

AUTHORIZING RESOLUTION

Resolution No.: 21-107

A RESOLUTION OF THE GOVERNING BODY OF THE COUNTY OF FRESNO AUTHORIZING PARTICIPATION IN THE STATE RENTAL ASSISTANCE PROGRAM

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 emergency rental assistance 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 January 11, 2021, COUNTY OF FRESNO (“**Locality**”) received an allocation of ERAP funds from the U.S. Department of the Treasury (“**Treasury**”) in the amount of \$13,900,330.20 (such amount, the Locality’s “**Direct Federal Allocation**”).
- D. Locality plans to administer its Direct Federal Allocation, and acknowledges that the Direct Federal Allocation is subject to the requirements of the Act and Treasury interpretive guidance, and to all such requirements as may be subsequently amended.
- E. Locality desires to receive an allocation of State Rental Assistance Funds pursuant to Health and Safety Code section 50897.2, subdivision (a)(1) or (2) (such allocation, a “**Block Grant Award**”). Locality submitted its request for a Block Grant Award to the Department, on an Expression of Intent Form, on or before February 12, 2021.
- F. Locality acknowledges that every Block Grant Award is subject to the requirements of SB 91 and Department guidelines, to the relevant requirements of the Act and Treasury interpretive guidance, and to all such requirements as may be subsequently amended (collectively, the “**Block Grant Award Requirements**”).
- G. Locality further acknowledges that every Block Grant 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 to allocate the Block Grant Award, and all amendments thereto (collectively, the “**Block Grant Award Documents**”).

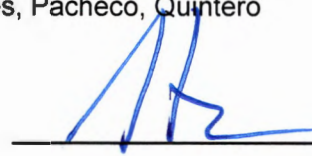
THEREFORE, IT IS RESOLVED THAT:

1. Locality is hereby authorized and directed to accept a Block Grant Award in a total amount not to exceed \$49,734,164.64.
2. Locality is hereby authorized and directed to enter into, execute, and deliver the Block Grant Award Documents, which shall include a Standard Agreement in a total amount not to exceed \$49,734,164.64.
3. Locality is hereby authorized and directed to assume responsibility for administering the Block Grant Award in accordance with all Block Grant Award Requirements.

4. Brian Pacheco, Vice Chairman, or his designee, is authorized to execute the Block Grant Award Documents on behalf of the Locality for participation in the State Rental Assistance Program.

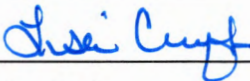
PASSED AND ADOPTED this 13th day of April, 2021, by the following vote:

AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
NOES: None
ABSENT: None
ABSTAINED: None



Steve Brandau,
Chairman of the Board of Supervisors
of the County of Fresno

The undersigned, Clerk of the Board 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: 4/13/21

NAME: Lisa Craft

TITLE: Deputy Clerk

NOTICE AND INSTRUCTIONS

1. **Notice.** The Department is providing this template Authorizing Resolution as informational guidance only. The Department encourages each Locality to consult with legal counsel during the development of its own formal, legally binding authorizing resolution for participation in the State Rental Assistance Program.
 - a. Please note, however, that any limitations or conditions on the authority of the signatory or signatories to execute the Block Grant Award Documents may result in the Department rejecting the Locality's authorizing resolution.
2. **Accuracy, Verification.** The Department will verify that the Locality's authorizing resolution comports with the legal authority and composition of the Locality's governing body. Locality must timely notify the Department, in writing, of any factors that limit its ability to provide an authorizing resolution which is materially in line with this template.
3. **Dollar Amounts of Block Grant Awards.** The Department recommends identifying an authorized dollar amount that is at least triple the anticipated award (based on current formula calculations). Award amounts are subject to change. If the Locality is ultimately awarded an amount in excess of the amount identified in the Locality's authorizing resolution, the Department will require a new authorizing resolution from the Locality.
4. **Authorized Signatory or Signatories, Designee.** Locality may designate an authorized signatory by title only. In addition, the Locality may authorize multiple signatories, so long as there is clarifying language as to whether the signatories are authorized to execute the Block Grant Award Documents individually or collectively. In addition, the Locality may authorize a designee of the authorized signatory to execute the Block Grant Award Documents. In such case, the Locality must append a supporting document (e.g., memorandum, meeting notes of official action), which indicates the name and title of the designee who is authorized to legally bind the governing body.
5. **Vote Count.** Please fill out the field by every voting category (i.e., Ayes, Nays, Abstain, Absent). If none, please indicate zero (0) for that field. The vote count must comport with the legal authority and membership of the Locality's governing body.
6. **Certification of Authorizing Resolution.** The individual who certifies the authorizing resolution cannot also be authorized to execute the Block Grant Award Documents on behalf of the Locality.