

RESOLUTION OF THE COUNTY BOARD OF  
SUPERVISORS COUNTY OF SANTA BARBARA,  
STATE OF CALIFORNIA

IN THE MATTER OF THE COUNTY OF )  
SANTA BARBARA APPROVING A ) RESOLUTION # 22-121  
RESOLUTION AUTHORIZING A STATE )  
RENTAL ASSISTANCE PROGRAM )  
LOAN AWARD )

**WHEREAS**, 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 (“ERA1”), and authorized the direct allocation of emergency rental assistance funds to states, units of local government, tribal communities, and territories. The ERA1 funds are intended to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic; and

**WHEREAS**, on March 11, 2021, the American Rescue Plan Act of 2021 (Pub.L. No. 117-2) (“ARPA”) was signed into law. Section 3201 of Subtitle B of Title III of ARPA established the federal Emergency Rental Assistance Program (“ERA2”), and authorized the direct allocation of funds to states, the District of Columbia, units of local government, territories, and high-need grantees. The ERA2 funds are intended to assist low-income households that have experienced financial hardship during or due to the COVID-19 pandemic, are unable to pay for rent and utilities, and are at risk of experiencing homelessness or housing instability.; and

**WHEREAS**, California Assembly Bill No. 832 (Chapter 27, Statutes of 2021) (“AB 832”) provides the legal basis for the State of California’s administration of its share of ERA1 and ERA2 funds (the “State Rental Assistance Program,” “SRA,” or “SRA Funds”). AB 832 amended Sections 50897, 50897.1, 50897.2, 50897.3, and 50897.4 of, and added Sections 50897.2.1 and 50897.3.1 to, 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 SRA Funds in accordance with state and federal law; and

**WHEREAS**, California Senate Bill No. 115 (Chapter 2, Statutes of 2022) (“SB 115”) authorized eligible local jurisdictions and federally recognized tribal governments to request cashflow loans from the Department for Emergency Rental Assistance Program expenditures. Such expenditures must be for complete, eligible applications by households that were received on or before March 31, 2022, including administrative costs that are consistent with the provisions of Chapter 17 (commencing with Section 50897) of Division 31 of Part 2 of the Health and Safety Code, as applicable; and

**WHEREAS**, in enacting SB 115, the Legislature’s intent was to provide local programs with immediate cash, in the form of temporary cashflow loans, to maximize rental relief to all eligible households as the local programs await additional federal funding from either ERA1 or ERA2. If the anticipated federal funding is not received by June 30, 2023, and if such funds

cannot be utilized for reimbursements, the Department of Finance will forgive an amount up to the amount not covered by the federal allocation; and

**WHEREAS**, as authorized by SB 115, the Department will make such cashflow loans available pursuant to terms and conditions developed by the Department. Such terms and conditions may include, but are not limited to, reporting; a repayment schedule; interest charged at the rate earned by moneys in the Pooled Money Investment Account; and remittance mechanisms that include the withholding of future state and federal funding administered by the Department; and

**WHEREAS**, THE COUNTY OF SANTA BARBARA (“Entity”) is participating in the SRA under “Option B,” as that term is defined in subdivision (i) of Section 50897 of the Health and Safety Code; or is a federally recognized tribal government, consistent with the state’s implementation of Chapter 17 (commencing with Section 50897) of Division 31 of Part 2 of the Health and Safety Code; and

**WHEREAS**, Entity applied to the U.S. Department of the Treasury (“Treasury”) for a reallocation of ERA1 funds (the “ERA1 Reallocation”) by submitting one or more appropriate requests for reallocated funds to Treasury’s portal (“Reallocation Request”) by January 21, 2022. Entity will apply to the Treasury for a reallocation of ERA2 funds (the “ERA2 Reallocation”) once those reallocation moneys become available. The ERA1 Reallocation and the ERA2 Reallocation are also referred to herein, individually and collectively, as the “ERA Reallocation(s).”; and

**WHEREAS**, Entity desires to request and accept a temporary cashflow loan of funds from the Department, as authorized by SB 115 (this amount, the “SRA Loan Award”), while it awaits the additional federal funding described above; and

**WHEREAS**, Entity plans to administer any ERA Reallocation in accordance with the applicable federal law (the Act and/or ARPA); the applicable Treasury interpretive guidance; and all such requirements as may be subsequently amended and applicable; and

**WHEREAS**, Entity acknowledges that every SRA Loan Award is subject to and shall be administered in accordance with the state’s requirements for Round 2 of the State Rental Assistance Program, including, without limitation, the applicable requirements of AB 832; SB 115; the Department’s State Rental Assistance Program Guidelines, dated September 27, 2021; and all such requirements as may be subsequently amended (collectively, the “SRA Loan Award Requirements”); and

**WHEREAS**, Entity further acknowledges that every SRA Loan Award is subject to the terms and conditions of a Department-approved STD 213, Standard Agreement (“Standard Agreement”), all other documents required or deemed necessary or appropriate UNDER STATE OR FEDERAL LAW to disburse, evidence, and secure the SRA Loan Award, and all amendments thereto (collectively, the “SRA Loan Award Documents”)

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of Supervisors of the County of Santa Barbara as follows:

1. Entity is hereby authorized and directed to request and accept an SRA Loan Award in a total amount not to exceed \$31,460,126. Such amount matches the Reallocation Request submitted in November 2021 or in January 2022 and does not exceed the amount set forth in the Entity's last-in-time Reallocation Request submitted to Treasury.
2. Entity is hereby authorized and directed to enter into, execute, and deliver the SRA Loan Award Documents, which shall include a Standard Agreement in a total amount not to exceed to \$31,460,126.
3. Entity is hereby authorized and directed to assume responsibility for administering the SRA Loan Award in accordance with all SRA Loan Award Requirements.
4. Mona Miyasato, County Executive Officer of the County of Santa Barbara, is authorized to execute the SRA Loan Award Documents on behalf of the Entity for participation in the State Rental Assistance Program – Round 3.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of Santa Barbara held on May 24, 2022, by the following vote:

AYES: Supervisors Williams, Hart, Hartmann, Nelson, and Lavagnino

NOES: None

ABSENT: None

ABSTAIN: None

**ATTEST:**

**COUNTY OF SANTA BARBARA**

Mona Miyasato  
County Executive Officer  
Clerk of the Board

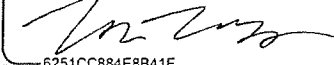
By: *Sheila Albuera*  
Deputy Clerk

By: *Joan Hartmann*  
Joan Hartmann, Chair

Date: 5-24-22

**APPROVED AS TO FORM**

Rachel Van Mullem  
County Counsel

DocuSigned by:  
  
By: 6251CC884E8B41F  
Deputy Counsel

**STATE OF CALIFORNIA**

County of Santa Barbara

I, Sheila de la Guerra, County Clerk of the County of Santa Barbara, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Supervisors on this 24<sup>th</sup> day of May, 2022.

  
County Clerk, County of Santa Barbara, State of California

By: Sheila de la Guerra, Deputy Clerk  
Name and Title