

SUBRECIPIENT AGREEMENT

between

COUNTY OF SANTA BARBARA

and

UNITED WAY OF SANTA BARBARA COUNTY

for

CONSOLIDATED APPROPRIATIONS ACT OF 2021 EMERGENCY RENTAL ASSISTANCE PROGRAM, ASSISTANCE LISTING NUMBER 21.023

THIRD AMENDMENT

This Third Amendment to the Subrecipient Agreement, dated September 13, 2022, ("Third Amendment") is made between the United Way of Santa Barbara County, a California nonprofit organization, whose address is 320 E. Gutierrez Street, Santa Barbara, CA 93101, (hereafter "SUBRECIPIENT"), and the County of Santa Barbara, a political subdivision of the State of California, (hereinafter "COUNTY").

WHEREAS, on February 9, 2021, COUNTY and SUBRECIPIENT entered into the Subrecipient Agreement for the Consolidated Appropriations Act of 2021 Emergency Rental Assistance Program (the "Agreement"); and

WHEREAS, on April 20, 2021, COUNTY and SUBRECIPIENT entered into a First Amendment to the Agreement to, among other things, reduce the award amount to the actual awarded amount vs. the estimated allocation amount; and

WHEREAS, on December 1, 2021, COUNTY approved a budget revision to reallocate funds within different budget categories without any increase to the total contract maximum amount of the Agreement, which remained at \$13,275,190; and

WHEREAS, the COUNTY requested and has been awarded reallocated ERA 1 Grant funds by the U.S. Department of Treasury under the 2021 Consolidated Appropriations Act in the aggregate amount of \$2,202,388.14, of which \$1,156,932.68 is derived from COUNTY's first, November 2021, ERA 1 reallocation request, and \$1,045,455.46 is derived from COUNTY's second, January, 2022, ERA 1 reallocation request; and

WHEREAS, at its April 19, 2022 public meeting, in consideration of ERA 1 Rounds One and Two reallocation awards, the Board of Supervisors voted to approve a Second Amendment to the Agreement with SUBRECIPIENT that increased the total maximum contract amount of the Agreement from Thirteen Million Two Hundred Seventy-Five Thousand One Hundred and Ninety Dollars (\$13,275,190), to Fifteen Million Four Hundred Seventy-Seven Thousand Five Hundred Seventy-Five Dollars and Fourteen Cents (\$15,477,578.14)

WHEREAS, on June 9, 2022, the COUNTY applied to the United States Department of the Treasury for Round Three reallocated ERA 1 Treasury funds; and

WHEREAS, on July 18, 2022, the COUNTY received notification from the United States Department of the Treasury of award of Treasury ERA 1 Round Three reallocation funds in the amount of \$1,001,370.54, thereby increasing the available amount of COUNTY ERA1 Treasury Funds from Fifteen Million Four Hundred Seventy-Seven Thousand Five Hundred and Seventy-Eight Dollars and Fourteen Cents, \$15,477,578.14 to Sixteen Million Four Hundred Seventy-Eight Thousand, Nine Hundred and Forty-Eight Dollars and Sixty-Eight Cents (\$16,478,948.68); and

WHEREAS, the term of the Agreement, as amended, currently ends September 30, 2022, and pursuant to incorporation and inclusion of these supplemental Round Three reallocated Treasury ERA1 funds, additional time is required to allocate, expend, and close-out all ERA 1 Treasury funds; and

WHEREAS, pursuant to Section I.E of the Agreement, COUNTY and SUBRECIPIENT desire to make certain amendments to the Agreement, as amended, as detailed further herein; and

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the Parties agree as follows:

Definitions. Capitalized terms used in this Third Amendment, to the extent not otherwise defined herein, shall have the same meanings as in the Agreement, as amended.

Amendments. The Parties agree to the following amendments:

1. The total contract maximum amount of the Agreement referenced in the Agreement, as amended, including, but not limited to, Sections I.C, III, IV, and Exhibit B, is increased from Fifteen Million Four Hundred Seventy-Seven Thousand Five Hundred Seventy-Eight Dollars and Fourteen Cents (\$15,477,578.14) to Sixteen Million Four Hundred Seventy-Eight Thousand Nine Hundred and Forty-Eight Dollars and Sixty-Eight Cents (\$16,478,948.68).
2. The term of the Agreement referenced in Section II of the Agreement, as amended, is extended from September 30, 2022 to December 29, 2022.
3. Exhibit B, Budget of the Agreement, is replaced in its entirety by the Exhibit B attached to this Third Amendment and incorporated herein by this reference.
4. Exhibit C of the Agreement, Expenditure Summary Reimbursement Report, is replaced in its entirety by the Exhibit C attached to this Third Amendment and incorporated herein by this reference.

Ratifications. The terms and provisions set forth in this Third Amendment shall modify and supersede all inconsistent terms and provisions set forth in the Agreement, as amended. The terms and provisions of the Agreement, as amended, except as expressly modified and superseded by this Third Amendment, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding and enforceable obligations of the Parties.

Counterparts. Pursuant to Section XVIII (inadvertently referenced as Section XIII) of the Agreement, Execution of Counterparts, this Third Amendment may be executed in counterparts, all of which taken together shall constitute a single agreement between the Parties.

(Signatures on following pages.)

IN WITNESS WHEREOF, the parties have executed this Third Amendment to be effective on _____, 2022.

ATTEST:
MONA MIYASATO
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA:

By: *Sheila de la Guerra*
Deputy Clerk

By: *Joan Hartmann*
JOAN HARTMANN
CHAIR, BOARD OF SUPERVISORS

Date: 9-13-22

APPROVED AS TO ACCOUNTING FORM:
BETSY M. SCHAFFER, CPA
AUDITOR-CONTROLLER

COUNTY OF SANTA BARBARA, COMMUNITY SERVICES DEPARTMENT:
GEORGE CHAPJIAN, DIRECTOR

DocuSigned by:
By: *Betsy Schaffer*
30A707CFDB2A426...
Deputy Auditor- Controller

DocuSigned by:
By: *George Chapjian*
89F88FFFE9E4F2...
Department Head

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

SUBRECIPIENT: UNITED WAY OF SANTA BARBARA COUNTY

DocuSigned by:
By: *Mike Munoz*
8251CC884E8B41F...
Deputy County Counsel

DocuSigned by:
By: *Steve Ortiz*
081FFE5E4B2043A...
Steve Ortiz, President & CEO

APPROVED AS TO FORM:
GREG MILLIGAN, ARM, AIC
RISK MANAGEMENT

DocuSigned by:
By: *Gregory Milligan*
DC240AC1E64247D...
Risk Manager