

(R-2021-333)
(COR. COPY)

RESOLUTION NUMBER R- 313439

DATE OF FINAL PASSAGE FEB 25 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ACCEPTING AND ALLOCATING FEDERAL AND STATE OF CALIFORNIA CORONAVIRUS RELIEF FUNDS AND CARES ACT CDBG FUNDS FOR THE COVID-19 HOUSING STABILITY ASSISTANCE PROGRAM, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE SAN DIEGO HOUSING COMMISSION FOR ADMINISTRATION OF THE PROGRAM AND TAKING RELATED ACTIONS.

WHEREAS, on December 27, 2020, in response to the ongoing COVID-19 pandemic, the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (Public Law 116-260) (CRRSAA) was passed, establishing the federal Emergency Rental Assistance Program (ERAP), which provides \$25 billion dollars for emergency rental assistance funds for state, local and tribal governments, including \$2.6 billion dollars for the State of California, and \$42,333,563 allocated directly (Direct Funds) to the City of San Diego (City) from the United States Department of the Treasury (Treasury); and

WHEREAS, on January 29, 2021, the State of California (State) passed Senate Bill 91 (SB 91), establishing the State's program for administering the ERAP funds (State Rental Assistance Funds), and adding Chapter 17 (commencing with section 50897) to Part 2 of Division 31 of the California Health and Safety Code, which authorizes the Department of Housing and Community Development (HCD) to administer the State Rental Assistance Funds in accordance with State and federal law; and

WHEREAS, SB 91 allocates approximately \$45,561,171 in State Rental Assistance Funds to the City and provides three options for how the funds may be accepted and

administered: State Program (Option A), Local Program (Option B), and Hybrid Program (Option C); and

WHEREAS, the City submitted the required Expression of Intent to HCD on or before February 12, 2021, electing Option B, to receive the State Rental Assistance Funds as block grant funds pursuant to California Health and Safety Code section 50897.2, subdivision (a)(2) (Block Grant Award), and combine those with the Direct Funds for local administration in accordance with SB 91; and

WHEREAS, the City acknowledges that every Block Grant Award is subject to the requirements of SB 91 and HCD guidelines, to the relevant requirements of the CRRSAA and Treasury interpretive guidance, and to all such requirements as may be subsequently amended (collectively, Block Grant Award Requirements); and

WHEREAS, the City plans to administer the Direct Funds and acknowledges that the Direct Funds are subject to the Block Grant Award Requirements; and

WHEREAS, the City further acknowledges that every Block Grant Award is subject to the terms and conditions of an HCD 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 (Block Grant Award Documents); and

WHEREAS, effective October 13, 2020, the San Diego City Council (Council) adopted Resolution R-313256, approving the allocation of \$5,000,000 dollars in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Community Development Block Grant (CDBG-CV) funds to support the City's emergency rental assistance program, which has been administered by the San Diego Housing Commission (Housing Commission); and

WHEREAS, the State will retain approximately \$683,417.57 from the Block Grant Award for administrative expenses; and

WHEREAS, the City will allocate the Direct Funds, State Rental Assistance Funds and CDBG-CV funds, a total of approximately \$92,211,316.57, to the City's COVID-19 Housing Stability Assistance Program (Program) to provide emergency rental assistance and/or utility assistance to households with low income in the City that experience financial hardship due to the COVID-19 pandemic; and

WHEREAS, HCD recommends approving a not to exceed amount of three times the existing State Rental Assistance Funds allocation to allow for future rental assistance funds to be run through the same program; and

WHEREAS, the City and the Housing Commission desire to enter into a Memorandum of Understanding for the oversight and administration of the Program (HSAP MOU), a copy of which is included in the backup materials accompanying this Resolution; and

WHEREAS, as a condition to receiving its allocation of State Rental Assistance Funds, the City will attest to HCD, in the form and manner prescribed by HCD, that the City will distribute assistance equitably and consistent with demonstrated need within the jurisdiction;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Mayor, or designee, is authorized and directed to accept an amount not to exceed \$136,000,000 in Block Grant Award, sign and deliver the Standard Agreement and Block Grant Award Documents, take any other actions necessary or appropriate to secure the Block Grant Award from HCD, and assume responsibility for administering the Block Grant Award in accordance with all Block Grant Award Requirements.

2. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$42,333,563 in Direct Funds and \$44,877,753.57 in Block Grant Award funds for the Program, contingent upon the Direct Funds and Block Grant Award funds being secured, and

transfer an amount not to exceed \$42,333,563 in Direct Funds, \$44,877,753.57 in Block Grant Award funds and \$5,000,000 in CDBG-CV funds to the Housing Commission for the Program.

3. The HSAP MOU is approved and the Mayor, or designee, is authorized to sign the HSAP MOU on behalf of the City.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Marguerite E. Middaugh
Marguerite E. Middaugh
Deputy City Attorney

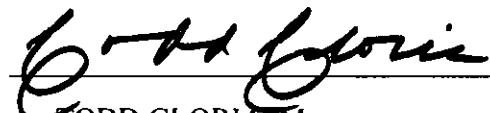
MEM:jdf
02/12/2021
02/19/2021 COR. COPY
Or.Dept: Economic Dev't.
Doc. No.: 2593627

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 02/22/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 2/25/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 22 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 25 2021

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- **313439**