

## RESOLUTION NO. 2021-

### A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF FONTANA AUTHORIZING PARTICIPATION IN THE STATE RENTAL ASSISTANCE PROGRAM – ROUND 2

**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.

**WHEREAS**, California Assembly Bill No. 832 (2021-2022 Reg. Sess.) (“**AB 832**”) established the State of California’s program for administering its share of ERA2 funds (the “**State Rental Assistance Program – Round 2**,” “**SRA2**,” or “**SRA2 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 SRA2 Funds in accordance with state and federal law.

**WHEREAS**, Pursuant to Section 3201 of Subtitle B of Title III of ARPA, the U.S. Department of the Treasury (“Treasury”) will allocate ERA2 funds to Locality (this allocation, and any and all additional tranches thereof, the Locality’s “ERA2 Allocation”).

**WHEREAS**, Pursuant to Health and Safety Code section 50897.2.1, subdivision (a)(3), the Department will apportion a share of the SRA2 Funds to Locality (this amount, and any and all additional tranches thereof, the Locality’s “Proportionate SRA2 Share”).

**WHEREAS**, Locality intends and agrees that the Department will (1) receive and administer the Locality’s ERA2 Allocation for and on behalf of Locality; and (2) administer the Locality’s Proportionate SRA2 Share.

**WHEREAS**, The Department will administer the Locality’s ERA2 Allocation and Proportionate SRA2 Share pursuant to Health and Safety Code section 50897.3.1, subdivision (b)(3).

**WHEREAS**, Furthermore, in accordance with Section 3201(d)(1)(C) of ARPA, the Department will use ERA2 funds to provide Locality with a grant, which Locality shall use to pay any costs it incurs, beginning on March 11, 2021, to support and benefit the State

Rental Assistance Program – Round 2 (such costs, the Locality’s “Supplemental Administrative Costs”).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana, as follows:

**Section 1.** Locality is hereby authorized and directed to make any necessary arrangements to effectuate the Department’s receipt of Locality’s ERA2 Allocation for the purpose of administering it for and on behalf of Locality.

**Section 2.** Locality is hereby authorized and directed to accept a grant from the Department, in an amount not to exceed \$151,414.68, which grant shall be used to pay Locality’s Supplemental Administrative Costs.

**Section 3.** 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 ERA2 Allocation for and on behalf of the Locality, as well as the Locality’s acceptance of a grant for payment of its Supplemental Administrative Costs (collectively, the “SRA2 Documents”). Such SRA2 Documents shall include a Department-approved STD 213, Standard Agreement in a total amount not to exceed \$151,414.68 (the “Standard Agreement”), and all amendments thereto.

**Section 4.** Locality acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement.

**Section 5.** Mark Denny, or his designee, is authorized to execute the SRA2 Documents on behalf of the Locality for participation in the State Rental Assistance Program – Round 2.

**APPROVED AND ADOPTED** this 14<sup>th</sup> day of September 2021.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City of Fontana at a regular meeting on the 14<sup>th</sup> day of September 2021, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

**ATTEST:**

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City Clerk