

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

June 28, 2022

**FROM**

**SUPRIYA BARROWS, Deputy Executive Officer, Community Development and Housing Department**

**SUBJECT**

Reallocate Unspent Funds for the Emergency Rental Assistance Program

**RECOMMENDATION(S)**

1. Ratify the submission of a Letter Requesting Excess Funds to be Voluntarily Reallocated to the United States Department of the Treasury for the Emergency Rental Assistance Program, executed by the Chief Executive Officer on June 6, 2022.
2. Adopt **Resolution No. 2022-126** Authorizing Further Participation in the State Rental Assistance Program.

(Presenter: Supriya Barrows, Deputy Executive Officer, 387-4717)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Focus on Recovery and Resiliency Following Major Emergency Responses such as the December 2, 2015 Terrorist Attack (SB Strong) and the Global COVID-19 Pandemic.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of any Discretionary General Funding (Net County Cost). This item will allow the Community Development and Housing Department (CDH) to voluntarily reallocate \$11,196,511.37 in unspent direct assistance of Round 1 funds for San Bernardino County's (County) Emergency Rental Assistance (ERA) Program to the United States Department of Treasury (Treasury).

**BACKGROUND INFORMATION**

On February 9, 2021 (Item No. 23), the Board of Supervisors (Board) ratified and approved the submission of a non-competitive grant application and concurrent acceptance of award terms to receive a direct payment of \$52,023,225 Round 1 funds from the Treasury to fund the ERA Program to assist qualified households unable to pay rent and utilities due to the COVID-19 pandemic.

On March 9, 2021 (Item No. 14), the Board authorized the establishment of a County ERA Program in compliance with the Federal Consolidated Appropriations Act of 2021. The County undertook the initial steps to allow County residents to apply for emergency rental assistance through either the County's Rental Relief Partnership Program (targeted for households with incomes up to 50% of the average income) or the State's Housing is Key rental assistance

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program (targeted for households with incomes between 50%-80% of the average median). The Board also authorized the Chief Executive Officer, in consultation with County Counsel, to negotiate a Memorandum of Understanding (MOU), which was executed on April 26, 2021, to enable the State of California Department of Housing and Community Development (HCD) to concurrently implement the San Bernardino County Rent Relief Partnership (SBCRRP), as a bifurcated locally administered rental assistance program (Option C), and the State Rental Assistance Program, utilizing two rounds of the Emergency Rental Assistance funds released by the Treasury.

On June 8, 2021 (Item No. 39), the Board ratified the submission of the non-competitive grant application and concurrent acceptance of award terms for County Contract No. 21-465, to receive a direct payment of approximately \$56,786,650 from Treasury to fund ERA Round 2 of the Treasury to assist qualified households unable to pay rent and utilities due to the COVID-19 pandemic, executed by the Chief Executive Officer on May 10, 2021.

On June 28, 2021, HCD notified the County that with the approval of Assembly Bill 832 came the opportunity for grantees to change the administrative option under which they currently administered rent relief programs.

On August 24, 2021 (Item No. 22), the Board ratified the approval of the County's Letter of Intent (LOI) with the State of California to administer the ERA Program Round 1 and 2 grant funds, which provides a maximum grant amount of \$103 million to the County, executed by the Chief Executive Officer on July 26, 2021.

The County transitioned the SBCRRP on October 1, 2021, so that the State would manage the ERA Round 2 funds on behalf of the County, which served all eligible County residents with a household income of up to 80% of the Area Median Income.

On October 26, 2021 (Item No. 28), the Board approved the termination of the MOU with HCD regarding the State and County bifurcated ERA Programs and adopted Resolution No. 2021-178. The Resolution authorized the County to participate in the State Rental Assistance Program for which HCD would manage the County's direct allocation ERA Round 2 funds and the State's proportional Round 2 share of the Federal ERA allocated to the County, and terminating County Contract No. 21-465 with the Treasury, returning \$56,786,650 of ERA Round 2 funds administered by HCD, and approving an agreement with HCD to administer ERA Round 2 funds on behalf of the County.

On June 7, 2022, HCD informed CDH that the State-run ERA program was forecasting that it could spend approximately \$40 million more than what was allocated for the County, and the Treasury has allowed for localities in the State program for ERA to voluntarily allocate the remaining ERA Round 1 funds to HCD for disbursement on behalf of the locality. The Treasury deadline to submit the Letter Requesting Excess Funds to be Voluntarily Reallocated was June 10, 2022. The County will reallocate the remaining \$11,196,511.37 in ERA Round 1 funds back to the Treasury to direct to HCD.

County Counsel reviewed the Letter Requesting Excess Funds to be Voluntarily Reallocated and was signed by the Chief Executive Officer on June 6, 2022.

Adoption of the Resolution will authorize the County to reallocate the remaining ERA 1 funds to HCD so that HCD will administer the funds on behalf of the County and will authorize the Chief

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Executive Officer or the Deputy Executive Officer – Community Revitalization to execute documents necessary for HCD to administer the funds on behalf of the County including a Memorandum of Understanding or a State Standard Agreement in an amount not to exceed \$11,196,511.37.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on June 14, 2022; Finance (Christopher Lange, Administrative Analyst, 386-8393) on June 14, 2022; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on June 14, 2022.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Janice Rutherford Seconded: Col. Paul Cook (Ret.)  
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.  
Absent: Curt Hagman

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 28, 2022



cc: W/RESOLUTION  
File- Community Development and Housing Dept. w/attach  
LA 07/7/2022