COUNCIL AGENDA: 10/27/20

FILE: 20-1365 ITEM: 8.6



Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Jacky Morales-Ferrand

SUBJECT: SEE BELOW

DATE: October 23, 2020

Approved

angles & Magure

Date

10-23-20

SUBJECT: COST SHARING AGREEMENT WITH COUNTY OF SANTA CLARA

FOR COVID-19 ISOLATION AND QUARANTINE SUPPORT

PROGRAM, COMMUNITY HEALTH AND BUSINESS ENGAGEMENT

TEAMS, AND MEAL DELIVERY SERVICE

RECOMMENDATION

Adopt a resolution authorizing the City Manager to negotiate and execute a Cost Sharing Agreement with the County of Santa Clara (County) for COVID-19 related activities through December 30, 2020:

- (a) Payment to the County in the amount of \$4,500,000 to support the COVID-19 Isolation and Quarantine Support Program (Support Program) to contain and mitigate community spread of COVID-19;
- (b) Payment to the County in the amount of \$500,000 to support and expand the Community Health and Business Engagement Teams; and,
- (c) Receipt of \$724,000 from the County to fund the City's meal delivery for non-San José residents that are COVID-19 vulnerable homeless persons staying in motels as part of the Isolation and Quarantine Support Program.

OUTCOME

Council ratification of the agreement will allow the City to provide an advance payment to the County to fund its share of the Support Program for San José residents. The County will provide an advance payment to the City for the meal service so the City can continue to provide uninterrupted food services to non-City vulnerable residents in motels and City residents who are part of the Support Program. The agreement will also include funding for the Community Health and Business Engagement Team that will provide outreach help to small businesses and essential workers. Funds will be reconciled to ensure that all Coronavirus Relief Funds are expended by the December 30, 2020 deadline.

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BACKGROUND

The City initiated its Pandemic Planning efforts on January 24, 2020 as news of an unknown virus originating from the City of Wuhan, China (now identified as SARS-COV-2) causing severe respiratory disease (COVID-19) was identified in the United States. On February 3, 2020, the County Health Officer declared a local health emergency and the County's Director of Emergency Services proclaimed a local emergency to respond to the COVID-19 pandemic. On March 4, 2020, the Governor of California proclaimed a State of Emergency to exist in California because of the threat of COVID-19. The City proclaimed a local emergency and formally activated the Emergency Operation Center (EOC) on March 6, 2020. On March 16, 2020, the Santa Clara County Public Health Officer issued an Order to all residents to shelter in place and businesses to close except for essential actives, essential service, and governmental services as defined under Section 10 of the Order.¹

On March 16, 2020, County of Santa Clara Leadership asked the City to assume responsibility for countywide food and necessities delivery services to vulnerable and at-risk populations including, but not limited to, vulnerable homeless individuals and individuals in isolation and quarantine. The City sustained this role through September 30, 2020, at which point the City transitioned some accountabilities and service delivery responsibilities back to the County while the City continues food delivery services for residents within the City of San Jose. As part of this transition, the County requested that the City continue to provide countywide food delivery services for vulnerable homeless and individuals in isolation and quarantine as detailed in the memorandum.

On August 28, 2020 Governor Gavin Newsom unveiled a new State "Blueprint for a Safer Economy" to replace the former State County Monitoring List and Variance Processes effective August 31, 2020. This blueprint provided a new color coded four-tier framework, with different restrictions on activity for each tier, which will apply to all California counties:

- Tier 1 (Purple) is the most restrictive, and generally aligns with the level of restrictions previously in place for counties on the State Monitoring List.
- The remaining tiers are Tier 2 (Red), Tier 3 (Orange), and Tier 4 (Yellow). Each tier imposes some level of restriction on activity.
- There is no green tier yet since there is no vaccine in place and no level that is fully safe, so they did not want to indicate otherwise in their system.

The new system is more simplified, and counties are assigned to a tier based only on two factors:

- Daily case rate per 100,000 residents (7-day average with 7-day lag)
- Positivity rate in a specific county (7-day average with 7-day lag)

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¹ Santa Clara County Public Health Order

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	Higher Risk → Lower Risk of Community Disease Transmission			
	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Measures*				
Cases**/100,000 population per day (<u>7 day</u> average; 7 day lag)	>7	4-7	1-3.9	<1
Testing % Positivity (<u>7 day</u> average; 7 day lag)	> 8%	5-8%	2-4.9%	<2%

At the time of writing this memorandum, Santa Clara County moved to Tier-3 (Moderate/Orange) of the state's coronavirus pandemic reopening system. Further easing of restrictions will enable expansion of the maximum capacity of activities like indoor dining and open bars outside. The number of cumulative COVID-19 cases in Santa Clara County is 23,679 ² with a 7-day rolling average of 109 cases per day.³ At the time of writing this memorandum, the cumulative COVID-19 case count for the City of San José is 15,609. The County reports a total of 943,535 COVID-19 tests; of that, there are 27,832 positive results. The current test positivity rate is 1.6%, a decrease from September's reporting of 2.3%, with test turn-around time of about 1.5 days. The County has dramatically scaled up its testing capacity, as the County fairground site is currently able to test over 1,500 people per day, with capacity to go up to 5,000 tests per day in the near future. As the County continues to scale testing and contact tracing, and as restrictions begin to ease, the need to increase supported isolation and quarantine services is anticipated.

Testing, Tracing and Supported Isolation (and Quarantine), known as TTSI, has become a common continuum of effort in the COVID-19 response to effectively contain the spread of the virus in communities.⁴ The City and the County agreed that testing, tracing and supported isolation are interdependent, and all three operations are pivotal towards a safe reopening of the economy. Testing, particularly testing in areas of widespread viral infections, will support the County's efforts towards continuing to safely shift out of mitigation and into containment.

There are three general reasons why people should get tested for COVID-19: the person (1) has symptoms of possible infection, (2) was in close contact with someone who was infectious with COVID-19, or (3) is in a job that recommends or requires testing. Contact tracing is needed to break the chains of transmission. Yet, it is not enough to just detect the virus and identify the infected; testing and tracing are only effective if people can safely isolate and/or quarantine themselves to stop the spread of the virus in our community. A targeted and comprehensive system is needed to ensure people can safely and effectively isolate and/or quarantine. Supportive services such as motel and shelter accommodations, rental assistance, food, mental

² Santa Clara County COVID-19 Cases Dashboard

³ 7-day rolling average of new cases is the average number of new cases each day in the past 7 days, excluding the most recent 7 days.

⁴ Harvard Edmond J. Safra Center for Ethics- Roadmap to Pandemic Resilience

⁵ Santa Clara County- <u>Isolation and Quarantine Guidelines</u>

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health support, case management and referrals to healthcare and social services, etc. must be available to ensure people do not have to suffer detrimental impacts due to COVID-19.

Participation in County Administered Isolation and Quarantine Support Programs and Meal Delivery Service

In August, the County put forth a draft cost sharing agreement to all cities in the County, seeking support in funding the County's Isolation and Quarantine Program. Alternatively, individual jurisdictions could roll out their own programs. In the draft agreement, the County provided cities an opportunity to participate in their Program by contributing their fair share of the operating costs of the County's Isolation and Quarantine Program. This program aims to make quarantining easier for residents and encourage residents to get tested. The three main components are to provide more hotel and motel rooms, financial and rental support, and athome support including a meal delivery program. Services will be responsive to the needs of the individual and may be extended to their household members. The County will provide all services related to program coordination, including program administration and staffing except for the delivery of food. As stated earlier, since March 16, 2020, the City has provided meals to individuals that have been referred by the County to motel and shelter accommodations to be able to safely shelter-in-place, isolate and/or quarantine on a countywide basis. The City will continue to provide, and the County will pay for, food delivery services for non-City residents that are isolating and quarantining as part of the County Support Program.

Community Health and Business Engagement Teams

On September 22, 2020, the Council approved providing CRF funds to the County to extend the work of the Community Health and Business Engagement Teams through December 30. This County pilot program was scheduled to end in November. The County is working in East San José neighborhoods through the Si Se Puede Collective, with the San José Black community through the Roots partnership, as well as with the Community Health Partnership and the Fair Workplace Collaborative. This grassroots work includes direct community engagement and education with residents around accessing health resources, getting tested and staying safe from COVID-19 infection, and accessing financial and other resources. In addition, it includes educational work with small businesses and their employees about how to stay COVID-safe and comply with the public health orders.

ANALYSIS

As of October 19, 2020, the Centers for Disease Control (CDC) updated their guidance on the transmissibility of COVID-19, indicating that persons with mild to moderate COVID-19 symptoms can remain infectious for about 10 days after symptom onset. Persons with more severe to critical illness or who have severe immunocompromised conditions are likely to remain infectious for about 20 days after symptom onset. Recovered persons can continue to shed

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detectable viral traces in their upper respiratory tract for up to 3 months after illness onset.⁶ This means that in order to effectively contain transmission of COVID-19, an infected person and their close contacts must isolate or quarantine away from others. Santa Clara County issued guidance on Isolation and Quarantine to provide instructions related to the duration of time an infected or possibly infected (close contact of someone who tested positive for COVID-19) person should stay separate away from others.

	Definition Duration of staying home/away from others		Additional Conditions	
Isolation	For persons who has had a positive test result, or is waiting on test results, and is likely contagious.	 10 days since symptoms first appeared, AND 24 hours with no fever (without fever-reducing medication), AND Improvements of other symptoms. If you have no symptoms, you can be with others after 10 days have passed since your first positive test sample was collected. 	If you have COVID-19, anyone who continues to be in close contact with you when you are in isolation will need to extend their quarantine until 14 days from the day you finish isolating. This may last about 24 days.	
Quarantine	For persons who were in close contact with someone who had a positive test result and might become contagious in the near future.	 Must stay home, even if you test negative, and continue to quarantine for the full 14-day period. If negative and the test was earlier than 7 days after last exposure to case, get tested again towards the end of your quarantine period. 	If you are unable to avoid close contact with the person with COVID-19, you must stay in quarantine for 14 full days after the case's isolation period. This could mean quarantine for 24 days.	

The City recognizes there are situations that make isolating or quarantining difficult, especially within our vulnerable populations for the timeframes outlined above. These challenges include, but are not limited to, overcrowded housing, the lack of paid sick leave, recent unemployment, co-habitation with at-risk individuals, and obligations to care for household members. Primary among these challenges are: 1) access to a room in which the case or contact may stay and remain separate from other members of the household; and, 2) access to one's own bathroom or the ability to clean the bathroom after each use.

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⁶ CDC- <u>Duration of Isolation and Precautions for Adults with COVID-19</u>

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Inequities Exist in the Impact of COVID-19

The COVID-19 pandemic has exposed and even magnified inequalities across all sectors of our society. The pandemic's negative effects disproportionately impact communities of color across all income levels. Prior to the pandemic, vulnerable communities were already facing socioeconomic barriers, challenges to accessing healthcare, lack of connectivity within a large digital divide, inadequate access to employment services, and inconsistent disability support. It is also these communities that continue to face higher risk and higher test positivity rates. Among the Latinx population, despite totaling about a quarter of the County's population, data from the Santa Clara County's Demographic of Cases and Deaths Dashboard shows that Latinx individuals attribute to more than half (57% as of the writing of this memorandum) of the County's COVID-19 positive cases.⁸ Part of the disproportionate impact of the COVID-19 pandemic on communities of color has been due to structural factors which prevent those communities from practicing safe social distancing. Moreover, marginalized populations in the US disproportionally make up the majority of the "essential workers" such as restaurant staff, retail grocery workers, public transit employees, health-care workers, and custodial staff. As front-line workers who do not have the privilege of "staying at home" or working remotely, the risk of contracting COVID-19 is much higher. Although 7.7% of Santa Clara County residents have an income below the federal poverty level⁹, the cost of living and income inequality in the Bay Area is much higher compared to the rest of the state. In the San José - Sunnyvale portion of Santa Clara County, the income inequality ratio 10 is among the highest, deemed to be the most unequal metro area in all of California. The inequality ratio sits at 34.8, where the top 1% of the population earn on average \$3,345,734 more than the bottom 1% of the population. ¹¹

Additionally, marginalized communities tend to have worse health outcomes and are more likely to be uninsured than non-marginalized communities. Low-income workers, especially those whose income is needed to support an entire family, without sick-leave or paid family leave, may not be able to pay the rent and other related costs such as food, utilities, and supplies, if they stay home. The homeless have inadequate access to running water, sanitation, waste disposal, and gather in close encampments for safety. Uninsured, under-insured, and undocumented individuals face risks pursuing medical care, given the current political climate. Furthermore, health outcomes are affected by forces including structural racism, higher incarceration rates, poverty and the disproportionate prevalence of underlying conditions such as asthma and heart disease among Latinx and African American communities. The differences in health outcomes related to COVID-19 are most stark in COVID-19 deaths. Overall, for adults 18 and older, Latinx, African Americans and Native Hawaiians and Pacific Islanders are dying at

 $^{^7}$ M. Chowkwanyun- Racial Health Disparities and Covid-19 — Caution and Context; New England Journal of Medicine, May 6, 2020

⁸ Santa Clara County <u>Demographics of Cases and Deaths Dashboard</u>

⁹ Current federal poverty level for a 3-person household is \$21,720

¹⁰ The New Gilded Age: Income inequality in the U.S. by state, metropolitan area, and county (<u>Appendix A-Methodology</u>)

¹¹ Economic Policy Institute- Income Inequality in California

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disproportionately higher levels. The proportion of COVID-19 deaths in African Americans is about double their population representation across all adult age categories. ¹²

County Isolation and Support Program

To ensure that appropriate services are available to all Santa Clara County residents who need help with isolation or quarantine, the County offered all 15 cities within the County an opportunity to participate in the Support Program. Each city would pay their fair share of costs on a roughly proportional basis for the shared costs and actual costs for their residents. To-date, eight (8) cities have opted out of the Program while seven (7) cities (Gilroy, Los Altos, Los Altos Hills, Milpitas, Morgan Hill, Mountain View, Saratoga) have either agreed or are still considering funding the Support Program. The County will be paying for residents who live in the unincorporated County. Based on utilization data through early August, the County estimated that during the term of this between August 1, 2020 through December 30, 2020:

- Approximately 200 households who are Cases¹³ or Contacts¹⁴ will be referred to or will contact the Support Program weekly.
- Of the 200 households, it is estimated that approximately 25% (about 50 households) will decline services, are ineligible, or cannot be contacted.
- Of the remaining households (approximately 150 households) who participate in the Support Program, 90% (about 135 households) will receive assistance to isolate or quarantine at home and 10% (about 15 households) would temporarily move into a motel.
- Of all households who enroll in the Support Program (150 households) each week, about 60% (90 households) also request and receive rental or financial assistance.

Of the households participating in the Support Program, it is estimated that approximately 82% will be residents of the City of San José. Residency is determined by the person's or family's home address or if the person is homeless, through methods consistent with standards for the Santa Clara County Continuum of Care. The City will transfer \$4.5 million in Coronavirus Relief Fund (CRF) moneys to the County upon the execution of the Agreement that will provide funding from August 1, 2020 through December 30, 2020. In exchange, the County will ensure that all San José residents requesting help to isolate, or quarantine, will receive the services described below. The County will indemnify and reimburse the City should the federal government recapture any portion of the City's \$4.5 million in CRF due to, but not limited to, failure to use City CRF in accordance with Treasury Guidance or any applicable laws ("Applicable Laws"), failure to document use of City CRF in accordance with Applicable Laws, or failure to expend the City's CRF by the current December 30, 2020 deadline. The County will be responsible for maintaining all records in condition sufficient to meet federal grant documentation standards.

¹² NPR- COVID Tracking Project

¹³ Santa Clara County Contact Definition of COVID-19 Case: A person who tested positive for COVID-19

¹⁴ Santa Clara County Contact Definition of COVID-19 Contact: A person(s) who was in close contact with someone that tested positive for COVID-19

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The table below provides an estimate of costs for the Support Program based on utilization data through early October.

	August	September	October	November	December	Total
Rental Assistance	\$383,725	\$456,750	\$471,975	\$437,483	437,483	\$2,187,417
At-Home Support	\$33,926	\$40,120	\$44,950	\$39,665	\$39665	\$198,327
Motel Costs	\$276,389	\$276,389	\$276,389	\$276,389	\$276,389	1,381,943
Fixed Costs	\$61,209	\$61,209	\$61,209	\$61,209	\$61,209	\$306,045
	\$755,249	\$834,468	\$854,523	\$814,746	\$814,746	\$4,073,732

The most recent number of positive COVID-19 cases is increasing. To address this recent increase in number of cases and a potential spike, due to the upcoming holidays, the amount has been increased to \$4.5 million.

Motel Costs: Each jurisdiction will pay the County for both the programmatic costs and the cost of providing the motel room.

- 1. Direct expenses: Are limited to transportation costs to and from the motel room, and individual motel room occupancy costs including cleaning services, electricity, and water and room repair.
- 2. Shared expenses: Are limited to a pro rata share of shared costs based upon the percentage of room nights at a particular site that are identified as City residents. Shared expenses include laundry service, motel rooms used as office space to provide services, personnel costs for implementing the program, social workers, and private security for the site.

At Home Support Service Costs: Each jurisdiction will pay the County for the cost of supportive services provided directly to the jurisdictions' residents while they isolate or quarantine in their own homes.

- 1. Direct Expenses: Direct expenses will be based on actual costs for City residents. These costs include cleaning supplies, personal protective equipment needed consistent with CDC guidelines, and in-support home services.
- 2. Shared Expenses: Are limited to a pro rata share of shared costs based upon the number of City residents served in their home. Shared costs that will be paid by all cities and the County include staffing for the support request phone line that receives requests for assistance and staff that develop individualized services plan.

Rental and Financial Assistance: Each jurisdiction will pay the County for the rental or financial assistance provided directly to the jurisdiction's residents.

Reporting: The City will work with the County to define the reporting requirements which at a minimum will include the number of residents served and the type of services provided.

Meal Program: The City will provide three meals per day for individuals referred by the County who are vulnerable, homeless persons at high risk for serious illness or death if they contract

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COVID-19 and for referred individuals that are in isolation and quarantine motels serving COVID-positive persons or close contacts of cases who are unable to safely isolate or quarantine at home. Current locations are listed in Attachment A. The City estimates that \$724,000 will cover the cost of providing three meals a day for non-San José residents at these sites and includes a 15% administrative fee to cover staff costs incurred by the City. This is based on an estimate that 28% of the residents will be from outside of San José and is based on the total contract liability of \$2,246,966 that the City has assumed through its agreements with Team San José and Hunger at Home to provide meals to these sites between October 1, 2020 and December 30, 2020.

Community Health and Business Engagement (Health and Engagement)

The agreement with the County also includes payment to the County of \$500,000 in City CRF to pay for additional time for the County's Community Health and Business Engagement teams to work in San José neighborhoods through year end. This will fund continued outreach to residents in East San José, in the Latinx and Black communities, and other populations disproportionately impacted by COVID-19. Council previously authorized the City Manager to negotiate and execute this funding on September 22, 2020. Additional details can be found in the previously approved staff report regarding Coronavirus Relief Funds for Resident Assistance Efforts.

Reconciliation of Funds

By November 30, the City and County will each reconcile the spending of the funds so that all funds can be expended by December 30th. For the Support Program, the County will reallocate any funds that cannot be spent to their rental assistance program for any COVID-19 impacted City resident. For the Food Program, any funds that cannot be spent will be returned to the County by December 15th.

CONCLUSION

The City considers testing, tracing, isolation and quarantine essential to stopping the spread of COVID-19. For this reason, the agreement to fund the County's Support Program for City residents is needed to ensure that people do not have to suffer detrimental impacts to their livelihoods due to COVID-19. The City will transfer some of its CRF Funds to the County to support an isolation and quarantine program. For the Support Program, funding that cannot be expended by November 30th will be used to pay for rental assistance. The City will continue to deliver foods to all homeless vulnerable people who are being sheltered in motels and to individuals who must be isolated or quarantined. The County has agreed to pay the City for the cost of providing food to non-City residents. Any unspent Food Program funds will be returned to the County by December 15th. The Health and Engagement Program, which was already approved by the City Council on September 22, 2020, will also be included in this agreement. All funds for this program will be spent before December 30th.

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EVALUATION AND FOLLOW-UP

During the COVID-19 crisis, the Administration will provide periodic verbal updates to the City Council on the progress of providing shelter and services to the homeless during the pandemic.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This item has been posted on the City's website for approval by the City Council on October 27, 2020.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Emergency Operations Center.

COMMISSION RECOMMENDATION/INPUT

COVID-19 expenditures do not fall under the functions, powers, and or duties of any Commission. The Housing and Community Development Commission will be updated on the actions related to the homeless support programs.

FISCAL/POLICY ALIGNMENT

The recommendations contained in this memorandum are consistent with the priorities established in the City Council as approved by the Emergency Services Proclamations of a Local Emergency due to COVID-19 beginning on March 10, 2020 and as subsequently amended.

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COST SUMMARY/IMPLICATIONS

- 1. AMOUNT OF RECOMMENDATION: \$5,000,000, not inclusive of revenue referenced in this agreement to be recognized through future budgetary action.
- 2. SOURCE OF FUNDING: Coronavirus Relief Fund (401)
- 3. FISCAL IMPACT: There is no ongoing fiscal impact to the General Fund or other City funds as a result of the actions recommended in this memorandum. Subsequent budgetary action as part of a future budget process will be brought to City Council to recognize payments from the County of Santa Clara, estimated at \$724,000, and from other partner jurisdictions in the Emergency Reserve Fund for food distribution services undertaken by the City on behalf of non-San José residents, as the cost is currently captured in the COVID-19 Emergency Response appropriation in the Emergency Reserve Fund.

BUDGET REFERENCE

The table below identifies fund and the appropriations to fund the agreement recommended as part of this memorandum.

					2020-2021	
					Proposed	
					Operating	Last Budget
Fund			Total	Amt. for	Budget	Action (Date,
#	Appn #	Appn. Name	Appn.	Contract *	Page **	Ord. No.)
						09/22/20
		Testing, Tracing				Ord. No.
401	213H	and Isolation	\$10,600,000	\$4,500,000	N/A	30482
						09/22/20
						Ord. No.
401	210T	Local Assistance	\$30,000,000	\$500,000	N/A	30482

^{*} Also refer to the preceding City Council approval of the *Coronavirus Relief Funds for Resident Assistance Efforts* memorandum (item 3.7) on September 22, 2020, which authorized the negotiation and execution of a grant agreement in the amount of \$500,000 with the County of Santa Clara for grassroots Community Health and Engagement teams.

^{**} The 2020-2021 Adopted Operating Budget was approved by City Council on June 23, 2020 and is pending release.

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CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

/s/ JACKY MORALES-FERRAND Housing Director

For questions, please contact Jacky Morales-Ferrand, Housing Director, at (408) 535-3855.

ATTACHMENT A

CURRENT LOCATIONS FOR MEAL DELIVERY SERVICES

Site Name	City	
Best Western	San José	
Casa De Novo	San José	
Days Inn	Gilroy	
E Real Hotel	Santa Clara	
EZ 8 Motel	San José	
Hampton Inn Morgan Hill	Morgan Hill	
Hampton Inn Suites	San José	
Holiday Inn Express	Sunnyvale	
Motel 6 - Campbell	Campbell	
Motel 6 - San José	San José	
Pacific Motor Inn	San José	
Quality Inn/Amigos De Guadalupe	San José	
Sheraton Sunnyvale/Hotel Mathilda	Sunnyvale	
SureStay	Santa Clara	
Vagabond Inn Sunnyvale	Sunnyvale	