File #: 3653, **Agenda Item #:** 21

REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

February 9, 2021

FROM
LEONARD X. HERNANDEZ, Chief Executive Officer, County Administrative Office

SUBJECT
Realignment Certification Form

RECOMMENDATION(S)
Approve Certification for Receipt of Realignment Backfill funds, certifying the County's compliance with the State's COVID-19 public health orders and use of funding received from the State of California Department of Finance to support realignment programs and authorize the Chief Executive Officer to sign the certification for receipt of realignment backfill funds for March 2021.
(Presenter: Leonard X. Hernandez, Chief Executive Officer, 387-5418)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES
Operate in a Fiscally-Responsible and Business-Like Manner.
Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT
Approval of this recommendation will not result in the use of Discretionary General Funding (Net County Cost). On July 14, 2020 (Item No. 24), the Board of Supervisors accepted funding from the State entitled "County General Fund COVID-19" in the amount of $39.8 million and ratified a certification for receipt of the funds signed by the Chief Executive Officer. This funding will be used to support the realignment programs that are experiencing revenue losses due to COVID-19 pandemic and will be allocated to backfill lost Realignment funding throughout 2020-21. Should the County fail to certify or be out of compliance with the conditions of the certification, the California Department of Finance may redirect 1991 Realignment funding from that county, equivalent to one month of the Realignment backfill amount.

BACKGROUND INFORMATION
The "County General Fund COVID-19" allocations are included in the State Budget for a total of $750 million to provide support to counties experiencing revenue losses for realigned programs. In utilizing these funds, counties are required to prioritize support for health and human services, entitlement programs, and programs that serve vulnerable populations.

On September 9, 2020 the Governor signed SB 115 (Chapter 40, Statutes of 2020), which contains the budget bill language (BBL) related to the Realignment backfill. The BBL ensured that the remainder of the Realignment backfill amount will be distributed to counties as soon as possible to preserve the Realignment programs, while providing clarity on compliance with the State's COVID-19 public health orders and

maintaining a mechanism for the State to withhold funding if a county is out of compliance with those health orders. SB 115 requires every county to submit a monthly certification form to the Department of Finance to certify the county's compliance with COVID-19 public health orders for the period of October 2020 through June 2021. If a county is determined to be out of compliance with public health orders, after a required consultation with that county, SB 115 allows the Department of Finance to redirect 1991 Realignment funding from that county in an amount equivalent to one month of that county's Realignment Backfill amount. In 1991, the State shifted responsibility for a number of mental health, social services, and health programs to counties. This shift of responsibility is known as 1991 Realignment.

In September 2020, the County received a total allocation of $39.8 million in Realignment Backfill, which includes allocations of $19.1 million for Human Services, $3.5 million for Health, $7.9 million for Behavioral Health, and $9.3 million for Public Safety. The County is required to have signed and filed a certification with the Department of Finance as of October 1, 2020 and by the first of each month for each subsequent month through June 2021. The form states that pursuant to Provision 3 of Item 9210-110-0001 of the Budget Act of 2020, the Chief Executive Officer is certifying that the County will adhere to federal guidance, use of funds for Realignment programs, the State's stay at home requirements and other health requirements as directed in the Governor's 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 pandemic. The County Administrative Office will return to obtain Board approval for the future certifications.

The Board of Supervisors approved the monthly certifications on October 27, 2020 (Item No. 31 and Item No. 38), November 17, 2020 (Item No. 38), December 8, 2020 (Item No. 21), and January 5, 2021 (Item No. 13).

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Michelle Blakemore, County Counsel, 387-5455) on January 6, 2021; Finance (Amanda Trussell, Principal Administrative Analyst, 387-5423) on January 6, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on January 19, 2021.