



## Agenda: General Meeting of the Interagency Council on Homelessness (ICH)

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**Meeting date, time, and place**      **THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR’S EXECUTIVE ORDER N-29-20 DATED MARCH 17, 2020, WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT.**

Date: **September 22, 2021**  
 Time: **9:00 am – 11:00 am**  
 Place: **WebEx Meeting – Council Members will be forwarded instructions**  
       **Members of the public may call:**

- **Access #: 1-415-655-0002**
- **Access Code: 146 194 4319**

**Note: Please remember to MUTE your phones. DO NOT place this call on hold should you get another call. Hang up and then rejoin the meeting.**

		Time
<b>Call to Order</b>	Chair or Designee will call the meeting to order	9:00 – 9:01 am
<b>Invocation/Pledge</b>	Chair or Designee will lead the Invocation and Pledge of Allegiance	9:01 – 9:05 am
<b>Introductions</b>	Chair or Designee will lead the Introductions of the ICH Members by roll call.	9:05 – 9:10 am

**Agenda Items:** The following items are presented for informational, consent, and discussion purposes.

<b>Public Comment</b>	Open to the public for comments via email only at <a href="mailto:homelessrfp@hss.sbcounty.gov">homelessrfp@hss.sbcounty.gov</a> In the subject line provide your full name and public comment next to it or item #. Your comments will be read up to 3 minutes for the record by the meeting secretary.	
	<b>Consent</b>	
<b>1</b>	Approve Minutes of the August 25, 2021 ICH Meeting <small>Pg 3-8</small>	
<b>2</b>	Approve the 2022 Point In Time Count Date, January 27, 2022 – Tom Hernandez, Chief of Office of Homeless Services, Office of Homeless Services	9:10 – 9:15 am
	<b>Information Sharing</b>	
<b>3</b>	Anti-Discrimination Statement and Training to all CoC Funded Agencies – Tom Hernandez, Chief of Homeless Services <small>Pg 9-24</small>	9:15 – 9:30 am



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<b>4</b>	Overview of Adhoc Committee to Strategically Align Resources – Dena Fuentes, Deputy Executive Officer, Community Development and Housing <span style="float: right;">Pg 25</span>	9:30 – 9:45 am
<b>5</b>	Grant Review Committee Update - Tom Hernandez, Chief of Homeless Services <span style="float: right;">Pg 26-28</span>	9:45 – 9:55 am
<b>6</b>	Legislative Update – Chekesha Gilliam, Government Relations Analyst, County Administrative Office <span style="float: right;">Pg 29-39</span>	9:55 – 10:05 am
<b>Discussion</b>		
<b>7</b>	Approve a Letter of Support for the City of Victorville’s application to the California Department and Housing for interim housing funding under the Homekey Program – Keith Metzler, City Manager, City of Victorville <span style="float: right;">Pg 40-43</span>	10:05 – 10:15 am
<b>Partner Spotlight</b>		
<b>8</b>	City of Ontario - Natalie Komuro, Continuum of Care Manager, City of Ontario <span style="float: right;">Pg 44-48</span>	10:5 – 10:35 am
<b>Council Roundtable</b>		
<b>9</b>	Open to comments by the Council	10:35 – 11:00 am
<b>Adjournment</b>		<b>11:00 am</b>

**Next ICH Meeting**

The next regularly scheduled Interagency Council on Homelessness meeting is scheduled for:

**SPECIAL ICH Meeting**  
**Wednesday, October 13, 2021**  
**9:00 am – 11:00 am**  
**Via Webex**

**Regular Scheduled ICH Meeting**  
**Wednesday, October 27, 2021**  
**9:00 am – 11:00 am**  
**Via Webex**

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*Mission Statement*

*The mission of the San Bernardino County Homeless Partnership is to provide a system of care that is inclusive, well planned, coordinated and evaluated and is accessible to all who are homeless and those at-risk of becoming homeless.*



**Minutes for San Bernardino County Homeless Partnership  
Interagency Council on Homelessness (ICH) Meeting**

August 25, 2021  
9:00 a.m. – 11:00 a.m.  
Via WebEx – Teleconference

**Minutes Recorded and Transcribed by Amy Edwards, Secretary II, Office of Homeless Services**

TOPIC	PRESENTER	ACTION/OUTCOME
	Maria Razo, Chair	<ul style="list-style-type: none"> <li>The meeting was called to order at 9:04 a.m.</li> </ul>
Introductions	Tom Hernandez	<ul style="list-style-type: none"> <li>Tom Hernandez took ICH Member roll call. Members of the public were not introduced but we had over 50 members of the public join us via telephone.</li> </ul>
ICH Members Present		<ul style="list-style-type: none"> <li>The following ICH members or their alternates were present for the meeting:</li> <li>Janice Rutherford, Joe Baca Jr., Erica Lewis-Huntley; Kimberly Calvin, Debra Breidenbach-Sterling, Keith Metzler, Robert Wickum, Dena Fuentes, CaSonya Thomas, Michael Knight, Maria Razo, Brenda Dowdy, Sharon Green, Don Smith, Jessica Alexander, Wendell Wilson, Louis Medina.</li> <li>Richard Arnold and Levi Deatherage were absent</li> <li>Keith Metzler arrived @ 9:15 a.m.</li> <li>We had a total of 77 participants (Council Members, Alternates, and members of the public) join the meeting.</li> </ul>
PUBLIC COMMENTS		
		<ul style="list-style-type: none"> <li>No public comments were submitted.</li> </ul>
CONSENT	PRESENTER	ACTION/OUTCOME
<p>Approve Minutes of the June 23, 2021 ICH Meeting</p> <p>Ratify the action of the Chair to issue a letter of support to Community of Friends for the Department of Housing and Community Development Veterans Housing and Homelessness Prevention Program (VHHP) Round 6 Funding Opportunity for Liberty Lane.</p>	Maria Razo, Chair	<ul style="list-style-type: none"> <li>Dena Fuentes made a motion to approve the consent calendar. Brenda Dowdy made the second.</li> <li>A roll call vote was taken. 14 members were in favor, 1 member was opposed (Sharon Green), 1 Member abstained (Kimberly Calvin) and 3 members were absent from the vote (Keith Metzler, Richard Arnold, and Levi Deatherage). The motion was approved.</li> </ul>

UPDATES AND REPORTS	PRESENTER	ACTION/OUTCOME
Emergency Rental Assistance Program (ERAP) Update	Erika Watkins, CDH and Kimberly Starrs, Inland So Cal United Way	<ul style="list-style-type: none"> <li>• The emergency Rental Assistance Program launched April 2021 and applications began being processed in June 2021.</li> <li>• Over 6000 applications have been received. Over 500 household in the county have been served and have received over \$7 million in assistance so far.</li> <li>• In the last week we have issued over \$2 million in services and are making it our effort to meet or exceed that goal each week going forward.</li> <li>• We have opportunities for pop-up events or on-site events for our local property owners. During these events their tenants receive support on the application process where we assist in filling out the application and make sure all necessary documents are in order. If anyone is interested in hosting a pop-up event they need to contact Inland So Cal to schedule one.</li> <li>• We continue to review our application process to see how we can streamline the application process. This includes looking at reducing the documents that are required.</li> <li>• We continue to advertise and get the information out to all areas of the County.</li> </ul>
DISCUSSION	PRESENTER	ACTION/OUTCOME
Current COVID-19 Information	Dr. Michael Sequeira, Department of Public Health, County Public Health Officer	<ul style="list-style-type: none"> <li>• Dr. Michael Sequeira, Department of Public Health, County Public Health Officer gave an update on COVID-19.</li> <li>• As of August 24, 2021, the total positive cases of COVID-19 reported in San Bernardino County (SBC) was 319,577. Total deaths was 4,901.</li> <li>• There are 1,077,880 eligible residents in SBC to receive the Vaccine. As of August 24, 2021, 151,115 are partially vaccinated and 926,765 fully vaccinated, that's 59.7% of eligible residents.</li> <li>• Our goal is to distribute vaccines equitably. We are on track to vaccinate 100,000 county residents living in areas determined to be "least healthy" according to the California Healthy Places Index (HPI) by the end of summer.</li> <li>• As of June 15, 2021, the County reopened businesses without restrictions and California lifted all travel restrictions outside of the state.</li> <li>• 4,424 variants of COVID-19 have been sequenced and identified in San Bernardino County.</li> <li>• Of those sequenced variants, 3,280 are considered Variants of Concern (VOC).</li> <li>• VOCs have genetic markers that may affect transmission, immune response and treatment effectiveness.</li> <li>• The Delta variant is concerning because it seems to be spreading much more easily than the original virus and other variants.</li> <li>• It may also cause more severe infections, including those that lead to hospitalization. It appears that more young people are getting sick with Delta compared with earlier variants.</li> <li>• The CDC recently announced new masking recommendations for vaccinated individuals. <ul style="list-style-type: none"> <li>○ To maximize protection from the Delta variant and prevent possibly spreading it to others, the CDC recommends wearing a mask indoors in public if you are in an area of substantial or high transmission.</li> <li>○ Unvaccinated or partially vaccinated individuals will still be required to wear facial coverings outside of their home.</li> <li>○ Unvaccinated individuals, can only take off their masks in public when they're outside and can maintain 6 feet of distance with others.</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>• Currently, CDC is recommending that moderately to severely immunocompromised people receive an additional vaccine dose. This includes people who have: <ul style="list-style-type: none"> <li>○ Individuals receiving active cancer treatment.</li> <li>○ Organ donors or transplant recipients.</li> <li>○ Stem cell transplant recipients within the last 2 years.</li> <li>○ Individuals with moderate or severe immunodeficiency.</li> <li>○ Advanced or untreated HIV infection.</li> <li>○ Individuals receiving active treatment with high-dose corticosteroids or other drugs that suppress immune responses.</li> </ul> </li> <li>• COVID-19 vaccine booster shots will be available in the fall for those who qualify and received the Moderna or Pfizer vaccines.</li> <li>• People should talk to their healthcare provider about their medical condition, and whether getting an additional dose is appropriate for them.</li> <li>• The CDC does not recommend additional doses or booster shots for any other population at this time.</li> <li>• Cal/OSHA Guidance state face coverings are not required outdoors regardless of vaccination status except in outbreak cases and face coverings are not required indoors for vaccinated employees except if indicated by CDPH.</li> <li>• Employers must provide unvaccinated employees with approved respirators for voluntary use when working indoors or in a vehicle with others, upon request.</li> <li>• Employers have to make testing available at no cost to employees during paid time to: symptomatic unvaccinated individuals, vaccinated individuals after exposure, all employees in an outbreak.</li> <li>• Visit sbcovid19.com to find guidance, resources, and a vaccination site near you.</li> <li>• If you don't have access to the internet, you can make an appointment by calling the COVID-19 Hotline: (909) 387-3911, open Monday – Friday from 9 a.m. – 5 p.m.</li> </ul>
INFORMATION SHARING	PRESENTER	ACTION/OUTCOME
Project RoomKey Update	CaSonya Thomas, Assistant Executive Officer	<ul style="list-style-type: none"> <li>• The California Department of Social Services released the fiscal year 2021/22 Project RoomKey housing fund allocations. The San Bernardino County allocation is \$11.3 million. These funds are for continued isolation assistance in a non-congregated setting for individuals who are at higher risk of exposure, including those 65 and older or have underlying health conditions.</li> <li>• This funding source also provides funding for re-housing which will continue our efforts in housing those coming out of isolation.</li> <li>• Ms. Thomas requested that these funds be added to the ad hoc committee to strategically align resources to get input from community base providers on how these funds should be utilized.</li> <li>• These funds must be encumbered by June 30, 2022, so there is a quick turnaround.</li> <li>• In order for the County to receive all of these funds or partial funds, the Human Services Director, Diana Alexander, must enter into contract by September 10, 2021. I will be recommending that we accept all of the funds so we can continue to serve the clients we are.</li> <li>• FEMA Announced that the reimbursement will be allowed up until December 30, 2021. While it is great that they continue to extend these eligible reimbursements, we have yet to receive a claim back. However, we have been informed that this can be a lengthy process and we continue to collect and report data.</li> </ul>

		<ul style="list-style-type: none"> <li>OHS needs to create a renewed administrative mechanism for funding so when we do get these funds there is a pass through. Meaning now that HEAP is over we will need to find another contractual source for these funds to connect to for disbursement.</li> </ul>
DISCUSSION	PRESENTER	ACTION/OUTCOME
Approve Amendment #1 to Memorandum of Understanding between the Housing Authority of the County of San Bernardino and the Interagency Council on Homelessness on behalf of the Continuum of Care reflecting revised referral prioritization as per the Continuum of Care's recommendation for the Emergency Housing Voucher Program	Tom Hernandez, Chief of Office of Homeless Services, Office of Homeless Services	<ul style="list-style-type: none"> <li>The item was presented to approve Amendment #1 to Memorandum of Understanding between the Housing Authority of the County of San Bernardino and the Interagency Council on Homelessness on behalf of the Continuum of Care reflecting revised referral prioritization as per the Continuum of Care's recommendation for the Emergency Housing Voucher Program.</li> <li>HACSB entered into an MOU with the ICH as the governing board of the Continuum of Care within San Bernardino County, dated July 15, 2021, relating to the Emergency Housing Voucher (EHV) Program. The MOU was approved with a requirement that the referral prioritization be revised. Per HUD's direction, a full Continuum of Care meeting was held on July 19, 2021 to obtain feedback and a recommendation on the referral prioritization.</li> <li>The HACSB presented the revised (amended) MOU with the CoC's feedback to prioritize referrals based on highest need for ICH to review and approve. If approved the Vice-Chair of ICH will be signing on behalf of the CoC.</li> <li>Discussion ensued amongst the members.</li> <li>Keith Metzler made a motion to approve Amendment #1 to Memorandum of Understanding between the Housing Authority of the County of San Bernardino and the Interagency Council on Homelessness on behalf of the Continuum of Care reflecting revised referral prioritization as per the Continuum of Care's recommendation for the Emergency Housing Voucher Program. Kimberly Calvin 2<sup>nd</sup> the motion. A roll call vote was taken. 15 members voted yes, 1 member voted no (Don Smith) and 3 were not present for the vote (Supervisor Rutherford, Levi Deatherage, and Richard Arnold). The motion was approved.</li> </ul>
SPECIAL PRESENTATION	PRESENTER	ACTION/OUTCOME
Mountains – Mountain Homeless Coalition	Wendell Wilson, Board Member, Jennifer Silvestri Executive Director, and Paul Fournier, Community & Government Relations	<ul style="list-style-type: none"> <li>Jennifer Silvestri, Executive Director of the Mountain Homeless Coalition along with members Wendell Wilson and Paul Fournier gave a presentation on who the Mountain Homeless Coalition (MHC) are and what they do in the mountain community.</li> <li>The MHC was created after the 2017 Point In Time Count and quickly established their 501(c)(3) in July of 2017.</li> <li>With the County's support the Mountain Region became their own region amongst the Homeless Provider Network and got a seat at ICH.</li> <li>The MHC began sheltering individuals when they received a donated trailer. They strive on managing the homeless needs through creative systems and solutions.</li> <li>With the unique geographic foot print of the mountains the MHC has unique challenges. <ul style="list-style-type: none"> <li>Seasonal, leisure-based economics.</li> <li>Lack of living wage employment.</li> <li>90% reduction in year-round rental inventory over the last 5 years.</li> <li>Lack of multi-family housing.</li> <li>Lack of affordable housing</li> <li>The MHC is the only agency focusing on the homeless and at-risk in the mountains.</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>The services the MHC provide are: <ul style="list-style-type: none"> <li>Temporary Housing</li> <li>Permanent Housing</li> <li>Food, hygiene, and misc. necessities</li> <li>24-hour hotline</li> <li>Navigation including triage/diversion</li> </ul> </li> <li>Through Project Homekey the MHC allocated \$1.1 million to purchase the Georgia Street Cabins in Big Bear, CA. This project is a partnership with the Housing Authority of the County of San Bernardino. It includes 8 permanent housing units in Big Bear and will adding 2 modular units in September 2021. Georgia Street has been fully occupied since December 2020.</li> <li>Through the success of the Georgia Street project the MHC is looking to expand. There are several properties throughout the Mountain Region that could be possible housing sites. The focus now is seeking funding sources.</li> </ul>
<b>Council Roundtable</b>	<p>Maria Razo Sharon Green Don Smith</p> <p>Tom Hernandez</p>	<ul style="list-style-type: none"> <li>Thanked all of the agencies that that have drawn down on their HHAP funds.</li> <li>Asked if the meetings to discuss the restructure of the CoC will still take place.</li> <li>Expressed his concern that ICH has not started talking about the CoC Nofo that just came out along with the other funding sources that are coming our way.</li> <li>Assured ICH that OHS is on the ball with the CoC Nofo application. Our staff is working hard behind the scenes to make sure we are prepared to submit a successful application.</li> </ul>
<b>Adjournment</b>	Maria Razo, Chair	<ul style="list-style-type: none"> <li>Being no further business, the meeting was adjourned at 11:03 a.m.</li> </ul>
<b>Next Meeting</b>		<p>The Next ICH Meeting will be held on:</p> <p style="text-align: center;">Wednesday, September 22, 2021 9:00 am – 11:00 am Via Webex</p>

Office of Homeless Services  
215 North D Street, Suite 301 • San Bernardino, CA 92415  
Phone: (909) 501-0610 • Fax: (909) 501-0622  
Email: [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov) • Website: <http://www.sbcounty.gov/dbh/sbchp/>

Attendees at August 25, 2021 • Special Interagency Council on Homelessness – Teleconference				
LAST NAME	FIRST NAME	ORGANIZATION	PHONE NUMBER	EMAIL
ALEXANDER	JESSICA	Operation Grace		<a href="mailto:pastorjessicaalexander@gmail.com">pastorjessicaalexander@gmail.com</a>
BACA JR	JOE	5 <sup>th</sup> District – BOS		<a href="mailto:Joe.Baca@bos.sbcounty.gov">Joe.Baca@bos.sbcounty.gov</a>
BREIDENBACH-STERLING	DEBRA	Town of Yucca Valley		<a href="mailto:dbreidenbach@YUCCA-VALLEY.ORG">dbreidenbach@YUCCA-VALLEY.ORG</a>
CALVIN	KIMBERLY	City of San Bernardino		<a href="mailto:Calvin_Ki@sbcity.org">Calvin_Ki@sbcity.org</a>
DOWDY	BRENDA	SBCSS – Homeless Education Program Manager		<a href="mailto:brenda_dowdy@sbcss.k12.ca.us">brenda_dowdy@sbcss.k12.ca.us</a>

EDWARDS	AMY	OHS	909-501-0610	<a href="mailto:amy.edwards@hss.sbcounty.gov">amy.edwards@hss.sbcounty.gov</a>
FUENTES	DENA	Community Development and Housing Agency	909-387-4355	<a href="mailto:Dena.Fuentes@cdh.sbcounty.gov">Dena.Fuentes@cdh.sbcounty.gov</a>
GREEN	SHARON	HPN Chair		<a href="mailto:sqreen@vvfrc.com">sqreen@vvfrc.com</a>
HERNANDEZ	TOM	OHS	909-501-0611	<a href="mailto:Tom.Hernandez@hss.sbcounty.gov">Tom.Hernandez@hss.sbcounty.gov</a>
KNIGHT	MICHAEL	Assistant Director of DBH		<a href="mailto:michael.knight@dbh.sbcounty.gov">michael.knight@dbh.sbcounty.gov</a>
LEWIS-HUNTLEY	ERIKA	City of Rancho Cucamonga		<a href="mailto:erika.lewis-huntley@cityofrc.us">erika.lewis-huntley@cityofrc.us</a>
MEDINA	LOUIS	Valley Star Behavioral Health	760-853-4888	<a href="mailto:lmedina@starsinc.com">lmedina@starsinc.com</a>
METZLER	KEITH	City of Victorville		<a href="mailto:KMetzler@victorvilleca.gov">KMetzler@victorvilleca.gov</a>
RAZO	MARIA	Housing Authority of the County of San Bernardino		<a href="mailto:mgrazo@hacsb.com">mgrazo@hacsb.com</a>
ROBB	KRISTINA	County Counsel (ICH Counsel)		<a href="mailto:KRobb@cc.sbcounty.gov">KRobb@cc.sbcounty.gov</a>
RUTHERFORD	JANICE	2 <sup>nd</sup> District BOS		<a href="mailto:Janice.Rutherford@bos.sbcounty.gov">Janice.Rutherford@bos.sbcounty.gov</a>
SMITH	DON	Creating Community Solutions		<a href="mailto:donsmithsolutions@outlook.com">donsmithsolutions@outlook.com</a>
THOMAS	CASONYA	Assistant Executive Officer	909-387-4717	<a href="mailto:cthomas@hss.sbcounty.gov">cthomas@hss.sbcounty.gov</a>
WICKUM	ROBERT	San Bernardino County Sheriff Department		<a href="mailto:rwickum@sbcasd.org">rwickum@sbcasd.org</a>
WILSON	WENDELL	Mountain Homeless Coalition	360-350-8692	<a href="mailto:wendellcw200@gmail.com">wendellcw200@gmail.com</a>

\*Please note we do not take attendance of members of the public that joined via tele-conference

**Interagency Council on Homelessness**  
Administrative Office  
215 North D Street, Suite 301, San Bernardino, CA 92415-0044  
Office: (909) 501-0610

**FROM:** Tom Hernandez, Chief of Homeless Services  
**SUBJECT:** Anti-Discrimination Policy to ensure Equal Access to Housing in United States Department of Housing and Urban Development Programs  
**DATE:** September 22, 2021

**RECOMMENDATION**

The Office of Homeless Services is requesting the Interagency Council on Homelessness (ICH), as the Governing Board of the San Bernardino County Continuum of Care (CoC), to review and consider approving at a future meeting, the adoption of our CoC's revised Anti-Discrimination Policies and Procedures to adhere to the Department of Housing and Urban Development's (HUD) Equal Access Rule and policy recommendations. The OHS will return the item for adoption at a later date to the Governing Board, once ICH members have had the opportunity to review and provide input on the document. Once approved, the OHS will schedule anti-discrimination training for the entire CoC.

**BACKGROUND INFORMATION**

On April 22, 2021, the U.S. Department of Housing and Urban Development (HUD) Secretary Marcia L. Fudge announced that HUD would be withdrawing the previous administration's proposed rule that would have weakened the Equal Access Rule. The Equal Access Rule ensures that all individuals – regardless of sexual orientation or gender identity-have equal access to the Department's Office of Community Planning and Development programs, shelters, other buildings and facilities, benefits, services, and accommodations.

This change to the proposed rule in 2020, which would have allowed shelter programs and operators to subject transgender individuals to inappropriate and intrusive inquiries, deny them accommodations, and subject them to greater harassment, has been withdrawn by HUD to the Federal Register, with HUD issuing additional recommendations to strengthen the rule.

HUD has issued its commitment to continue ensuring equal access to programs funded and administered by HUD's Office of Community Planning and Development (CPD) for individuals in accordance with their gender identity. The Rule applies to recipients and sub-recipients of CPD funding, and to those who administer programs and services that provide emergency shelters, transitional housing, permanent housing and programs funded by CPD programs. The return to the 2016 previous language will ensure all individuals, including transgender and other individuals who do not identify with the sex they were assigned at birth, with equal access to programs, benefits, services and accommodations in accordance with their gender identity.<sup>1</sup>

<sup>1</sup> HUD Issues Final rule to Ensure Equal Access to Housing and Services Regardless of Gender Identity, HUD No. 16-137. (Sept. 20, 2016).

**Members of the Interagency Council on Homelessness**

- |  |   |  |
|--|---|--|
| Members of the Board of Supervisors<br>City of Victorville<br>Housing Authority of the County of San Bernardino<br>San Bernardino Law and Justice Group<br>San Bernardino County Superintendent of Schools | City of Rancho Cucamonga<br>Town of Yucca Valley<br>Community Development and Housing Agency<br>Mountain Regional City Representative<br>Members of the Homeless Provider Network | City of San Bernardino<br>Department of Behavioral Health<br>San Bernardino County Human Services<br>Homeless Representative |
|--|---|--|



## Interagency Council on Homelessness

Administrative Office  
215 North D Street, Suite 301, San Bernardino, CA 92415-0044  
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Secretary Fudge reaffirmed HUD's mission to create inclusive communities and affordable housing for all. The 2016 Rule serves as a supplement to the 2012 Equal Access Rule which had postponed the adoption of a national policy regarding the placement of transgender individuals in temporary, emergency shelters until further research was conducted.

### Members of the Interagency Council on Homelessness

Members of the Board of Supervisors  
City of Victorville  
Housing Authority of the County of San Bernardino  
San Bernardino Law and Justice Group  
San Bernardino County Superintendent of Schools

City of Rancho Cucamonga  
Town of Yucca Valley  
Community Development and Housing Agency  
Mountain Regional City Representative  
Members of the Homeless Provider Network

City of San Bernardino  
Department of Behavioral Health  
San Bernardino County Human Services  
Homeless Representative

## San Bernardino County Continuum of Care Anti-Discrimination Policies and Procedures

### Overview

The San Bernardino County Continuum of Care (San Bernardino County CoC) is committed to providing housing and services in an environment in which all individuals are treated with respect and dignity and with equal treatment and opportunity. The San Bernardino County CoC's Anti-Discrimination Policies and Procedures ensure all people experiencing homelessness in the CoC have equal access to the housing and services necessary to end homelessness.

The San Bernardino County CoC's Anti-Discrimination Policies and Procedures apply to staff, volunteers, and contractors at all partner agencies, including agencies that receive CoC and ESG funding. We strongly encourage all San Bernardino County CoC partners, regardless of funding source, to adopt these Anti-Discrimination policies.

The San Bernardino CoC's Anti-Discrimination Policies and Procedures adhere to the Department of Housing and Urban Development (HUD) Equal Access Rule. San Bernardino County CoC and all providers in the CoC are committed to complying with all non-discrimination and privacy laws.

These policies and procedures aim to ensure safety, dignity, and well-being of all individuals and families served by the San Bernardino County CoC. This document has four sections and two appendices:

- Section 1. Equal Access Policy and Procedures
- Section 2. Family Separation Policy
- Section 3. Faith-Based Inclusion Policy
- Section 4. Grievance and Anti-Retaliation Policy and Procedures
- Appendix I: Checklist for Agency Anti-Discrimination Policies
- Appendix II: Definitions
- Appendix III: Appendix Resources and References including Related Policies and Regulations

## Equal Access

### Anti-Discrimination Policy:

CoC- and ESG-funded providers shall not discriminate on the basis of any protected characteristic, including race, ethnicity, color, immigration status, national origin, language, justice system involvement, ancestry, religion, sex, familial status, age, gender identity, LGBTQ+ (lesbian, gay, bisexual, transgender, queer/questioning, etc.) status, veteran status, marital status, domestic or sexual violence victim status, or sensory, mental, or physical disability. Definitions of the protected characteristics can be found in Appendix I.

This means that San Bernardino County's CoC and partner agencies and their staffs, volunteers, and contractors will not:

- Deny any person facilities, services, financial aid, or other benefits.
- Provide services that are different, or are provided in a different form, from that provided to others under the program or activity.
- Subject any person to segregated or separate treatment in any facility or in any matter or process related to receipt of any service or benefit under the program or activity.
- Restrict in any way access to, or the enjoyment of any advantage or privilege enjoyed by others in connection with, facilities, services, financial aid, or other benefits under the program or activity.
- Treat any person differently from others in determining whether the person satisfies any admission, enrollment, eligibility, membership, or other requirement or condition, which individuals must meet to be provided shelter, services, or other benefits provided under the program or activity.
- Deny meaningful access to persons with limited English proficiency, to include translated documents, notice of participant's rights, grievance forms, and other materials vital for program access or fail to work with language services or an interpreter to assist persons who speak an alternate primary language other than the staff persons and need assistance communicating.

San Bernardino County's CoC partner agencies shall make housing available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status. Agencies will ensure equal access to programs for all individuals and their families; provide housing, services, and/or accommodations in accordance with a clients' gender identity; and determine eligibility without regard to actual or perceived sexual orientation, gender identity, or marital status.

All agencies must manage a responsible and sound operation in accordance with federal and local nondiscrimination and equal opportunity provisions, as codified in the Fair Housing Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act, Titles II & III of the Americans with Disabilities Act,

HUD’s Equal Access to Housing Rule and Gender Identity Final Rule, 24 CFR 5.100, 5.105(a)(2) and 5.106(b). This includes establishing an Agency Anti-Discrimination Policy and grievance procedures and sharing all policy and procedures with clients, staff, volunteers, and contractors.

**Anti-Discrimination Procedures**

**San Bernardino County’s CoC Agencies Staff, Volunteers, and Contractors**

<p><b>Anti-discrimination</b></p>	<p>Maintain policies and procedures prohibiting discrimination based on race, color, immigration status, national origin, justice system involvement, religion, sex, marital status, veteran status, familial status, age, gender, LBBTQ+ status, or any other discrimination prohibited by law, regulation, executive or court order.</p>	<p>Affirm commitment to serving all eligible clients by adhering to these Anti-Discrimination policies and procedures and incorporating language into their agency policies.</p>	<p>Provide access to facilities, services, financial aid, or other benefits provided under the program or activity for all current and potential individuals and families. Provide services to everyone and treat them with dignity and respect.</p>
<p><b>Training &amp; Education</b></p>	<p>Provide annual and as needed training to San Bernardino County’s CoC agencies and agency staff, volunteers, and contractors regarding the San Bernardino County’s CoC’s Anti-Discrimination policies and procedures, the Equal Access Rule, and related policies and procedures.</p>	<p>Ensure staff, volunteers, and contractors are trained on CoC and agency Anti-Discrimination Policies and Procedures. Ensure staff, volunteers, and contractors understand that a client may not present the way they identify. Staff should be provided continuing education annually on Anti-</p>	<p>Participate fully in all trainings and adhere fully to CoC and agency Anti-Discrimination Policies and Procedures. Request assistance from Agency leadership when the need arises to understand how to apply Anti-Discrimination policies and procedures.</p>

		Discrimination policies and procedures, with follow up from their supervisor, to ensure they follow CoC and agency policies.	
<b>Language</b>	Use appropriate, inclusive language in communications, publications, trainings, personnel handbooks, and other policy documents that affirms the San Bernardino County CoC's commitment to serving all eligible clients in adherence with the HUD Equal Access Rule.	Use appropriate, inclusive language with all communication, including taking reasonable steps to ensure meaningful access to programs and activities by Limited English Proficient (LEP) people.	Use appropriate language in all communication with people experiencing homelessness served by agency programs. Ensure meaningful access to persons with LEP, to include translated documents, notice of participants rights, grievance forms, and use appropriate language in all communication with people experiencing homelessness served by agency programs. Ensure meaningful access to persons with LEP, to include translated documents, notice of participants rights, grievance forms, and other materials vital for program access. Work with language services or interpreters to assist persons who speak an alternate primary language other than the staff person and need assistance communicating.
<b>Privacy Rights</b>	Support all clients to understand their privacy rights and the implication of	Provide clear and transparent information about privacy rights at intake. Read CoC	Honor the request of an individual for a private space to complete intake and data collection.

	releasing information.	privacy rights to each client. Read the HMIS privacy notice for HMIS-participating agencies. Train staff, volunteers, and contractors on the CoC's and agency's confidentiality and privacy policies and practice on an annual basis.	Adhere to any CoC and/or agency confidentiality and privacy policies. Client information should never be shared with people outside agency staff without permission and should be shared with agency staff on a 'need to know' basis.
<b>Equal Access and Grievances</b>	Develop and maintain a grievance procedure that can be accessed by clients, staff, volunteers, contractors, and partner agencies. Grievance procedure should be posted to agency website or printed copies should be made available in a public space.	Mediate and resolve conflicts between clients in a way that respects clients and treats them fairly and equally. Take immediate action to resolve inappropriate behavior, treatment, harassment, or equal access issues by any person (staff, volunteers, contractors, or clients) with appropriate consequences. Provide all clients with a copy of the grievance policy at intake, and the policy will be shared with all clients with a grievance.	Inform clients at intake of the Equal Access grievance process. Support clients to proceed through the grievance process. Communicate with administrators if any issues arise.

## **Transgender and Gender Nonconforming Policy**

The San Bernardino County CoC prohibits all forms of harassment and discrimination of or by clients, employees, visitors, and volunteers, including harassment and discrimination based on actual or perceived gender identity and expression, or based on an individual's association.

The San Bernardino County CoC will continue to develop partnerships with organizations that can provide expertise around providing services to transgender and gender nonconforming individuals in a manner consistent with federal, state, and local laws.

Agencies, staff, volunteers, and contractors shall affirm commitment to providing equal access for all transgender and gender nonconforming individuals in a manner consistent with the equal access rule and provide services to transgender and gender nonconforming individuals in a manner consistent with the equal access rule.

## **Transgender and Gender Nonconforming Procedures**

To maintain equal access, agencies and staff should:

- Ensure all staff, volunteers, and contractors maintain the confidentiality of a client's legal name and gender at birth and understand the potential impact that disclosure can have on a client's progress to self-sufficiency.
- Ensure that construction or property rehabilitation includes and promotes privacy and safety in sleeping areas, bathrooms, and showers.
- Offer individual stalls in congregate bathrooms, urinals/toilets, and shower heads to support client safety whenever possible.
- Offer individual gender-neutral bathrooms and gender-neutral shower rooms, where feasible.
- Not consider a client or potential client ineligible because their appearance or behavior does not conform to gender stereotypes and will serve all individuals eligible for the program.
- Not ask questions or seek information concerning a person's anatomy or medical history beyond elements necessary for the purpose of providing services.
- Have a preference to move the client with a bias (e.g., move the individual who has concerns towards the person who may identify as another religion that is different from theirs), if a client needs to be moved for harassment and safety concerns.
- Honor the request of an individual for a private space to complete intake and data collection.
- Honor the request of an individual for accommodations based on their personal safety and privacy concerns, whenever feasible. An "accommodation" will not be given as a "requirement."

- Not require an individual's gender identity to match the gender listed on an ID or other documents.
- Focus on improving the process of changing gender markers on identification and benefit applications or will ensure subject matter expertise among staff.
- Assist clients without identification documents to understand the resources available to obtain said documents.
- Make available intake materials that allow individuals to indicate their legal name and the name they prefer to be called.
- HMIS participating agencies should enter the client's preferred name.
- Give clients with prescribed hormones and other medications as part of their gender-affirming healthcare regime full access to those medications.
- Use the client's preferred gender and pronoun and support the client's gender identity.
- Correct any misinformation or inaccurate conclusions that transgender clients threaten the health or safety of other clients solely based on their non-conforming gender identity/expression during risk-based conversations.
- Keep client's transgender status confidential unless the client gives permission to share this information.
- Tell only essential staff, identified by administrators, regarding a client's transgender status to ensure equal access and safety.
- Ensure staff treat client gender identity and sex assigned at birth as confidential medical information unable to disclose without specific, time-limited client consent. Similarly, client legal name shall be treated as confidential information.

### **Family Separation Policy**

In compliance with CoC Program Interim Rule 24 CFR 578.93(e), involuntary separation is prohibited in projects funded through CoC and ESG dollars. CoC- and ESG-funded projects may not deny admission to any household on the basis of:

- Age and gender of a child under 18, or
- Gender or marital status of a parent or parents.

The San Bernardino County CoC will work with providers to ensure placement efforts are coordinated to avoid involuntary family separation. Any person who believes that they or a family member has experienced involuntary family separation may report the issue to CoC staff at [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov). The CoC will investigate the claim and take remedial action when appropriate.

## **Faith-Based Activities Policy**

CoC agencies and staff, volunteers, or contractors shall not, in providing program assistance, discriminate against a program participant or prospective participant on the basis of religion or religious belief. In providing services supported in whole or part with federal financial assistance and in outreach activities related to such services, programs shall not discriminate against current or prospective program beneficiaries on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

## **Grievance and Anti-Retaliation Policy**

Anyone participating in the CoC has the right to file a grievance if they have a complaint about the provision of a housing program and services.

The San Bernardino County CoC affirms that people who wish to file a grievance have the right to do so without retaliation from the party accused or any associated representative. Retaliation includes, but is not limited to; harassment, intimidation, violence, program dismissal, refusing to provide services, use of profane or derogatory language to or in reference to the complainant, or breach of contract.

### **Grievance Procedures:**

At intake, orientation or employment, all clients, staff, volunteers, and contractors should be provided the program's Anti-Discrimination Policy and should be informed of the program's grievance process.

1. Anyone can submit a complaint form initially to program administration.
2. Program administration will address the grievance with the provider and the client, staff, volunteer, or contractor. If the grievance is against a program administrator, the agency should have an objective representative body, such as a Board Executive Committee, hear and make decisions about the grievance.
3. If a participant is not satisfied with the outcome or if a participant fears retaliation at the program level, a complaint can be filed with the San Bernardino County Office of Homeless Services staff [homelessrfp@hss.gov](mailto:homelessrfp@hss.gov). Participant should include the word "Project Complaint" in the subject line of the email.

## Appendix I

### Checklist for Agency Anti-Discrimination Policies

This checklist can be used by Agencies to develop Anti-Discrimination Policies that align with the San Bernardino County CoC's Anti-Discrimination Policies.

Yes	No	Checklist Questions	Notes
		Does your agency have an Anti-Discrimination policy?	
		Is there a stated plan to train new staff and clearly communicate this policy during the onboarding process? Is annual training provided for staff, volunteers, and contractors?	
		Does the Policy Refer to Department of Housing Urban and Development (HUD) Equal Access Rule, anti-discrimination and privacy laws, and all other federal, state, and local nondiscrimination and privacy law?	
		Is there a clear statement about non-discrimination because of race, ethnicity, color, immigration status, national origin, language, ancestry, religion, sex, familial status, age, gender identity, LGBTQ+ status, or any other discrimination prohibited by law, regulation, executive or court order, marital status, veteran status, domestic or sexual violence victim status, or sensory, mental, or physical disability?	
		Is there an equal access policy?	
		If there is an equal access policy: Does it include specific procedures for working with transgender and gender nonconforming persons?	
		Is there a family separation policy?	
		Is there a faith-based activity's policy?	
		Are procedures spelled out that demonstrate how the clients, agency,	

		staff, volunteers, and contractors will carry out the agency's anti-discrimination policies?	
		Are there grievance and anti-retaliation policies and procedures? If so, are they shared with each person presenting for services?	

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## Appendix II

### Definitions

**Age discrimination** refers to situations in which how old an individual is determines whether or not the person has access to certain terms, conditions, or services.

**Ancestry** refers to the nation, country, tribe, or other identifiable group of people from which a person descends. It also can refer to the physical, cultural, or linguistic characteristics of the person's ancestors. Ancestry discrimination may often overlap with, but is not always synonymous with, national origin discrimination.

**Color discrimination** refers to discrimination based on shade or hue of skin, such as Lightskinned or Dark-skinned. It is important that a variety of hues exist in every ethnic and racial group; therefore, color discrimination is not always synonymous with race discrimination and can even occur within a single racial group.

**Disability** refers to a physical or mental impairment that substantially limits an individual's ability to perform a major life activity. The protections against disability discrimination cover (1) individuals who currently have a physical or mental impairment that substantially limits one or more major life activities; (2) persons who previously had a physical or mental impairment that substantially limits one or more major life activities; and (3) persons who are believed to have a physical or mental impairment that substantially limits one or more major life activities, regardless of whether that belief is correct. The protection against disability discrimination includes a duty to provide reasonable accommodations that would allow an individual with a physical or mental disability to access and obtain full enjoyment of employment, public accommodations or housing and real property.

**Ethnicity** refers to membership in a particular cultural group. It is defined by shared cultural practices, including but not limited to holidays, food, language, and customs. Ethnicity may often overlap with ancestry, and like ancestry discrimination, ethnic discrimination may often overlap with, but is not always synonymous with, national origin discrimination.

**Family** includes, regardless of actual or perceived sexual orientation, gender identity, or marital status: (1) A single person or (2) A group of persons residing together. Federal and local laws prohibit discrimination based on familial status, i.e., one cannot discriminate against households consisting of one or more individuals under 21 years of age and (1) a parent or other person having legal custody of the minor(s) or (2) the designee of such parent or other person having such custody, with the written permission of such parent or other person. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years. Projects funded under the CoC Program may limit housing to families with children, according to 24 CFR 578.93(b)(3). The age and gender of a child under age 18 shall not

be used as a basis for denying any family's admission to a project that receives CoC funds (24 CFR 578.93(e)).

**Gender Expression** means the physical manifestation of one's gender identity through clothing, hairstyle, voice, body shape, etc. This may or may not align with one's sex assigned at birth or gender identity.

**Gender identity** means the self-perception, or perception by others, as male or female, and shall include an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or sex assigned at birth; and shall include, but not be limited to, individuals who are undergoing or have completed sex reassignment. Programs shall not ask participants to provide anatomical information or documentary (ID), physical, or medical evidence of gender identity.

**Housing Program (HP)** refers to any HUD-Funded Housing program (includes CoC and ESG)

**Immigration Status** refers to the way in which a person is present in the United States. Everyone has an immigration status. Some examples of immigration status include: US Citizen, Legal Permanent Resident, Conditional Permanent Resident, Asylee or Refugee, Non-immigrant (i.e., individuals with visas, persons with temporary protected status), or undocumented person (i.e., an individual who entered without papers or overstayed their visa). Immigration Status discrimination includes refusal to provide services to an individual or family based on the actual or perceived way in which a person is present in the United States.

**Justice System Involved** refers to someone who is currently interacting, has previously interacted, or remains affected by their interactions with the justice system. Justice System Involved discrimination includes discrimination based on the perceived characteristics of those who have been or are involved with the justice system or the type of criminal or civil record an individual may have.

**Marital status** refers to the state of being one of the following: Single, Married, Separated, Divorced, Widowed, Life Partner. Marital status discrimination includes discrimination based on assumed characteristics of people in particular marital status groups.

**National origin** refers to the country where a person was born, or, more broadly, the country from which his or her ancestors came. National origin discrimination includes discrimination based on place of origin or on the physical (such as hair texture, facial features, and hair color), cultural, or linguistic characteristics of a national origin group. National origin discrimination includes discrimination on the basis of accent, manner of speaking, or language fluency.

**Race discrimination** includes discrimination on the basis of physical characteristics associated with a particular race, such as hair texture, facial features, and hair color. Individuals of Hispanic or Latino ethnicity, or any ethnicity, may belong to one or more racial group. Race may be related to color but is not synonymous with color. Race is associated with the following groups:

- American Indian/Alaska Native: A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment
- Asian: Persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam
- Black/African American: A person having origins in any of the Black racial groups of Africa
- Native Hawaiian/Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands
- White: A person having origins in any of the original peoples of Europe and the Middle East
- Bi-racial or Multi-racial: All persons who identify with more than one of the five above races

**Religious discrimination** refers to discrimination based on an individual's religious observances, practices or beliefs, or lack thereof. It also includes discrimination based on moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views, regardless of how widespread the particular beliefs or practices are. Religious discrimination may manifest itself as a preference for or against members of a particular religious group. It may also be evidenced as intolerance for observation of religious laws regarding dress, dietary habits, and work schedules.

**Sex** encompasses both the biological differences between men and women and the cultural and social aspects associated with masculinity and femininity (i.e., gender). Sex discrimination refers to discrimination based on one of the following categories: male/female; pregnancy, childbirth or related medical conditions; sex stereotyping; change in sex. Sex-specific programs are acceptable only under the limited conditions noted above.

**Sexual orientation** means one's emotional or physical attraction to the same and/or opposite sex (e.g. homosexuality, heterosexuality, or bisexuality). Sexual orientation discrimination includes discrimination based on perception of an individual's sexual orientation, whether that perception is correct or not.

**Veteran Status** means a person who has served in the military, naval, or air service and who has discharged or released under all conditions. Veteran Status discrimination refers to discrimination based on service or the type of discharge an individual who has served received.

## **Appendix III**

Appendix Resources and References including Related Policies and Regulations

### **Affirmatively Furthering Fair Housing**

24 CFR § 578.93(c) requires that CoC grantees shall affirmatively market housing and supportive services to eligible persons—regardless of race, color, national origin, religion, sex, age, familial status, or handicap—who are least likely to apply in the absence of special outreach and maintain records of those marketing activities.

[HUD Equal Access Final Rule](#)

### **Mechanisms for Reporting Violations**

[HUD’s Portal for Online Fair Housing Complaints \(“File a Housing Discrimination Complaint” tab\)](#)

### **HUD Resources**

[Equal Access for Transgender People: Supporting Inclusive Housing and Shelters](#)

[HUD Notice: Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities](#)

### **Resources for Making Your Program Safe and Welcoming for Members of the LGBT Community**

[HUD Resources for Homeless LGBT Community](#)

[National Gay & Lesbian Task Force, Transitioning Our Shelters: A Guide to Making Homeless Shelters Safe for Transgender People](#)

## **Summary of Kick-off Meeting - ICH Ad Hoc Committee to Strategically Align Resources**

The kick-off meeting for the ICH Ad Hoc Committee to Strategically Align Resources took place on Friday, September 10, 2021. The meeting started off with introductions (not all members were in attendance). The agenda focused on the committee's purpose and objectives, an overview of State resources, funding focuses (both State and federal), and information needs and next steps. There was additional dialogue about the limited term and the need for the committee to meet twice per month.

The next meeting will focus on the initial next phase and looking at data.

Below is a more detailed outline of discussion items for this meeting:

1. Introductions
2. Overview
  - a. Purpose:
    - i. Due to the unprecedented amount of state and federal resources available and upcoming to address the issue of homelessness, this ad hoc committee was formed through December 31, 2022 to strategically align these resources to support the achievement of strategic goals and to ensure that the resources are maximized to produce tangible outcomes.
  - b. Objective:
    - i. Use a data-driven approach to define and quantify the need for housing supports and services in light of the COVID-19 pandemic, and the rising tide of housing insecurity in our communities and to establish a coordinated system-wide plan to fulfill these needs with existing and newly available funding sources.
    - ii. Develop a framework to establish a Rehousing and Coordinated Investment Plan to strategically align new and existing resources and determine the most efficient, effective, and equitable use of each resource to meet the identified needs. (Rehousing and Coordinated Investment Tool – RCIPT).
3. Overview of State Resources
4. Funding Focus
  - a. State:
    - i. New Roomkey Grant: (\$5-6M of the \$11M)
    - ii. HHAP rounds 2 (\$1.4M) & 3 (\$3.9M)
    - iii. Family challenge grants (guidelines pending): Competitive State Grants
    - iv. Homeless encampment funds: Competitive State Grants
  - b. Federal:
    - i. COC
      1. Domestic Violence
      2. Bonus
    - ii. ESG
      1. Provide CDH input
5. Information Needs and Next Steps
  - a. Needs and Gap Analysis
  - b. How Grants Can Be Used
  - c. HUD Model: Rehousing and Coordinated Investment Plan Tool



**County of San Bernardino  
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Item #5

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**Report: Grant Review Committee Update**

Date September 22, 2021

Presenter Tom Hernandez, Chief of Homeless Services

Announcements The table below lists the announcements for today's meeting.

**Grant Review Committee Update (9-16-2021)**

- On September 16, 2021, the Continuum of Care (CoC) Grant Review Ad Hoc Committee (GRC) convened through Webex to review the 2021 CoC renewal application scores. The scores were based on several criteria:
  - U.S. Department of Housing and Urban Development (HUD) Project Level System Performance Measures
  - Annual Performance Reports submitted to HUD through its Sage System.
  - HUD provided E-LOCCS reporting (reimbursement submittals and recaptured funding)
  - Data quality reports provided by the Homeless Management Information System
  - Self-certification information provided by renewal agencies through their letter of intent (LOI) responses.
- The Office of Homeless Services was pleased to report all current renewal agencies performed exceptionally well, with considerable increased performance outcomes, improvements from previous years, and little to no funding recaptured for all agencies.
- The GRC voted to initially recommend all renewal agencies to be placed in Tier 1. HUD is requiring all CoCs to rank projects into two tiers:
  - Tier 1 is equal to 100 percent of the CoC's Annual Renewal Demand (ARD) as described in Section III.B.2.a of the NOFO. Project applications in Tier 1 will be conditionally selected from the highest scoring CoC to the lowest scoring CoC (also considering agency CoC seniority), provided the project applications pass both project eligibility and project quality threshold review, and if applicable, project renewal threshold. Any type of new or renewal project application can be placed in Tier 1, except CoC planning, as this project is not ranked. Tier 2 has yet to be discussed.



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### Grant Review Committee Update (9-16-2021), cont.

- The following agencies are up for yearly renewal:
  - Housing Authority of the County of San Bernardino
    - Cornerstone (\$464,171) PSH
    - Gateway (\$211,782) PSH
    - Lantern Woods (\$171,542) PSH
    - Laurel-brook (\$409,692) PSH
    - New Horizons (\$2,259,348) PSH
    - Stepping Stones (\$401,771) PSH
    - Whispering Pines (\$225,053) PSH
  - Inland Housing Solutions – Infinite Horizons (\$557,986) RRH
  - Inland So Cal United Way – Pathways Home (\$403,136) CES
  - Inland Valley Hope Partners – Family Stabilization Program (\$159,437) RRH
  - Knowledge and Education for Your Success (KEYS)
    - Keys for Life (\$266,389) RRH
    - KEYS for Success (\$320,040) RRH
  - Lighthouse Social Service Center
    - Hope for Heroes (\$569,336) PSH
    - Hope for Heroes II (\$372,608) PSH
  - Lutheran Social Services – PH for Homeless with HIV/AIDS (\$81,989) PSH
  - New Hope Village – New Hope Village Too! (\$43,643) PSH
  - Step Up on Second – Step Up San Bernardino (\$2,491,280) PSH
  - Time for Change Foundation – Homes of Hope (\$409,728) PSH
  - U.S. Vets – Veterans PSH Program (\$1,178,804) PSH
- The GRC was created and approved by the Interagency Council on Homelessness (ICH) Chair and Vice-Chair. The following members were selected to review applications and make recommendations to the ICH on October 13, 2021 at a special meeting:
  - Keith Metzler, GRC Chair, City of Victorville (City Representative)
  - Frank Guevara, Veterans Affairs (Veterans Representative)
  - Jenna Guzman Lowery, City of Redlands (Person with Lived Experience Representative)
  - Ben Jauregui, IEHP (Health Care Representative)



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- Vicki Lee, San Bernardino City Unified School District (School Representative)
- Louis Medina, Valley Star (Nonprofit Representative)
- Juan Preciado, Probation (Law and Justice Group Representative)
- The GRC also approved moving the Frequently Asked Question deadline from September 16, 2021 to September 21, 2021 for new projects, and extended the deadline for new CoC applications from September 23, 2021 to September 30, 2021.
- The next meeting of the GRC will be held virtually on Thursday, October 7, 2021 from 1:00 pm to 3:00 pm. Details and Webex information will be released closer to the convening date. The meeting will be open to the public.



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**Legislative Report**

Date September 22, 2021

Presenter Chekesha Gilliam, Governmental and Legislative Affairs Analyst

Announcements The table below lists the announcements for today's meeting.

<b>Announcements</b>	
<ul style="list-style-type: none"> <li>• On September 10th the Legislature concluded the first year of the 2021-22 Legislative Session. This year, legislators introduced 2,775 bills, including 964 and 1,811 bills introduced by the Senate and Assembly, respectively.</li> <li>• With the conclusion of the 2021 Legislative Session, Governor Newsom will be considering just over 800 bills.</li> <li>• When a bill is passed by the Legislature and sent to the Governor, the governor may:               <ol style="list-style-type: none"> <li>1. sign the bill into law;</li> <li>2. veto the bill; or</li> <li>3. allow the bill to become law without a signature (“pocket signature”).</li> </ol> </li> <li>• This year, Governor Newsom has until October 10th to act on the bills sent to his Desk.</li> </ul>	
<ul style="list-style-type: none"> <li>• In the last days of session, both the Assembly and Senate considered and approved the 17-measure package of budget-related bills that represented their final set of actions on the 2021-22 state budget. <a href="#">AB 175</a> is the bill on Housing-related issues.</li> </ul>	
<ul style="list-style-type: none"> <li>• The Legislature is set to return to Sacramento on January 3, 2022 to begin the second year of the two-year session.</li> </ul>	



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**Eviction Moratorium:** State laws on evictions were amended in light of the COVID-19 pandemic to provide protections for residential tenants. The law currently provides protections for renters who are given an eviction notice because they are unable to pay their rent or other charges between March 1, 2020 through September 30, 2021, due to COVID-19-related financial distress.

The state legislation that has put these protections in place include [AB 3088](#) California's Tenant, Homeowner and Small Landlord Relief and Stabilization Act of 2020, [SB 91](#) COVID-19 Tenant Relief Act - 2020 Budget Act, and [AB 832](#) COVID-19 Tenant Relief Act.

**The state eviction moratorium ends on September 30, 2021.** However, the state has a rental assistance program in place to pay landlords the rent due between March 1, 2020 through September 30, 2021 and beyond for tenants who qualify for the assistance. (*Note: Community Development and Housing (CDH) has more information on the rental assistance program.*)

On September 2, 2020 the U.S. Centers for Disease Control and Prevention (CDC) issued a public health order to temporarily stop landlords from taking actions to evict tenants who provide a declaration that they are unable to pay rent and meet certain other requirements. The original order provided such protection to December 30, 2021, but was extended several times since then, most recently through July 31, 2021

On August 3, 2021, the CDC issued an order, effective through October 3, 2021, that protects tenants in counties experiencing “substantial or high levels of community transmission” of COVID-19. Under the order, a tenant who provides a declaration may not be evicted for failure to pay rent.

As of August 27, 2021, the August 3 order no longer applies. **There is currently no CDC Eviction Moratorium in effect.**

The list below includes bills related to homelessness, housing and land use tracked through September 14, 2021.

[AB 15](#)

[Chiu D \( Dist. 17\)](#)

**Location:** ASSEMBLY H. & C.D.

**COVID-19 relief: tenancy: Tenant Stabilization Act of 2021.** Would extend the definition of “COVID-19 rental debt” as unpaid rent or any other unpaid financial obligation of a tenant that came due between March 1, 2020, and December 31, 2021. The bill would also extend the repeal date of the act to January 1, 2026. The bill would make other conforming changes to align with these extended dates. By extending the repeal date of the act, the bill would expand the crime of perjury and create a state-mandated local program.

[AB 27](#)

[Rivas, Luz D \( Dist. 39\)](#)

**Location:** ASSEMBLY ENROLLMENT

**Homeless children and youths and unaccompanied youths: reporting.** Under current state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified. Current law requires a local educational agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison’s local educational agency that provide services pursuant to the act. This bill would require a local educational



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agency to ensure that each school within the local educational agency identifies all homeless children and youths and unaccompanied youths, as defined, enrolled at the school.

**AB 68**

**Quirk-Silva D ( Dist. 65)**

**Location:** ASSEMBLY ENROLLMENT

**Department of Housing and Community Development: California Statewide Housing Plan: annual reports.** Current law establishes the California Statewide Housing Plan, which serves as a state housing plan for all relevant purposes, that incorporates a statement of housing goals, policies, and objectives, as well as specified segments. Current law requires the Department of Housing and Community Development to update and provide a revision of the plan to the Legislature every 4 years, as provided. This bill would revise and recast those provisions related to the California Statewide Housing Plan. The bill would, starting with any update or revision to the plan on or after January 1, 2023, require the plan to include specified information, including, among other things, the number of affordable units needed to meet the state’s affordable housing needs and recommendations for modernizing statutory and regulatory terminology. The bill would require the department to publish and make the plan available to the public on the department’s internet website.

**AB 71**

**Rivas, Luz D ( Dist. 39)**

**Location:** ASSEMBLY INACTIVE FILE

**Homelessness funding: Bring California Home Act.** The Personal Income Tax Law, in conformity with federal income tax law, generally defines gross income as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current federal law, for purposes of determining a taxpayer's gross income for federal income taxation, requires that a person who is a United States shareholder of any controlled foreign corporation to include in their gross income the global intangible low-taxed income for that taxable year, as provided. This bill, for taxable years beginning on or after January 1, 2022, would include a taxpayer's global intangible low-taxed income in their gross income for purposes of the Personal Income Tax Law, in modified conformity with the above-described federal provisions.

**AB 79**

**Committee on Budget**

**Location:** SENATE BUDGET & F.R.

**Budget Act of 2020.** The Budget Act of 2020 made appropriations for the support of state government for the 2020-21 fiscal year. This bill would amend the Budget Act of 2020 by amending and adding items of appropriation and making other changes. This bill would declare that it is to take effect immediately as a Budget Bill.

**AB 140**

**Committee on Budget**

**Location:** ASSEMBLY CHAPTERED

**Housing.** Current law defines the duties of the Treasurer, which include, but are not limited to, receiving and keeping the vaults of the State Treasury, paying warrants drawn by the Controller in certain circumstances, and keeping an account of all money received and disbursed. This bill would require the Treasurer, in consultation with other specified state agencies, to develop a framework for the California Dream For All Program, the goals of which would include, but would not be limited to, making home ownership more affordable. The bill would require the Treasurer to submit a report outlining the framework for the program to the Legislature. The bill would also state the intent of the Legislature that the program include certain elements.

**AB 175**

**Committee on Budget**

**Location:** ASSEMBLY ENROLLMENT

**Housing: mortgages and deeds of trust: use of state property: surplus land disposal: financing programs.** Current law prescribes various requirements to be satisfied before the exercise of a power of sale under a mortgage or deed of trust and prescribes a procedure for the exercise of that power. Current law prescribes the dates when a trustee’s sale is deemed final if specified payments are made and, in this regard, a trustee’s sale is deemed final upon the acceptance of the last and highest bid and



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is deemed perfected as of 8 a.m. on the actual date of sale if the trustee's deed is recorded within 18 calendar days after the sale, except as specified. This bill would extend the date in the above-described condition relating to the recording of the trustee's deed to 21 calendar days. The bill would require this change to become operative on January 1, 2022.

**AB 215**

**Chiu D ( Dist. 17)**

**Location:** ASSEMBLY ENROLLMENT

**Planning and Zoning Law: housing element: violations.** The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. That law requires a planning agency, before adopting its housing element or amendment to its housing element, to submit a draft element or draft amendment to the Department of Housing and Community Development. This bill would require a local government to make the first draft revision of a housing element available for public comment for at least 30 days and, if any comments are received, take at least 10 additional business days to consider and incorporate public comments into the draft revision before submitting it to the department. The bill would require a local government to post any subsequent draft revision on its internet website and to email a link to the draft revision to individuals and organizations that have requested notices relating to the local government's housing element, as specified.

**AB 362**

**Quirk-Silva D ( Dist. 65)**

**Location:** ASSEMBLY ENROLLMENT

**Homeless shelters: safety regulations.** Would require a city or county that receives a complaint from an occupant of a homeless shelter, as defined, or an agent of an occupant, alleging that a homeless shelter is substandard to inspect the homeless shelter, as specified. The bill would require a city or county that determines that a homeless shelter is substandard to issue a notice to correct the violation to the owner or operator of the homeless shelter within 10 business days of the inspection or issue the notice to correct the violation immediately if the violation constitutes an imminent threat to the health and safety of the occupants of the homeless shelter. The bill would authorize a city or county to issue an emergency order directing the owner or operator to take immediate action to rectify violations if the city determines that the violations are dangerous, hazardous, imminently detrimental to life or health, or otherwise render the homeless shelter unfit for human habitation.

**AB 413**

**Ting D ( Dist. 19)**

**Location:** ASSEMBLY APPR. SUSPENSE FILE

**Foster youth: housing.** Current law, subject to an annual appropriation in the annual Budget Act, requires the Department of Housing and Community Development to provide funding to counties for allocation to child welfare services agencies to help young adults who are 18 to 24 years of age secure and maintain housing, with priority given to young adults formerly in the state's foster care or probation systems. Current law suspends this program on December 31, 2021, unless the Department of Finance makes a specified finding. This bill would delete the provisions conditionally suspending that program and subjecting the requirements of the program to an annual appropriation in the Budget Act.

**AB 482**

**Ward D ( Dist. 78)**

**Location:** SENATE DESK

**Housing authorities: City of San Diego, County of San Bernardino, and County of Santa Clara: middle-income housing projects pilot program.** The Housing Authorities Law authorizes a housing authority of a city or county to, among other things, prepare, carry out, acquire, lease, and operate housing projects and housing developments for persons of low income, as provided. Current law, until January 1, 2022, authorizes a housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement a pilot program to develop and finance a middle-income housing project, as defined, if the project receives gap financing, as defined. Current law requires any gap financing to be approved by the housing authority's legislative body, as provided. Current law requires the housing authority to provide a report to the Legislature, as specified, on and before January 1, 2020, and on or before January 1, 2022. This bill would extend the authority of a

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housing authority located in the City of San Diego, the County of San Bernardino, or the County of Santa Clara to implement the above-described pilot program from January 1, 2022, to January 1, 2026.

### AB 491

Ward D ( Dist. 78)

**Location:** ASSEMBLY ENROLLED

**Housing: affordable and market rate units.** Would require that a mixed-income multifamily structure provide the same access to the common entrances, common areas, and amenities of the structure to occupants of the affordable housing units in the structure as is provided to occupants of the market-rate housing units. The bill would also prohibit a mixed-income multifamily structure from isolating the affordable housing units within the structure to a specific floor or an area on a specific floor. The bill would define various terms for these purposes.

### AB 565

Lackey R ( Dist. 36)

**Location:** ASSEMBLY ENROLLED

**Interagency Advisory Committee on Apprenticeship: homeless youth and foster youth.** Current law establishes the Interagency Advisory Committee on Apprenticeship within the Division of Apprenticeship Standards, which is in the Department of Industrial Relations. Current law prescribes the composition of the committee, which includes specified officials or their designees, serving as ex officio members, and 6 persons appointed by the Secretary of Labor and Workforce Development who are familiar with certain apprenticeable occupations, as specified requirements. This bill would add the director of the State Department of Social Services as a member of the Interagency Advisory Committee on Apprenticeship.

### AB 592

Friedman D ( Dist. 43)

**Location:** ASSEMBLY ENROLLMENT

**Foster youth: transitional housing.** The California Community Care Facilities Act requires the State Department of Social Services to license and regulate transitional housing placement providers pursuant to the act. Under current law, a transitional housing placement provider is an organization licensed by the department to provide transitional housing to foster children at least 16 years of age and to nonminor dependents to promote their transition to adulthood. Current law requires a transitional housing unit to meet certain housing and supervision requirements, which may include a host family certified by a transitional housing placement provider with whom a participant lives in an apartment, single-family dwelling, or condominium. This bill would require a transitional housing unit with a host family to include supervised transitional housing services provided by the licensed transitional housing placement provider. With respect to a transitional housing placement program serving nonminor dependents, the bill would additionally authorize certain entities, including a resource family approved by a foster family agency or a county, a licensed foster family home, a certified family home, an approved relative caregiver, or a nonrelative extended family member of a participant to operate as a host family.

### AB 602

Grayson D ( Dist. 14)

**Location:** ASSEMBLY ENROLLMENT

**Development fees: impact fee nexus study.** Current law requires a city, county, or special district that has an internet website to make available on its internet website certain information, as applicable, including its current schedule of fees and exactions. This bill, among other things, would require, on and after January 1, 2022, a local agency that conducts an impact fee nexus study to follow specific standards and practices, including, but not limited to, (1) that prior to the adoption of an associated development fee, an impact fee nexus study be adopted, (2) that the study identify the existing level of service for each public facility, identify the proposed new level of service, and include an explanation of why the new level of service is necessary, and (3) if the study is adopted after July 1, 2022, either calculate a fee levied or imposed on a housing development project proportionately to the square footage of the proposed units, or make specified findings explaining why square footage is not an appropriate metric to calculate the fees.



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### AB 803

Boerner Horvath D ( Dist. 76)

**Location:** ASSEMBLY CHAPTERED

**Starter Home Revitalization Act of 2021.** The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Current law provides for various incentives intended to facilitate and expedite the construction of affordable housing. This bill would authorize a development proponent to submit an application for the construction of a small home lot development, as defined, that meets specified criteria. The bill would require a small home lot development to be located on a parcel that is no larger than 5 acres, is substantially surrounded by qualified urban uses, as defined, and is zoned for multifamily residential use.

### AB 816

Chiu D ( Dist. 17)

**Location:** ASSEMBLY ENROLLMENT

**Homelessness: Housing Trust Fund: housing projects.** Current federal law requires the Secretary of the United States Department of Housing and Urban Development to establish a Housing Trust Fund to provide grants to states to increase the supply of rental housing for extremely low and very low-income families, including homeless families, and home ownership for extremely low and very low-income families. Current law requires the department to collaborate with the California Housing Finance Agency to develop an allocation plan to demonstrate how the funds will be distributed, based on the priority housing needs identified in the state's consolidated plan, and to convene a stakeholder process to inform the development of the plan. Current law requires the allocation plan and program guidelines to prioritize projects based on enumerated factors such as the extent to which project rents are affordable. The department is required to submit this plan to the Assembly Committee on Housing and Community Development and the Senate Transportation and Housing Committees 30 days after receipt of the federal funds. This bill would require the department to prioritize funding for projects that serve people experiencing homelessness, to the extent that a sufficient number of projects exist.

### AB 838

Friedman D ( Dist. 43)

**Location:** ASSEMBLY ENROLLED

**State Housing Law: enforcement response to complaints.** Would, beginning July 1, 2022, require a city or county that receives a complaint of a substandard building or a lead hazard violation, as specified, from a tenant, resident, or occupant, or an agent of a tenant, resident, or occupant, except as specified, to inspect the building, portion of the building intended for human occupancy, or premises of the building, document the lead hazard violations that would be discovered based upon a reasonably competent and diligent visual inspection of the property and identify any building, portion of a building intended for human occupancy, or premises on which such a building is located that is determined to be substandard, as applicable. The bill would require the city or county, as applicable, to advise the owner or operator of each violation and of each action that is required to be taken to remedy the violation and to schedule a reinspection to verify correction of the violations.

### AB 977

Gabriel D ( Dist. 45)

**Location:** ASSEMBLY ENROLLMENT

**Homelessness program data reporting: Homeless Management Information System.** Would require, beginning January 1, 2023, that a grantee or entity operating specified state homelessness programs, including the No Place Like Home Program, as a condition of receiving state funds, to enter Universal Data Elements and Common Data Elements, as defined by the United States Department of Housing and Urban Development Homeless Management Information System Data Standards, on the individuals and families it serves into its local Homeless Management Information System, unless otherwise exempted by state or federal law. The bill would require the Homeless Coordinating and Financing Council to specify the format and disclosure frequency of the required data elements. The bill would apply the data entry requirements to all new state homelessness programs that commence on or after July 1, 2021. The bill would require the Homeless Coordinating and Financing Council to provide technical assistance and guidance to any grantee or entity that operates a program subject to the bill, if

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the grantee or entity does not already collect and enter into the local Homeless Management Information System the data elements required.

[AB 989](#)

[Gabriel D \( Dist. 45\)](#)

**Location:** SENATE INACTIVE FILE

**Housing Accountability Act: appeals: Office of Housing Appeals.** The Housing Accountability Act prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, specified housing development projects, including projects for very low, low-, or moderate-income households and projects for emergency shelters that comply with applicable, objective general plan, zoning, and subdivision standards and criteria in effect at the time the application for the project is deemed complete, unless the local agency makes specified written findings based on a preponderance of the evidence in the record. This bill would, until January 1, 2029, establish an Office of Housing Appeals (office) within the department, administered by the director of the department, to review housing development projects that are alleged to have been denied or subject to conditions in violation of the Housing Accountability Act. The bill would establish housing appeals panels, consisting of administrative law judges with specified qualifications, within the office.

**Position: San Bernardino County Oppose**

[AB 1029](#)

[Mullin D \( Dist. 22\)](#)

**Location:** ASSEMBLY ENROLLED

**Housing elements: prohousing local policies.** Would add the preservation of affordable housing units through the extension of existing project-based rental assistance covenants to avoid the displacement of affected tenants and a reduction in available affordable housing units to the list of specified prohousing local policies.

[AB 1043](#)

[Bryan D \( Dist. 54\)](#)

**Location:** ASSEMBLY ENROLLED

**Housing programs: rental housing developments: affordable rent.** The Zenovich-Moscone-Chacon Housing and Home Finance Act, prohibits “affordable rent” for certain rental housing developments that receive assistance on or after January 1, 1991, from exceeding a specified percentage based on the area median income adjusted for family size and whether the household is an extremely low-income household, very low-income household, lower income household, or moderate-income household. This bill, for leases entered into on or after January 1, 2022, would additionally prohibit “affordable rent” for certain rental housing developments that receive assistance from exceeding the product of 30 percent times 15 percent of the area median income adjusted for family size appropriate for the unit if the household is an “acutely low income household,” as defined to mean persons and families whose incomes do not exceed 15 percent of area median income, adjusted for family size, as specified.

[AB 1220](#)

[Rivas, Luz D \( Dist. 39\)](#)

**Location:** ASSEMBLY ENROLLMENT

**Homelessness: California Interagency Council on Homelessness.** Would rename the Homeless Coordinating and Financing Council to the California Interagency Council on Homelessness and would remove authorization for the Secretary of the Business, Consumer Services and Housing’s designee to serve as chair of the council. The bill would instead require the Secretary of the Business, Consumer Services and Housing Agency and the Secretary of the California Health and Human Services Agency to serve as cochairs of the council. The bill would make other changes to the council’s membership, including adding 5 new members, as specified.

[AB 1398](#)

[Bloom D \( Dist. 50\)](#)

**Location:** ASSEMBLY ENROLLMENT

**Planning and zoning: housing element: rezoning of sites: prohousing local policies.** The Planning and Zoning Law, requires a county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and specified land outside its boundaries, that

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includes, among other things, a housing element. Current law requires that the housing element include, among other things, an inventory of land suitable and available for residential development. If the inventory of sites does not identify adequate sites to accommodate the need for groups of all household income levels, as provided, current law requires that the local government rezone sites within specified time periods. If the local government fails to adopt a housing element within 120 days of the applicable statutory deadline, existing law requires that the local government (A) complete this rezoning no later than 3 years and 120 days from the statutory deadline for the adoption of the housing element and (B) revise its housing element every 4 years until the local government has adopted at least 2 consecutive revisions by the statutory deadline. This bill would require a local government that fails to adopt a housing element that the Department of Housing and Community Development has found to be in substantial compliance with state law within 120 days of the statutory deadline to complete this rezoning no later than one year from the statutory deadline for the adoption of the housing element.

[AB 1487](#)

[Gabriel D \( Dist. 45\)](#)

**Location:** ASSEMBLY ENROLLMENT

**Legal Services Trust Fund Commission: Homelessness Prevention Fund: grants: eviction or displacement.** Would establish the Homelessness Prevention Fund to be administered by the Legal Services Trust Fund Commission. The bill would require the commission, subject to appropriation to the State Bar by the Legislature, to distribute moneys in the fund in the form of grants, awarded on a competitive basis, to fund prescribed legal services, education, and outreach for tenants relating to eviction or displacement. The bill would require the commission to develop guidelines for the grant process in accordance with specified requirements. The bill would establish eligibility requirements for grant applicants, including that the applicant agrees to provide all of the services funded by the grant without charge to recipients.

[ACA 1](#)

[Aguiar-Curry D \( Dist. 4\)](#)

**Location:** ASSEMBLY L. GOV.

**Local government financing: affordable housing and public infrastructure: voter approval.** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

[SB 6](#)

[Caballero D \( Dist. 12\)](#)

**Location:** ASSEMBLY H. & C.D.

**Local planning: housing: commercial zones.** The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a housing element. This bill, the Neighborhood Homes Act, would deem a housing development project, as defined, an allowable use on a neighborhood lot, which is defined as a parcel within an office or retail commercial zone that is not adjacent to an industrial use. The bill would require the density for a housing development under these provisions to meet or exceed the density deemed appropriate to accommodate housing for lower income households according to the type of local jurisdiction, including a density of at least 20 units per acre for a suburban jurisdiction.

[SB 8](#)

[Skinner D \( Dist. 9\)](#)

**Location:** SENATE ENROLLED

**Housing Crisis Act of 2019.** Would clarify, for various purposes of the Housing Crisis Act of 2019, that "housing development project" includes projects that involve no discretionary approvals, projects that

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involve both discretionary and nondiscretionary approvals, and projects that include a proposal to construct a single dwelling unit. The bill would specify that this clarification is declaratory of existing law, except that the clarification does not affect a project for which an application was submitted to the city, county, or city and county before January 1, 2022.

**SB 9**

**Atkins D ( Dist. 39)**

**Location:** SENATE ENROLLED

**Housing development: approvals.** The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

**SB 10**

**Wiener D ( Dist. 11)**

**Location:** SENATE ENROLLED

**Planning and zoning: housing development: density.** Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to adopt an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area or an urban infill site, as those terms are defined. The bill would prohibit a local government from adopting an ordinance pursuant to these provisions on or after January 1, 2029. The bill would specify that an ordinance adopted under these provisions, and any resolution to amend the jurisdiction's General Plan, ordinance, or other local regulation adopted to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act. The bill would prohibit an ordinance adopted under these provisions from superceding a local restriction enacted or approved by a local initiative that designates publicly owned land as open-space land or for park or recreational purposes.

**SB 60**

**Glazer D ( Dist. 7)**

**Location:** SENATE ENROLLED

**Residential short-term rental ordinances: health or safety infractions: maximum fines.** Current law sets specific monetary limits on the fines that may be imposed by city or county authorities for any violation of local building and safety codes that is an infraction, as prescribed. Current law requires a city or county levying fines pursuant to these provisions to establish a process for granting a hardship waiver in certain cases. This bill would, notwithstanding those provisions and with certain exceptions, raise the maximum fines for violation of an ordinance relating to a residential short-term rental, as defined, that is an infraction and poses a threat to health or safety, to \$1,500 for a first violation, \$3,000 for a 2nd violation of the same ordinance within one year, and \$5,000 for each additional violation of the same ordinance within one year of the first violation. The bill would make these violations subject to the process for granting a hardship waiver.

**Position:** San Bernardino County Support

**SB 89**

**Skinner D ( Dist. 9)**

**Location:** SENATE CHAPTERED

**Budget Act of 2020.** The Budget Act of 2020 made appropriations for the support of state government for the 2020–21 fiscal year. This bill would amend the Budget Act of 2020 by adding items of appropriation and making other changes.



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**SB 91**

**Committee on Budget and Fiscal Review**

**Location:** SENATE CHAPTERED

**COVID-19 relief: tenancy: federal rental assistance.** Current law prohibits a landlord from interrupting or terminating utility service furnished to a tenant with the intent to terminate the occupancy of the tenant, and imposes specified penalties on a landlord who violates that prohibition. Current law, until February 1, 2021, imposes additional damages in an amount of at least \$1,000, but not more than \$2,500, on a landlord that violates that prohibition, if the tenant has provided a declaration of COVID-19 financial distress, as specified. This bill would extend the imposition of those additional damages from February 1, 2021, to July 1, 2021.

**SB 400**

**Jones R ( Dist. 38)**

**Location:** SENATE ENROLLED

**Homeless children and youths: local educational agencies: collaboration, training, and reporting.** The McKinney-Vento Homeless Assistance Act requires a state plan submitted for the receipt of the grant to include assurances that local educational agencies will designate an appropriate staff person to act as a local educational agency liaison for homeless children and youths and a description of how the state will ensure that local educational agencies and their liaisons will comply with specified requirements of the act, including the identification of homeless children and youths. This bill would require a liaison for homeless children and youths of a local educational agency, as defined to include a school district, county office of education, charter school, or special education local plan area, to ensure the identification by school personnel of those children and youths through outreach and coordination activities with other organizations and the referral of services to homeless families and homeless children and youth

**SB 424**

**Durazo D ( Dist. 24)**

**Location:** SENATE APPR. SUSPENSE FILE

**Tax credits: employment: homelessness.** Would allow a credit under the Personal Income Tax Law and the Corporation Tax Law for each taxable year beginning on or after January 1, 2022, and before January 1, 2027, to a qualified taxpayer that employs an eligible individual during the taxable year, in an amount between \$2,500 and \$10,000 per eligible individual, not to exceed \$30,000 per taxable year, depending on the amount of hours worked by the eligible individual, and subject to specified conditions and limitations. The bill would require the qualified taxpayer to request a credit reservation from the Franchise Tax Board, as provided, to be eligible for the credit. The bill would limit the total aggregate amount of the credit that may be allowed to all qualified taxpayers under both the Personal Income Tax Law and the Corporation Tax Law to \$30,000,000, plus the unallocated credit amount, if any, from the preceding calendar year. The bill would define various terms for purposes of the credit, including defining "eligible individual" as a person who is homeless.

**SB 478**

**Wiener D ( Dist. 11)**

**Location:** SENATE ENROLLMENT

**Planning and Zoning Law: housing development projects.** The Planning and Zoning Law requires the Department of Housing and Community Development to notify the city, county, or city and county, and authorizes the department to notify the Attorney General, that the city, county, or city and county is in violation of state law if the department finds that the housing element or an amendment to that element, or any specified action or failure to act, does not substantially comply with the law as it pertains to housing elements or that any local government has taken an action in violation of certain housing laws. This bill would prohibit a local agency, as defined, from imposing a floor area ratio standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units.



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Phone: (909) 386-8297 • Fax: (909) 890-0868

Email: [homelessrfp@hss.sbcounty.gov](mailto:homelessrfp@hss.sbcounty.gov) • Website: <http://www.sbcounty.gov/sbchp>

### SB 649

Cortese D ( Dist. 15)

**Location:** ASSEMBLY RLS.

**Local governments: affordable housing: local tenant preference.** Would establish a state policy supporting local tenant preferences for lower income households, as defined, that are subject to displacement risk, and, further, permit local governments and developers in receipt of local or state funds, federal or state tax credits, or an allocation of tax-exempt private activity bonds designated for affordable rental housing to restrict occupancy by creating a local housing preference for lower income households subject to displacement risk. The bill, subject to certain requirements and limitations, would authorize a local government to allow a local tenant preference in an affordable housing rental development to reduce displacement of lower income households with displacement risk beyond local government boundaries by adopting a program that allows preferences in affordable rental housing acquired, constructed, preserved or funded with state or local funds or tax programs.

### **Total Measures: 37**

A glossary of legislative terms can be found at: <http://www.legislature.ca.gov/quicklinks/glossary.html>

Information regarding the County's Legislative Platforms, legislative positions, bill tracking and other items of interest can be found on the Governmental and Legislative Affairs' website at: <http://www.sbcounty.gov/CAO/legislativeaffairs/>



## Interagency Council on Homelessness

Administrative Office  
215 North D Street, Suite 301, San Bernardino, CA 92415-0044  
Office: (909) 501-0610

FROM: Keith C. Metzler, City Manager, City of Victorville

SUBJECT: Letter of Support from the Continuum of Care for Homekey Application

DATE: September 22, 2021

### RECOMMENDATION

Approve a Letter of Support for the City of Victorville's application to the California Department of Housing and Community Development (HCD) for interim housing funding under the Homekey Program (Round 2).

### BACKGROUND INFORMATION

According to the 2020 Point in Time Count, the City of Victorville has the second highest homeless population in the County of San Bernardino at 451, second only to the City of San Bernardino at 1,056. In an effort to address the growing issue of homelessness, the City of Victorville is planning to construct of a 170-bed Wellness Center that will act as a low-barrier, navigation center providing homeless men, women and families with interim housing, recuperative care/medical respite, onsite supportive services and an onsite medical clinic.

The Wellness Center's unique and innovative design will provide individuals, couples and families with the privacy and dignity of their own private living unit. This style of non-congregate shelter is consistent with CDC guidelines for considerations aimed at reducing the spread of COVID-19. Private living units will also help to increase the likelihood of a homeless person accepting shelter.

A variety of support services are planned for the Wellness Center including:

- Case Management;
- Substance Use Counseling;
- Behavioral Health Services;
- Physical Health Services;
- Housing Navigation/Tenancy Support;
- Life Skills Training/Financial Literacy Classes;
- Rental & Utility Assistance (for those at risk of homelessness);
- Pet Care;
- Assistance with Documentation Readiness; and
- Help with Income Stabilization
  - Assistance with Public Benefit Application (if applicable); and
  - Job Readiness Training/Job Placement

On October 29, 2020, the City received a funding reservation and preliminary award for \$16.8 million in the first round of Project Homekey grant funding. However, as staff worked to finalize a Standard Agreement with HCD, the City was forced to make a difficult, but prudent decision to decline the award due to an inability to meet the aggressive December 30, 2020 expenditure deadline. Since that time, the City has taken additional steps to make the project shovel ready, including obtaining site control, initiating state and federal environmental

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San Bernardino County Superintendent of Schools

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Town of Yucca Valley  
Community Development and Housing Agency  
Mountain Regional City Representative  
Members of the Homeless Provider Network

City of San Bernardino  
Department of Behavioral Health  
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Homeless Representative



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reviews, and readying construction drawings for the project. The City has also contracted with Illumination Foundation to oversee operations at the City's 92-bed interim shelter. The contract with Illumination Foundation can transition into running the Wellness Center in lieu of the interim shelter once the project is constructed. Included below is a brief summary of construction and funding:

### Construction:

- March 2021, San Bernardino County Board of Supervisors approved the use of the .75-acre County Flood Control property at Eva Dell park as part of the Wellness Center project and both agencies are working through the purchase of the property. The City now has control of the entire acreage for the site to initiate construction.
- February 2021, City Council approved a contract for CMC Architects to finalize the construction documents for the Wellness Center Campus. Construction drawings are estimated to be complete by November 2021.
- The environmental review process has been initiated and the City will have full entitlements (NEPA & CEQA) by December 2021.

### Local Funding

- 2020, The City secured the new Permanent Local Housing Allocation (PLHA) which provided \$632,770 in the first year and is estimated to provide the City approximately \$900,000 on an annual basis going forward to support the construction and operation of the facility.
- 2020, The City was awarded \$300,000 in Homeless Housing, Assistance and Prevention (HHAP) funding.
- 2021, City Council approved \$850,000 in Community Development Block Grant (CDBG) construction funds.
- 2021, The City received American Rescue Plan Act (ARPA) funds and has designated a minimum of \$6 Million to go towards homeless related programs and services, including the Wellness Center.

The State recently released the NOFA for Homekey Round 2 and applications will be accepted beginning September 30, 2021, and approved on a first come, first served, rolling basis for qualified projects until funds are exhausted. The City of Victorville intends to resubmit the Wellness Center project for consideration for Homekey funding in this round, including a request for the available operating subsidy, which requires a letter of support from the local Continuum of Care (CoC). Attached to this report is a sample letter that meets the NOFA requirements (Attachment A). Therefore, the City of Victorville is requesting ICH approval to authorize the ICH Chair to sign this sample letter or, if required by HCD, the signing of a forthcoming template letter provided by HCD.

Homekey funding is currently the only viable grant funding source on the horizon that could immediately provide Victorville with the construction funds needed to build this innovative and necessary project. The City has the political will to make this project a reality and would appreciate the continued support from ICH.

### Attachment A – Sample Letter

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September 22, 2021

Department of Housing and Community Development  
Homekey Program 2020 Notice of Funding Availability  
2020 W. El Camino Avenue, Suite 200  
Sacramento, CA 95833

RE: CoC Letter of Support for Project Homekey Application –  
City of Victorville Wellness and Recuperative Care Center

To Whom It May Concern:

On behalf of the Interagency Council on Homelessness, please accept this letter of support from the San Bernardino County Continuum of Care (SBC CoC) for the City of Victorville application to the California Department of Community Development and Housing for interim housing funding under the Homekey Program.

The City of Victorville Wellness and Recuperative Care Center (Center) will help meet a high priority local need within the SBC CoC by providing 168 beds of low-barrier interim housing for homeless individuals who are also at high risk of COVID-19. The campus-style, regional “navigation center” design will support resident transitions into permanent housing as quickly as possible.

Along with interim housing beds, the Center will include a wide variety of on-site supportive services including, a medical clinic, mental health services, substance abuse counseling, employment linkage, public benefits assistance, pet care, and housing navigation. SBC CoC coordinated entry personnel will be stationed on-site to ensure that all interim housing residents are appropriately linked to the Coordinated Entry System, as well as to assist on-site service personnel with helping residents establish exit strategies and connections to available housing services, resources and opportunities to transition into stable housing.

As additional funding becomes available, Phase II of the Center will include several permanent supportive housing units to be used as step-down housing for individuals exiting interim housing or recuperative care.

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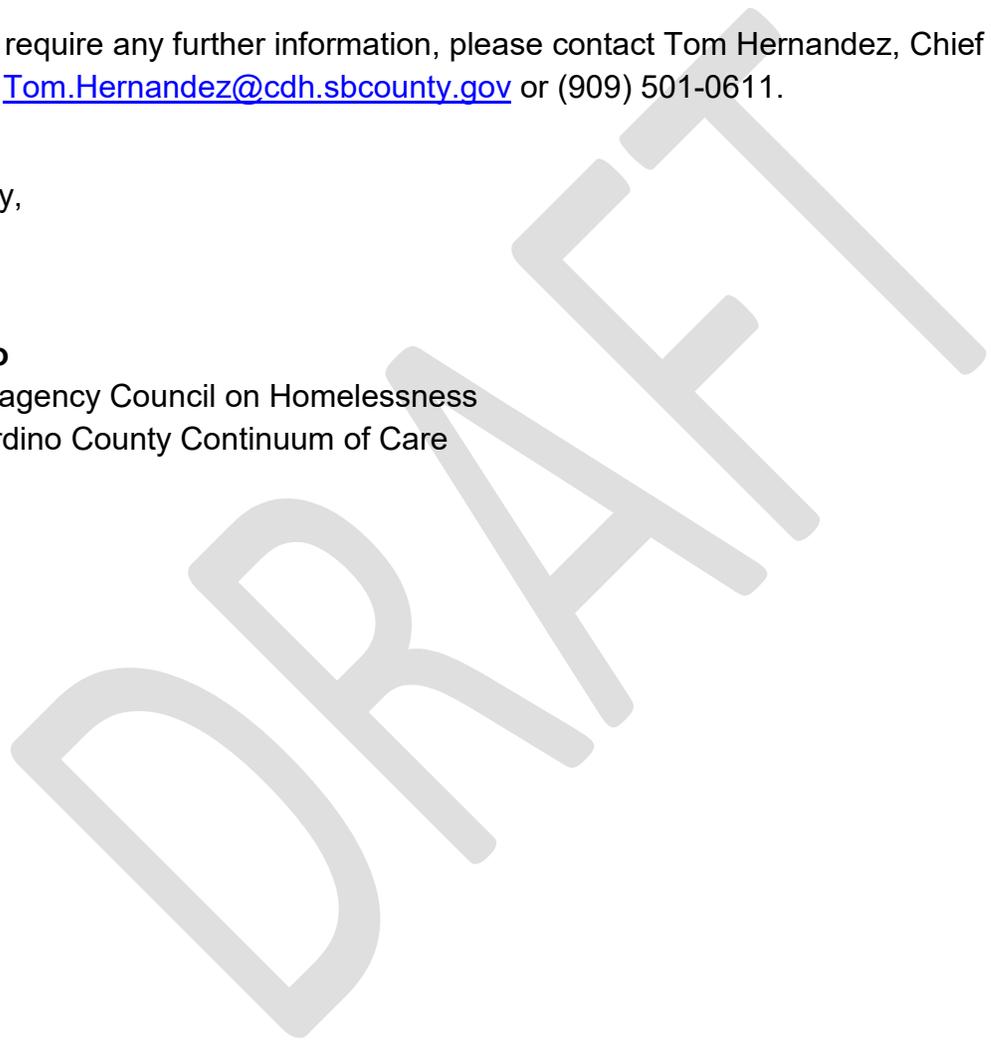
The 2020 Point-in-Time Count (PITC) identified 451 homeless persons in the City of Victorville, a 35.4% increase over the City’s 2019 PITC data, representing the second highest concentration of homeless persons in San Bernardino County (14%). Based upon the critical need for interim housing beds and the Center’s ability to serve the City of Victorville’s homeless community, the SBC CoC fully supports this application for Homekey funding.

Should you require any further information, please contact Tom Hernandez, Chief of Homeless Services at [Tom.Hernandez@cdh.sbcounty.gov](mailto:Tom.Hernandez@cdh.sbcounty.gov) or (909) 501-0611.

Respectfully,

**Maria Razo**

Chair, Interagency Council on Homelessness  
San Bernardino County Continuum of Care

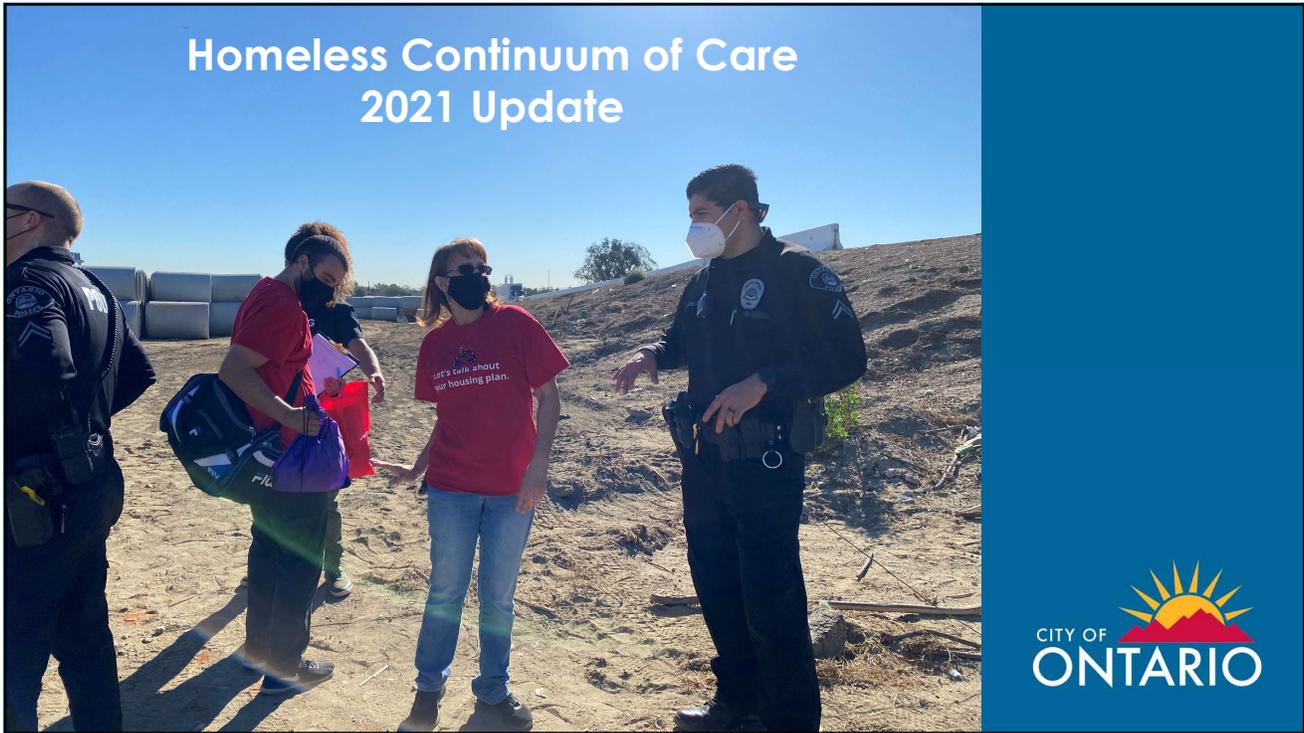


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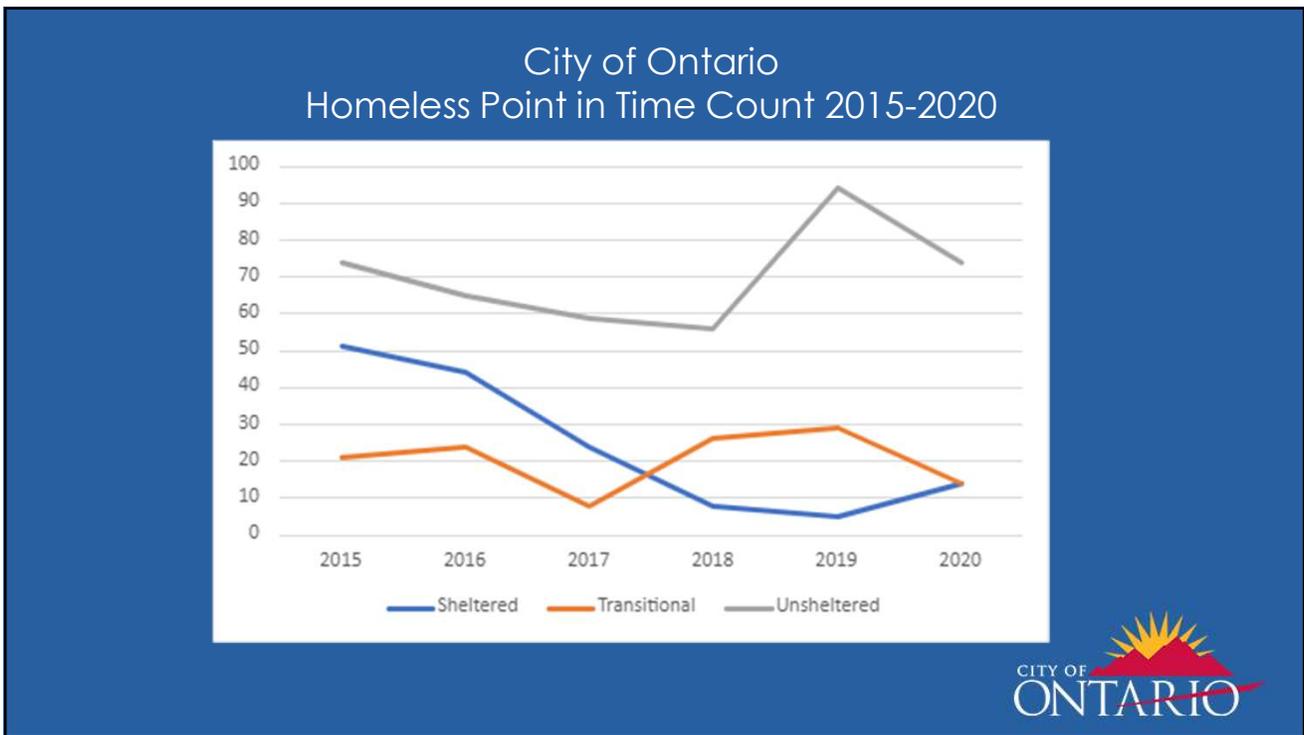
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# Ontario Police Department Observational Count July 8, 2021



173 Adults  
8 vehicles  
No youth



3

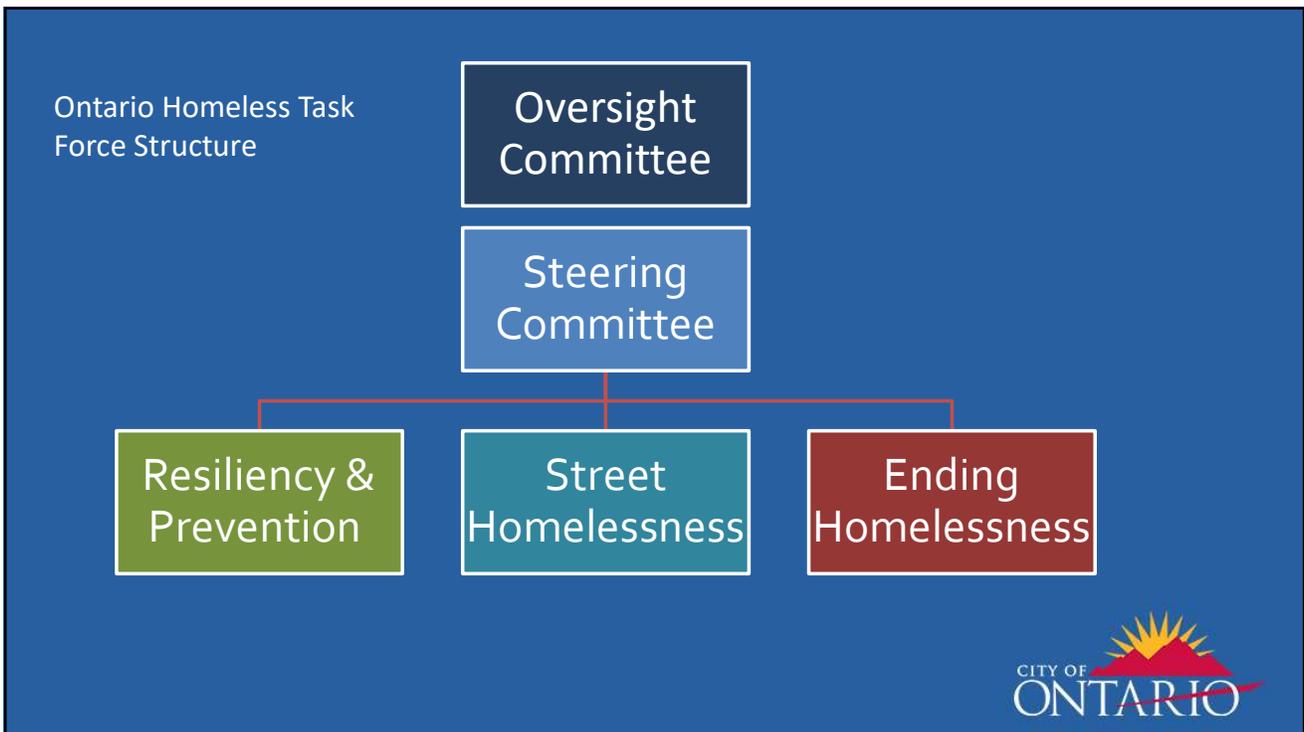
# Ontario Continuum of Care 2021



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## Ontario Chronic Homelessness Outreach OCHO

- Weekly check-ins
- Frequent users identified by Ontario Fire, Police, and Mercy House
- Consultation with County DBH
- Engagement of other providers as needed
- Focus on housing placement



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## Ontario Access Center *operated by Mercy House*

**435 S. Bon View**

**(909) 391-2630**

9AM – 4:30 PM Mon-Fri (new clients should arrive by 3:30 PM)

9AM – 1:00 PM Saturdays

**Showers & laundry for enrolled clients**

7AM – 9AM Mon, Wed, Thu

**Closed last Friday of every month**



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# Ontario Continuum of Care

[OntarioCA.gov/ContinuumCare](http://OntarioCA.gov/ContinuumCare)

Natalie Komuro  
(909) 395-2897



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## Looking Ahead

- What are City needs in 5, 10 years and beyond?
  - Impact of growth on housing affordability (attainability)
  - Evolution of human services needs and how to meet them
    - Creating a robust human services workforce
    - City-County partnerships
    - Regional strategies



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