

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 11, 2025

FROM

MARCUS DILLARD, Chief of Homeless Services, Office of Homeless Services

SUBJECT

Encampment Resolution Funding Program Grant Acceptance

RECOMMENDATION(S)

1. Approve Encampment Resolution Funding Program Grant **Agreement No. 25-150** (Standard Agreement No. 24-ERF-3-R-4-L-100001) with the State of California Department of Housing and Community Development, including non-standard terms, in the amount of \$11,000,000 with a term beginning upon execution by the State through April 15, 2029.
2. Authorize the Chief Executive Officer, Assistant Executive, or the Chief of Homeless Services, to execute the Grant Agreement and any subsequent non-substantive amendments in relation to the Encampment Resolution Funding Program Grant, subject to review by County Counsel.
3. Authorize the Chief of Homeless Services to submit the Authorized Signatories Form to include the Chief Executive Officer, Assistant Executive Officer, or the Chief of Homeless Services as authorized representatives for the Encampment Resolution Funding Program Grant.
4. Direct the Chief of Homeless Services to transmit the Grant Agreement and any non-substantive amendments in relation to the Encampment Resolution Funding Program to the Clerk of the Board of Supervisors within 30 days of execution.
5. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustment to the Office of Homeless Services budget, as detailed in the Financial Impact section (Four votes required).

(Presenter: Marcus Dillard, Chief of Homeless Services, 501-0610)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost). The Encampment Resolution Funding (ERF) Program Grant is administered by the State of California Department of Housing and Community Development (HCD). This grant does not require a local match. The Office of Homeless Services (OHS) requests the following adjustments to the 2024-25 budget:

Cost Center	Commitment Item/GL	Description	Action	Amount
6210002499	52002000	Operating Expenses – Services & Supplies	Increase	\$3,695,627
6210002499	53003205	Public Assistance	Increase	\$6,961,703

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6210002499	55405012	Services & Supply Transfer Out	Increase	\$342,670
6210002499	40408955	State-Grants	Increase	\$11,000,000

BACKGROUND INFORMATION

The ERF Program was established in 2021 by the California Homeless Coordinating and Financing Council to increase collaboration by: 1) assisting local jurisdictions in ensuring the wellness and safety of people experiencing homelessness in encampments, including immediate physical and mental wellness and safety needs arising from being homeless and unsheltered, as well as their longer-term needs addressed through a path to safe and stable housing; 2) providing encampment resolution grants to local jurisdictions and continuums of care to support innovative and replicable efforts to resolve critical encampment concerns and supporting individuals to access safe and stable housing using Housing First approaches; and 3) encouraging a data-informed, coordinated approach to address unsheltered homelessness at encampments through scalable and replicable projects. As a result, the immediate crisis of individuals experiencing homelessness in encampments is addressed while simultaneously restoring public spaces.

Approval of this agreement will allow OHS to accept the ERF Program Grant from HCD on behalf of San Bernardino County to provide customized, coordinated, comprehensive care for 150 persons based on individual needs and preferences. This will include person-centered, trauma-informed, housing first, and harm reduction approaches to engage campers in case management and services to move them to stable housing and community resources.

The encampment area that is the focus of this effort is the Highland Avenue Corridor (Corridor), which extends seven miles from Victoria Avenue in the City of Highland to Waterman Avenue in the City of San Bernardino. Highland Avenue, running parallel to the 210 Freeway, provides ready access to the local Yaamava Resort and Casino on tribal land about one-half mile from the Corridor. Unofficial access to food, restrooms, and water attracts unsheltered persons to stay in encampments along this heavily trafficked Corridor. The Corridor includes land along the state right of way, exits and overpasses, including CalTrans property.

On November 27, 2023, the ERF Program Round 3 Rolling Application (3R) was released. On April 3, 2024, OHS submitted a non-binding application to the California Interagency Council on Homelessness for ERF 3R. On September 27, 2024, HCD released the Award Announcement to San Bernardino County for the grant amount of \$11,000,000, subject to contract execution.

Targeted encampment areas primarily lie in and along flood control areas and those that are known as hazardous, fire-prone areas. A cooperative team of outreach, support services, public assistance, disability services, law enforcement and legal services, health safety, sanitation, and animal care staff will provide quality, customized support from initial engagement through housing success. Trained community liaisons will work with local businesses, landlords, and property owners to gain their understanding and support. In addition, this will require joint planning with the California Department of Transportation to ensure that safety is prioritized when responding to and addressing the encampments.

Specific services to individuals and families will align with the Housing First and trauma-informed care approach and will include: 1) offering intensive and empathetic outreach and engagement services that support the human experience, dignity, and rights of the encampment residents, with a focus on permanent housing, including the provision of case management services, individualized and/or group counseling, assistance with benefit applications, and

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assistance with finding and maintaining employment; 2) developing individualized permanent housing plans to support residents' transition into stable housing situations, with short, medium, and long-term goals; 3) making available immediate interim and permanent housing options to encampment residents who are ready to transition; 4) ensuring residents have access to potable water, showers, laundry, toilets, common places (i.e. to eat and meet), wireless communication options, storage, waste collection, transportation, meals, safe storage, and pet care; and 5) add 25 permanent supportive housing units. Long-term sustainability will be achieved through reduced-rate rental payments from residents, ensuring financial viability while offering affordable, supportive housing.

The Encampment Resolution Funding Program Grant supports the efforts of the Homeless Strategic Plan.

The agreement with HCD contains the following non-standard terms:

1. The State's General Terms and Conditions require the County to indemnify, defend, and hold the State harmless from the performance of the agreements.
 - The County standard contract indemnity provision requires the contractor to indemnify, defend, and hold County harmless from third party claims arising out of the acts, errors or omissions of any person.
 - Potential Impact: If the State is sued for any claim under the County's use of the Grant Award funds, the County would have to defend and be liable for any costs, expenses, and damages.
2. The agreement allows HCD to terminate the agreement with cause but does not provide the County with the ability to terminate for convenience.
 - The County standard contract reserves the right to terminate the contract for convenience with 30 days' notice.
 - Potential Impact: The County would not be able to terminate the contract.
3. The agreement requires the County or sub-contractor to maintain workers' compensation, unemployment, disability, and liability insurance.
 - Potential Impact: Failure to maintain the required insurance may result in breach of the agreement.

OHS recommends moving forward with the acceptance of the ERF grant, despite the inclusion of non-standard terms, due to the critical need for immediate intervention in addressing homelessness along the Highland Avenue Corridor. The \$11,000,000 grant from HCD will provide essential resources to offer customized, coordinated care for individuals experiencing homelessness, using Housing First and trauma-informed approaches. The non-standard terms, which include the County's indemnification of the State and the inability to terminate the contract for convenience, are outweighed by the immediate benefits of the grant. The funding will allow the County to implement a comprehensive, person-centered approach to help move individuals from encampments into permanent housing while simultaneously addressing public safety and health concerns. This grant supports the County's broader homeless strategic plan and will significantly contribute to reducing unsheltered homelessness in the region. Given the urgent nature of the homelessness crisis and the need for a rapid, coordinated response, proceeding with this grant agreement is vital to achieving tangible, long-term solutions.

PROCUREMENT

N/A

REVIEW BY OTHERS

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This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on January 23, 2025; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382-7022) on February 05, 2025; Risk Management (Greg Ustaszewski, Staff Analyst II, 386-9008) on February 27, 2025; Finance (Paul Garcia, Administrative Analyst, 386-8392) on February 12, 2025; County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on February 13, 2025.

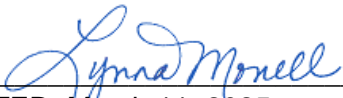
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 11, 2025



cc: OHS - Dillard w/agree for sign
 Contractor - c/o OHS w/agree
 File - w/agree
MBA 03/12/2025