

**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

Grant Award from the State of California Department of Housing and Community Development for the Homeless Housing, Assistance and Prevention Round 5 Program Funding

RECOMMENDATION(S)

1. Approve the Homeless Housing, Assistance and Prevention Round 5 Program Grant **Agreement No. 25-152** (Standard Agreement No. 24-HHAP-10017), on behalf of the CA-609 San Bernardino City and County Continuum of Care, and San Bernardino County with the State of California Department of Housing and Community Development, including non-standard terms, in the amount of \$11,819,893.18 of grant funding to support regional coordination and expand or develop local capacity to address immediate homelessness challenges, effective upon execution by the State through June 30, 2029.
2. Authorize the Chief Executive Officer, the Assistant Executive Officer, or the Chief of Homeless Services to execute the Grant Award Agreement, and any subsequent non-substantive amendments in relation to the Homeless Housing, Assistance and Prevention Round 5 Program, on behalf of the CA-609 San Bernardino City and County Continuum of Care, and San Bernardino County, subject to review by County Counsel.
3. Direct the Chief of Homeless Services to transmit the grant award agreement and any subsequent non-substantive amendments in relation to the Homeless Housing, Assistance and Prevention Round 5 program to the Clerk of the Board of Supervisors within 30 days of execution.
4. 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.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost). The Homeless Housing, Assistance and Prevention (HHAP) Round 5 allocation in the amount of \$11,819,893 with \$5,787,524 allocated to San Bernardino County (County) and \$6,032,369 allocated to the San Bernardino City and County Continuum of Care (SBC CoC). Funding is provided by the State of California Department of Housing and Community Development. This allocation does not require a local match. The Office of Homeless Services (OHS) requests the following adjustments to the 2024-25 budget:

**Grant Award from the State of California Department of Housing and Community Development for the Homeless Housing, Assistance and Prevention Round 5 Program Funding
March 11, 2025**

HHAP 5 SBC CoC

Cost Center	Commitment Item/GL	Description	Action	Amount
6210002901	40408955	State Grants	Increase	\$6,032,369
6210002901	53003205	Public Assistance	Increase	\$5,610,103
6210002901	55405018	Internal Cost Allocation Out	Increase	\$400,266
6210002901	52002448	County Counsel Services	Increase	\$22,000

HHAP 5 County

Cost Center	Commitment Item/GL	Description	Action	Amount
6210002900	40408955	State Grants	Increase	\$5,787,524
6210002900	53003205	Public Assistance	Increase	\$5,382,397
6210002900	55405018	Internal Cost Allocation Out	Increase	\$385,127
6210002900	52002448	County Counsel Services	Increase	\$20,000

BACKGROUND INFORMATION

The HHAP program is a \$1 billion block grant program designed to provide jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address immediate homelessness challenges. HHAP Round 5 funds are available to Continuums of Care, which are local or regional planning bodies charged with addressing homelessness, counties, large cities (population of 300,000 or greater), and federally recognized tribes to help individuals and families who are homeless or at-risk of homelessness, move into and maintain permanent housing. Eligible uses of HHAP include but are not limited to, the following: rapid rehousing, permanent housing, innovative housing solutions such as hotel and motel conversions, rental assistance, operating subsidies for interim and permanent housing, prevention and shelter diversion, and street outreach.

Through OHS, the Administrative Entity (AE) of HHAP program funds, the County may execute subrecipient contracts with service providers to provide homeless services as described under the HHAP program upon award. The AE will also be responsible for ensuring the measurable goals, objectives, and activities are in alignment with the County Homeless Strategic Plan and Local Homelessness Action Plans on file with the State for both the County and SBC CoC.

The HHAP Round 5 contract term commences upon execution by the State of California and extends through June 30, 2029, with an expenditure deadline of June 30, 2028. The initial disbursement of 50 percent of the funds will be issued after the HHAP Round 5 contract is fully executed. The remaining 50 percent of the funds will be disbursed upon demonstration that, by June 30, 2026, at least 75 percent of the initial disbursement has been contractually obligated and at least 50 percent of the initial disbursement has been spent. If these conditions are not

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March 11, 2025**

met, the AE must submit an alternative disbursement plan by June 30, 2026, for approval by California Department of Housing & Community Development (HCD).

The HHAP Round 5 agreement from the State is non-negotiable and includes 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 and/or sub-contractor to maintain workers' compensation, unemployment, disability, and liability insurance.
 - Potential Impact: Failure to maintain insurance may result in breach of the agreement.

On February 11, 2020 (Item No. 26), the Board accepted and approved the submission of the HHAP Round 1 program grant application. On May 19, 2020 (Item No. 36), the Board approved and accepted HHAP Round 1 program grant funding in the amount of \$3,071,060 on behalf of SBC CoC and \$2,845,118 on behalf of the County.

On January 5, 2021 (Item No. 22), the Board approved the submission of the HHAP Round 2 grant application, and on June 8, 2021 (Item No. 44), the Board accepted HHAP Round 2 grant funding in the amount of \$1,453,114 on behalf of SBC CoC and \$1,300,625 on behalf of the County.

On March 1, 2022 (Item No. 22), the Board approved and authorized the submission of the HHAP Round 3 20 percent Initial Disbursement Agreement No. 22-110 in the amount of \$780,375 for the SBC CoC. The Board also ratified the Chief Executive Officer's exercise of authority for the submission of HHAP Round 3 Initial Disbursement Agreement No. 22-111, executed on March 3, 2023, in the amount of \$728,350 on behalf of the County.

On June 28, 2022 (Item No. 43), the Board approved and authorized the submission of HHAP Round 3 grant applications for remaining funds following initial disbursement in March 2022 for the SBC CoC in the estimated amount of up to \$3,901,875 and for the County in the estimated amount of up to \$3,641,750.

On November 15, 2022 (Item No. 28), the Board approved and authorized the submission of the HHAP Round 4 grant application, and on May 9, 2023 (Item No. 21), the Board approved and accepted HHAP Round 4 grant funding in the amount of \$4,430,501 on behalf of SBC CoC and \$4,156,768 on behalf of the County.

**Grant Award from the State of California Department of Housing and
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March 11, 2025**

On March 12, 2024 (Item No. 19), the Board approved and authorized the submission of HHAP Round 5 grant applications in the estimated amount of \$6,032,369 for the SBC CoC and \$5,787,524 for the County.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on January 29, 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.

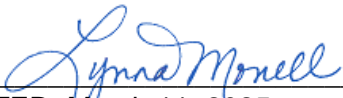
**Grant Award from the State of California Department of Housing and
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Record of Action of the Board of Supervisors
San Bernardino County

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 03/13/2025