

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

June 18, 2025

FROM

GEORGINA YOSHIOKA, Director of Behavioral Health

SUBJECT

Memoranda of Understanding with the Housing Authority of the County of San Bernardino for the Continuum of Care In-Kind Service Value Match

RECOMMENDATION(S)

Approve Memoranda of Understanding with the Housing Authority of the County of San Bernardino, including non-standard terms, for the Continuum of Care In-Kind Service value match, in the amount of \$252,851, for clients in the following programs:

1. Project Gateway program, for the In-Kind service value of \$85,922, effective March 1, 2025, through February 28, 2026. **(Agreement No. 25-470)**
2. Laurelbrook Estates program, for the In-Kind service value of \$166,929, effective May 1, 2025, through April 30, 2026. **(Agreement No. 25-471)**

(Presenter: Georgina Yoshioka, Director, 252-5142)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

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 in-kind supportive services, provided by the Department of Behavioral Health (DBH) and valued at a total of \$252,851, are funded by Mental Health Services Act and Federal Financial Participation Medi-Cal revenue. Adequate appropriation and revenue have been included in DBH's 2024-25 budget and will be included in the 2025-26 recommended budgets.

BACKGROUND INFORMATION

DBH is responsible for providing mental health and substance use disorder (SUD) services to San Bernardino County (County) residents experiencing severe mental illness and/or SUD. The Project Gateway Program provides rental assistance to the most vulnerable, chronically homeless individuals and families residing in the County. The Housing Authority of the County of San Bernardino (HACSB) is an awardee of the United States Department of Housing and Urban Development's (HUD) Continuum of Care (CoC) grant program and is required to use funds to satisfy the match requirement. The recommended Memoranda of Understanding (MOUs) document the collaborative effort between HACSB and DBH regarding the CoC grant program. HACSB entered into these MOUs with DBH in order to obtain in-kind supportive services to meet the CoC grant program match requirement.

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HACSB accepts referrals from the County's Coordinated Entry System, which is a centralized and streamlined process for identifying homeless individuals and families and screening them to determine whether they meet HUD requirements. HACSB then refers the qualified individuals and families to the appropriate grant program, which provides funding for rental assistance. HACSB, as the grantee for this HUD-funded rental assistance, is responsible to determine if the individuals and families meet program eligibility requirements.

DBH provides in-kind supportive services that include case management, employment assistance, housing/counseling, life-skills, mental health services, SUD treatment, and transportation for those individuals and families; and reports the cost of these services to HACSB. DBH has been providing these services since May 2003.

A total of 39 individuals and families are expected to receive rental assistance facilitated by the recommended MOUs. DBH tracks the services provided and reports these services to HACSB. Approval of this item will allow DBH to continue to provide in-kind services for clients participating in the programs.

The MOUs with HACSB include terms that differ from the standard County contract. These non-standard terms include the following:

1. There is a mutual indemnification whereby each party is required to defend, indemnify, and hold the other party harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising out of the performance of the MOU, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts of the other party.
 - The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: By agreeing to indemnify HACSB, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time-limited or expense-limited could be brought against HACSB without such limitations and the County could be responsible to defend and reimburse HACSB for costs, expenses, and damages, which could exceed the non-financial amounts of the MOUs.
2. The MOUs do not require HACSB to meet the County's insurance standards as required pursuant to County Policies 11-05, 11-07 and 11-07SP.
 - County policy requires contractors to carry appropriate insurance as limits and under conditions determined by the County's Risk Management Department and as set forth in County policy and in the County standard contract.
 - Potential Impact: The County has no assurance that HACSB will be financially responsible for claims that arise under the MOUs, which could result in expenses to the County that exceed the non-financial amounts of the MOUs.

While these are exceptions to the County standard contract language, DBH recommends approval of the MOUs with HACSB, including the non-standard terms, to continue providing in-

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kind supportive services to avoid the possibility of disruption of services or loss of funding towards the underserved population in the County.

DBH is requesting retroactive approval of the recommended MOUs with HACSB. The item is being presented at this time as HUD notified HACSB of the new in-kind value match rate in March 2025. This is the first available date following the required operational, administrative, and legal reviews for presentation to the Board of Supervisors. Approval at this time will have no impact on DBH services.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by Behavioral Health Contracts (Michael Shin, Administrative Manager, 388-0899) on April 18, 2025; Risk Management (Greg Ustaszewski, Staff Analyst II, 386-9008) on May 16, 2025; County Counsel (Dawn Martin, Deputy County Counsel, 387-5455) on May 20, 2025; Finance (Paul Garcia, Administrative Analyst, 386-8392) on June 2, 2025, 2025; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0332) on June 2, 2025.

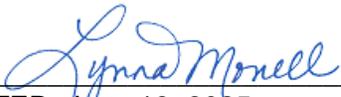
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Record of Action of the Board of Supervisors
San Bernardino County

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: June 18, 2025



cc: BH - Alfaro w/ agree
 Contractor c/o BH w/ agree
 File w/ agree
JLL 06/27/2025