

Resolution No.: 19-498
Introduced: June 9, 2020
Adopted: June 16, 2020

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead sponsor: Council President at the request of the County Executive

SUBJECT: Special Appropriation #20-464 to the Fiscal Year 2020 Operating Budget
Montgomery County Government
Federal Coronavirus Relief Fund (NDA)
\$80,000,000 (Source of Funds: Federal Grant Funds)

Background

1. Section 308 of the County Charter provides that a special appropriation is an appropriation which states that it is necessary to meet an unforeseen disaster or other emergency, or to act without delay in the public interest. Each special appropriation shall be approved by not less than six Councilmembers. The Council may approve a special appropriation at any time after public notice by news release. Each special appropriation shall specify the source of funds to finance it.
2. A new coronavirus disease, named COVID-19, appeared in China in December 2019 and spread extremely quickly. On March 11, 2020 the World Health Organization declared the disease a pandemic. As of May 20, 2020, there were approximately 1.5 million confirmed cases in the United States, including over 42,000 confirmed cases in Maryland, of which over 9,000 were in Montgomery County.
3. To slow the spread of the disease, Governor Hogan declared a State of Emergency and has issued several Executive Orders with actions that include, but are not limited to, closing schools, closing senior centers and adult medical day care programs, closing all non-essential businesses and limiting the number of people that can gather. On May 15, 2020, the County Executive issued, and the County Council approved, an Executive Order extending the Governor's stay at home order for Montgomery County.
4. On March 27, 2020 the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act was enacted. The CARES Act established the Coronavirus Relief Fund (CRF) and appropriated \$150,000,000,000 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, and Montgomery County is eligible to receive \$183,336,953 from the Federal CRF.

5. On April 14, 2020 the County submitted an application to access the CRF funds. As required by the CARES Act, the County Executive certified that the funds would only be used to cover 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 County budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The full \$183,336,953 Federal grant has been received by the County.
6. The Non-Departmental Account created by this resolution will be administered by the Office of Management and Budget.
7. Public notice of the special appropriation was provided by news release and specified the source of funds as Federal Grant Funds.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

A special appropriation to the FY20 Operating Budget of the Montgomery County Government, in the amount of \$80,000,000 is approved to the Federal Coronavirus Relief Fund NDA (COVID NDA) as follows:

	<u>Personnel</u> <u>Expense</u>	<u>Operating</u> <u>Expense</u>	<u>Total</u>	<u>Source of Funds</u>
COVID NDA	\$0	\$80,000,000	\$80,000,000	Federal Grant Funds

The General Fund was designated as the source of funding for the following previously approved special appropriations. Funds in the COVID NDA must be used to reimburse the General Fund for the following special appropriations, to the extent possible and to the extent these special appropriations are not eligible for other Federal reimbursement:

Resolution 19-407: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government Department of Health and Human Services Support for COVID-19 Response - Feeding Our Families (\$260,000);

Resolution 19-408: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government Conference and Visitors Bureau Non-Departmental Account Support for COVID-19 Response – Hotel or Motel Rooms for Medical and Front-Line Staff (\$250,000);

Resolution 19-409: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government Department of Finance Economic Development Fund, Public Health Emergency Grant Program (\$20,000,000);

Resolution 19-425: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government Department of Finance Economic Development Fund, Public Health Emergency Grant Program (\$5,000,000);

Resolution 19-426: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government Montgomery County Economic Development Corporation Non-Departmental Account, Support for COVID-19 Response – Local Production Fund (\$100,000);

Resolution 19-427: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government, Department of General Services Purchase of Face Coverings and other Personal Protective Equipment (\$250,000);

Resolution 19-437: Supplemental appropriation to the County Government's FY20 Operating Budget, COVID-19 Human Services and Community Assistance Non-Departmental Account (NDA) Support for COVID-19 Response – Food Assistance/Feeding Our Families (\$750,000);

Resolution 19-438: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government, Montgomery County Economic Development Corporation Non-Departmental Account, Support for COVID-19 Response – Telework Assistance Program (\$250,000); and

Resolution 19-454: Special Appropriation to the Fiscal Year 2020 Operating Budget Montgomery County Government, Montgomery County Economic Development Corporation Non-Departmental Account, Support for COVID-19 Response – Telework Assistance Program (\$1,250,000).

Funds in the COVID NDA may be used to pay for any County or municipal expenditure that is eligible under the CARES Act related to the following, to the extent these expenditures are not eligible for other Federal reimbursement:

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, including any pay differential provided to employees responding to the public health crisis;

COVID-19 related expenses of public 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 community telemedicine capabilities for COVID-19;

Expenses for communication and enforcement 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, child welfare officers, County employees, 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 in response to the COVID-19 public health emergency;

Expenses for technical assistance or 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;

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 improve telework capabilities of public employees to enable compliance with COVID-19 public health precautions;

Expenses relating to Department of Correction and Rehabilitation facilities as it 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; and

Expenses, including overtime or contractual expenses, associated with implementation and administration of any new programs established by the special appropriations listed in this Resolution, or any related legislation.

COVID-19 related expenses not described above require the approval of the County Council via a future Special Appropriation.

The County Executive must transmit a report on the use of the funds by category to the Council every two weeks beginning June 26, 2020 and ending January 1, 2021, or until the balance in the fund is \$0.

The funds appropriated in the COVID NDA must be placed in a Grant Fund account in which any unspent funds will be reappropriated in FY 2021.

The County Executive may transfer the funds appropriated in this NDA to County departments, offices, or other NDAs, as needed for the purposes specified in this resolution.

This appropriation is needed in response to a public health emergency and to act without delay is in the public interest.

This is a correct copy of Council action.



Selena Mendy Singleton, Esq.
Clerk of the Council