

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

May 9, 2023

FROM

DIANA ATKESON, Deputy Executive Officer, Community Revitalization

SUBJECT

Grant Awards from the State of California Business, Consumer Services and Housing Agency for the Homeless Housing, Assistance and Prevention Round 4 Program Funding

RECOMMENDATION(S)

1. Accept and approve the following grant award agreements from the State of California Business, Consumer Services and Housing Agency, including non-standard terms, for the Homeless Housing, Assistance and Prevention Round 4 program funding to support regional coordination and expand or develop local capacity to address immediate homelessness challenges, effective upon execution by the State through December 31, 2027:
 - a. CA-609 San Bernardino City and County Continuum of Care **Agreement No. 23-324** (Standard Agreement No. 23-HHAP-10053) in the amount of \$4,430,501.22.
 - b. San Bernardino County **Agreement No. 23-325** (Standard Agreement No. 23-HHAP-10054) in the amount of \$4,156,768.02.
2. Authorize the Chief Executive Officer or the Deputy Executive Officer of Community Revitalization to execute the grant award agreements, all ancillary supporting documents, and any subsequent non-substantive amendments in relation to the Homeless Housing, Assistance and Prevention Round 4 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. Authorize the Deputy Executive Officer of Community Revitalization to prepare and submit the grant award agreements, ancillary supporting documents, and any subsequent non-substantive amendments in relation to the Homeless Housing, Assistance and Prevention Round 4 program, on behalf of the CA-609 San Bernardino City and County Continuum of Care, and San Bernardino County.
4. Direct the Chief Executive Officer or the Deputy Executive Officer of Community Revitalization to transmit the grant award agreements and any subsequent non-substantive amendments in relation to the Homeless Housing, Assistance and Prevention Round 4 program to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Diana Atkeson, Deputy Executive Officer, 382-3983)

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.

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FINANCIAL IMPACT

This item does not impact Discretionary General Funding (Net County Cost). The Homeless Housing, Assistance and Prevention (HHAP) Round 4 allocation in the total amount of \$8,587,269.24, with \$4,430,501.22 allocated for the CA-609 San Bernardino City and County Continuum of Care (SBC CoC), and \$4,156,768.02 for San Bernardino County (County), is administered by the State of California Business, Consumer Services and Housing Agency. It is authorized by Assembly Bill (AB) 140, which was signed into law by the Governor on July 19, 2021, and does not require a match. The Office of Homeless Services (OHS) will return to the Board of Supervisors (Board) to request the necessary budget adjustments to expend this HHAP Round 4 grant funding.

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 4 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 more), 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, operating subsidies and Capitalized Operating Subsidy Reserves, landlord incentives, homeless outreach and coordination, systems support for regional partnerships, homeless services and housing delivery system maintenance, innovative housing solutions such as hotel and motel conversions, prevention and shelter diversion, and navigation centers and emergency shelters where the region can justify demonstrated need.

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 San Bernardino County Homeless Strategic Action Plan and required HHAP Local Homeless Action Plans on file with the State for both the County and SBC CoC.

The HHAP Round 4 grant term commences upon execution by the State of California and extends through December 31, 2027, with an expenditure deadline of June 30, 2027. The initial disbursement of 50 percent of the funds will be issued after the HHAP Round 4 contract is fully executed. The remaining 50 percent of the funds will be disbursed upon demonstration that, by May 31, 2025, 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 met, the AE must submit an alternative disbursement plan by June 30, 2025, for approval by California's Interagency Council on Homelessness. The second disbursement is also dependent on meeting performance metrics targeted at reducing the number of people experiencing homelessness, reducing the number of people who become newly homeless each year, increasing the number of people exiting homelessness into permanent housing, reducing the length of time persons remain homeless, reducing the number of persons who return to homelessness within two years after exiting homelessness to permanent housing, and increasing successful placements from street outreach.

The HHAP Round 4 agreements from the State are non-negotiable and include terms that are different from the standard County contract as follows:

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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.
 - (c) 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.
 - (d) 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.

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. 30), 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 accepted and approved the submission of the HHAP Round 2 grant application, and on June 8, 2021 (Item No. 44), the Board approved and 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% Initial Disbursement Agreement No. 22-110 in the amount of \$780,374.96 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 \$728,349.96 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 to the State of California Interagency Council on Homelessness for the SBC CoC and the County. The item also authorized the Chief Executive Officer or Deputy Executive Officer of Community Revitalization as the signatory for the HHAP Round 4 grant applications and any subsequent supporting materials, as well as all other ancillary documents on behalf of the County and the SBC CoC, subject to County Counsel review.

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on April 7, 2023; Office of Homeless Services (Kristin Stevens, Administrative Operations Manager, 501-0644) on April 6, 2023; Finance (Christopher Lange, Administrative Analyst, 386-8393) on April 7, 2023; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0238) on April 10, 2023.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY Lynna Monell

DATED: May 9, 2023



cc: CR - Stevens w/agrees for sign
Contractor - C/O CR w/agree
File - w/agree

CCM 05/11/2023