

Stanislaus County California Emergency Solutions Grants (CA-ESG) Coronavirus Aid, Relief, and Economic Security (CARES) Act Round 2 Allocation (CA-ESG CV2)

2nd CA-ESG CV2 NOTICE OF FUNDING AVAILABILITY (NOFA) AND GRANT APPLICATION GUIDELINES

Please review the Grant Application Guidelines prior to starting the application process.

*CALENDAR OF EVENTS:

NOFA and Grant Application Guidelines Release Meeting...... Tuesday, May 11, 2021 at 3:00 p.m.

Join Zoom Meeting https://zoom.us/j/94228317084?pwd=eEkyZVUybithZ0JIbXg4SVM0cVF3Zz09 Meeting ID: 914 3734 0525 Passcode: SmZ21V

Join by phone: 1 669-900-9128 Meeting ID: 914 3734 0525 Passcode: 470483

Grant Technical Assistance Meeting (MANDATORY)...... Tuesday, May 18, 2021, at 10:00 a.m.

Meeting will be held virtually via Zoom. To join the meeting, pre-registration is required through Zoom at: https://zoom.us/webinar/register/WN zoOsXFDgSuulW3BCx1vJMQ

Registration takes about five minutes. After registering, you will receive a confirmation email containing the Meeting ID and Passcode.

Applications Submittal DeadlineFriday, May 21, 2021 by 4:00 p.m.

Noticing of Application Ranking	June 2021
Final Award Recommendations	June 2021
Award recommendations will be provided to the Stanislaus County Board of Supervisors	

Grantee Award TrainingJune 20)21
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Grant Agreements ExecutedJuly 2021

*All dates on timeline are subject to change.

FUNDING INFORMATION

CA-ESG CV2 ALLOCATION

On March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act identified additional funding for the Emergency Solutions Grant (ESG) program to be utilized to prevent, prepare for, and respond to coronavirus among individuals and families who are experiencing homelessness or receiving homelessness assistance; and to support additional homelessness assistance and homeless prevention activities to mitigate the impact created by the Coronavirus (COVID-19) pandemic.

The Stanislaus County Planning and Community Development Department serves as the Administrative Entity (AE) for the Stanislaus Community System of Care (CSOC), federally recognized as the local Turlock/Modesto/Stanislaus County Continuum of Care (CoC), for the purpose of receiving California State ESG (CA-ESG) funding allocated to the CoC from the California Department of Housing and Community Development (HCD). On October 2, 2020, HCD released a Notice of Funding Availability (NOFA) allocating \$22,767,898 in CA-ESG CV2 funding to the CoC. The funding is eligible for use throughout the entire CoC service area; which encompasses all of Stanislaus County.

The 1st NOFA for the CA-ESG CV2 funding was released on January 27, 2021 to provide funding to supplement the existing operational budgets of non-profit service providers responding to the critical needs of the community by providing services to prevent, prepare for, and respond to increased demand for services for these populations. This 2nd NOFA provides the guidelines for awarding of the remaining CA-ESG CV2 funding for: rehabilitation, renovation or expansion of existing emergency shelters; motel/hotel, and other property, rental for emergency shelter; service and operations for existing emergency shelter facilities; rapid re-housing; street outreach; and Homeless Management and information Systems (HMIS) activities.

In addition to meeting basic CA-ESG CV2 program eligibility, it is <u>MANDATORY</u> that applications for funding demonstrate and be able to document the following:

- A connection between the COVID-19 impact on client needs and the applicant's service delivery;
- Service model or delivery expansion or modification due to COVID-19; and
- Policies and procedures to avoid any duplication of benefits by assurance, through a Duplication of Benefits Analysis, that the applicant is not receiving financial assistance from other sources for the expenses listed in the application AND demonstrating the ability to determine if a client's needs are not being met with other funding sources. (See <u>HUD's guidance on Duplication of Benefits</u> regulations.)

The awarded funding will be made available as reimbursement grants; unless other allowances are made available by the AE. Eligible expenses directly related to COVID-19 may be reimbursed from the start of the pandemic (no earlier than April 1, 2020) through July 30, 2022*.

*Final deadline subject to change pending final executed agreement, or subsequent amendments, between HCD and the AE. Funding for Emergency Shelter Operations may only be reimbursed through January 31, 2022.

GRANT TECHNICAL MEETING

A Grant Technical Assistance Meeting (via Zoom), will be held on <u>May 18, 2021, at 10:00 a.m.</u>, see meeting link information above, and participation in the meeting is <u>MANDATORY</u> for eligibility to submit a grant application(s).

The meeting will be held to provide an overview of the online grant management system (Neighborly Software) required for submittal of an application. Planning Department staff and representative from Neighborly Software will be available to provide technical assistance for application submittals.

Grant Applications will only be accepted through the Neighborly Software portal.

<u>Applications are due Friday, May 21, by 4:00 p.m.</u>; any applications submitted after this date and time will not be considered for funding.

CA-ESG CV2 FUNDING OVERVIEW

HCD's CA-ESG CV2 funding is sourced from federal ESG CARES Act funding. The federal ESG program is governed by 24 Code of Federal Regulations (CFR), Parts 91 and 576. HUD's ESG Program information is available online: <u>https://www.hudexchange.info/programs/esg/</u>.

As a reminder, the AE's program regulations are aligned with HUD's ESG regulations. For a reference of approved activities, providers should refer to the ESG Quick Reference Guide available online at: https://files.hudexchange.info/resources/documents/ESG-Program-Components-Quick-Reference.pdf.

Notable elements regarding the use of CA-ESG CV2 funding include:

- Resources may only be used to cover allowable costs that are associated with preventing, preparing for, and responding to COVID-19.
- These funds are exempt from the ESG match requirements.
- No funds may be used to require people experiencing homelessness to receive treatment or any other prerequisite activity as a condition for receiving shelter, housing, or other services.

The CA-ESG program is governed by 25 California Code of Regulations, Section 8400 et seq ("State Regulations"). State regulations can be found online at: <u>http://hcd.ca.gov/grants-funding/activefunding/esg.shtml</u>

ADVANCING RACIAL EQUITY AND INCLUSION

HCD's CA-ESG CV2 NOFA directs that awarded agencies should prioritize the advancement of racial equity and inclusion at all levels of the homeless response system. Applicants will need to demonstrate how they will provide for and improve access to services, services provision, and outcomes among disproportionately underrepresented populations. Funded agencies cannot simply rely on delivering a standardized set of services to address equity and inclusion. Funded agencies are responsible for examining their data, ensuring all eligible persons are receiving equitable supportive services with dignity, respect, and compassion regardless of their circumstances, abilities, or identity. Funded agencies must respond to disproportionality in access to services, service provision and outcomes and should at a minimum begin to address the concerns of the disproportionately impacted communities and those with lived experience of homelessness in a meaningful and sustainable way to create effective approaches to assist in reducing and ending homelessness. Please visit the <u>HUD Exchange Racial Equity</u> web page to for additional information.

HEALTH EQUITY

Achieving health equity requires valuing everyone equally with focused and ongoing efforts to address avoidable inequities, historical and contemporary injustices, and the elimination of health and healthcare disparities. The population health impact of COVID-19 has exposed longstanding inequities that have systematically undermined the physical, social, economic, and emotional health of racial and ethnic minority populations and other population groups that are bearing a disproportionate burden of COVID-19. As part of its effort to ensure the grants will reach communities and populations disproportionately impacted by COVID-19, funded agencies must make every reasonable effort to ensure proposed programs are in compliance with local health ordinances and make every reasonable effort to reach the underserved communities in the County. The following guidelines issued by the State of California's Blueprint to a Safer California and using provided Economy data by the Healthy Places Index (https://map.healthyplacesindex.org/) provides a resource to assist in locating areas of high need.

As part of this effort, applications for CA-ESG CV2 funds under this NOFA will be given additional points for Health Equity measures that operate in, or that provide specific achievable plans for serving persons in, one or more communities that have been identified as target areas.

ENVIRONMENTAL REVIEW

Use of all funding is required to comply with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) to limit the potential environmental impacts of a project. Activities funded under the ESG Program are subject to the environmental review regulations at 24 Code of Federal Regulations part 58 before any expenditure of funding occurs.

AE staff will conduct environmental reviews and process documents with HCD and HUD as needed; however, the applicant may be required to provide studies necessary to facilitate the environmental review.

Applicant may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project, or commit or expend ESG-CV or local funds for eligible activities until official approval is given by the AE to proceed.

HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS) AND COORDINATED ENTRY SYSTEM (CES)

Any subrecipient awarded funding will be required to use the local CoC's HMIS database or if the subrecipient is a victim services or a legal services provider a "comparable database" in accordance with HUD's standards on participation, data collection, and reporting. Comparable database must be able to collect client-level data over time and generate unduplicated aggregate reports based on the data. In addition, record sharing is required.

Any subrecipient awarded funding will be required to participate in the ongoing development and coordination of the Coordinated Entry System process established by the local CoC, as set forth in 24 CFR 578.7 (a)(8) to ensure that the screening, assessment, and referral of program participants are consistent with the written standards as well as all policies and guidelines required by HMIS lead agency.

Missed deadlines and missing information in HMIS will result in a delay in funding reimbursement. CA-ESG CV2 funding will only be reimbursed for eligible activities occurring during a period of time when subrecipient has been actively reporting HMIS data.

LOW BARRIER ASSISTANCE

Per HUD guidance, individuals and families assisted with these funds "must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or other services for which these funds are used, notwithstanding 24 CFR 576.401(e)."

FUNDING AVAILBLE

This 2nd CA-ESG CV2 NOFA makes available the following funding:

- \$8,003,871 for emergency shelter operations, services, rehabilitation, renovation or expansion of existing emergency shelters; motel/hotel, and other property, rental for emergency shelter;
- \$500,000 for Rapid Re-Housing*;
- \$2,276,789 for Street Outreach; and
- \$683,036 for HMIS to service providers awarded other CA-ESG CV2 funding

*Only the following service providers may apply for Rapid Re-Housing funding: Family Promise of Greater Modesto, Community Housing and Shelter Services, We Care Program, Center for Human Services, Haven Women's Center, and Children's Crisis Center.

APPLICANT ELIGIBILITY PROCESS

This 2nd CA-ESG CV2 NOFA utilizes a competitive selection process for determining funding award recommendations to eligible service providers and local jurisdictions (cities and county). Funding will be awarded according to application ranking, funding availability, and overall project feasibility. If an application is deemed ineligible, awarded funding will be reallocated among the remaining awarded applicants. Final approval of funding is contingent of approval from the Stanislaus County Board of Supervisors, HCD, and HUD. Applications submitted for this NOFA may be used by the Stanislaus County and Planning Community Development to recommend the awarding of other state and federal funding.

An application with a request for funding, include how the funding will be used to prevent, prepare for, and reduce the impact of COVID-19, and a budget will need to be submitted and each application will be reviewed and ranked by a Grant Review Panel.

All funding awards will be subject to three-month expenditure reviews and funding may be reallocated to other applicants to help meet CA-ESG CV2 program expenditure requirement based on the ranking scores established by the Grant Review Panel. Due to very aggressive state timeline for the expenditure of funding, Stanislaus ty reserves the right to reduce and reallocate funding from grantees who are not meeting funding performance expectations defined in their contracts. In any case, all CA-ESG CV2 funding for awarded activities must be expended by July 30, 2022. Funding exceeding an application requests may be awarded if insufficient applications are received to award all funding and an applicant being awarded funding can demonstrate the need and capacity to utilize additional funding.

All applicants for funding must demonstrate to the Grant Review Panel that they provide services in a manner that ensures all eligible persons receive equitable services with dignity, respect and compassion regardless of circumstances, ability, or identity; make available bilingual Spanish speaking staff and access to translation services for other languages; and actively participate in the Stanislaus Coordinated Entry System and meet all Homeless Management Information System (HMIS) data collection and reporting criteria. Stanislaus County, as the AE for the CA-ESG CV2 funding, reserves the right to utilize the Grant Review Panel's ranking scores for awarding any future CARES Act funding which may be received by Stanislaus County.

GRANT REVIEW PANEL AND SCORING CRITERIA

The Grant Review Panel will be comprised of one (1) representative from Stanislaus County, one (1) city representative from each of the nine (9) Stanislaus County cities, and one (1) representative from the CSOC. All applications will be reviewed by the AE to verify eligibility, confirm that the request for funding is COVID-19 related, and to ensure that the proposed budget for use of the requested funding meets all program requirements. The Grant Review Panel will rank applications based on the scoring criteria outlined below. Final funding amounts may also depend on eligible budget requests, eligible scope of services in compliance with state and federal program regulations, past program performance, the area and populations served, and funding availability.

GRANT REVIEW CRITERIA

The Grant Review Panel will use an "Evaluation and Project Ranking System" appropriate for the current urgency and public health crisis resulting from the COVID-19 pandemic. All applications will be reviewed for the following:

- 1. The proposed uses of the CA-ESG CV2 funds.
- 2. The ability of the applicant to readily utilize and expend the CA-ESG CV2 funds.

All NOFA grant applications will be ranked by the Grant Review Panel utilizing the following scoring factors:

• Capacity and Experience (50 points)

- Funding prioritization will be provided to agencies with successful experience in administering HUD and HCD funding.
- Addressing the Need/Extent of the Problem (50 points)
 - Funding prioritization will factor in equitable distribution throughout Stanislaus County/Urban County.
 - Use of health index tool or similar tool.
- Collaboration (50 points)
 - Funding prioritization will be provided to applications demonstrating a multi-agency approach.
- Accomplishments and Program Evaluation (20 points)
- Use of racial equity assessment.
- Financials (20 points)
- Performance and Risk Assessments (20 points)
- Program Innovation (30 points)
- Grant Submittal (10 points)

As reflected in the maximum points available, prioritization will be given to applicants with successful experience in administering ESG funding and has a proven capacity to expend funding; Additional consideration will be given to ensure that available funding gets equitably distributed throughout Stanislaus County.

It is anticipated that the Grant Review Panel will request a presentation from all the applicants. Presentations to the Grant Review Panel will be conducted via Zoom. Presentation instructions, including any limits on the number of applicant representatives allowed to participate, will be provided prior to the presentations. Time slots for the presentations will be offered according to the order that applications were initially submitted.

REQUIREMENTS FOR AGENCIES AWARDED FUNDING

Agencies awarded CA-ESG CV2 funding must follow these program requirements:

Pre-Award Workshop: Agencies will be required to attend a pre-award workshop to assist them in compliance with program regulations and requirements. Agencies will be instructed on how to submit reports and Request for Funds (RFFs) forms to the AE.

Documents Needed: Funded agencies will be required to execute an Agreement with the AE and provide the required insurance certificates and endorsements prior to the signing of an Agreement. Agencies are required to provide a copy of its Personnel Policies, Affirmative Action Plan, Drug-Free Workplace Policy, and other required documents before entering into an Agreement to ensure compliance with HCD.

Reporting and Records: The AE, HUD, and/or HCD shall have access to program records. Agencies will be required to obtain and provide individual client data including, but not limited to: ethnicity, income, disability, race, female head of household, clients 62 years and older and accomplishment data. Quarterly and year-end performance reports are required. Grant files and individual client files must be maintained for a minimum of four (4) years after the program has ended.

Request for Funds Form: Reimbursement submittals will be required on a monthly basis. A Request for Funds (RFF) form that includes a Detailed Expense Report Attachment will be provided by the AE for reimbursement submittals. Funds are provided on a reimbursement basis and supporting documentation must be approved by AE prior to payment.

Monitoring and Technical Assistance: The program will be monitored by the AE for compliance with AE, HCD, and/or HUD requirements and regulations. HCD and/or HUD may also monitor the program for compliance. Program requirements including performance, accomplishments, eligibility, and expenditures will be included in monitoring desk and site reviews. The AE will provide technical assistance as needed,

or requested, to assist with the project progress and success. If the agency is not following the program requirements and regulations, funding may be terminated, and funding reimbursement required.

Budget: The budget information must detail the "Total Requested Amount" of the grant proposal. Agencies will be required to adhere to the approved application budget line item amounts when requesting funds. Applicants must develop a budget that is feasible and give the agency flexibility in program expenditures.

Fiscal Management: Agencies must comply with federal uniform administrative requirements regarding fiscal management including: financial reporting, record keeping, accounting systems, payment procedures, procurement of goods and services, conflict of interest, and audit requirements. Non-profit organizations must administer programs in compliance with OMB Uniform Guidance set forth in 2 CFR Part 200.

Costs must be necessary and reasonable for proper and efficient performance and administration of the grant. Costs must be adequately documented.

Eligible Expenses Include but Are Not Limited to: Funds may be used to pay for labor, supplies, and materials as well as to operate and/or maintain the portion of a facility in which the public service is being provided. This includes the lease of a facility, equipment, and other property needed for the public service. Costs incurred for telephone services, local and long-distance telephone calls, postage, messenger, electronic or computer transmittal services and the like are allowable.

• <u>Salaries:</u> Salary and fringe benefits (fringe is limited to 20% of total salary costs) in the form of regular compensation paid to employees during periods of authorized absences from the job, such as vacation leave, sick leave, military leave, and the like, are allowable, provided such costs are absorbed by all agency activities in proportion to the relative amount of time or effort actually devoted to each. Time sheets will be required to document expenses for staff and allowable time should be adjusted by the staff percentages of time allocated on the project as listed in the application. Paid Time-off (PTO), Overtime, and Bonuses are NOT allowable expenses.

Ineligible Expenses Include but Are Not Limited to: Funds may not be used to pay for food/meals for staff, fund raising, entertainment, alcoholic beverages, deposits on equipment, incentives to clients (e.g., gift cards, raffle prizes, holiday gifts, prizes for social activities), and late fees or penalties. Below are some examples of ineligible expenses, taken from HCD Guidelines:

- **Promotion of Agency:** Costs of advertising and public relations designed solely to promote the non-profit agency including costs of promotional items and memorabilia, including models, gifts, and souvenirs, are not allowed.
- <u>Contributions or Donations</u>: Contributions or donations, including cash, property, and services, made by the agency, regardless of the recipient, are unallowable.
- <u>Entertainment Costs</u>: Costs of entertainment, including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities) are unallowable.
- **<u>Fundraising</u>**: Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred solely to raise capital or obtain contributions, are unallowable.
- <u>Goods or Services for Personal Use</u>: Costs of goods or services for personal use of the organization's employees are unallowable.

Indirect Costs: Pursuant to OMB requirements, non-profit organizations receiving CA-ESG CV2 funds may charge an indirect cost allocation to their grant. The indirect cost allocation may not exceed 10% of the

allowable direct costs under the program activity unless a higher list for the indirect cost allocation has been approved by the applicable federal agency pursuant to OMB requirements.

HMIS: Participation in HMIS is required and shall comply with the following HMIS Reporting Deadlines:

Report Submission Period	Due Date
CA-EGG CV2 Agreement start to September 30, 2020	October 30, 2020
October 1, 2020 to December 31, 2020	January 30, 2021
January 1, 2021 to March 31, 2021	April 30, 2021
April 1, 2021 to June 30, 2021	July 30, 2021
July 1, 2021 to September 30, 2021	October 30, 2021
October 1, 2021 to December 31, 2021	January 30, 2022
January 1, 2022 to March 31, 2022	April 30, 2022
April 1, 2022 to June 30, 2022	July 30, 2022
July 1, 2022 to September 30, 2022	October 30, 2022

HMIS CARES Reporting Deadlines

APPLICANTS ARE ALSO REQUIRED TO MEET THE FOLLOWING PROGRAM REQUIREMENTS

Site Control: Agency must provide proof of site control of location(s) where they will be providing services.

Memorandum of Understanding (MOU): An MOU must be provided within 60 days of an Agency being awarded CA-ESG CV funds for any contracting out for direct services that are being funded. The MOU must state the roles and responsibilities of the agencies. A signed copy must be provided to the AE before any reimbursement of funds are released.

Termination of Assistance Procedures: Agency must provide a copy of its Termination Procedures. An awarded agency is required to establish a formal process for the termination of assistance to a client This process must recognize the client's right to an appeal.

Case Management: Agency must provide evidence that they have appropriate staffing and that direct case management services are provided to clients in order to be able to receive reimbursement for case management staff salaries. A housing plan that includes budgeting is required to be included in a client's file along with all other required program documentation.

Centralized or Coordinated Assessment System: Awarded agencies are required to use a centralized or coordinated assessment system, as required by HUD and/or HCD, to assess the eligibility and needs of each individual or family who seeks homeless assistance or homelessness prevention assistance.

Client Data: The agency is required to obtain, update, and maintain individual client files documenting program eligibility and statistical data including, but not limited to, income eligibility verification, U.S. Census Bureau race and ethnicity breakdowns, disability, female head of household, and clients 62 years of age and older.

EQUAL ACCESS TO HOUSING REGARDLESS OF SEXUAL ORIENTATION OR GENDER IDENTITY

On February 3, 2012, HUD published a final rule in the Federal Register entitled, "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity". This rule became effective March 5, 2012 and was amended in September 2016 with 24 CFR 5.106. The rule provides a regulatory provision

that prohibits considering a person's marital status, sexual orientation, or gender identity in making homeless housing assistance available. Refer to: <u>https://www.hudexchange.info/resource/1991/equalaccess-to-housing-final-rule/</u> for more information.

Gender identity is defined as the gender with which a person identifies, regardless of the sex assigned to that person at birth and regardless of the person's perceived gender identity. Perceived gender identity means the gender with which a person is perceived to identify based on that person's appearance, behavior, expression, other gender related characteristics, or sex assigned to the individual at birth or identified in documents. Awarded agencies are required to establish equal access on gender identity policies (in line with federal rules and the requirements in this document) for:

Program Admissions

- 1. Occupancy
- 2. Operating policies and procedures (including privacy and security policies)

Specifically, ESG Funded Activities Are Required To:

- 1. Make housing available without regard to actual or perceived sexual orientation, gender identity, or marital status.
- 2. Equal access to facilities, buildings, benefits, accommodations, and services to individuals in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family.
- 3. Prohibit any requirements for individuals to prove gender identity (including documentation, identification, intrusive questioning on person's anatomy or medical history, etc.
- 4. Prohibit consideration of a participant or potential participant's entry into a program because his or her appearance or behavior does not conform to gender stereotypes.
- 5. Prohibit any segregation of transgender participants (e.g. transgender- only shelter or space), unless the transgender participant requests an accommodation (like a more private space) and the facility can accommodate the request.
- 6. Base discharges, service restrictions, and warnings following any incidents involving transgender participants ONLY on the individual's behavior, not gender identity.
- 7. Have a zero tolerance for harassment of transgender residents:
 - a. Staff shall recognize that harassment based on gender identity is discriminatory behavior and will be treated as such.
 - b. All unacceptable behavior including, but not limited to harassment, abuse, assault, discrimination, intimidation, threats, violence and many other forms against transgender residents will be dealt with based on the program's behavior policies. Due to the high incidence of harassment of transgender people, concerns about the safety of a transgender resident will be taken with utmost seriousness.
- 8. Permit any participants expressing concern to use bathrooms and dressing areas at a separate time from others in the facility.
- 9. Work (to the extent feasible) with the layout of any shelter facilities to provide for privacy in bathrooms and dressing areas.

- 10. Ensure that policies do not isolate, or segregate participants based upon gender identity.
- 11. Take reasonable steps to address any safety or privacy concerns expressed by participants. This may include:
 - a. Responding to the requests of the participant expressing concern through the addition of a privacy partition or curtain.
 - b. Provision to use a nearby private restroom or office.
 - c. Separate changing schedule.
- 12. Provide staff (including full-time, part-time and volunteer) and contractors with ongoing training on the rules in this document and the needs, concerns, and realities of transgender people seeking services.
- 13. Best practices suggest that when the subrecipient is uncertain of the participant's sex or gender identity, the subrecipient simply informs the participant or potential participant that the subrecipient provides shelter based on the gender with which the individual identifies.
- 14. There are some resources available to subrecipients on implementing the Equal Access Rule, including:
 - a. Equal Access for Transgender People: Supporting Inclusive Housing and Shelters
 - b. Equal Access Self-Assessment for Shelters and Projects
 - c. Equal Access Expectation: Training Scenarios for Use with Project Staff

Involuntary Family Separation:

If a HUD-assisted shelter serves any families with children, it must serve all types of families with children. The definition of family under the Equal Access Rule at 24 CFR 5.403 applies to ESG, which does not limit a "family" to women with children. Additional guidance on the definition of 'family' and how it applies to subrecipients of ESG and CoC Program funds may be reviewed in the CoC FAQ 1529: https://www.hudexchange.info/news/hud-releases-new-faqs-on-the-coc-program-and-the-applicability-ofe2809cfamilye2809d-in-equal-access-rule-on-recipients-of-esg-and-coc-program-funding/.

In addition, the "involuntary family separation" requirement found in Section 576.102(b) of the ESG Program interim rule applies to all shelters that receive ESG Program funding. This section of the interim rule requires that "the age of a child under 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses ESG funding or services and provides shelter to families with children under the age of 18." The intent of the involuntary family separation provision in the ESG interim rule is to allow families with children to remain in shelter together if they choose.

Together, these policies prohibit HUD-assisted emergency shelters that serve any children from denying assistance to or separating members of a family with children, based on gender or age. Just as a shelter cannot separate teenage boys from their families, it cannot separate out or deny assistance to adult men that present as a part of the family (e.g. fathers, uncles, the mother's boyfriend, etc.) since that has the end result of separating children from members of the family. Although we recognize that this may bring challenges, this is the law.

Accommodating Families: If a HUD-assisted shelter has private rooms in which a family can stay together, then the family must be able to stay in a room together if they choose. In all cases (whether or not it's a congregate-style shelter), all families must be treated the same. For example:

- 1. If the standard practice is to put down mats in a conference room for everyone who is considered "overflow" (beyond the capacity of the shelter beds), then it can shelter a family together in that space.
- 2. If the standard practice is to place a family in its own room, it would be acceptable to leave a bed empty to accommodate the family, (e.g. a family of four could stay in a unit with 5 beds, and the fifth bed could be open). In this example, HUD would not expect a subrecipient to fill the 5th bed with an individual that is not a member of the family, so long as the subrecipient documented the reasons for having open beds.

Single Sex Shelters:

HUD-assisted single-sex shelter is acceptable only under limited conditions in which the facilities meet both of the following requirements:

- 1. The shelter must be for individuals only. A shelter that accepts families with children cannot be single sex. An example of this might be a shelter that serves single women only (women not in families, without children under 18), and
- 2. The shelter must not be considered a "dwelling unit" and it must consist of a single structure with shared bedrooms or bathing facilities. This policy, which applies to ESG, is stated most clearly in the CoC interim rule, at section 578.93: "The housing may be limited to one sex where such housing consists of a single structure with shared bedrooms or bathing facilities such that the considerations of personal privacy and the physical limitations of the configuration of the housing make it appropriate for the housing to be limited to one sex."

If the facility is not permitted under the HUD standards to operate as single sex, then the project must serve people of any gender who are eligible. That means that a facility serving any families with children must serve all families with children and may not discriminate against specific families because of the gender of the head of household or child(ren).

ELIGIBLE ACTIVITIES AND COSTS

The following are the federal HUD regulations applicable to Street Outreach-Homeless Engagement, Emergency Shelter (Operations, Services, Temporary Shelter, Rehabilitation, or Conversion of Existing structures), HMIS and Rapid Re-housing, and their activities covered under this NOFA:

STREET OUTREACH-HOMELESS ENGAGEMENT COMPONENT

Eligible Costs: ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered <u>homeless</u> people; connect them with <u>emergency shelter</u>, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term "unsheltered homeless people" means individuals and families who qualify as homeless under paragraph (1)(i) of the "homeless" definition under § 576.2. The eligible costs and requirements for essential services consist of:

1) Engagement – The costs of activities to locate, identify, and build relationships with unsheltered homeless people and engage them for providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs. These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent

supportive housing, and rapid re-housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

2) Case Management – The cost of assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under § 576.400(d); conducting the initial evaluation required under § 576.400(d); conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining federal, state, and local benefits; monitoring and evaluating program participant progress; providing information and referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability.

3) Emergency Health Services:

- a. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living;
- b. ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area; and
- c. Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.

4) Emergency Mental Health Services:

- a. Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions operating in community-based settings, including streets, parks, and other places where unsheltered people are living;
- b. ESG funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community;
- c. Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems to bring about positive resolution of the problem or improved individual or family functioning or circumstances; and
- d. Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.

5) Transportation – The transportation costs of travel by outreach workers, social workers, medical professionals, or other service providers are eligible, provided that this travel takes place during the provision of services eligible under this section. The costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible. These costs include the following:

- a. The cost of a program participant's travel on public transportation;
- b. If service workers use their own vehicles, mileage allowance for service workers to visit program participants;
- c. The cost of purchasing or leasing a vehicle for the <u>recipient</u> or <u>subrecipient</u> in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes and maintenance for the vehicle; and
- d. The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.

6) Services for Special Populations – ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or

stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

7) Minimum Period of Use – The recipient or subrecipient must provide services to homeless individuals and families for at least the period during which ESG funds are provided.

a. ESG funds cannot be used to replace funds the local government provided for street outreach and emergency shelter services during the immediately preceding 12-month period.

8) Indirect Costs – Expenses for oversight and coordination of proposed program will be limited to 10% of the overall awarded amount.

Applicant may also apply for funds for infectious disease preparedness according to the <u>Eligible ESG Program Costs for Infectious Disease Preparedness</u> Guidance.

STREET OUTREACH QUICK GUIDE

Street Outreach	
Engagement	Addressing urgent physical needs such as: portable bathrooms, portable handwashing stations, portable showers, blankets, boxed meals, water, personal protective equipment (e.g., hand sanitizer, soap, tissue packets, face masks and shields, disposable gloves, sneeze guards); hiring vaccine ambassadors to engage/educate peers about the vaccine.
Case management	Providing referrals to medical care, coordinating and arranging the delivery of needed services, hiring vaccine ambassadors to engage/educate peers about the vaccine.
Emergency health services*	Medication, emergency medical services, medication and follow-up services, coordinating or providing medical treatment. *Services must be provided by licensed medical professionals operating in community-based settings and otherwise inaccessible or unavailable within the community.
Transportation	Train or bus tokens/taxi or rideshare for program participant travel to and from medical care, car or van purchase for transporting participants or staff serving program participants, transporting staff or program participants to/from vaccine events.

Overhead Costs

Overhead costs directly related to carrying out Street Outreach are eligible costs of those program components. For example:

- Case management (SO components): Tablets, phones, hot spots, Wi-Fi boosters to use in:
 - Coordinating services for program participants.
 - Collecting vaccine-related data in Homeless Management Information System (HMIS) to assist program participants with following up on the second dose of the COVID-19 vaccination.

Emergency health services (SO component): Renting spaces for vaccine events, mobile outreach vans and staff to support vaccine distribution, PPE and supplies at vaccine events.

EMERGENCY SHELTER: REHABILITATION, RENOVATION, OR EXPANSION; MOTEL/HOTEL, AND OTHER PROPERPTY RENTAL; AND SERVICE AND OPERATIONS

Emergency Shelter:

- **Essential Services** Services provided to individuals and families who are in an emergency shelter. (Services include: case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills, mental health services, substance abuse treatment services, transportation, services for special populations).
- Rehabilitation, Renovation or Expansion Rehabilitating, renovating or expanding existing buildings to be used as an emergency shelter for homeless families and individuals. (Eligible costs include: labor, materials, tools, other costs for renovation, including soft costs, major rehabilitation of an emergency shelter, and conversion of a building into an emergency shelter). These activities shall be subject to the following minimum length of use period, which shall be reflected in a record deed and/or use restriction:

	U.S. D	Dell the Males Car
	Use Requirement	Building Valuation
Major Rehabilitation	10 years*	If rehab costs exceed 75% of the value of the building before rehab
Conversion	10 years*	If rehab costs exceed 75% of the value of the building after rehab
Other Renovation	3 years*	If rehab costs are 75% or less of the value of the

Minimum Length of Use Period:

• **Operations** – Costs to operate and maintain emergency shelters and to provide other emergency lodging when appropriate. (Eligible Costs include: maintenance, rent, security, fuel, insurance, utilities, food, furnishings, equipment, supplies necessary for the operation of the emergency shelter, and hotel or motel voucher for a family or individual. Hotel or motel vouchers are only eligible when no appropriate emergency shelter is available.

Temporary Emergency Shelter (TES): TES means any building or portion of a building, which is used for a limited period of time because of a crisis, such as a public health emergency, to provide shelter for individuals and families displaced from their normal place of residence or sheltered or unsheltered locations. For purposes of this NOFA, permitted TES shall include:

building before rehab

- Everything listed above under "Emergency Shelter"; and
- Leasing of existing real property (hotel, motel or other property) to be used as TES.

Requirements:

- TES funds are not subject to the habitability standards, shelter standards, or environmental review requirements that otherwise apply to the use of ESG funds only if the shelters have been determined by State or local health officials to be necessary to prevent, prepare for, and respond to coronavirus.
- TES shall not be subject to the minimum periods of use requirements listed above, unless rehabilitation or renovation are required; and
- Funds used to support TES must be used by January 31, 2022.

EMERGENCY SHELTER QUICK GUIDE

Emergency Shelter an	d Temporary Emergency Shelter
Operations	
	Cleaning supplies such as bleach, disinfectant wipes, scrubbers, mops
Supplies	Protective equipment such as face masks and shields, disposable gloves, sneeze guards for staff and program participants (including supplies for vaccination events)
	Bed linens, towels, hand sanitizer, soap, tissue packets
Food	Individually boxed meals, water, snacks
Furnishings	Cots, room dividers (to provide privacy during vaccination)
Equipment	Washers, dryers, portable handwashing stations, portable showers, ventilation systems (e.g., high-efficiency particulate air [HEPA] filters and air purifiers)
Essential Services	
Case management	Hiring vaccine ambassadors to engage/educate peers about the vaccine
Outpatient health services*	Medication, emergency medical services, medication and follow-up services, coordinating or providing medical treatment, renting space for a vaccination event *Services must be provided by licensed medical professionals and otherwise inaccessible or unavailable within the community."
Transportation	Train or bus tokens/taxi or rideshare for program participant travel to and from medical care, car or van purchase for transporting participants or staff serving program participants, passenger vehicle or bus rental/lease to transport staff or program participants to/from vaccination events

REHABILITATION, RENOVATION, OR EXPANSION PROJECT REQUIREMENTS

All projects that request funds for rehabilitation or conversion of a building must also comply with the following requirements.

• Proof of Site Control.

Proof of site control in the form of a deed, purchase contract or an option should be submitted if improvements are to be made to a building owned by or to be purchased by the applicant. The

expiration date of the contract or option must be included. Applications that propose improvements to a leased facility must include a copy of a long-term lease.

• Site Information, present zoning and adjoining land uses.

Site information must include a complete legal description of the property. The adjoining land uses must also be described. The present zoning of the property must be indicated. Land use entitlement must be in place prior to submitting application.

• Construction Estimates.

The proposed construction costs should be based on estimates made by a contractor, engineer, or architect familiar with the project. AE Staff will review these for feasibility.

• Design of Improvements.

Shelter improvements must be designed by a licensed architect who will also play an integral part in the public bidding of the project, ensure compliance with all applicable codes and zoning ordinances (including handicapped accessibility), and oversee construction and verify draw requests.

• Competitive Selection of Architects, Engineers and Construction Contractors.

All ESG-funded contracts for architectural and engineering services and construction must be awarded in a competitive manner. Methods of bidding and contract award may vary with the approval of the AE Staff.

• Treatment of Existing Lead-Based Paint and Asbestos.

Elimination or encapsulation of lead-based paint and asbestos in a shelter may be required under certain conditions. Construction estimates should include these costs. Additionally, costs should include a survey of existing lead-based paint and asbestos to be performed prior to construction by qualified entities.

• Displacement of Residents or Businesses.

No projects will be funded that result in the displacement of individuals, families or businesses from the site proposed for a shelter.

• Compliance with Federal Historic Preservation guidelines.

If the building to be rehabilitated is a historically significant structure, the construction work must be undertaken in compliance with Federal Preservation guidelines as interpreted by the State Historic Preservation Office. This may require use of specific materials that should be considered in the construction budget.

Environmental Review.

Activities funded under federal programs (ESG) are subject to the environmental review regulations at 24 Code of Federal Regulations part 58. No choice-limiting action pertaining to a specific site proposed to be funded under the federal funding sources listed above may be taken by any party prior to the execution of a funding agreement with the County. Prior to issuing an agreement, the County will complete the required Environmental Review process. Choice-limiting actions are defined by HUD as property acquisition, demolition, movement, rehabilitation, conversion, repair, or construction prior to the environmental clearance. Any violation of this provision will result in the automatic denial of the funding request or de-obligation of federal funds, if awarded.

• Compliance with Local Codes and State laws.

Any shelter renovated or operated with ESG funds must meet all applicable local government codes. These include but are not limited to use and occupancy, zoning, fire and safety, as well as health and sanitation standards. Estimated costs of complying with codes should be included in construction costs. Construction permits are required for renovation. If the shelter requires licensing under local or State law, the agency must obtain and keep proper licensure to receive ESG funds. No exceptions are made.

• Insurance and Bonding Requirements for Construction.

Bidders and Contractors will be required to meet bonding requirements established by HUD.

• Davis-Bacon Wage Rates.

Davis-Bacon Wage Rates do **not** apply to ESG-funded construction.

RAPID RE-HOUSING ACTIVITIES

Rapid Re-Housing: Services that provide housing relocation and stabilization and short- and/or mediumterm rental assistance necessary to move an individual or family who fits under the "homeless" definition into permanent housing; including o Housing Relocation and Stabilization Services

- Medium-term Rental Assistance
- Payment of Rental Arrears

RAPID RE-HOUSING REFERENCE GUIDE

Но	using Relocation and Stabilization Services (24CFR §576.105)
	(a) Financial Assistance
Rental Application Fees	Application fees that are charged by the owner to all applicants
Security Deposits	Equal to no more than 2 months' rent
Last Month's Rent	 Paid to the owner of housing at the time security deposit and first month's rent if necessary, to obtain housing (Is counted toward the 24 months of assistance in 3 years)
Moving Costs	• Funds may be used for reasonable moving costs, such as truck rental, hiring a moving company, or temporary storage fees for a maximum of 3 months after the participant begins to receive services but before they move into permanent housing. Arrearages are not eligible
Utility Deposits	 Standard utility deposit required by the utility company for all customers (i.e. gas, electric, water/sewage)
Utility Payments	 Up to 24 months of utility payments per participant, per service (i.e. gas, electric, water/sewage), including up to 6 months of arrearages, per service
	(b) Services Costs
Housing Search and Placement	 Assessment of housing barriers, needs and preferences Development of an action plan for locating housing Housing search and outreach to, and negotiation with owner Assistance with submitting rental applications and understanding leases Assessment of housing for compliance with ESG requirements for habitability, lead based paint, and rent reasonableness Assistance with obtaining utilities and making moving arrangements Tenant counseling

Housing Stability Case Management	 Assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability. Using the centralized or coordinated assessment system to conduct the initial evaluation and re-evaluation Counseling Developing, securing and coordinating services including Federal, state, and local benefits Monitoring and evaluating program participant progress Providing information and referrals to other providers Developing an individualized housing and service plan Assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing
Landlord Incentives	To add the eligible cost of paying for landlord incentives as reasonable and necessary to obtain housing for individuals and families experiencing homelessness and at risk of homelessness. Amount of the incentive provided cannot be more than three times the monthly rent charged for the unit.
Hazard Pay	For staff working directly to prevent, prepare and respond to coronavirus among persons who are homeless or at-risk of homelessness.

Mediation	Mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which they currently reside. • Time and/or services associated with mediation activities
Legal Services	 Legal services are limited to those services necessary to help participants obtain housing or keep them from losing housing where they currently reside. Hourly fees for legal advice and representation Fees based on the actual service performed (i.e. fee for service), but only if the cost would be less than the cost of hourly fees. Client intake, preparation of cases for trial, provision of legal advice, representation at hearings and counseling Filing fees and other necessary court costs Subrecipient's employees' salaries and other costs necessary to perform the services if the subrecipient is a legal services provider and performs the services itself. Note: Legal services related to mortgages are not eligible Legal representation and advice may be provided for: Landlord/tenant matters Child support Guardianship Paternity Emancipation Legal separation Resolution of outstanding criminal warrants Orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking. Appeal of veterans and public benefit claim denials

Credit Repair	 Services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. Assistance <u>cannot</u> include the payment or modification of a debt. 	
Requirements and Restrictions for Services	 Participants must be assisted as needed, in obtaining: <u>Appropriate supportive services</u> like medical or mental health treatment or services essential for independent living. <u>Mainstream benefits</u> like Medicaid, SSI, or TANF 	
SI	Short- and Medium-Term Rental Assistance (24CFR § 576.106)	
Types of Rental Assistance	Length of Assistance	
Short Term Rental Assistance	Up to 3 Months	
Medium Term Rental Assistance	Up to 12 Months	
Payment of Rental Arrears	One-time payment up to 6 months, including any late fees on those arrears	

Homeless Management Information Systems (HMIS)

Participation in HMIS is required for the CA-ESG programs for date entry only. HMIS eligible expenses include:

then six months of additional assistance may be provided.

- o Salaries for operating HMIS
- Reporting
- Training

Assistance

- Technical Support
- Participation Fees/Software
- Recipients and third-party contractors that use comparable databases: Victim thirdparty contractors and legal third-party contractors may use ESG funds to pay the costs of establishing and operating a comparable database.

ESG CV ADDITIONAL COSTS QUICK GUIDE

Expanded Staffing and Training

- Training staff on COVID-19 vaccine planning and distribution strategies.
- Hiring additional staff to support ESG-funded projects' infectious disease preparedness.
- Providing incentives to volunteers who have been and are currently helping to provide necessary Street Outreach during the coronavirus outbreak.
- Providing training on infectious disease prevention and mitigation for staff working directly to prevent, prepare for, and respond to coronavirus among individuals experiencing unsheltered homelessness.
- Providing hazard pay for recipient and subrecipient staff working directly to prevent, prepare for, and
 respond to coronavirus among individuals experiencing unsheltered homelessness. This includes
 hazard pay for vaccine ambassadors.
- Paying subject matter experts such as race equity partners to design an engagement strategy for Black, Indigenous, and people of color to increase vaccine confidence for people in shelters or unsheltered populations.
- Purchasing hotel rooms for staff or program participants who may be experiencing side effects from first or second doses.

For a complete list of eligible expenses view the <u>U.S. Department of Housing and Community Development</u> California Emergency Solutions Grants Program (ESG) Eligible Expense Guide.

For a complete list of Waivers and Alternative Requirements for the Emergency Solutions Grants (ESG) Program Under the CARES Act view the <u>https://www.hud.gov/sites/dfiles/OCHCO/documents/20-08cpdn.pdf</u>

APPLICATION REMINDERS

Co-Applicants: If an applicant is going to submit an application for a program that is going to be implemented by a co-applicant, the program or activity must be reflected within the overall financial management reports for the lead applicant at the time of monitoring. It must be clearly stated in the application who is the lead applicant and a Memorandum of Understanding (MOU) must be in place defining the roles and responsibilities of each agency prior to the release of the first request for reimbursement. A copy of the MOU must be provided to the AE upon request. If awarded, the lead applicant will be responsible for all costs incurred by the program and reporting requirements. Lead applicant, including the co-applicant and any other sub-grantees will be limited to 10% of the ESG-CV funds awarded in the grant application for Indirect Costs for any type of administrative costs.

APPLICATION SUBMISSION

All applicants must register through the County's Neighborly Software portal. Upon registration in the online grant system, a username and password will be created. The link to access the County's portal will be provided upon registration for the Grant Technical Assistance Meeting. The Neighborly Software portal automatically saves work and applicants may log off and log in at any time to continue working on their applications. Applicants must click "Submit" before the Friday, May 21, 2020 4 p.m. deadline to submit applications for review.

Note that the successful submission of an application in the Neighborly Software portal is not a formal acceptance of the application as complete and incomplete applications will be rejected by the AE. Please

ensure that all questions are answered, and all applicable fields are completed. Also ensure that all required documents have been uploaded.

The AE will review applications for basic eligibility, application completeness, and level of environmental review. All sections of the application must be completed, or the application will be considered incomplete. Any missing required documentation will render the application incomplete and it will not be considered for funding.

LATE OR INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

APPLICATION SUBMITTAL DEADLINE

Applications shall be submitted in the Neighborly Software portal no later than 4:00 p.m. on Friday, May 21, 2021. Basic instruction in registration and use of the Neighborly Software will be provided at the Grant Technical Assistance Meeting.

GRANT TECHNICAL ASSISTANCE

The AE will host a grant technical assistance meeting on grant funding basics and program guidelines for CA-ESG CV2 applications on Tuesday, May 18, 2021 10:00 a.m. The technical assistance will include important information on how to access the Neighborly Software portal and a representative of Neighborly Software will be available to assist in providing technical assistance. Attendance by at least one representative from each applicant organization is mandatory and will ensure all potential applicants receive critical technical assistance about the Neighborly Software portal and the CA-ESG CV2 program before an agency invests the time and resources necessary to apply.

If you have any questions or concerns, please contact the AE at: planning@stancounty.com or call 209-525-6330.

Late Applications: Late applications will not be accepted. Any applications received after the Friday, May 21, 2021 4 p.m. deadline will not be considered for funding.