

Imperial County Board of Supervisors
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Chairman of the Board, Jesus Eduardo Escobar, District 1
Supervisor Luis A. Plancarte, District 2
Supervisor Michael W. Kelley, District 3
Supervisor Ryan Elliot Kelley, District 4
Supervisor Ray Castillo, District 5

Cc: Chief Executive Officer, Miguel Figueroa

[Sent via e-mail]

June 9, 2022

RE: Imperial County American Rescue Plan Act (ARPA) State and Local Government Fiscal Recovery Fund (SLFRF) Funds Recommendations

Dear Imperial County Board of Supervisors,

We, the undersigned civil rights, social justice, and community-based organizations, are providing input on how the Imperial County Board of Supervisors (County) will be spending the total **\$35.2 million of the American Rescue Plan Act (ARPA) State and Local Government Fiscal Recovery Funds (SLFRF)**. We respectfully urge the County to solicit meaningful public input to help inform the County's ARPA SLFRF spending plan and invest in urgent community needs and human infrastructure to address the disproportionate economic and public health impact that essential workers and marginalized communities faced during the COVID-19 pandemic. This public health crisis has exposed and exacerbated existing inequities for people in our communities and has compounded the impact of historical and structural racism on their health and wellbeing. In California, this health crisis has devastated communities with low incomes, people with disabilities, our undocumented community, older adults, and in particular Latino, and other communities of color who have the highest COVID-19 related deaths¹ and continue to bear disproportionately high socioeconomic impacts. In Imperial County, double digit unemployment, barriers to healthcare, and housing insecurities have deeply impacted farmworkers, who are the backbone of a \$4.4 billion-dollar agricultural industry as well as other essential workers including but not limited to restaurant workers, grocery store workers, healthcare workers, pharmacy workers, and immigrant workers. The Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020, which provided economic relief amidst the growing COVID-19 pandemic, intentionally excluded underserved populations, including

¹ State of California. "Commitment to Health Equity." <https://covid19.ca.gov/equity/>. Accessed 30 Nov. 2021.

immigrant workers,² many who are on the frontlines of caring for our communities during this pandemic. We must provide direct assistance for individuals that were not eligible for state or federal relief programs.

Proper use of the ARPA funds requires county leaders to be driven by the responsibility to improve the health and well-being of community members and hear the voices of those who are most affected and in need. More importantly, it is critical that health equity and racial justice be the highest motivation and priority in the allocation and distribution of ARPA funds. For that reason, we urge the County to align its ARPA SLFRF relief with the guidance issued by the U.S. Department of the Treasury (Treasury). Both the Treasury’s Final Rule which became effective on April 1, 2022,³ and the Interim Final Rule currently in effect, explicitly offers a clear equity vision and instructions on how local governments should allocate their ARPA SLFRF funds. Specifically, both rules which are also aligned with the White House Executive Order 13985⁴ *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, recognizes the importance of targeting relief efforts to promote and streamline “provision of assistance to individuals and communities in greatest need, particularly communities that have been historically disadvantaged or underserved and have experienced disproportionate impacts of the COVID–19 crisis.” The Interim Final Rule also states that the Program should, “lay the foundation for a strong, equitable economic recovery, not only by providing immediate economic stabilization for households and businesses, but also by addressing the systemic public health and economic challenges that may have contributed to more severe impacts of the pandemic among low-income communities and people of color.”⁵ Given the racial and social disparities vulnerable communities in Imperial County faced during the COVID-19 pandemic as well as guidance from the federal government urging cities and counties to invest in historically disadvantaged groups, we respectfully urge the Imperial County Board of Supervisors to commit its millions of ARPA funds to bring long-term equity investments for farmworkers, healthcare workers, grocery store workers, pharmacy workers other essential workers as defined by the State⁶, people experiencing homelessness, and other

² “Understanding the Impact of Key Provisions of COVID-19 Relief Bills on Immigrant Communities.” *National Immigration Law Center*. <https://www.nilc.org/issues/economic-support/impact-of-covid19-relief-bills-on-immigrant-communities/>. 27 May 2020.

³ “Coronavirus State and Local Fiscal Recovery Funds.” *Federal Register*, 27 Jan. 2022, <https://www.federalregister.gov/documents/2022/01/27/2022-00292/coronavirus-state-and-local-fiscal-recovery-funds>.

⁴ “Executive Order on Advancing Racial Equity and Support for Underserved Communities through the Federal Government.” *The White House*, 21 Jan. 2021, <https://www.whitehouse.gov/briefingroom/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-forunderserved-communities-through-the-federal-government/>.

⁵ “Coronavirus State and Local Fiscal Recovery Funds.” *Federal Register*, 17 May 2021, <https://www.federalregister.gov/documents/2021/05/17/2021-10283/coronavirus-state-and-local-fiscalrecovery-funds>. Emphasis added.

⁶ “Essential Workers.” *California All*. <https://covid19.ca.gov/essential-workforce/#:~:text=Workers%20such%20as%20plumbers%2C%20electricians,any%20facility%20supporting%20COVID%2D19,22%20Feb%202022>.

vulnerable populations, and to address inequitable environmental impacts due to climate change in the region. To do this, we urge the County to consider the following:

First, we recommend that the County ensures meaningful public input, transparency, and accountability in all of its decision-making processes regarding ARPA spending, by directly engaging with community stakeholders in the process. We understand that the process through which the County has implemented so far has lacked budget transparency and robust community engagement. The County has not held any public facing workshops on ARPA spending and the Board of Supervisor’s meetings are inaccessible for most working community members who are unable to attend morning meetings. Additionally, the County has provided inadequate forms of engagement for communities most impacted by the COVID-19 pandemic. For example, the approved proposed projects and expenditures using ARPA funds were first presented to the public on [September 14, 2021](#), and on the same day these proposals were approved without the community’s input. The Treasury guidelines states that local governments will “engage their constituents and communities in developing plans to use these payments, given the scale of funding and its potential to catalyze broader economic recovery and rebuilding.”⁷ Transparent, accessible, authentic, and meaningful community stakeholder processes are key to ensuring these funds will indeed have the transformative impact the federal administration intends, which is to rebuild our communities and our public health systems with long-term commitments to improve the quality of life for people, prioritize the needs of those who have been hit the hardest by the pandemic, and more importantly, to mend and rebuild the trust and relationships between governments and directly impacted communities by the COVID-19 pandemic.

For the reasons states above, we request the County to:

- Immediately post all ARPA spending related information, including but not limited to:
 - (1) inclusion of community input in the decision-making process;
 - (2) where all the \$35.2 million in ARPA funds are allocated and spent, including the intended strategies and outcomes, timing of programs, itemized expenditure reports, planning meetings and reports, and public workshops;
 - (3) the amount of ARPA funding each department is responsible for overseeing;
 - (4) how much ARPA funding will reach each City/Unincorporated Area in the County;
 - (5) detailed information about the selection process for funding recommendations;

⁷ “Coronavirus State and Local Fiscal Recovery Funds.” *Federal Register*, 17 May 2021, <https://www.federalregister.gov/documents/2021/05/17/2021-10283/coronavirus-state-and-local-fiscalrecovery-funds>.

(6) disclose ARPA documents, public meeting recordings, and all guidelines from the federal and state governments on ARPA on the County's website for the public's view and access;

(7) and encourage the County to translate ARPA documents to Spanish;

- As the County has recognized, at least 76.1% of the County's residents speak a language other than English at home, with 97.97% of those residents speaking Spanish⁸, upon request, the County should provide a certified interpreter at its public input meetings and post information on their website about how to request an interpreter or seek other accommodations;
- Directly engage with community-based organizations especially those who have knowledge of and relationships with community members most impacted by the pandemic in ARPA fund planning and spending decisions;
- Proactively solicit input from broader impacted communities on the use of ARPA funds, including disseminating a multilingual community survey to collect input from the public. Many Californian counties and cities such as Fresno⁹ and Sacramento¹⁰ created accessible community surveys on ARPA funds;
- Host regular community education and listening sessions, in person and virtually, in English and Spanish, and at accessible times for working community members, regarding the County's use of ARPA funds, including the goals and progress to achieve equitable outcomes through the use of funds;
- Provide technical assistance for community-based non-profit organizations to learn about and how to apply for these relief funds, especially organizations who have limited capacity and were impacted during the pandemic.

Second, our organizations recommend the County to target its usage of ARPA funds in supporting those impacted the most by the COVID-19 pandemic to begin the rebuilding process within our disadvantaged communities. These funds need to be directed to the community with a specific focus on small, local organizations and reach Imperial County's diverse population, including communities of color, under-resourced communities, elder/senior population, and youth, to name a few. The Treasury's guidance encourages that ARPA recipients provide, "assistance to those households, businesses, and nonprofits in communities most disproportionately impacted by the pandemic" and consider "funding uses that foster a strong, inclusive, and equitable recovery, especially uses with long-term benefits for health and

⁸ County of Imperial's Access for Persons with Limited English Proficiency (LEP) Plan https://imperial.granicus.com/MetaViewer.php?view_id=2&event_id=1671&meta_id=240217, Ex. 6 (p.100) ("LEP Plan").

⁹ Edinger, Marie. "How do you think the City of Fresno should spend its American Rescue Plan money?" *Fox26News*. <https://kmph.com/news/local/how-do-you-think-the-city-of-fresno-should-spend-its-american-rescue-plan-money>. 3 Dec 2021.

¹⁰ County of Sacramento. "Seeking Input: American Rescue Plan Act Spending." <https://www.saccounty.gov/news/latest-news/Pages/Seeking-Input-American-Rescue-Plan-Act-Spending.aspx>. 11 June 2021.

economic outcomes.”¹¹ **We respectfully urge the County to consider the following populations and categories, while still seeking the public’s input, to help inform the County’s ARPA SERF spending plan:**

- People experiencing homelessness and housing insecurities;
- People without health insurance, people who are underinsured, people impacted by COVID-19 medical bills;
- Vulnerable communities in all major county, cities, and unincorporated areas;
- Individuals that were not eligible for state or federal relief programs;
- Bonus pay for Essential Workers encompassing healthcare (i.e., community health workers, in-home care workers, hospital and clinic staff, pharmacy workers), farmworkers, warehouse workers, and grocery store workers regardless of immigration status;
- Mental health services for children, youth, and families;
- Mobile Crisis Response Team (MCRT) program designed to help people experiencing mental health or substance use crises by dispatching behavioral health experts to emergency calls instead of law enforcement;
- Childcare subsidies for targeted populations;
- Senior and youth services such as, no cost transportation for seniors and youth sports/camp programs;
- Legal services for tenants facing eviction counseling and outreach/prevention services;
- Multilingual outreach capacity to increase access to COVID-19 assistance programs;
- Small business and non-profit stimulus programs;
- Climate change infrastructure such as shade structures, cooling stations, water stations, and restrooms;
- Infrastructure to provide translation and interpretation services at public meetings for our Spanish-speaking community members.

Finally, we urge Imperial County to consider the usage of available state and federal funds for purposes related to human infrastructure, including workforce development for youth, adult re-entry programs, broadband access to unincorporated areas, and other needs to leverage existing funds and ARPA funds to make the most impact for community members. This can be accomplished by working closely with community-based organizations and community members, as well as our state and federal partners. By doing this, we can invest and reduce the harsh economic impacts of the pandemic in our community while drawing down more state and federal funds. It is time we see long-term structural investments to address the historical health and racial inequities in our border communities.

¹¹ “Coronavirus State and Local Fiscal Recovery Funds.” *Federal Register*, 17 May 2021, <https://www.federalregister.gov/documents/2021/05/17/2021-10283/coronavirus-state-and-local-fiscalrecovery-funds>.

We urge the Board of Supervisors to meet and work closely with community organizations and community members to ensure a transparent and inclusive budgeting process, as well as, to align the usage of these funds equitably by supporting populations made vulnerable by long-standing inequities exacerbated by the COVID-19 pandemic. We look forward to continuing our work together in partnership and with a strong commitment to serving all Imperial Valley community members well. If you have any questions, please contact the Imperial Valley Equity & Justice Coalition at ivequityjustice@gmail.com.

Sincerely,

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