

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION: A) AUTHORIZING THE CONTRIBUTION OF AN ADDITIONAL \$1,000,000 TO THE SAN MATEO COUNTY EMERGENCY FINANCIAL ASSISTANCE PROGRAM, COMPRISED OF FUNDS FROM SOURCES DETERMINED BY THE COUNTY MANAGER, FOR THE PROVISION OF EMERGENCY ASSISTANCE GRANTS TO RESIDENTIAL TENANTS WHO HAVE SUFFERED A NEGATIVE ECONOMIC IMPACT DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY THAT AFFECTS OR AFFECTED THEIR ABILITY TO REMAIN STABLY HOUSED AND THE ECONOMIC IMPACT IS NOT ELIGIBLE FOR ASSISTANCE FROM THE STATE EMERGENCY RENTAL ASSISTANCE PROGRAM; AND**

**B) AUTHORIZING AND DIRECTING THE COUNTY MANAGER, OR DESIGNEE(S), TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH SAMARITAN HOUSE TO ADMINISTER THE ADDITIONAL \$1,000,000 CONTRIBUTED TO THE EMERGENCY FINANCIAL ASSISTANCE PROGRAM IN EXCHANGE FOR AN ADMINISTRATIVE FEE OF \$150,000 WITH A TERM THAT ENDS THREE MONTHS AFTER THE STATE EMERGENCY RENTAL ASSISTANCE PROGRAM ENDS OR DECEMBER 31, 2022, WHICHEVER IS EARLIER**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, since its emergence in early 2020, the COVID-19 public health emergency has negatively impacted public health and the economy on a global scale, including in this country and in San Mateo County; and

**WHEREAS**, the pandemic both caused and exacerbated negative impacts on County residents, including with regard to public health, food and housing insecurity, and childcare, among other areas; and

**WHEREAS**, the County has taken extensive steps to prevent and address the spread of the pandemic, including funding, supporting and coordinating testing, contact tracing, isolation, quarantine and treatment for infected individuals, public health and

safety communications and interventions, issuance and enforcement of health orders, health system response and vaccination programs; and

**WHEREAS**, the state and local health orders issued to respond to the pandemic and to prevent and mitigate its spread also restricted much economic activity, which negatively impacted the economy in the County, with revenue losses hitting small businesses and certain economic sectors particularly hard; and

**WHEREAS**, as of June 15, 2021, although the State lifted most restrictions that had been in place limiting a range of activities to mitigate the spread of COVID-19, the pandemic continues to pose public health risks and the need to respond to those risks and to recover from the negative public health and economic impacts of the pandemic continues; and

**WHEREAS**, although the state “reopened” on June 15, 2021, the health and economic impacts of the pandemic are still being felt throughout the County, especially in the lowest income communities; and

**WHEREAS**, job loss during the pandemic was most acute for the lowest wage earners, and many households that were rent burdened prior to the pandemic struggled to pay rent during the course of the pandemic and continue to do so; and

**WHEREAS**, to assist low-income residential tenants who have suffered negative economic impact due to the COVID-19 public health emergency, the Board has, to date, authorized \$4,000,000 in contributions to the San Mateo County Emergency Financial Assistance Program (County EFA) and cities, foundations, large businesses, community

groups and private donors have added over \$11,000,000, resulting in total contributions to the County EFA of more than \$15,000,000; and

**WHEREAS**, since April of 2020, the County EFA has assisted over 4,000 households and distributed \$12,000,000 in rental and other financial assistance, assisting households that have been negatively financially impacted by the pandemic and earn up to 60% of the Average Median Income (AMI); and

**WHEREAS**, the County EFA program balance of \$3,000,000 includes \$517,000 in unrestricted donations that can be used to assist eligible households in the County while \$2,483,000 in remaining funds consist of jurisdiction-specific donations that must be used for grants to residents of the contributing jurisdictions; and

**WHEREAS**, in early 2021, federal and state emergency rental assistance programs were created, consolidated under the Emergency Rental Assistance Program (ERAP) from which the County's share of state and federal ERAP funds has so far totaled \$47,300,000 with an additional \$23,000,000 anticipated to be allocated later this year; and

**WHEREAS**, ERAP eligibility criteria includes household income below 80% AMI, a decrease in household income as a result of the COVID-19 pandemic, and demonstrated risk of homelessness or housing instability and the program also includes additional eligibility criteria, fraud prevention requirements and processes, detailed reporting requirements and aggressive distribution timelines; and

**WHEREAS**, to administer ERAP, the State gave qualifying cities and counties the option of operating their own programs using the state guidelines and reporting criteria or joining a statewide ERAP program operated by the Local Initiatives Support

Corporation (LISC) that works with local partners to provide outreach and application assistance; and

**WHEREAS**, the County has opted to join the statewide program administered by LISC which also includes partnerships for outreach and application assistance with local non-profit organizations, including locally the eight Core Services Agencies, Nuestra Casa and Project Sentinel; and

**WHEREAS**, through their work with ERAP applicants, the Core Services Agencies have learned that certain tenants who meet ERAP's income and housing instability eligibility criteria, are nonetheless ineligible for assistance under that program, including those households with subleases and those with "shadow debt" such that they have paid all or some of their rent by taking out high-interest loans or borrowing money from friends or family, as well as those who may have incurred non-rent debt because they paid their rent and could not cover other necessary expenses; and

**WHEREAS**, many households that rent through subleases and/or that carry shadow debt have suffered negative economic impacts due to the COVID-19 public health emergency and providing assistance that is related to and proportional to the harm such households have sustained is responsive to this economic need; and

**WHEREAS**, to ensure that tenants who are eligible for the County EFA but ineligible for ERAP receive the assistance they need to stay in their homes, it is in the best interest of the County to authorize an additional contribution of \$1,000,000 to the County EFA, subject to certain terms and conditions, and to authorize the County Manager to take other steps as set forth in this resolution to effectuate this contribution and ensure its effectiveness.

**NOW, THEREFORE IT IS HEREBY DETERMINED AND ORDERED THAT:**

- (1) The County shall contribute an additional \$1,000,000 to the County EFA program, comprised of funds from sources determined by the County Manager, for the provision of emergency assistance grants to residential tenants who have suffered a negative economic impact due to the COVID-19 public health emergency that affects or affected their ability to remain stably housed and the economic impact is not eligible for assistance from the State Emergency Rental Assistance. The assistance shall be made subject to the following terms:
  - (a) Only COVID related financial hardships for which an applicant is *ineligible* to receive state ERAP assistance may serve as a basis to receive assistance, and the reason(s) why the tenant is ineligible to receive state ERAP assistance shall be documented.
  - (b) Grantees must meet the County EFA income-eligibility criteria—i.e., earn 60% or less of AMI—and have suffered a negative economic impact due to the COVID-19 public health emergency that affects or affected their ability to remain stably housed, which negative economic impact shall be documented. For example, a tenant who, due to the COVID-19 pandemic, borrowed money or accrued credit card debt in order to pay rent could provide evidence of his or her debt, while a tenant who, due to the COVID-19 pandemic, was forced to use his or her savings to pay rent could provide evidence of the reduced savings.
  - (c) Appropriate County EFA protocols will be implemented to validate need and eligibility.

- (d) Where there exists any remaining jurisdiction-specific County EFA funds, all such funds must be exhausted before any portion of the additional \$1,000,000 contribution is distributed to qualifying tenants residing within that jurisdiction.
- (e) Three months after ERAP ends or by December 31, 2022, whichever is earlier, all unspent funds from the \$1,000,000 additional contribution shall be returned to the County.

(2) The County Manager, or designee(s), are authorized and directed to negotiate and execute an agreement with Samaritan House to administer the additional \$1,000,000 contributed to the County EFA in exchange for an administrative fee of \$150,000 with a term that ends three months after the state ERAP ends or December 31, 2022, whichever is earlier.

**BE IT FURTHER RESOLVED** that the County Manager or designee(s) are authorized to execute contract amendments the Samaritan House agreement which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate) and/or modify the contract term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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