

RESOLUTION NO. 2022-126

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY AUTHORIZING FURTHER PARTICIPATION IN THE STATE RENTAL ASSISTANCE PROGRAM

On Tuesday June 28, 2022, on motion of Supervisor Rutherford, duly seconded by Supervisor Cook and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

WHEREAS:

- A. On December 27, 2020, the Consolidated Appropriations Act, 2021 (Pub.L. No. 116-260) (the "Act") was signed into law. Section 501 of Division N of the Act established the federal Emergency Rental Assistance Program ("ERAP"), and authorized the direct allocation of funds to states, units of local government, tribal communities, and territories. The ERAP funds are intended to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic.
- B. California Senate Bill No. 91 (2021-2022 Reg. Sess.) ("SB 91") established the State of California's program for administering its share of ERAP funds (the "State Rental Assistance Program," "SRAP," or "State Rental Assistance Funds"). SB 91 added Chapter 17 (commencing with Section 50897) to Part 2 of Division 31 of the Health and Safety Code. Health and Safety Code section 50897.1, subdivision (a)(1) authorizes the Department of Housing and Community Development (the "Department") to administer the State Rental Assistance Funds in accordance with state and federal law.
- C. On October 26, 2021, San Bernardino County ("Locality") adopted Resolution No. 2021-178 which authorized the Locality to transmit its allocation of ERAP 2 funds from the U.S. Department of the Treasury ("Treasury") in the amount of \$56,786,650 (this amount, the Locality's "Direct Federal Allocation") and authorized the Department to administer the Locality's Direct Federal Allocation and the Locality's Proportionate SRAP Share pursuant to Health and Safety Code section 50897.3.
- D. Locality also received an allocation of ERAP 1 funds from Treasury in the amount of \$52,023,225.20. Of the total allocation, \$46,820,902.50 was allocated to Direct Services, while \$5,202,322.70 was allocated to Administrative Costs. Locality ran the San Bernardino County Rent Relief Partnership with the ERAP 1 funds and expended \$35,624,391.13 in Direct Services, leaving \$11,196,511.37 available to reallocate to the Department to administer to benefit the Locality's residents. The Locality has requested that Treasury reallocate the remaining ERAP 1 funds to the Department.

THEREFORE, IT IS RESOLVED THAT:

1. Locality is hereby authorized and directed to transmit its Direct Federal Allocation of the remaining ERAP 1 funds in the amount of \$11,196,511.37 to the Department via Treasury so that the Department will administer the Locality's Direct Federal Allocation and the Locality's Proportionate SRAP Share for and on behalf of the Locality, and pursuant to Health and Safety Code section 50897.3, subdivision (b)(3).
2. Locality is hereby authorized and directed to enter into, execute, and deliver any and all documents (and amendments thereto) that are required or deemed necessary or appropriate UNDER STATE OR FEDERAL LAW to govern the Department's administration of the Locality's Direct Federal Allocation for and on behalf of the Locality (collectively, the "HSC 50897.3 Documents") for the remaining ERAP 1 funds. Such HSC 50897.3 Documents shall include a Department-approved STD 213, Standard Agreement in a total amount not to exceed \$11,196,511.37 (the "Standard Agreement"), and all amendments thereto.

3. Locality acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement.
4. The Chief Executive Officer or the Deputy Executive Officer – Community Revitalization are each individually authorized to execute the HSC 50897.3 Documents on behalf of the Locality for participation in the State Rental Assistance Program for the remaining ERAP 1 funds.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: Curt Hagman

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STATE OF CALIFORNIA)
)
 SAN BERNARDINO COUNTY) ss.

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of June 28, 2022. #41 LA

LYNNA MONELL
 Clerk of the Board of Supervisors

By _____
 Deputy

The undersigned, Lynna Monell, Clerk of the Board of Supervisors of Locality, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.	
SIGNATURE:	DATE:
NAME: Lynna Monell	TITLE: Clerk of the Board of Supervisors