS, but FEMA will only approve PA funding for cost-effective and practical options.
- My approval is limited to costs associated with sheltering individuals through April 30, 2020, unless the public health needs should sooner terminate. The State must obtain FEMA's approval for any time extensions, which should include a re-assessment of the continuing need for Emergency NCS from a State public health official, as well as a detailed justification for the continuing need for emergency non-congregate sheltering.<sup>3</sup>
- My approval is limited to costs associated with the provision and operation of facilities for Emergency NCS and does not include the approval of costs for the conversion of facilities for the provision of emergency medical care.

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<sup>2</sup> *Public Assistance Program and Policy Guide*, FP 104-009-2, at 67 (April 1, 2018) (PAPPG). *See also* 2 C.F.R. §§ 200.403 and 200.404.

<sup>3</sup> PAPPG, at 67.

- My approval is subject to, and limited by, Emergency NCS guidance issued by FEMA, including in the form of Fact Sheets.

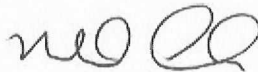
Additionally,

- The State must follow FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances guidance and include a termination for convenience clause in its contracts for sheltering and related services, such as food, security services, and care for those with disabilities or access and functional needs.<sup>4</sup>
- FEMA will not approve PA funding that duplicates funding by another federal agency, including the U.S. Department of Health and Human Services or Centers for Disease Control and Prevention.
- The State must comply with, and enable FEMA to comply with, applicable environmental and historic preservation laws, regulations, and executive orders or funding may be jeopardized.<sup>5</sup>

The State of California will need to maintain tracking mechanisms to provide sufficient data and documentation to establish the eligibility of Emergency NCS costs for which it is requesting PA funding (including the need for non-congregate sheltering of each individual, length of stay, and costs). As with any activity, lack of sufficient support documentation may result in FEMA determining that some or all of the State's claimed costs are ineligible.

If you have any additional questions regarding this matter, please contact Robert Pesapane, Recovery Division Director, at (510) 627-7250.

Sincerely,



Robert J. Fenton  
Regional Administrator  
FEMA Region IX

cc: James Cho, Response Division Director, FEMA Region IX  
Robert Pesapane, Recovery Division Director, FEMA Region IX  
John-Paul Henderson, Regional Counsel, FEMA Region IX

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<sup>4</sup> *Id.*, at 68-69.

<sup>5</sup> *Id.*, at 43-44.





KIM JOHNSON  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



GAVIN NEWSOM  
GOVERNOR

April 07, 2020

Mali Dyck, Director  
Nevada County  
950 Maidu Ave  
Nevada City, CA 95959

**SUBJECT: PROJECT ROOM KEY FUNDING APPROVAL**

Dear Director Dyck:

The California Department of Social Services is pleased to inform you that Nevada County's request for Project Room Key funding, as authorized by Senate Bill 89 (Chapter 2, Statutes of 2020), has been approved. Pursuant to his March 4, 2020, proclamation of a state of emergency, Governor Gavin Newsom signed Executive Order N-32-20 on March 18, 2020, providing local governments with emergency homelessness funds to expand immediate shelter and isolation capacity and provide COVID-19 preventions to the homeless population.

Nevada County is hereby provided \$50,000 for the purposes of the lease and operation of a hotel to provide housing to individuals who are affected by COVID-19 and do not have the means to isolate themselves due to homelessness or need alternative housing to isolate themselves from a vulnerable household member with whom they reside.

The county may request, at the start of the Project, a funding advance up to 50 percent of the approved funds. Payment on the remainder of the funds may be disbursed as reimbursement upon Project completion or as services are rendered. The county may claim reimbursement related to Project Room Key by using the attached invoice. Please include a physical address and telephone number for the designated contact in the county with whom to coordinate payment. Please also indicate the preferred payment option. Counties may submit the invoices via email with electronic signatures to [housing@dss.ca.gov](mailto:housing@dss.ca.gov) while COVID-19 directives are in place, or by mail to:

California Department of Social Services  
Housing and Homelessness Branch  
Attn: Mashal Ayobi  
744 P Street, MS 8-16-70  
Sacramento, CA 95814

Ms. Mali Dyck, Director  
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For program-related questions, please contact the Housing and Homelessness Branch at (916) 651-5155 or by email at [housing@dss.ca.gov](mailto:housing@dss.ca.gov). Questions pertaining to reimbursement should be directed to [fiscal.systems@dss.ca.gov](mailto:fiscal.systems@dss.ca.gov).

Sincerely,



CORRIN BUCHANAN  
Assistant Director for Housing and Homelessness

Attachment