

NED COE  
1<sup>st</sup> District

PATRICIA CULLINS  
2<sup>nd</sup> District

KATHIE RHOADS  
3<sup>rd</sup> District

ELIZABETH CAVASSO  
4<sup>th</sup> District

GERI BYRNE  
5<sup>th</sup> District



TIFFANY A. MARTINEZ  
CLERK OF THE BOARD  
OF SUPERVISORS

204 S. COURT STREET  
ALTURAS, CALIFORNIA 96101

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## SPECIAL MEETING July 9, 2020

### 9:30 AM Call to Order

Attendee Name	Title	Status	Arrived
Ned Coe	Supervisor District I	Remote	9:30 AM
Patricia Cullins	Supervisor District II	Remote	9:30 AM
Kathie Rhoads	Supervisor District III	Present	9:30 AM
Elizabeth Cavasso	Supervisor District IV	Present	9:30 AM
Geri Byrne	Supervisor District V	Remote	9:30 AM
Chester Robertson	County Administration Officer	Present	9:30 AM
Margaret Long	County Counsel	Remote	9:30 AM
Tiffany Martinez	Clerk of the Board/ACAO	Present	9:30 AM

### Pledge of Allegiance

### Moment of Prayer

### Public Comment

None.

### Approval or Additions/Deletions to Agenda

County Counsel, Margaret Long, requested to add two (2) emergency item as follows:

**CLOSED SESSION:** Pursuant to Governor Gavin Newsom's Executive Order N-25-2, the Board will meet in closed session to discuss COVID-19 with the following individuals: County Health Officer, Health Service Director, County Counsel, County Administrative Officer, and the Modoc County Sheriff.

County Counsel Long reported the reason this emergency item has coming before the board is that information was received after the posting of the agenda and requires immediate action prior to the next meeting.

**Ordered on a motion by Supervisor Byrne, seconded by Supervisor Rhoads to add the requested emergency item as follows: CLOSED SESSION:** Pursuant to Governor Gavin Newsom's Executive Order N-25-2, the Board will meet in closed session to discuss COVID-19 with the

**following individuals: County Health Officer, Health Service Director, County Counsel, County Administrative Officer, and the Modoc County Sheriff.**

**Motion carried unanimously.**

County Counsel Long requested to add the following emergency item and have it placed first under Closed Session Items: **CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Director of Health Services.**

County Counsel Long reported the reason this emergency item has come before the board is that information was received after the posting of the agenda and requires immediate action prior to the next meeting.

**Ordered on a motion by Supervisor Byrne, seconded by Supervisor Coe to add the requested emergency items as follows: CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Director of Health Services.**

**Motion carried unanimously.**

**Motion to approve the agenda as amended.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Kathie Rhoads, Supervisor District III
<b>AYES:</b>	Coe, Cullins, Rhoads, Cavasso, Byrne

**9:38 a.m. Motion to go into Closed Session.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Geri Byrne, Supervisor District V
<b>SECONDER:</b>	Kathie Rhoads, Supervisor District III
<b>AYES:</b>	Coe, Cullins, Rhoads, Cavasso, Byrne

**1. Closed Session:**

**1.a. CLOSED SESSION: Pursuant to CA Government Code 54957; Performance Evaluation; Title: Director of Health Services.**

Evaluation held.

**1.b. CLOSED SESSION: Pursuant to Governor Gavin Newsom's issued Executive Order N-25-2, the Board will meet in closed session to discuss COVID-19 with the following individuals: County Health Officer, Health Service Director, County Counsel, County Administrative Officer, Modoc County Sheriff**

Discussion was held.

**11:43 p.m. The Board reconvened and reported out of Closed Session with Supervisor Rhoads and Cavasso present. Supervisor Coe, Cullins, Byrne, and County Counsel Long were present by remote location.**

## **2. Administrative Services Items:**

- 2.a. CONSIDERATION/ACTION: Requesting approval of a Resolution approving the conditions of receipt of funds under the Budget Act of 2020 and authorizing the County Administrative Officer to sign the associated certifications that the County of Modoc will comply with Federal and State orders and guidance related to the COVID-19 emergency. (Administrative Services)**

County Administrative Officer, Chester Robertson, provided an overview of the Resolution and certification forms in order to receive the Corona Virus Relief Funds. CAO Robertson reported that the State of California received \$15.3 billion of CARES Act funding from the Federal government with \$9.5 billion paid to the State and \$5.8 billion paid to the cities and counties with a population of more than 500,000. CAO Robertson reported the budget act authorized the California Department of Finance to allocate \$1.8 billion of the State's share of CRF funding to counties and cities. CAO Robertson reported the funding is contingent on the counties adherence to Federal guidance, the State's stay-at-home requirements, and other health requirements as directed by the gubernatorial Executive Order N-33-20, and any subsequent executive orders or statues in all of the California Department of Public Health orders, directives, and guidance issued in response to COVID-19 public health emergency. CAO Robertson reported the funding was incorporated with control language in the Budget Act of 2020 which was included in the packet. CAO Robertson reported on the allocation amount of \$905,000 to the County of Modoc contingent upon the County remaining compliant with the requirements of the funding. CAO Robertson reported these funds will be eligible for COVID related expenses as prescribed under the treasury guidance, the legislation from the Federal government, and the certification from the State of California.

CAO Robertson reported the second certification is in order to receive an additional COVID-19 allocation, generally called the realignment backfill, from the State of California which is a general fund allocation from the State. CAO Robertson reported this funding is in order for the State to assist counties with the loss of realignment revenues related to the COVID-19 incident. CAO Robertson reported the State's Budget Act includes \$750 million to provide support for counties experiencing revenue losses for realigned programs as a result of COVID-19. CAO Robertson reported that in utilizing these funds, counties must prioritize the support for health and human services programs, entitlement programs, and programs that serve vulnerable populations. CAO Robertson reported that to the extent the Federal government will provide sufficient eligible funding by October 15, 2020, an additional \$250 million statewide will be provided with a distribution subsequently to counties for COVID-19 purposes. CAO Robertson reported that the additional funding requires the county to comply with the previously mentioned orders and also certifies the funds will be used for realignment intended purposes. CAO Robertson reported the allocations provided to the County of Modoc are as follows: 1) Social Services - \$163,391; 2) Public Health - \$87,164; 3) Behavioral

Health - \$ 90,515; 4) Public Safety - \$39,937. CAO Robertson reported the total additional funds will be \$381,006 in addition to the \$905,000 of CFR funding.

CAO Robertson reported the Administrative Office has been in consult with departments and can report that the Sheriff's Office has communicated they do not intend to sign the certification or agree to comply with the certification. CAO Robertson reported if the board intends to pass the Resolution which delegates authority to the County Administrative Officer to sign the certification, the CAO will pass the certification on to Department Heads and employees to attest that they will individually comply with the requirements of the certification. CAO Robertson reported he will sign the attestation given that the board approves the Resolution, but reported he will not sign or attest for the department who has reported they will not comply with the certification. CAO Robertson reported he does not know what the ramifications of the action by the Sheriff's Office to not comply will be, but reported he believes the ramifications of falsely attesting are far greater for the public and for the potential of future losses of funding. CAO Robertson reported these funds are essential to provide a multitude of services and if they are not received could affect the following services: 1) CPS; 2) Adult Protective Services; 3) Public Health Services; 4) Mental Health Services; 5) Services rendered by the Probation Department; 6) District Attorney's Office; 7) Public Defenders Office; 8) Sheriff's Department; 9) Jail Facility; 10) Negatively impact the existing realignment funds the county has in addition to the backfill which provides services to the jail health program. CAO Robertson reported the total amount potential affected are \$135,000 per year.

CAO Robertson reported that Administration intends to come back to the board with a plan of expenditures for the CRF funding. CAO Robertson provided an example of what other counties are using the funds for and reported that Modoc County has and will continue to use the funds for preventative measures and potential outbreak emergencies of COVID-19. CAO Robertson reported he has been in discussion with the county departments on how the COVID-19 funds could be utilized. CAO Robertson reported the CRF funds are not incorporated in the current recommended budget and will require a budget modification approved by the board for allocation of funds for identified needs. CAO Robertson requested to add language to the certification that the CAO can only attest to the departments who he can assure will be in compliant with the certification.

**Ordered on a motion by Supervisor Rhoads, seconded by Supervisor Cullins to approve of a Resolution approving the conditions of receipt of funds under the Budget Act of 2020 and authorize the County Administrative Officer to sign the associated certifications for only the county departments within the County of Modoc who will comply with Federal and State orders and guidance related to the COVID-19 emergency. The County Administrative Officer is not authorized to sign a certification for the Modoc County Sheriff's Office due to their refusal to comply with the requirements of the certification for funds.**

**Motion carried unanimously.**

<b>RESULT:</b>	<b>APPROVE AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathie Rhoads, Supervisor District III
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Coe, Cullins, Rhoads, Cavasso, Byrne

**FINAL CERTIFIED RESOLUTION# 2020-26**

**ADJOURNMENT**

**Motion to adjourn.**

Motion to adjourn the July 9, 2020 meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathie Rhoads, Supervisor District III
<b>SECONDER:</b>	Patricia Cullins, Supervisor District II
<b>AYES:</b>	Coe, Cullins, Rhoads, Cavasso, Byrne

The meeting was adjourned at 11:54 AM

**There being no further business to come before the Board at this time, the meeting was adjourned to meet in regular session Tuesday, July 14, 2020 at 10:00 a.m.**

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Tiffany A. Martinez  
Clerk of the Board

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Elizabeth Cavasso  
Chair, Modoc County Board of Supervisors