Sonoma County Continuum of Care Board
Agenda Report

Item No: 1 (Consent Calendar)

Subject: February 22, 2023 CoC Board Meeting Agenda

Meeting Date: February 22, 2023

Staff Contact: Alea Tantarelli, Alea.Tantarelli@Sonoma-County.org

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SUMMARY

This staff report presents the February 22, 2023 CoC Board Meeting proposed agenda. The agenda contains all proposed items that will be discussed by the CoC Board. The proposed agenda is attached as Attachment A.

RECOMMENDED ACTION(S)

Approve February 22, 2023 agenda.

Sonoma County Continuum of Care (CoC) Board
Agenda for February 22, 2023
1:00pm-5:00pm Pacific Time

Public Zoom Link:

https://sonomacounty.zoom.us/j/99261791880?pwd=djc0b1ZsU1FpOU1kbnJ0UDNOcUhFQT09

Phone: 1 (669) 900-9128 **Webinar ID**: 992 6179 1880 **Passcode:** 650935

	Agenda Item	**Packet Item**	**Presenter**	**Time**
	Welcome, Roll Call and Introductions		Board Chair	1:00pm
	Note: Items 1-3 below are proposed for adoption via one motion as the Consent Calendar.	N/A		
1.	2/22/23 Agenda *(Consent Calendar)*	Draft Agenda	Staff	1:05pm
2.	Minutes from 1/25/23 *(Consent Calendar)*	Draft Minutes	Staff	
3.	Summary of Follow-ups from the Previous Meeting(s) – *(Consent Calendar)*	Summary of Follow-ups	Staff	
4.	Reports from Lead Agency Staff • Packet and Video Posting • Update on Community Housing Connectors Program • Update on local homelessness services Notice of Funding Availability (NOFA) • Dry Creek Rancheria's Community Wellness Center Project Letter of Support Potential ACTION ITEM	Staff Report for Reports from Lead Agency	Staff	1:20pm
5.	Built for Zero Status Report Potential ACTION ITEM	Built for Zero Status Report	Staff	1:50pm
6.	Service Provider Roundtable (SPR) Update Potential ACTION ITEM		Margaret Sluyk	2:05pm
7.	Word from the Street Potential ACTION ITEM		Chessy Etheridge	2:15pm

8.	Community Development Block Grant Corona Virus (CDBG-CV), Emergency Solutions Grant (ESG), and/or Low and Moderate-Income Housing Asset Fund (LMIHAF) Notice of Funding Availability ACTION ITEM: Approve funding recommendation	Staff Report for Community Development Block Grant	Veronica Ortiz-De Anda & Valerie Johnson	2:25pm
9.	In-Person Meetings and Changes to Teleconferencing Rules ACTION ITEM: Approve staff recommendation	Staff Report for In-Person Meetings and Changes to Teleconferencing Rules	Staff	2:50pm
10.	10-minute break			3:05pm
11.	CoC Governance Charter Revisions Recommendations ACTION ITEM	Staff Report for CoC Governance Charter Revisions	Staff	3:15pm
12.	Reports from Standing Committees: • Funding & Evaluation Committee • Coordinated Entry Advisory (CEA) Committee ACTION ITEM: Approve updates to CE policies and procedures ACTION ITEM: Approve updates to rapid rehousing, permanent supportive housing, and emergency shelter standards • Strategic Plan Committee ACTION ITEM: Approve recommendation as future direction for the CoC Strategic Planning Committee • Homeless Management Information System (HMIS)/Data Committee • Lived Experience Advisory & Planning Board (LEAP) • Youth Action Board Potential ACTION ITEM	-Staff Report for CE Committee -Staff Report for Strategic Planning Committee	Committee Representatives	3:45pm
13.	Review Agenda for Next CoC Board Meeting • Report back on housing voucher public comment recommendation • Measure O Notice of Funding Availability Responses • Encampment Resolution Fund (ERF) Update • April Quarterly Membership Meeting Agenda • Community Assistance, Recovery and Empowerment (CARE) Court Update	Staff Report for DRAFT Agenda for 3/22/23	Board Chair	4:30pm

	Potential ACTION ITEM			
14.	Board Member Questions & Comments Potential ACTION ITEM		Board Chair	4:50pm
15.	Public Comment on Non-Agendized Items		Board Chair	4:55pm

PUBLIC COMMENT:

Public Comment may be made via email or during the live zoom meeting. To submit an emailed public comment to the Board email Araceli.Rivera@sonoma-county.org . Please provide your name, the agenda number(s) on which you wish to speak, and your comment. These comments will be emailed to all Board members. Public comment during the meeting can be made live by joining the Zoom meeting using the above provided information. Available time for comments is determined by the Board Chair based on agenda scheduling demands and total number of speakers.

Sonoma County Continuum of Care Board
Agenda Report

Item No: 2 (Consent Calendar)

Subject: Meeting Minutes 1/25/2023

Meeting Date: 2/22/2023

Staff Contact: Araceli Rivera, Homeless Project Specialist, Araceli.Rivera@sonoma-county.org

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SUMMARY

This staff report briefly summarizes the January 25th, 2023, CoC Board Meeting Minutes. The attached meeting minutes contain all items discussed by the Continuum of Care Board at the January, 25th, 2023, CoC Board Meeting.

RECOMMENDED ACTION(S)

Approve CoC Board Meeting Minutes from January, 25th, 2023.

Sonoma County Continuum of Care Board Meeting
Meeting Minutes
<u>Attachment A</u>
Wednesday, January 25, 2023
1:00 – 5:00 p.m. Pacific Time – Meeting held by Zoom

Recording of Meeting:
https://youtu.be/ZqKg-jiLg4I

Welcome and Roll Call (06:00: - 00:18:33)
- Jennielynn Holmes called meeting to order reported she will be facilitating meeting until a new Board Chair and Vice Chair are selected. Meeting called to order at 1:00 p.m. Meeting facilitator went over the Zoom rules around public comment and Brown Act guidelines, also thanked all the Board members that served in 2022. Welcome and introductions were done.
  - *Present: Natalie Rogers, City of Santa Rosa; Dennis Pocekay, City of Petaluma; Chris Coursey, BOS County of Sonoma; Martha Cheever, Sonoma County CDC; Margaret Sluyk, Reach for Home; Jack Ding, City of Sonoma; Una Glass, City of Sebastopol; Jackie Elward, City of Rohnert Park proxy Laura Sparks to join at 3:30pm; Jennielynn Holmes, Catholic Charities Diocese of Santa Rosa; Mark Krug, Burbank Housing; Ben Leroi, Santa Rosa Community Health; Chessy Etheridge; Danielle Danforth, West County Community Services; Don Schwartz, proxy Emily Quig to join at 4:00pm City of Rohnert Park; Chris Keys. Redwood Gospel Mission; Kathleen Pozzi.*

  - *Absent: Cheyenne McConnell*

  A quorum was present.

1. **Approval of Consent Calendar (00:18:34 – 00:22:58)** Jennielynn Holmes went over purpose of consent calendar and agenda**.**

   Public Comment: Gerry La Londe-Berg

   Dennis Pocekay moved to approve Consent Calendar; seconded by Una Glass.

   Ayes: Ben Leroi, Jennielynn Holmes, Natalie Rogers, Dennis Pocekay, Chris Coursey, Margaret Sluyk, Chris Keys, Kathleen Pozzi, Martha Cheever, Chessy Etheridge, Una Glass, Don Schwartz, Jackie Elward, Mark Krug, Jack Ding, Dannielle Danforth
   Noes: None
   Abstain: None
   Absent: Cheyenne McConnell

   The motion passed.

2. **Reports from Lead Agency Staff (00:23:10 – 01:11:13)**
    - Dave Kiff shared update on recent move from CDC to DHS. The new Division includes IMDT, HEART and The Ending Homelessness Team. Teams are in new building, located on Neotomas.
    - Thai Hilton reported that he has been doing outreach to providers around CalAIM's new intervention that is coming to our community.
    - Martha Cheever shared that The Sonoma County Housing Authority (SCHA) is in the process of updating its Administrative Plan and its Annual Plan for Fiscal Year 2023-24. Updates to the plan include proposals for preference for individual experiencing homelessness, a new limited preference for households experiencing chronic homelessness and changes to project based voucher program.

    Public Comment: Gerry La Londe-Berg, Teddie Pierce, Gregory Fearon, Lynn Scuri

    Jennielynn Holmes moved approve two volunteers from the CoC board work with staff and bring back a cohesive version of proposals on vouchers in SCHA Administrative Plan.

    Ayes: Ben Leroi, Jennielynn Holmes, Natalie Rogers, Dennis Pocekay, Chris Coursey, Margaret Sluyk, Chris Keys, Kathleen Pozzi, Martha Cheever, Chessy Etheridge, Una Glass, Don Schwartz, Jackie Elward, Mark Krug, Jack Ding, Dannielle Danforth,
    Noes: None
    Abstain: None
    Absent: Cheyenne McConnell
    The motion passed

3. **Service Provider Roundtable (SPR) Update (01:11:14 – 01:16:01)**
    Margaret Sluyk reported SPR group spoke about Measure O funding & NOFA's, how to collaborate, coordinated and support when possible. Reported SPR group also spoke about needing flexible funding and data.

    Public Comment: Hunter Scott

4. **Word from the Street (01:16:07 – 01:22:01)**
    Chessy Etheridge reported on recent sweeps and encampment on Joe Rodota Trail, how sweep may impact trust and people reaching out for help and impact on PIT count scheduled for Friday 1/27. To close report out a homeless poem was shared.

    Public Comment: none at this time

5. **Measure O Notice of Funding Availability (NOFA) (01:23:13 – 02:00:47)**
    Dave Kiff gave overview of Notice of Funding Availability (NOFA) for one-time fund balance revenues of $3 million from Measure O's category **four** (Behavioral Health Homeless). Recommendation to release NOFA to go before the Sonoma County Board of Supervisors on Jan 31, 2023. Board Members provided comments/feedback on proposed 2023 Measure O NOFA.
    Public Comment: Gregory Fearon, Gerry La Londe-Berg

6. What to Expect in 2023? (02:01:06 – 02:02:49)
Dave Kiff briefly went over the plan to map out what Board members will see during the year – from funding decisions to policy matters. Referred to staff report and welcomed feedback via email as well.

    Public Comment: Teddie Pierce

7. 10-Minute Break (02:03:17 – 02:15:41)

    Meeting resumed; a quorum was present.

8. Homeless Point in Time (PIT) Count 2023: (02:16:30 – 02:32:26)
Karissa White gave overview of the 2023 Homeless Point in Time (PIT) Count that is scheduled for Friday, January 27th from approximately 5:00am-10:00am for adults and approximately 3:00pm- 7:00pm for the youth count. Also shared information on Surveys conducted after PIT Count.

    Public Comment: Oliver Dick, Gerry La Londe-Berg

9. Overview of HUD System Performance Measures: (02:32:27-02:46:17)
Heather Sweet, chair for HMIS Data Committee gave overview on System Performance Measures that are submitted annually to HUD. Charts shared that show 5 years' worth of data for each measure and includes state and national averages for comparison, item 13 on agenda has PowerPoint slides.

    Public Comment: Teddie Pierce, Gerry La Londe-Berg

10. CoC Committees-Next Steps: (02:46:23-03:08:40)
Karissa White gave overview on four standing committees currently meeting and vacancies: Funding & Evaluation Committee, Strategic Planning Committee, Homeless Management Information Systems (HMIS) Data Committee, and Coordinated Entry Advisory Committee. CoC Staff will open committee applications in February 2023.

    Public Comment: Gerry La Londe-Berg, Gregory Fearon, Ludmilla Bade

11. Reports from Standing Committees: (03:08:44-03:31:34)
- **Funding & Evaluation Committee:**
   Teddie Pierce introduced self for new CoC Board members. Reported committee ran first initial evaluation process for 300 thousand of ESG-CV funding, earmarked for RRH. Committee would like to establish an Ad-hoc group, through the funding ad Evaluation Committee to be in contact with CDC Interim Exec. Director.

- **Coordinated Entry Advisory (CEA) Committee:**

Thai Hilton reported currently clients accessing services are asked to sign a release to be enrolled in Coordinated Entry (CE) and a separate release to be enrolled in HMIS. The releases have been combined. The combined release was reviewed and approved by County Counsel, the HMIS committee and the CEA committee.

Public Comment: Gerry La Londe-Berg

Mark Krug moved to approve the combined Coordinated Entry and HMIS Release of Information; seconded by Margaret Sluyk.

Ayes: Jennielynn Holmes, Natalie Rogers, Dennis Pocekay, Chris Coursey, Margaret Sluyk, Chris Keys, Kathleen Pozzi, Martha Cheever, Chessy Etheridge, Una Glass, Emily Quig proxy for Don Schwartz, Mark Krug, Jack Ding, Danielle Danforth,
Noes: None
Abstain: Ben Leroi
Absent: Jackie Elward/Laura Sparks-proxy, Cheyenne McConnell

The motion passed

- **Strategic Plan Committee:** No update at this time. Meeting still set for February 17th.
- **Homeless Information System (HMIS)/Data Committee:** Heather Sweet reported Committee did not meet in January. A doodle poll for February meeting will be going out. Next month HMIS evaluation will be scheduled.
- **Lived Experience Advisory & Planning Board (LEAP):**
  Chessy Etheridge reported committee was accepting applications for LEAP seats, applications closed January 23rd, elections for 2 open seats will be held on 1/27. Chessy Etheridge was re-elected to the Lived Experience seat on COC Board. Committee provided feedback to CE case conferencing and policy design and committee is re-vamping long-term and short-term priorities.
- **Youth Action Board:**
  No update at this time.

  Public Comment- None at this time.

12. Review Agenda for February 22, 2023, Meeting: (03:31:35-03:33:28)
Jennielynn Holmes went over draft agenda for February CoC Board meeting.

- Emily Quig proxy for Don Schwartz, suggested report out be added on the Housing Hero's as informational item.

Public Comment: none at this time

13. Board Chair & Vice Chair Elections: (03:33:29-03:42:11)
Karissa White went over process per CoC Charter on CoC Board Chair and Vice Chair elections.

CoC Board Chair Nomination:
Una Glass moves to nominate Dennis Pocekay for CoC Board Chair, Chessy Etheridge seconds.

Public comment-none at this time

Motion to approve Dennis Pocekay as CoC Board Chair for 2023.

Ayes: Ben Leroi, Jennielynn Holmes, Natalie Rogers, Dennis Pocekay, Chris Coursey, Margaret Sluyk, Chris Keys, Kathleen Pozzi, Martha Cheever, Chessy Etheridge, Una Glass, Emily Quig proxy for Don Schwartz, Mark Krug, Jack Ding, Daniella Danforth,
Noes: None
Abstain: None
Absent: Laura Sparks proxy for Jackie Elward, Cheyenne McConnell
The motion passed

CoC Board Vice Chair Nomination:
Emily Quig proxy for Don Schwartz moves to nominate Jennielynn Holmes for CoC Board Vice Chair; Kathleen Pozzi seconds.

Public comment: None at this time

Motion to approve Jennielynn Holmes as Vice Chair for 2023.

Ayes: Ben Leroi, Jennielynn Holmes, Natalie Rogers, Dennis Pocekay, Chris Coursey, Margaret Sluyk, Chris Keys, Kathleen Pozzi, Martha Cheever, Chessy Etheridge, Una Glass, Emily Quig proxy for Don Schwartz, Mark Krug, Jack Ding, Daniella Danforth.
Noes: None
Abstain: None
Absent: Laura Sparks proxy for Jackie Elward, Cheyenne McConnell
The motion passed

14. **Board Member Questions & Comments: (03:42:21-03:43:00)**
    Jennielynn Holmes went over purpose of board item for new CoC Board members.

15. **Public Comment on Non-Agendized Items: (03:43:01-03:48:13)**

    Teddie Pierce, Gerry La-Londe-Berg, Ludmilla Bade

Meeting was adjourned at 4:43 p.m.

Sonoma County Continuum of Care Board
Agenda Report

Item No: 3 (Consent Calendar)

Subject: Summary of Follow-ups from the Previous Meeting(s)

Meeting Date: February 22, 2023

Staff Contact: Michael Gause, Ending Homelessness Program Manager, Michael.Gause@sonoma-county.org

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Summary

At the previous meeting, CoC Board members and others asked for the Lead Agency staff to follow up on specific items. Staff summarized responses to present at the February 22nd CoC Board meeting.

Recommended Action(s)
No recommended Action

Discussion

A summary of follow-ups from the previous meeting(s). At the previous meeting, CoC Board members and others asked for the Lead Agency staff to follow up on the following questions or comments.

1. Additional information about the voucher programs in Sonoma County:

The Santa Rosa Housing Authority and the Sonoma County Housing Authority are hosting a Voucher 101 informational webinar. Information is shown below.
When: Feb 21, 2023 at 10:30 AM
Topic: Vouchers 101
Webinar link:
https://sonomacounty.zoom.us/j/93412329203?pwd=S2gvM0tUZmVVVmNlRk1kQTFhaStNUT09
Passcode: 286465
Meeting ID: 934 1232 9203
Phone: 1(669)900-9128
This meeting will be recorded for those that are not available to attend.

2. Point in Time (PIT) count update: The 2023 Point in Time Count was held on Friday, January 27th from 5am – 10am across Sonoma County. Over 100 volunteers and guides assisted with

this year's count. Surveys are currently being completed and the full Count Report will be available in the summer of 2023 with preliminary numbers likely available in late Spring/early Summer.

3. Any information on how the decision is made to clear encampments. At the last Board meeting, CoC members asked about how and when a decision is made regarding the clearance of an encampment. Staff is only responding here in regards to the County IMDT/HEART team's actions, and not in regards to how Petaluma, Santa Rosa, Rohnert Park, or Healdsburg might clear a known encampment. Generally, for the County team, the following is taken into consideration (among other things):

- Whether the size, location, and characteristics of the encampment make it a threat to the public's health and safety, including but not limited to members of the public who are residing in the encampment.
- Whether the County teams have been able to conduct outreach and offer services, including (if appropriate) some type of safe housing, to the residents of the encampment.
- Whether residents of the encampment have received adequate notice of the potential clearance of the encampment.

After reviewing the above information with our County team members, the decision is made to clear the encampment after consultation with County Counsel, DHS Director Tina Rivera, and DHS' Homelessness Services Division Director Dave Kiff (i.e. this group of three individuals makes the decision collaboratively).

4. Poem from Chessy Etheridge

CoC Board Member, Chessy Etheridge, shared a touching poem titled *"I'm Only Human – A Poem About Homelessness"* in the last meeting and several board members requested a copy of it. That poem can be found [here](#).

5. Request to get the System Performance Measures (SPM) for just Rapid Re-housing (RRH) programs, specifically SPM2 (returns to homelessness) and SPM 7 (exits to permanent housing).

•SPM 2 (Returns to homelessness): 5% of permanent housing exits from RRH programs return to homelessness within a two-year period.

•SPM 7: (exits to permanent housing) 76% of exits from RRH programs were to permanent housing destinations.

6. CoC Correspondence within Public Comment for the HOME-ARP NOFA. Per the Board's direction, the CoC's Committee on Funding and Evaluation (F&E) met with staff and agreed to

send the following statement to Rhonda Coffman, Interim Executive Director of the Community Development Commission regarding the pending HOME-ARP Notice of Funding Availability:

Tuesday, February 14, 2023

Dear Rhonda –

 Thank you for the opportunity for the Sonoma County Continuum of Care (CoC) to provide formal comment to the Sonoma County Community Development Commission's (SC CDC) Draft HOME-ARP Allocation Plan. As chair and co-chair of the CoC's Funding and Evaluation Committee, we were authorized by the Board on January 25, 2023 to provide input to you and your team.

We appreciate the chance to collaborate further within the Allocation Plan ("Plan") to help address the needs of the unhoused and precariously housed in Sonoma County.

First, we are excited that much of the proposed allocations on Page 22 of the Plan are consistent with the CoC's 2023-2027 Homelessness Strategic Plan, specifically the emphasis on Supportive Services, non-congregate shelter expansion, and the development of more affordable rental housing.   Thank you for that close alignment there.

Our specific comments include:

1.   In the **Development of Affordable Rental Housing** use category, please consider further directing the funds <u>within that category</u> to permanent supportive housing (PSH) as much as possible. If our region is to add 1,000 more PSH units over five years, this funding should be directed towards projects that add more PSH to our local inventories. We recommend that funds allocated here be closely monitored regularly (such as every 18-24 months) for projects that are in the housing pipeline and that have gone through the CD Committee (including to review for readiness). Where a project does not seem viable or ready upon review, we recommend that the funds be reconsidered at that time for reallocation to supportive services or non-congregate shelter if deemed viable.
2.   In the **Supportive Services** use category, we're appreciative of the Plan's affirmation of the need for stronger supportive services. We respectfully suggest that funds within this line item be used to enhance case management and supportive services for any homeless project type that would assist unhoused clients obtain permanent housing (PH), including Rapid Rehousing and PSH. Services should be housing-focused, helping individuals and families attain PH and long-term housing sustainability.

Thank you again for this opportunity for the Continuum of Care to provide public comment on the Allocation Plan.

Sincerely,

Teddie Pierce
Dennis Pocekay
Chair and Vice-Chair of the Funding and Evaluation Committee

Sonoma County Continuum of Care Board
Agenda Report

Item No: 4

Subject: Report from the Lead Agency

1. CoC Board Packet, Video, and Committee Packet Website Posting
2. Update on Community Housing Connectors Program
3. Update on local homelessness services Notice of Funding Availability (NOFA)
4. Dry Creek Rancheria's Community Wellness Center project Letter of Support

Meeting Date: February 22, 2023

Staff Contacts: Dave Kiff, Division Director, Dave.Kiff@sonoma-county.org

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1 – CoC Board Packet, Video and committee Packet Website Posting –

CoC staff currently post the agenda and materials for the CoC Board and its Committees to the CoC's website within 72 hours of a meeting (unless items are sent out later as an addendum or there is a "Special" meeting, which are also posted to the website upon release). This information is sent out widely through our CoC Listserv with attached meeting packets and login information. Anyone can sign up for the CoC Listserv on our website, and currently has just under 600 subscribers. In addition to these postings, the CoC Staff post each video recording of the CoC Board meetings on its website for members of the public who were not able to attend in person.

CoC staff were recently quoted $30,000 by the County of Sonoma's Information Systems Department (ISD) for projected work in 23/24 based on hours billed in previous years. This expense is not accounted for within the CoC's current budgeting. In addition to the cost of ISD, CoC staff spend a significant amount of time preparing meeting materials and videos to post online, which also accounts for a substantial amount of resources. In 2022, the average view for a CoC Board video was three individuals. There are several steps required to remediate each video before posting to the website to ensuring each recording is accessible to those with disabilities; this includes a final review of each video through the Sonoma County ISD team to review closed captioning.

Staff Recommendations:

1. Post the meeting login information and agenda to the CoC website for the committees and the CoC Board (removing the requirement of posting the full packet on the website);

2. Meeting login information, agenda, and meeting packets will be disseminated to the public through the CoC Listserv (this includes the noticing to the listserv of any addendums released after the full packet is noticed);
3. Under each CoC Board/Committee meeting website link, add "materials available upon request" with the staff member to contact for the full meeting packet;
4. All final approved CoC Board meeting minutes will continue to be posted online and accessible to any member of the public, link: https://sonomacounty.ca.gov/development-services/community-development-commission/divisions/homeless-services/continuum-of-care/coc-board/coc-board-meeting-minutes; and
5. Remove the requirement to post each CoC Board meeting video to the website. Language shall be included that informs the public that each recording is available upon request.

2 – Update on Community Housing Connectors Program. The below is from Dot Iriks of the Sonoma County Housing Authority (SCHA):

When was the Housing Location Services project kicked off?
Due to the presence of Emergency Housing Vouchers our local Continuum of Care Service providers had an established meeting where discussions of a Centralized Housing Location models were being discussed in relation to the need of housing the Emergency Housing Voucher recipients. In September 2022 this meeting transitioned into a collaborative Policies and Procedures development work group to plan with our Continuum of Care Partners expensing the ARPA funds. A final draft of these procedures is in review as well as pathways for Continuum of Care agencies to request funds on behalf of homeless rental assistance recipients.

In October we entered into a Housing Search software agreement with Padmission to begin launch of a web based interactive housing search platform that will make it easier for Property Owners to list units with us and to be paired with prospective tenants.

In December 2022 we hired a dedicated Housing Locator who has begun marketing this platform and our Property Owner Partnership Package comprised of Signing Bonuses, Additional Bonuses for reduced screening barriers, Deposit Assistance, Risk Mitigation Fund, and Dedicated Property Owner Phone line.

What was accomplished so far (both from a staff perspective, activities and clients served)
We have an integrated network of Community Providers who have collaborated on best use of community funds and are educated in the purpose of the funds. We have secured a software platform that provides a domain feature that will allow community partners access to unit listing, has enhanced customer relation features for Property Owners, and will allow rental assistance home seekers rapid access to unit listings. Though we are still in development we have communicated to partners to reach out to us if there is a need and to date we have filled 2

Property Owner Risk Mitigation claims thereby preserving the relationship with property owners, Furnished one household, paid 2 Security Deposits (please note that the Housing Authority has paid Deposit assistance for 103 households this fiscal year through other funds).

What next steps are planned?
We are planning our full launch of our Housing Search Software for March 2023.   This will include marketing materials and trainings for Continuum of Care partner agencies who will also be able to utilize the Software to list and seek units and will be able to request ARPA funds on behalf of homeless clients to whom they are providing assistance. By May we will be hosting Property Owner engagement events to further promote the benefits of rental assistance.

3 – Update on local homelessness services Notice of Funding Availability (NOFA)

Lead Agency staff submitted a draft Notice of Funds Availability (NOFA) to the Funding and Evaluation Committee for review and comment for the February 16th F/E Committee meeting. This NOFA includes funds for local projects (existing and new) for the 2023-2024 Fiscal Year. Funds such as HHAP-4, HHIP, and residual funds from FY 22-23 are included in this NOFA with additional local funds to be added when released to the Lead Agency. Upon approval by the F/E Committee, the NOFA will be released in February 2023 with an anticipated due date in March 2023 and approval of projects scheduled for April 2023 by the F/E Committee and CoC Board respectively.

4 – Dry Creek Rancheria's Community Wellness Center project Letter of Support

A letter of support was submitted by for Dry Creek Rancheria's Wellness Center project prior to this Board meeting due to time constraints with approval by the CoC Board Chair. Typically, letters of support come before the CoC Board on the consent calendar. Staff recommends that in the future, the CoC Board Chair/Vice Chair are allowed to sign letters of support for urgent projects that are due prior to Board meetings.

Sonoma County Continuum of Care Board
Agenda Report

Item No: 5. Built for Zero Status Report

Subject: Built for Zero (BFZ) & sub-regionalization of outreach

Meeting Date: February 22, 2023

Staff Contact: Andrew Henning andrew@heningconsulting.com ,Thai Hilton
thai.hilton@sonoma-county.org

SUMMARY

The BFZ improvement team has been making progress with the BFZ initiative. There are now 5 subregions that are hosting regular case conferencing meetings. The improvement team is working on aligning these case conferencing efforts to ensure continuity. This work is to achieve the strategic plan goals 3.6a and 2.5b both of which are lead agency initial 2023 efforts. To help complete these objectives and the objectives of the BFZ initiative, outreach services will need to be reorganized to ensure full geographic coverage and to avoid duplication.

Andrew Henning and staff will provide a presentation which will outline the proposed sub-regionalization strategy for Sonoma County and the by names list case conferencing structure.

RECOMMENDED ACTION(S)

None. Information only

**Sonoma County Continuum of Care Board
Agenda Report**

Item No: 8

Subject: Funding Recommendations for Community Development Block Grant Cares Act (CDBG-CV), HOME Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Low-Moderate Income Housing Asset Fund (LMIHAF)

Meeting Date: February 22, 2023

Staff Contact: Veronica Ortiz-de Anda, Community Development Associate, veronica.ortiz-deanda@sonoma-county.org

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SUMMARY

The Sonoma County Community Development Commission (CDC) published a Notice of Funding Availability (NOFA) on December 7, 2022 to solicit funding applications for eligible CDBG, HOME, ESG, LMIHAF, and CDBG-CV activities. The original application deadline of January 11th was extended to January 25, 2023 due to the activiation of the County's Emergency Operation Center to address the recent storm events. A total of 14 applications proposing activities for homelessness related and rapid rehousing related services were received. The applications have been reviewed by CDC staff for completeness, applicant qualifications, activity eligibility proposed activity under each funding source requirements, and consistency with the funding policies that governs these programs. The Community Development Committee (CD Committee) and Cities and Towns Advisory Committee (CTAC) requested the Continuum of Care Board review and recommend funding of the applications related to homelessness and rapid rehousing related services attached herein, prior to their funding recommendations to the Board of Supervisors.

RECOMMENDED ACTION(S)

1. Review and approve funding recommendations as presented for homelessness related services.

DISCUSSION

BACKGROUND – CONSOLIDATED PLAN AND ANNUAL ACTION PLAN:

The Board of Supervisors approved the Sonoma County 2020 Consolidated Plan on June 2, 2020. The Consolidated Plan is a document required by the United States Department of Housing and Urban Development (HUD) for participating jurisdictions that receive annual allocations of CDBG, HOME, and ESG funding, as well as supplemental CDBG-CV and ESG-CV

funds provided under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and supplemental HOME-ARPA funds provided under the American Rescue Plan Act. The Consolidated Plan spans a five-year planning period and lays out local rationales and priorities for the use of the subject federal grant funds to benefit lower-income residents.

For Sonoma County, the entitlement entity that is eligible to receive both the annual and supplemental CDBG, HOME, and ESG allocations is the "Urban County", which is established through a Joint Powers Agreement (JPA) between the County of Sonoma and the cities and towns of Cloverdale, Cotati, Healdsburg, Rohnert Park, Sebastopol, Sonoma, and Windsor. The CDC is the designated fiscal agent under the JPA and administers all aspects of the Urban County program using these grant funds from HUD.

The CDC administers these federal funds according to HUD regulations and guidelines, which require the planned use of funds to be included in each Annual Action Plan (Action Plan) of the 5-year Consolidated Plan, and any amendments to the Action Plans.

In conjunction with the federal fund sources, the CDC administers the LMIHAF funds of up to $250,000 annually for homelessness prevention and rapid rehousing activities. LMIHAF funds are derived from revenue received by the CDC as the Housing Successor entity and can only be used to support homelessness prevention and rapid rehousing services.

In addition to the Citizen Participation Plan process required and implemented in the development of the Action Plan or amendments to the Action Plan, the process for making funding recommendations for public services specifically related to homelessness, homelessness prevention and rapid rehousing includes consultation with the Continuum of Care (CoC). The CoC funding recommendations are then considered by the CD Committee and CTAC for inclusion in the Action Plan funding recommendations to the Board of Supervisors.

NOTICE OF FUNDING AVAILABILITY (NOFA):

CDC published a NOFA on December 7, 2022 to solicit funding applications for the aforementioned federal programs, including LMIHAF funds. The CDC received 14 applications for homelessness and rapid rehousing related services. Staff conducted a review and evaluation of each application received to determine eligibility for the funding requested and conformance with the funding policies and Consolidated Plan goals. Staff prepared a written report for each application deemed eligible and complete and made initial recommendations for funding, shown below.

CDBG-CV – Estimated Funds Available From this Source: $1,195,855

Applicant	Proposed Project	Requested Amount	Staff Funding Commendation
Community Action Partnership of Sonoma County (CAPS)	Sloan House Women's Shelter	$82,177	$82,177
Homeless Action Sonoma (HAS)	Home and Safe Navigation Center	$500,000	$300,000
Social Advocates for Youth (SAY)	Street Outreach Program and Rapid Rehousing	$133,213	$133,213
Sonoma Applied Village Services (SAVS)	Horizon Shine Transitional Housing Shelter & Navigation Center	$585,153	$100,000
West County Community Services (WCCS)	Homeless Outreach	$200,000	$200,00
City of Healdsburg	Northern Sonoma County Homeless Services Expansion	$251,636	$141,636
The Living Room	Homeless Prevention and Housing Stability Program	$381,828	No funding recommended
	Total	$2,134,007	$757,026

ESG – Estimated Funds Available from this Source: $144,084

Applicant	Proposed Project	Requested Amount	Staff Funding Recommendation
Social Advocates for Youth	Street Outreach Program and Rapid Rehousing	$81,929	No funding recommended
HomeFirst Services of Santa Clara County	Sonoma County Homelessness Prevention Service	$144,000	No funding recommended
Sonoma Applied Village Services (SAVS)	Street Outreach and Day Centers	$199,030	$144,084
	Total	$424,959	$144,084

<u>LMIHAF —Funds Available from this Source: $250,000</u>

Applicant	Proposed Project	Requested Amount	Staff Funding Recommendation
Social Advocates for Youth (SAY)	Rapid Rehousing	$156,667	$100,000
HomeFirst Services of Santa Clara County	Sonoma County Homelessness Prevention Services	$250,000	No Funding recommendation
TLC Child and Family Services	TLC Transition Age Youth Rapid Rehousing	$212,920	$100,000
West County Community Services (WCCS)	Homeless Prevention	$150,000	$50,000
Total		$769,587	$250,000

<u>No Funding Recommendations</u>

Not all applications have a funding recommendation. The following types of applications did not receive a funding recommendation: incomplete application, the application did not provide correct information (or all information) needed to complete a thorough evaluation to determine compliance with funding requirements, the applicant did not provide sufficient information to determine capacity and or experience of the applicant, or the project as proposed was not eligible. As noted in the tables above, three funding requests did not receive a funding recommendation.

<u>Brown Act</u>

All CoC Board members are subject to the Brown Act and must publicly disclose any and all communications related to the business of the CoC Board, which include any communications with applicants or applicant sponsors. All applicants should be advised and reminded of this disclosure, which will occur at the public meetings.

ATTACHMENTS:

Attachment A: Application Staff Reports with Copy of Application - https://share.sonoma-county.org/link/D27eI0RYmOA/

**Sonoma County Continuum of Care Board
Agenda Report**

Item No: 9

Subject: In-Person Meetings and Changes to Teleconferencing Rules

Meeting Date: February 22, 2023

Staff Contact: Dave Kiff, Division Director, DHS Homelessness Services Division
Dave.Kiff@sonoma-county.org

SUMMARY

Governor Newsom's Fall 2022 actions to rescind a pandemic-related emergency order as of February 28, 2023 means that all California local agencies subject to the Ralph M. Brown Act return to open and in-person meetings. Some exceptions can be made to individuals' in-person attendance, but those are limited by quantity per year and by justification.

For the Sonoma County Continuum of Care (CoC), this brings some questions and impacts (some adverse, some not) that this staff report attempts to address. One significant question is the practice of other Continuums of Care to consider themselves <u>as not being</u> subject to the Brown Act. Another is what the best practice should be for Sonoma County to ensure maximum public, Board, and Committee representation at all meetings (especially from persons who are not paid while attending, have to travel without easy transportation, and/or who come from Lived Experience).

NOTE: As of the date of this staff report, additional legal input is still needed. By the time of the CoC Board meeting, we hope to provide additional context and a response verbally.

RECOMMENDED ACTION:

Pending further legal review, staff recommends that the Continuum of Care continue with its current meeting practices and regularly review them with the public and legal counsel to ensure open, transparent, well-attended, productive, and accommodating meetings.

Alternatively, the Board can decide to return to in-person meetings in March 2023.

DISCUSSION

What does the Brown Act and the end of the Governor's pandemic emergency orders mean for most local agencies?

Meetings would return to having a significant in-person presence, with some limited exceptions and a numeric limit per Board member on the exceptions. If an agency chooses to utilize these post-pandemic teleconferencing rules:

- A majority of the Board must meet in person; and
- There always must be an opportunity for the public to participate on-line. This would anticipate a significant uptick in responsibility for Lead Agency staff to manage the meetings (something for which today we have limited capacity).

More specifically, and right now only for the remainder of 2023 (per California Assembly Bill 361), some teleconferencing is allowed, and those who teleconference:

- Do not have to post agendas at their teleconference locations;
- Do not have to identify the teleconferencing locations; and
- The teleconferencing location does not need to be accessible to the public.

But there's more. Between January 1, 2023 through the end of 2025 (per California Assembly Bill 2449):

- Members of a public agency board may continue to use teleconferencing without complying with the requirements that: (1) the agency notice each teleconference location of each member who will be participating in the meeting; (2) each teleconference location be accessible to the public; and (3) members of the public be allowed to address the board at each teleconference location, BUT
- At least a quorum of the board members must be present together physically within the jurisdiction of the board; AND
- A board member may teleconference **only** if there is **"just cause"** or an **"emergency circumstance,"** both of which are defined. Further, unlike with "just cause," the board must by majority vote affirm that an "emergency circumstance" situation exists for that individual.

AB 2449 defines "just cause" as restricted to the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse or domestic partner that requires them to participate remotely;
- A contagious illness that prevents a member from attending in person;
- A need related to a physical or mental disability, as defined; or
- Travel while on official business of the board's agency or another state or local agency.

In addition to meeting the statutorily required criteria, a board member who intends to participate via teleconference must notify the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of the need to participate remotely for just

cause and provide a general description of the circumstances relating to their need to appear remotely at the given meeting.

AB 2449 prohibits a board member from participating via teleconference for "**just cause**" for more than **two (2) meetings** in a calendar year.

AB 2449 defines an "**emergency circumstance**" as "a physical or family medical emergency that prevents a member from attending in person." To invoke the "emergency circumstance" situation, the following procedural requirements must also be satisfied:

"The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability or any personal medical information that is already exempt under existing law…"

A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

The board must take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place the proposed action to such a request on the posted agenda for the meeting for which the request is made, the board may take action at the beginning of the meeting.

In addition, two other conditions apply under AB 2449 if a board member is permitted to teleconference for either "just cause" or "emergency circumstances":

- The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member's relationship with any such individuals.
- The member shall participate through both audio and visual technology. That is, a board member who attends by teleconference must be both **audible and visible** to those attending.

Further, AB 2449 does not permit its teleconferencing rules to be invoked by any board member for more than **three** consecutive months or 20 percent of the regular meetings of the board within a calendar year if the board meets at least 10 times per calendar year (in addition to the limitation on "just cause" exceptions invoked by a board member to no more than two meetings per calendar year).

For members of the public. To invoke AB 2449 teleconferencing rules, the agency must provide at least one of the following means by which the public may remotely hear and visually observe the meeting and remotely address the board:

- A two-way audiovisual platform such as Zoom or Teams; or
- A two-way telephonic service and a live webcasting of the meeting;

In the agenda, the agency must:

- Identify how to provide public comment and identify and include an opportunity for all persons to attend and address the board directly "via a call-in option, via an internet-based service option and at the in-person location of the meeting;"
- Pause the meeting when there is a teleconference disruption; and
- Implement a procedure for receiving and swiftly resolving requests for reasonable accommodations for individuals with disabilities and provide notice of this procedure in notifications and agendas for the meeting.

The above is taken extensively from an advisory bulletin from the Nossaman law firm, an agency that serves many public clients.

What does this mean for our CoC Board meetings and Committee meetings?

If the Board or others determine that the Continuum of Care's meetings are subject to the Ralph M. Brown Act, we will have to go back to in-person Board and Committee meetings, likely held at the Lead Agency's offices at **1450 Neotomas Avenue** in Santa Rosa (or another location to be determined, or roving locations to take advantage of the county's geography). Some Board or Committee members may determine the need to use the "just cause" or emergency exemptions, but they can only do so a few times and a majority of the Board (or Committee) must be present in person. The record-keeping and verbal steps (i.e. the reasons for the individual exceptions) associated with noting the exemptions will be extensive.

If the Board or others determine that the Continuum of Care's meetings are not subject to the Ralph M. Brown Act, we would or could continue operating on-line in our current method of meeting, including for Board and Committee meetings.

Are Continuums of Care subject to the Ralph M. Brown Act?

As of the date of this report, we have asked this question of County Counsel and outside counsel (Brendan Kearns of RWG). At the same time, we know that some CoCs operate under the Brown Act and some clearly do not.

What's the risk if the Board decides not to return to in-person meetings?

One risk is being accused of not following the Brown Act, and a claimant being correct about the accusation. Generally, the initial step in responding to a claim that an entity acted outside

of the Brown Act (via a "cure or correct" letter) is first to do a legal review and subsequently send a letter back to a complainant stating that the agency either: (1) disagrees with the complaint; or (2) that it either agrees, offers no subjective statement, or disagrees but will adjust its operations to comply with the Brown Act. As such, legal risk is limited if the most significant consequence is to end the practice and move forward differently.

There is a perception risk, too. The Continuum of Care Board and its committees have been open and public and accessible (via the online platform) – something we believe that the CoC takes significant pride in doing. It may be difficult to explain to members of the public an allegation that the CoC Board was operating in conflict with the Brown Act while we defend why we think that better attendance and nearly identical transparency outside of the Brown Act is beneficial (though we believe this to be true – it IS beneficial).

What are the practical upsides and downsides should the CoC Board decide <u>not</u> to return to in-person meetings?

Upsides. Staff believes that a significant upside to maintaining our current meeting format is to maintain our current high levels of public and member Board and Committee meeting attendance. We believe that these attendance levels will decline if we go back to fully in-person meetings, especially from those who have health impairments, physical or behavioral health concerns about being in a large group setting indoors, or have family care, job, transportation, or other needs that may impair in-person attendance.

Further:

- Board and Committee members who travel in from more remote locations will see their flexibility constrained, as travel times will again have to be built in to meeting schedules.
- Members of the service provider community, already limited in staffing, may have particular challenges in taking more time away from the field and staff workplaces.
- While it seems minor, having 20-25 or more persons stay off the road for multiple trips a month is more climate-friendly.
- Lead Agency administrative staff time will not have to increase to:
  - Carefully record and advise members on Board and Committee members' use of exemptions; and
  - Reserve, prep, and take down meeting room facilities (sometimes after work hours have ended, or during lunch times)

Downsides. Being back in person and present together can build working relationships differently (and likely better) than remote meetings. For those who can attend in person who may also have technological challenges using on-line platforms, going back to in-person meetings can resolve those.

What are some options to try to take advantage of the "upsides" listed above?

If the Board chose to not meet in-person, it could:

- Continue to meet monthly, but meet in person once a quarter and hold two remote meetings in between; and/or
- Set up an in-person meeting site (with staff assisting) for those individuals who need or want to meet in person even as the remainder of the Board or Committee meets on-line.

Staff welcomes the Board's thoughts in this regard.

Sonoma County Continuum of Care Board
Agenda Report

Item No: 11

Subject: CoC Governance Charter Revision Recommendations

Meeting Date: February 22, 2023

Staff Contact: Karissa White, Karissa.White@sonoma-county.org

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SUMMARY

After nearly a year of convening, the CoC Charter and Policy Review Committee developed a CoC Governance Charter that was approved by the CoC Board in December 2021. In an effort to keep the CoC Charter current and resolve points of confusion, staff are proposing 10 revisions. The proposed changes to the Charter are relatively minor. As such, the CoC Board provided direction for staff to develop recommendations rather than reconvening the Charter and Policy Review Committee.

RECOMMENDED ACTION(S)

Approve the proposed revisions to the CoC Governance Charter.

DISCUSSION

Below is a table outlining the proposed revisions to the CoC Governance Charter. Once a decision is made on the recommendation, staff will develop the precise language for the revisions and include a redlined draft of the CoC Charter for the Board's final approval:

2023 Proposed CoC Governance Charter Revisions

#	Charter Location	Revision	Staff Recommendation
1)	Pg. 11-12 Board Vacancy, Removal & Resignation	When an elected board member leaves their job and gets a new job, do they get to remain on the CoC board for the remainder of their term?	For At-large seats, the seat follows the elected board member for the remainder of their term. Specific elected board seats (Homeless Service Provider, Licensed Health Care Organization, Homeless Advocacy Organization) would need to still qualify for the assigned designation (i.e. the person must still work in that field) and the transition would need to be approved by the CoC Board. The CoC Board member elections are based on the individual elected to fill the seat and does not transfer to the organization (i.e. elected seats are not designated to a specific organization). If the CoC Board member does not wish to continue on the Board, the CoC Board elects a successor to fill the seat until the next regular election.
2)	Pg. 13 Committees	What is the process for picking committee members for a **new** committee?	CoC Chair & Vice Chair would select the initial committee members and the recommended committee composition is then approved by the CoC Board.
3)	Pg. 13 Committees	Should the same standard for attendance for the CoC Board be applied to Committees?	Yes, to ensure there is a quorum present at committee meetings to take action. Language to include: *"Members of the committee may remove a committee member who is absent (and does not send a proxy) for three (3) regularly scheduled committee meetings in a calendar year"*
4)	Pg. 13 Continuum of Care Policies- Non-Discrimination	Charter Referencing HUD **Equal Access Final Rule** and **Gender Identity Final rule**. Need to update this policy to clearly state and include - Process for non-compliance	Expand the current non-discrimination section of the charter to include additional references to HUD's Equal Access Rule and Gender Identify Final Rule in Charter as outlined within the CoC Application FY 2022 Notice of Funding Opportunity (NOFO). NOTE: Please see below table for updated language. There are slight changes to first paragraph and two new additional paragraphs.

5)	Pg. 11 Board Member Elections (1.C)	Revise timeline for accepting CoC Board Member nominations to CoC Board to allow staff more time for preparation	Change seven working days to 14 calendar days. Language to include: *"Nomination forms must be received by the Sonoma County Community Development Commission by the close of business **14 calendar days** preceding the election."*
6)	Pg. 11 Board Member Elections	Add a time requirement for voting organizations to have their voting member contact information confirmed to allow for staff preparation	Voting organizations must have their voting contact confirmed 1 week prior to election.
7)	Pg. 13 under Continuum of Care Policies and Procedures new section subtitle: Eligibility for Children and Youth Educational Services	NOFO – Add language on Educational Services	Per NOFO- "CoC Policies and procedures have been adopted to inform individuals and families who become homeless of their eligibility for educational services" (as it relates to Collaboration of the CoC with Children and Youth) Language to include: *"Providers of the Continuum of Care shall adopt policies and procedures to inform individuals and families experiencing homelessness of their eligibility for educational services."*
8)	Pg. 10	Remove election language specific to the 2022 CoC Board election because it is no longer relevant	Remove: *An exception will be made for the first election held after adoption of the above composition of the Board, in which case the occupants of four positions at the time this Charter is adopted will have the option to retain their seats for initial terms of one year each; these seats will be up for election at the end of 2022 for two-year terms. These four seats are the two positions for individuals with lived experience, the advocacy seat, and the at-large member who received the highest number of votes in the election preceding the adoption of this Charter. The remaining four elected positions (homeless service provider other than the one with an appointed position; licensed health care provider; two at large positions) will be elected to two-year seats*

			in the first election held after adoption of the above composition of the Board.
9)	Pg. 29, Number 6 Appendix B: Board Protocols	Continue to post the meeting login information and agenda to the CoC website for the committees and the CoC Board, but remove the requirement of posting the full packet on the website due to the high remediation costs.	**Current language:** Meeting agendas and materials will be distributed electronically to Board members and Continuum of Care members, and posted on the CoC website, at least 72 working hours (excluding weekends and holidays) prior to the meeting start time. Agenda items will typically have a report or other material prepared in advance by staff. Supplemental documents may be distributed to Board members prior to Board meetings (and shared at Board meetings with the public) and added to the website when required by circumstances, but this should not be a regular practice. If materials are presented at meetings and not in advance, they will be made accessible to the public as soon as is practical. Exceptions for providing materials in advance will be made for special meetings, with noticing requirements consistent with the Brown Act. These requirements shall not preclude earlier distribution and posting of materials for Board meetings. **Suggested language:** Meeting agendas and login information shall be posted online at least 72 working hours in advance of each CoC Board and committee meeting (excluding weekends and holidays). Each meeting of the CoC Board and committee shall be publicly noticed electronically through the Continuum of Care (CoC) Listserv following the same noticing timeline and will include the date/time of the meeting, the agenda, meeting materials, and electronic login (if virtual) or location of the meeting. Agenda items will typically have a report or other material prepared in advance by staff. Supplemental documents may be distributed to Board/committee members prior to meetings (and shared at Board/committee meetings with the public) and distributed electronically through the CoC Listserv when required by circumstances, but this should not be a regular practice. If materials are presented at meetings and not in advance, they will be made

				accessible to the public as soon as is practical. Exceptions for providing materials in advance will be made for special meetings, with noticing requirements consistent with the Brown Act. These requirements shall not preclude earlier distribution and posting of materials for Board/committee meetings.
10)	Throughout Charter	Update lead agency references	Remove references to CDC as lead agency and change to the Sonoma County Department of Health Services (DHS)

#4) CoC Governance Charter Revision (to be approved)- Updated Non-Discrimination Policy.

As outlined within the 2022 Continuum of Care Competition Application, the CoC's Non-Discrimination policy should be updated to clearly reference compliance with HUD's Equal Access and Gender Identity Final Rules. In addition, the CoC's policy should include the process for addressing and resolving non-compliance issues. The recommendation is to expand on what is currently within the Charter, located on page 13, Continuum of Care Policies in the Non-Discrimination section.

Current Language:
The members, officers, committee members and contractors of the Continuum of Care will be selected entirely on a nondiscriminatory basis with respect to race; color; national origin or citizenship status; age; disability (physical or mental); religion; sex; sexual orientation or identity; genetic information; HIV or AIDS; medical conditions; political activities or affiliations; military or veteran status; status as a victim of domestic violence, assault or stalking; or any other federal, state or locally protected group.

Revised Language for Approval:
The members, officers, committee members, contractors and services of the Continuum of Care will be selected and offered entirely on a nondiscriminatory basis with respect to race; color; national origin or citizenship status; age; disability (physical or mental); religion; sex; sexual orientation or identity; genetic information; HIV or AIDS; medical conditions; political activities or affiliations; military or veteran status; status as a victim of domestic violence, assault or stalking; or any other federal, state or locally protected group.

Providers of the Continuum of Care are required to adhere to HUD's Equal Access Final Rule (EARFR) and HUD's Gender Identity Final Rule (GIFR). Through the final rules, HUD ensures equal access to individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD's Office of Community Planning and Development (CPD). HUD's housing programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.

If Continuum of Care projects are out of compliance with the CoC's anti-discrimination policies, the Continuum of Care Lead Agency shall take corrective action. Non-discrimination policy violations include any violation of HUD's EAFR & GIFR, provisions of federal civil rights laws, including the Fair Housing Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act, or Titles II and III of the Americans w/ Disabilities Act. The Lead Agency shall report to the CoC Board the violation(s) and recommended a Corrective Action Plan. The CoC Lead Agency shall also notify the findings to State and/or Federal representatives to work on a resolution when necessary.

ATTACHMENTS:

A: CoC Governance Charter – December 29, 2021
B: CoC Charter Changes Previously approved by the CoC Board. Including these to reference only. No action will be taken on these revisions as they were already approved.

Attachment A

Please use the below link to access the CoC Governance Charter (December 29, 2021). Note - this version does not include the three revisions that were recently approved and will be added to the updated version.

https://sonomacounty.ca.gov/Main%20County%20Site/General/Sonoma/Sample%20Dept/Divisions/Housing%20Authority/Services/Services/_Documents/Sonoma-County-CoC-Governance-Charter-12-29-2021.pdf

Attachment B

CoC Board Approved Charter Revisions

The below revisions were previously approved by the CoC board and are being provided as a point of reference only. These revisions will be included in the next version of the CoC Governance Charter.

#1) The below revision was approved on 8/28:

CoC Governance Charter Revision: At the July 27th CoC Board meeting, the CoC Board requested the following revision be made to the Governance Charter effective immediately:

> **Board Vacancy, Removal & Resignation**
> Vacancy: In the event of a vacancy of an elected member, the members of the CoC Board will elect a successor to hold the seat ~~until the next regular election~~ **for the remainder of the vacated seats term.**

#2) CoC Governance Charter Revision: At the November 30 CoC Board meeting, the CoC Board requested the following revision be made to the Governance Charter effective immediately:

<u>**Increased Flexibility for One of the Two CoC Board Seats Assigned to the County**</u>

This revision will expand the authority of the County Administrator to appoint a representative that will have the most expertise and experience rather than limiting the pool to three specific departments within the County. For example, today a person from the Sonoma County Housing Authority cannot be appointed to the CoC Board, despite the significant collaboration need between housing vouchers and homelessness.

The original (**current**) language is found on Pg 9 of the Governance Charter under **Board Composition and Terms** (1d) and states:

"One senior management representative of the Sonoma County Department of Health Services, Human Services, or Probation Department as selected by the County Administrator. The representative may not be in the same Department nor have any reporting relationship to a County Department serving as the Lead Agency, Collaborative Applicant, or HMIS provider."

Staff recommends that Charter section 1d be revised as follows (with added section in underline and removed section in strike-out):

 "One senior management representative of ~~the~~ <u>a department within the County of Sonoma that has a direct connection to the homelessness system of care</u> ~~Sonoma County Department of Health Services, Human Services, or Probation Department~~ as selected by the County Administrator. The representative may not be in the same Department nor have any reporting relationship to a County Department serving as the Lead Agency, Collaborative Applicant, or HMIS provider."

#3) CoC Governance Charter Revision: Charter Revisions approved at the January 25, 2023 Mtg:

Charter Revision: Ability to Enter into MOUs for Lead Agency and Collaborative Applicant.

The intent of this revision is to show how the CoC Board can consider adopting one or more Memoranda of Understanding (MOUs) with varying entities or agencies to provide staff support to the CoC. This recommendation comes at the suggestion of the consultant working on proposed MOUs (Andrew Hening) and is intended to mirror language in other CoCs' charters that include similar flexibility.

At the November 2022 CoC Board meeting, Board member Schwartz suggested that new proposed Charter language about an RFP not be included in the final text, as the addition seemed unnecessary (i.e. why bother to say something isn't necessary?).

The proposed language read: "There will be no requirement for a Request for Proposal (RFP). In response to negligence or poor performance of the CoC Lead Agency (or CA), the Sonoma County CoC Board reserves the right to open an RFP process at any time and designate a new CoC Lead Agency."

In the recommendation below, this language is NOT included in the proposed addition.

The original (**current**) language is found on Pg 14 of the CoC Governance Charter under **Administrative Agencies** and reads:

Administrative Agencies

HUD-Designated "Collaborative Applicant"

1. *The Sonoma County Community Development Commission has been designated as Collaborative Applicant for the Continuum of Care.*
2. *For the purposes of the annual HUD NOFA application and the management of CoC Program planning grants, the Collaborative Applicant must also be a grant recipient.*
3. *The Collaborative Applicant is the only entity that may*
   a. Submit the CoC Consolidated Application to HUD
   b. Apply for grants from HUD on behalf of the Continuum of Care.
   c. Apply for and receive CoC Program planning funds on behalf of the Continuum of Care.

To accommodate the consideration and adoption of a more formal agreement that identifies the relationship between the CoC Board and its support entities, the **below change is proposed** (with added section in underline and removed section in strike-out):

Amendment
(in the middle of Page 14 of the Governance Charter):

Administrative Agencies

HUD-Designated "Collaborative Applicant"

1. The Sonoma County Community Development Commission has been designated as Collaborative Applicant for the Continuum of Care.
2. For the purposes of the annual HUD NOFA application and the management of CoC Program planning grants, the Collaborative Applicant must also be a grant recipient.
3. The Collaborative Applicant is the only entity that may
   a. Submit the CoC Consolidated Application to HUD
   b. Apply for grants from HUD on behalf of the Continuum of Care.
   c. Apply for and receive CoC Program planning funds on behalf of the Continuum of Care.

Lead Agency

The Sonoma County Continuum of Care Board will appoint a Lead Agency that will provide meeting support for the Board, and all other committees. The Lead Agency is responsible for scheduling meetings, developing agendas, issuing meeting materials and posting all relevant documents to Continuum of Care website. All responsibilities are documented in the *Continuum of Care Lead Agency Memorandum of Understanding.*

The designation of the Lead Agency is valid for a maximum of two (2) years and will be renewed automatically every year thereafter. Either party, the Continuum of Care or the Lead Agency, may terminate the MOU at a date prior to the renewal date specified in the MOU by giving 180 days written notice to the other party. The termination shall be effective on the date specified in the notice of termination.

At the time of the relevant amendment to this charter, the designated Lead Agency is the Homelessness Services Division within the Sonoma County Department of Health Services.

Collaborative Applicant

The Continuum of Care must designate a legal entity who is also a Continuum of Care Program eligible applicant to serve as the Collaborative Applicant. The Collaborative Applicant is responsible for collecting and combining the required application information from all Continuum of Care Program funded projects within the geographic area. The Collaborative Applicant is also responsible for submitting the annual application to HUD for Continuum of Care Program funding and to apply for Continuum of Care Planning dollars. These and any additional responsibilities are documented in the Continuum of Care *Collaborative Applicant Memorandum of Understanding.*

The designation of the Lead Agency is valid for a maximum of two (2) years and will be renewed automatically every year thereafter. Either party, the Continuum of Care or the Lead Agency, may terminate the MOU at a date prior to the renewal date specified in the MOU by giving 180 days written notice to the other party. The termination shall be effective on the date specified in the notice of termination.

Before the submission of the annual application to HUD for Continuum of Care Program funding, the Collaborative Applicant must submit a final draft of the application to Sonoma County Continuum of Care Board for approval. Depending on the timing of the submission to HUD, the Sonoma County Continuum of Care Board and Collaborative Applicant will create a timeline for submission to the Continuum of Care.

At the time of the relevant amendment to this charter, the designated Lead Agency is the Homelessness Services Division within the Sonoma County Department of Health Services.

Sonoma County Continuum of Care Board
Agenda Report

Item No: 12. Reports from Standing Committees: Coordinated Entry Advisory Committee & Updates to Emergency Shelter, Permanent Supportive Housing and Rapid Re-housing standards

Subject: Changes to Coordinated Entry (CE) policies and procedures

Meeting Date: February 22, 2023

Staff Contact: Thai Hilton thai.hilton@sonoma-county.org & Hunter Scott hscott@homefirstscc.org

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SUMMARY

Updates to CE policies and procedures: HomeFirst will regularly provide updates to the Coordinated Entry policies and procedures. Attached is a description of the changes and the rationale for the change.

Updates to the Emergency shelter, Permanent Supportive Housing and Rapid re-housing standards: See description below

RECOMMENDED ACTION(S)

1. Approve updates to CE policies and procedures.
2. Approve updates to the emergency shelter, permanent supportive housing, and rapid re-housing standards.

Attachments

A: Description of the proposed changes to the CE policies and procedures

B: Description of the proposed changes to the emergency shelter, permanent supportive housing and rapid re-housing standards.

CES Policy and Procedure Changes

Change: CES will now have a new category of CES Cooperating Agency called an "Information Sharing Partner" which is an agency that is part of the CES/HMIS release structure but does not provide any part of the CES Assessment. In many cases they will not have HMIS access. This change includes the minimum standards to add such an agency: a new form and training for this category alone.

Reason: To support new partners who are part of the BFZ process but do not meet the standards/description of an existing category of CES Cooperating Agency.

Additional minor changes: Clarified the procedure for adding new CES Cooperating Agencies, the trainings required for some categories. and that all Cooperating Agencies must be a legal entity.

*all additions highlighted, removals crossed out.

Types of CES Cooperating Agencies:

Type	Description	Minimum Standards
Information Sharing Partner	An agency that is part of the CES/HMIS release of information for coordination purposes, but does not complete assessments. Examples: A government agency supporting or coordinating regional case conferencing or By-Name-List efforts.	Signs the Information Sharing Partner Agreement and completes the Information Sharing Partner Ethics and Confidentiality Training with the Lead Agency. Completes the CES Overview Training. Must be a legal entity.
Access Partner	An agency that can provide initial assessment, housing problem solving, and crisis support, and direct a person experiencing a housing crisis to a Coordinated Entry System Access Point. Able to access HMIS CES programs in most cases. May participate in CES Case Conference. *Examples:* An Access Partner may include some ~~County Agencies, homeless service providers with limited capacity for screening, medical providers/FQHC's, and law~~	Provides an initial diversion/housing problem solving screening, assessing homeless status and immediate needs (not CE Assessment Tool; stages 1-2 of the CE Assessment) Possesses working knowledge of other CES Access Points and provides warm hand-off (phone call, email) to participants who

Type	Description	Minimum Standards
	~~enforcement~~ volunteer organizations, homeless service providers, or medical providers with limited capacity for full screening but who encounter people experiencing homelessness regularly.	are seeking the CES Assessment to the appropriate Access Point. ~~MOU not required.~~ ==When CES HMIS access is granted, must complete HMIS Ethics and Confidentiality Training with Lead Agency and submit HMIS User Agreement.== Completes CES Access Partner Training with CES Operator. ==Must be a legal entity.==
External Access Point	External Access Points provide the full CES Assessment to ALL participants who present to them seeking CES Access within their "catchment" area, regardless of location that individual spends most of their time in, enrollment status in the Access Point provider's programs, or population type. External Access Points that are dedicated to one of the 5 HUD allowable subpopulations (see HUD Subpopulation Access below) may conduct a warm handoff to connect the individual to an appropriate External Access Point. CES Assessment can occur over the phone or in person. It may be provided by appointment only or as drop-in capacity. *Examples:* An Access Point may include a homeless services drop in center, outreach team, or shelter that has the capacity to offer CES Assessment to non-shelter-stayers who present to them seeking it.	Provides the CE Assessment to all participants seeking it within 3 business days of the request: 1) Housing problem solving 2) Crisis navigation and connection 3) Standardized Assessment Tool 4) HMIS Data Entry responses into HMIS 5) Collection of potential eligibility documents 6) Enhanced Assessment Participates in CES Case Conferencing. Must sign MOU with Community Development Commission. ==Must complete CES Access Point Trainings Part 1 and 2 with the CES Operator, the HMIS Ethics and Confidentiality Training with the Lead Agency, and submit the HMIS User Agreement.== ==Must be a legal entity.==
Internal Access Point	Internal Access Points are only required to provide the CES Assessment to their own served participants. *Examples:* An emergency shelter that is not able to support walk-ins, or a street outreach	Offers and completes the CES Assessment to participants they serve within 5 business days of contact:

Type	Description	Minimum Standards

	team whose geographic "catchment" area changes day-by-day and is not able to respond to individual CES Assessment requests.	1) Housing Problem Solving Conversation 2) Crisis Navigation and Connection 3) Standardized Assessment Tool 4) HMIS Data Entry 5) Collection of Potential Eligibility Documents 6) Enhanced Assessment Refers households who present seeking the CES Assessment and cannot be enrolled by the Internal Access Point to External Access Points. Participates in CES Case Conference. Must sign MOU with the Lead Agency Community Development Commission. Must complete CES Access Point Trainings Part 1 and 2 with the CES Operator, the HMIS Ethics and Confidentiality Training with the Lead Agency, and submit the HMIS User Agreement. Must complete all basic CES trainings and have HMIS access. Must be a legal entity.
Housing Program	CES Housing Programs are required to provide the CES Assessment to participants they are exiting into homelessness. They are required to participate fully in the CES process as outlined in the MOU, including attending Case Conferencing.	Provides the CES Assessment to participants exiting into homelessness: 1) Diversion/housing problem solving 2) Crisis navigation and connection 3) Standardized Assessment Tool 4) HMIS Data Entry 5) Collection of Potential Eligibility Documents 6) Gather Additional Evidence and Case Conference

Type	Description	Minimum Standards
		Must sign MOU with the Lead Agency ~~Community Development Commission~~. ~~Must complete all basic CES trainings and have HMIS access.~~ Must complete Housing Provider Training and CES Access Point Trainings Part 1 and 2 with the CES Operator, the HMIS Ethics and Confidentiality Training with the Lead Agency, and submit the HMIS User Agreement. Must be a legal entity.

Procedure for Adding New CES Cooperating Agencies

1. The entity seeking CES Cooperating Agency status (the "entity") shall submit the request to the CES Operator or Lead Agency.

2. The entity shall complete all required trainings and forms as outlined in the Types of CES Cooperating Agencies Minimum Standards above.

3. The Lead Agency shall have final approval of any new CES Cooperating Agencies, including adding them to the CES/HMIS Release of Information partner list.

Additional Changes:

1) Clarified the number of referrals that will be sent per program opening per week, to reduce confusion and speed movement of participants into housing. With limitations, a total of 4 referrals may be provided per opening per week.

2) Added a requirement that participants have 2 business days after an initial offer is made to decide whether they will accept, to ensure that openings are not held up and other participants have the opportunity to move into housing. An offer is defined as contact being made between the housing provider and the participant after the referral in which the housing opportunity is discussed.

3) Added a suggested standard that housing providers not be asked to wait longer than 2 weeks before rejecting a referral due to no contact. This was already an option for housing providers to request to deny the referral at any case conference, but this language gives the housing providers more explicit leeway to move quicker to another referral. Some housing providers

currently experience having referrals pending for weeks ongoing as outreach teams and access points fail to stay in communication with the housing provider, or attempt to get their client in contact with the housing opportunity. This standard is intended to increase accountability for these types of access providers to proactively connect their clients quickly to available housing opportunities. Note: Cherry Creek Village staff requested that this timeline be shortened to 1 week. Operator seeks CEA input into the specific timeline that is appropriate.

4) Added a procedure to enforce accountability to data quality and uploading ROIs. Current HMIS Policy Manual states that ROIs must be uploaded. Additional training will be provided and access to CES programs in HMIS revoked if continued infractions occur. Staff must take additional training to regain access if so. This is due to an estimated half of client records that are missing ROIs, and for some providers many of their new assessments are entered without ROIs despite repeated training. This issue is significantly harming participants of the system; referrals cannot be made for any identifiable participant who does not have an ROI that can be verified by the Operator.

5) Added a Retraction policy clarifying when a referral would be retracted due to ineligibility for CES vs rejected by the provider.

6) All references to Community Development Commission throughout will be changed to Homeless Services Division or Lead Agency.

Language changes below in yellow, old language crossed out.

Uniform Referral Procedure

1) All housing referrals, except those identified below, shall be identified and unanimously agreed upon by the community present at the CES Case Conference. Exceptions are:

   a. Participants referred to housing programs dedicated to survivors of or those fleeing domestic violence; see "Referrals to Housing Programs Dedicated to Survivors of or Those Fleeing Domestic Violence" below;

   b. Those RRH openings set aside for participants who have identified housing as described in Prioritization for Rapid Rehousing in section D. Prioritization.

2) Referrals shall be made based on community prioritization standards (see section D. Prioritization), initial eligibility, and the following standards:

   a. For each housing intervention (PSH, RRH etc), when there are multiple providers seeking openings, each program shall be limited to 5 referrals in each CES Case Conference. Exceptions may be made on a case-by-case basis. Per each program opening, at CES

Case Conference 1 primary referral shall be provided and, if the program chooses, 1 backup referral per opening.

      i. ~~Three additional referrals may be provided as "back-up" referrals at provider request between CES Case Conference.~~ If the pending referrals made at a previous CES Case Conference were found to be ineligible for CES (not meeting the homelessness eligibility, for example) or the participant refuses the referral, those referrals may be replaced by 1 corresponding additional referral, per referral, in between CES Case Conference. This procedure corresponds to a total of 4 referrals that may be possibly made per week per opening. These additional referrals shall be presented to the community at the following CES Case Conference, and retracted if for any reason they are not agreed upon as appropriate by the community present.

      ~~ii.~~ Additional referrals per program opening shall only be made at CES Case Conference if there are no previously pending referrals per program opening.

b. Within each housing intervention type (PSH, RRH, and "Other"), 75% of openings referred to at each case conference shall be referred based on next Total Prioritization Score on the active By-Name-List and initial eligibility screening. The remaining 25% (rounded down in when the number is not whole), or 1 opening, whichever is higher, shall be set aside for Enhanced Prioritization, Progressive Engagement, or program transfer, based on community prioritization standards and initial eligibility screening. If no participants are submitted within these categories, the remaining openings within each intervention type shall be filled based on the next Total Prioritization Score and initial eligibility screening.

c. Within any set of openings to a particular intervention type (PSH, RRH, and "Other") with eligibility criteria that can accept any subpopulation type (individuals, families, TAY), equal referrals shall be made from each subpopulation active By-Name-List. If there are an odd number of openings, priority shall be made for the subpopulation(s) with higher number of eligible participants on the relevant By-Name-List.

3) The CES Operator shall submit all referrals agreed upon in CES Case Conference within 24 hours in HMIS to the relevant housing provider, along with a copy of the HMIS project history.

4) The housing provider shall be responsible for contacting the participant and offering to move forward with the referral.

a. Access Points and other community providers who are in contact with the referred participant have a role in supporting the housing provider in contacting the participant, within staffing availability.

5) If multiple programs with the same eligibility criteria have openings, the above standards (2) a.-c.) shall be followed for all programs with openings, inclusive of the same participant being

referred more than once at the same time. The housing providers shall coordinate, including at CES Case Conference, to ensure the referred participant is offered the choice between openings. Participants shall not receive an additional referral if they already have a pending referral from 24 hours or more prior.

   a. ~~Participants shall have 48 hours from the time they are offered the choice between housing programs to make their choice. If no choice is made, the program that is located closest to the participant's location preference identified at assessment shall remain available to the participant, and the other program shall receive a new referral following the Uniform Referral Procedure. If no preference was given, the program that first notified the CES Operator of an opening will remain available to the participant.~~

6) ==Participants shall have 48 hours from the time they are offered the choice of a housing opportunity to accept or refuse. Housing providers shall exhaust all options to contact the participant to make their choice after initial contact.==

7) The housing provider shall record all attempts to contact the participant when following up on a referral. Records of attempted contacts, contacts made and their disposition shall be recorded in the "Case Notes" of each participant's HMIS CES Dashboard.

8) Once the housing provider has verified eligibility (see "section H. Eligibility Documentation Roles and Responsibilities"), they shall accept the referral in HMIS.

   a. If the housing provider cannot verify eligibility, they shall follow the "Rejection of Referrals" policy and procedure below.

Rejection of Referrals

Only four standardized options are available for rejecting a referral from Coordinated Entry: the participant does not meet eligibility requirements, the project is not currently accepting applications, the participant has disappeared or is not able to be located, or the participant refused the housing offer. Providers may not reject a referral without a consensus approval of all parties present at CES Case Conference. ==Housing providers may request to reject a referral at any CES Case Conference subsequent to the referral being made.==

Procedure:

1) The Housing Provider shall record all attempts to contact participant when following up on a referral. Records of attempted contacts, contacts made and their disposition shall be recorded in the "Case Notes" of each participants' HMIS dashboard and electronic file.

2) All referral rejections must be brought to CES Case Conference and the reasons for rejection and attempts to accept the referral presented. They may request additional support or community expertise in moving forward with the referral. The rejection request will be voted on by all parties present at CES case conference.

    a. After voting approval, the Housing Provider will reject the referral in HMIS and include a note of the reason why.

3) If a provider wishes to appeal a rejection decision made at CES Case Conference, they may present the case at the Coordinated Entry Advisory Committee Shelter and Appeals Subcommittee.

Rejection Standard: Does not meet eligibility requirements

- The CoC maintains a public website with eligibility requirements for all projects in the CoC's geographic area participating in Coordinated Entry. A housing provider may reject a referral only if the participant does not meet basic published eligibility requirements, inclusive of (when applicable) immediate safety risk or meeting activities of daily living (ADLs), or the provider has exhausted all options to document eligibility. Examples include single adults that were part of a family unit when assessed and have been referred to a families-only project, or non-veterans attempting to access SSVF funded units. An agency may not reject a participant on presumed "fit" in housing or shelter. An agency may not reject a participant due to barriers in documenting eligibility without exhausting all possible options first.

Rejection Standard: Program no longer accepting applications

- If a program is no longer accepting applications, the referring agency and CE will work together to redirect the referral to another program within HMIS. This includes instances when a project serves multiple populations (ex: individuals and families) but only has openings for one population at a given type.

Rejection Standard: Unknown/Disappeared

- If referring agencies have exhausted all options to contact a referral, they may request to decline the referral as "unknown/disappeared." Every attempt shall be made to contact the participant, including calling, emailing, and texting available contact methods multiple times, physical outreach, contacting ~~HOST~~ outreach workers, Coordinated Entry staff, and all known service providers. To ensure quick movement of participants into available openings, the community present at CES Case Conference is highly encouraged to allow housing providers to reject a referral if they have exhausted all options to contact them and it has been 2 weeks since the referral was made, though each case should be considered with its own context.

Rejection Standard: Participant Refused Offer

- If a participant refuses a referral, the below "Right of Refusal" policy will be followed.

<mark>Retraction of Referrals</mark>

<mark>If a referral is made for any participant who is found to be ineligible for CES as described in the By-Name-List Management and Inactive Policy above, the referral shall be retracted by the CES Operator and the aforementioned Policy and Procedure shall be followed.</mark>

A. Data Management

The HMIS is key to centralizing information to measure outcomes and determine client needs through Coordinated Entry. Not all stakeholders have direct access to HMIS. Throughout the CoC, service provider agencies that directly interact with people facing homelessness actively use and contribute to the HMIS. All HMIS Lead personnel (including employees, volunteers, affiliates, contractors and associates), and all participating agencies and their personnel, are required to comply with the HMIS User Policy, Agency Participation Agreement, and Code of Ethics Agreement. All personnel in the CES participating agencies with access to HMIS must receive and acknowledge receipt of a copy of the Participation Agreement and receive training on this Privacy Policy before being given access to HMIS.

To comply with federal, state, local, and funder requirements, information about the homeless persons, their dependents, and the services that are provided to them, is required to be collected in the HMIS. When assistance is requested it is assumed that the client is consenting ("inferred consent") to the use of the HMIS to store this information. The participants have the right to explicitly refuse the collection of this information, and participating agencies are not permitted to deny services for this reason. However, such refusal may severely impact the ability of any participating agency throughout the CES to qualify the client for certain types of assistance or to meet their needs.

Data collection should not be confused with data sharing ("disclosure"). Participating agencies are required to provide the client with an opportunity to consent to certain disclosure of their information with CE and cooperating agencies, either in writing or electronically. If the client consents to the disclosure of their information, they enhance the ability of CES to assess their specific needs and to coordinate delivery of services for them.

To protect the privacy and the security of client information, the HMIS is governed by data access control policies and procedures. Every user's access to the system is defined by their user type and role. Their access privileges are regularly reviewed and access is terminated when users no longer require that access. Controls and guidelines around password protection and resets, temporary suspensions of User Access and electronic data controls are in place and are outlined in detail in the HMIS User Agreement.

Services shall not be denied if the participant refuses to allow their data to be shared, unless Federal statute requires collection, use, storage and reporting of a participant's personally identifiable information as a condition of program participation.

HMIS users shall be informed and understand the privacy rules associated with collection, management, and reporting of client data.

The CES Operator is responsible for maintaining data quality with the HMIS CES programs, including working with and training users accessing those programs on data quality.

Privacy Protections

The CoC ensures adequate privacy protections of all participant information per the HMIS Data and Technical Standards (CoC Interim Rule – 24 CFR 578.7(a)(8). All providers participating in Coordinated Entry must undergo training provided by the HMIS Technician II and CES Operator before gaining access to the CES By-Name-Lists. Participant consent is obtained in a uniform written release of information and is stored in a secure location. If the participant agrees to data sharing on their release of information, that release of information shall be uploaded into the CES dashboard on HMIS. Participants are informed of all cooperating agencies who may have access to their information for purposes of referral through the CE process. All users of HMIS in cooperating agencies in CE are trained by the HMIS Administrator and CES Operator on data collection, management, and reporting.

The CoC prohibits denying services to participants if they refuse their data to be shared unless Federal statute requires collection, use, storage, and reporting of a participant's personally identifiable information as a condition of program participation. The CoC only shares participant information and documents when the participant has provided written consent through the CES Release of Information.

Procedure:

1) In the event of a data quality or privacy infraction pertaining to CES, including failing to upload a release of information for identifiable participants while entering new data, the CES Operator shall notify the staff responsible and their supervisor and request corrections be made.

2) In the event of additional infractions or lack of corrections to existing infractions within 1 week, the CES Operator shall notify the staff responsible, their supervisor, and the HMIS lead for the agency and offer additional training.

3) In the event of a 3rd infraction or lack of corrections to previous infractions, the CES Operator has the ability to revoke access to the CES programs in HMIS for the staff responsible. The supervisor, HMIS lead, and CES contact identified on the CES MOU shall be notified if so. The staff responsible shall be required to take the HMIS Ethics and Confidentiality training and any additional training identified by the CES Operator specific to the infraction before CES access is renewed.

Emergency Shelter Standards update:

The emergency shelter standards were approved before the change in CE operators. The proposed changes are intended to bring the shelter standards in line with the CES policies and procedures. See next page for specific changes.

- Information was added regarding serving undocumented individuals in homeless service programs due to questions from providers around this topic. This information was reviewed and approved by County Counsel.
- Removed all references to the Community Development Commission and replaced with Department of Health Services to reflect the change to the lead agency.
- Added information about providers' responsibility to adhere to HUD's Equal Access Final Rule and HUD's Gender Identity Final Rule.

Rapid Re-housing Standards update:

- Added information about serving undocumented individuals. See attached document with language.
- Removed all references to the Community Development Commission and replaced with Department of Health Services to reflect the change to the lead agency.

Permanent Supportive Housing Standards update:

- Added information about serving undocumented individuals. See attached document with language.
- Removed all references to the Community Development Commission and replaced with Department of Health Services to reflect the change to the lead agency.

Edits to Emergency Shelter Standards. The language for serving undocumented individuals will be the same across the standards.

1) **Program Elements: Housing focused pg. 5**
   a. **Change: "**Participants should be referred to Coordinated Entry within 5 days of entering a shelter program. When able, shelter providers will enroll client into Coordinated Entry." See changes below

      For all permanent shelters, participants should be enrolled in Coordinated Entry within 3 days of entering a shelter program. For winter or temporary shelters, shelters will refer a participant to a CE access site within 3 days of entering the shelter program.

      Rationale: the change of 5 days to 3 days: To align with CES Policies and procedures

      The addition of "For winter or temporary shelters, shelters will refer a participant to a CE access site within 3 days of entering the shelter program.": To clarify that temporary and winter shelters are not required to enroll participants into CE. Permanent shelters are required to be access points.

2) **Shelter intake policy pg. 7:**
   a. **Remove:** "Additionally, individuals who are at the top of the by names list who are waiting on imminent placement into a permanent supportive housing project may be referred by CES to this 25% set aside."
   b. **Rationale:** CE only refers to housing programs, not shelter. This policy should be added to the Outreach standards as those teams can already refer to the 25% set-aside beds. If an individual is in this situation, outreach teams or other emergency-service providers can refer the individual to the set-aside beds.

3) **Coordination with other providers: Coordinated Entry System policy pg.10, 11**
   a. **Change:** Individuals who access shelters, must be able to enroll eligible participants directly and into HMIS and the shelter project within ~~5~~ 3 business days or make a referral to an access point within the same period of time
      i. **Rationale:** Change needed to align with CES policies and procedures.
   b. **Change:** To the extent possible, a shelter representative should attempt to attend the ~~monthly~~ weekly CES case conferences.
      i. **Rationale:** Case conference meetings are now held weekly.

4) **Non-Discrimination pg. 25**

   Add: Services are provided to program participants are offered in a nondiscriminatory basis with respect to race; color; national origin or citizenship status; age; disability (physical or mental); religion; sex; sexual orientation or identity; genetic information; HIV or AIDS; medical conditions; political activities or affiliations; military or veteran status; status as a victim of domestic violence, assault or stalking; or any other federal, state or locally protected group.

   Providers of the Continuum of Care are required to adhere to HUD's Equal Access Final Rule and HUD's Gender Identity Final Rule. Through the final rules, HUD ensures equal access to individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD's Office of Community Planning and Development (CPD). HUD's housing

programs are open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status

Serving undocumented individuals in homeless service programs

I. PRWORA Restrictions and Exceptions

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("PRWORA") restricted undocumented individuals from accessing a number of public benefits, including housing and homeless services. However, the PRWORA also created exceptions that allow access, regardless of the recipients' immigration status, to programs and services that:

    i.   deliver in-kind services at the community level;
    ii.   do not condition the provision of assistance on the program participants' income or resources; and
    iii.   are necessary for the protection of life or safety.[1]

II. Guidance from the U.S. Attorney General and HUD

The U.S. Department of Justice (DOJ) interpreted the above three-prong test to mean that all individuals, regardless of immigration status, should be given access to:

- "Short-term shelter or housing assistance for the homeless, for victims of domestic violence, or for runaway, abused or abandoned children," and
- "Programs, services, or assistance to help individuals during periods of heat, cold, or other adverse weather conditions."[2]

To date, U.S. Department of Housing and Urban Development (HUD) has not issued any similar guidance clarifying which of its homeless assistance programs are subject to PRWORA's noncitizen eligibility restrictions.[3] However, in 2016, HUD, DOJ and the U.S. Department of Health and Human Services (HHS) issued guidance specifying that the following programs and services shall remain accessible to all eligible individuals, regardless of immigration status:

- Transitional Housing (for up to two years, where the recipients or sub-recipients of government funds own or lease the housing)[4]
- Street Outreach Services
- Emergency Shelters
- Safe Havens

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[1] 8 U.S.C.A. § 1611(b)(1)(D).
[2] U.S. Dept. Justice, Final Specification of Community Programs Necessary for Protection of Life or Safety Under Welfare Reform Legislation, 66 Fed. Reg. 3613-02 (January 16, 2001).
[3] Congressional Research Service, Noncitizen Eligibility for Federal Housing Programs (updated Nov. 20, 2022) ("CRS Report"), at pp. 13-14.
[4] HUD notes that Transitional Housing must be provided to all persons regardless of immigration status when recipients or sub-recipients of government funding own or lease the buildings used to provide the transitional housing. However, the PRWORA restricts access based on immigration status to transitional housing in which the recipients or sub-recipients of government funds provide rental assistance payments to program participants based on the participants' income. See U.S. Dept. Hous. & Urban Dev., The Personal Responsibility and Work Opportunity Act of 1996 and HUD's Homeless Assistance Programs (Aug. 16, 2016) ("HUD Fact Sheet")

- Rapid Re-housing[5]

III.   Exceptions to Verification Requirements for "Nonprofit Charitable Organizations"

While the PRWORA generally requires government agencies to verify the immigration status of applicants for public benefit programs, "nonprofit charitable organizations" are **not** required to verify the immigration status of applicants for federal, state or local public benefits, including for Permanent Supportive Housing programs.[6]

IV.   Other Applicable Restrictions

Notwithstanding the PRWORA's immigration-related restrictions, organizations or agencies that receive federal funding must not discriminate against individuals on the basis of race, national origin or any basis protected under the following:

- Title VI of the Civil Rights Act of 1964
- Fair Housing Act
- Violence Against Women Act
- Family Violence Prevention and Services Act
- Section 109 of Title I of the Housing and Community Development Act of 1974
- Any other applicable nondiscrimination law[7]

In addition, HUD, HHS and DOJ have advised that:

"Denying an individual a public benefit or treating an individual differently because of that individual's race or national origin would violate one or more of these statutes. For example, a recipient of federal financial assistance may not deny benefits to applicants because they have ethnic surnames or origins outside the United States. Nor may the recipient single out individuals who look or sound "foreign" for closer scrutiny or require them to provide additional documentation of citizenship or immigration status. Also, because individuals might come from families with mixed immigration status, there may be some family members who are eligible for all benefits and others who are not eligible or who can receive only a more limited subset of those benefits. Therefore, benefits

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[5] See HUD Fact Sheet; U.S. Dept. Hous. & Urban Dev., U.S. Dept. Health & Human Serv., U.S. Dept. Justice, interpretive letter (Aug. 5, 2016) ("Joint Letter"), at pp. 2-3.

[6] 8 U.S.C.A. § 1642. A nonprofit charitable organization that chooses not to verify an applicant's immigration status cannot be penalized (e.g., through cancellation of its grant or denial of reimbursement for benefit expenditures) for providing federal public benefits to an individual who is not a U.S. citizen, U.S. noncitizen national or qualified alien, except when it does so either in violation of independent program verification requirements or in the face of a verification determination made by a non-exempt entity. However, if a nonprofit charitable organization chooses to verify, even though it is not required to do so under the PRWORA, it must comply with the procedures set forth by the Attorney General pursuant to the DOJ Interim Guidance and provide benefits only to verified to U.S. citizens, U.S. non-citizen nationals or qualified aliens. U.S. Dept. Justice, Interim Guidance on Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 62 Fed. Reg. 61344-02 (Nov. 17, 1997) ("DOJ Interim Guidance").

[7] Joint Letter, at p. 4.

providers must ensure that they do not engage in practices that deter eligible family members from accessing benefits based on their national origin".[8]

Useful links:

- Full text of the PRWORA: https://www.congress.gov/104/plaws/publ193/PLAW-104publ193.pdf
- Joint Letter: https://files.hudexchange.info/resources/documents/HUD-HHS-DOJ-Letter-Regarding-Immigrant-Access-to-Housing-and-Services.pdf
- HUD Fact Sheet: https://files.hudexchange.info/resources/documents/PRWORA-Fact-Sheet.pdf
- DOJ Interim Guidance: https://www.govinfo.gov/content/pkg/FR-1997-11-17/pdf/97-29851.pdf
- CRS Report: https://crsreports.congress.gov/product/pdf/R/R46462

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[8] *Ibid.*

**Sonoma County Continuum of Care Board
Agenda Report**

Item No: 12

Subject: Strategic Planning Committee Direction

Meeting Date: February 22, 2023

Staff Contact: Dave Kiff, Division Director, DHS Homelessness Services Division
Dave.Kiff@sonoma-county.org

SUMMARY

The Sonoma County Continuum of Care Board (CoC Board) created its Strategic Planning Committee (SPC) in June 2021. The SPC's mission was to spearhead the development of a countywide, community-informed, and person-centered plan that is inclusive, equitable, coordinated, and outcome based, and to report back regularly to the CoC Board on the Plan's progress. The SPC did this, with significant success.

In collaboration with Homebase, and through a robust community engagement process that involved three SPC working groups and more formal monthly (and sometimes semi-monthly) SPC meetings, the Strategic Plan was completed. The Plan was approved by the CoC Board on December 14, 2022 and by the Sonoma County Board of Supervisors on January 31, 2023.

At the request of the CoC Board, Lead Agency staff spent some time thinking about what role the SPC might play in the advancement and implementation of the Plan in 2023 and beyond.

RECOMMENDED ACTION(S)

Select one of the below recommendations as future direction for the CoC Strategic Planning Committee (the first recommendation is staff's recommendation):

1) That the Strategic Planning Committee:
   a. Seek new and returning members, and
   b. Continue to meet as a Committee in a public setting every other month for one focused hour. During this hour, staff will provide updates, engage stakeholders in the implementation process, and answer any outstanding Committee and public questions about Strategic Plan progress;
   c. Work with staff to develop a convenient and transparent tracking system to follow Action Plan items, especially for Year 1;
   d. Report back to the CoC Board directly following each SPC bi-monthly meeting on Strategic Plan progress (or lack thereof); and

e. Sunset and thank the Committee's working groups, instead bringing any remaining work to the SPC for follow-ups.

2) As possible alternatives to Recommendation #1:
a. Meet with the CoC Strategic Planning Committee one final time to thank them and then dissolve the Committee and workgroups. Direct that all Strategic Planning progress updates be done directly with the CoC Board; or
b. Continue regular meetings with the CoC Strategic Planning Committee (1.5 hour monthly meeting) and its Coordinated System of Care workgroup.

DISCUSSION

As we reviewed options for the SPC, we were cognizant of the extensive amount of time that went into the Strategic Plan's development by SPC members. Meetings were regularly-held, in public (on Zoom), full of information, and a place for robust discussion and debate. Representatives from cities, the County, service providers, and Lived Experience communities were invaluable to the SPC's success and to the Plan's successful completion and adoption. Staff is very thankful for the Committee members' participation and engagement.

Moving forward, it is critical that the Plan be activated, especially its 2023 action items. We know, too, that there should be a CoC body that reviews progress with staff. But it's an open question as to what body that might be – the SPC or the CoC Board itself. Or, alternatively, both – with different roles for each.

Staff discussed this both internally and with the CoC Board chairs. We believe that retaining and making new appointments to the SPC, with a less intensive meeting schedule combined with more targeted and focused sessions (targeted just on progress on the Plan), will be beneficial to the Plan and its process. This will help recruit and retain new SPC members and should reduce the amount of time that the CoC Board needs to spend delving deeply into Plan progress. Retaining and refining the role of the SPC also respects past community involvement and may help ensure continued investment and community accountability to the Plan.

We recommend this acknowledging that meetings are challenging and time consuming to support and staff. And that good attendance is often based on the perceived usefulness of meetings. Taking this into consideration, a one-hour meeting every other month, with regular Plan updates and tracking/reporting mechanisms, and new members to the SPC, might be the best option. We also suggest sunsetting the SPC's three working groups (Increasing Income, Housing, and Coordinated System of Care) as these items are well-placed within the purview of the SPC and can be discussed there without additional staff and Committee member meeting time.

Seeking new members for the Committee will be important, as the two leaders of the SPC in 2022, Tom Schwedhelm and Stephen Sotomayor, have stepped back from their Committee roles and are no longer serving on the CoC Board (we miss them already). Given the action items in the Strategic Plan, we respectfully recommend that the Board (should it maintain the SPC) target new applicants to the SPC from Lived Experience, Black and Indigenous communities, health care, service provision, data presentation and evaluation, communications, governments, legal aid, 211, and the business community (such as property owner representation).

Regardless of the Board's decision, it is important to recognize publicly the participation in 2021 and 2022 of the SPC members. The Board may wish to consider ways to thank these individuals more formally.

We look forward to the Board's discussion of this item and your direction.

ATTACHMENTS:

A: Approved CoC Strategic Plan:
https://sonomacounty.ca.gov/Main%20County%20Site/Development%20Services/CDC/Homeless%20Services/Continuum%20of%20Care/Strategic%20Plan/SonomaCountyStrategicPlan_CoCAdopted-12142022.pdf
B: Current CoC Strategic Planning Committee Roster:
https://sonomacounty.ca.gov/development-services/community-development-commission/divisions/homeless-services/continuum-of-care/committees/strategic-planning-committee

Sonoma County Continuum of Care Board
Agenda Report

Item No: 13

Subject: March 22, 2023 CoC Board Meeting Draft Agenda

Meeting Date: February 22, 2023

Staff Contact: Alea Tantarelli, Alea.Tantarelli@Sonoma-County.org

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SUMMARY

This staff report briefly summarizes the March 22, 2023 CoC Board Meeting proposed agenda. The draft agenda contains all proposed items that will be discussed by the Continuum of Care Board at the March 22nd, 2023 CoC Board Meeting. The draft agenda is attached as **Attachment A**.

RECOMMENDED ACTION(S)

None – an informational item only.

Attachment A
Sonoma County Continuum of Care (CoC) Board
Agenda for March 22, 2023
1:00pm-5:00pm Pacific Time

Public Zoom Link:

https://sonomacounty.zoom.us/j/99261791880?pwd=djc0b1ZsU1FpOU1kbnJ0UDNOcUhFQT09

Phone: 1 (669) 900-9128   **Webinar ID**: 992 6179 1880   **Passcode:** 650935

	Agenda Item	Packet Item	Presenter	Time
	Welcome, Roll Call and Introductions		Board Chair	1:00pm
	Note: Items 1-3 below are proposed for adoption via one motion as the Consent Calendar.	N/A		
1.	3/22/23 Agenda *(Consent Calendar)*	Draft Agenda	Staff	
2.	Minutes from 2/22/23 *(Consent Calendar)*	Draft Minutes	Staff	
3.	Summary of Follow-ups from the Previous Meeting(s) – *(Consent Calendar)*	Summary of Follow-ups	Staff	1:05pm
4.	Reports from Lead Agency Staff Potential ACTION ITEM	Staff Report for Reports from Lead Agency	Staff	1:30pm
5.	Service Provider Roundtable (SPR) Update Potential ACTION ITEM		Margaret Sluyk	2:00pm
6.	Word from the Street Potential ACTION ITEM		Chessy Etheridge	2:10pm
7.	Report Back on Housing Voucher Public Comment Recommendation		Staff	2:20pm

8.	Measure O Notice of Funding Availability (NOFA) Responses		Staff	2:45pm
9.	10-minute break			3:00pm
10.	Encampment Resolution Fund (ERF) Update		Staff	3:10pm
11.	Community Assistance, Recovery and Empowerment (CARE) Court Update		TBD	3:30pm
12.	Reports from Standing Committees: • Funding & Evaluation Committee • Coordinated Entry Advisory (CEA) Committee • Strategic Plan Committee • Homeless Management Information System (HMIS)/Data Committee • Lived Experience Advisory & Planning Board (LEAP) • Youth Action Board Potential ACTION ITEM		Committee Representatives	3:40pm
13.	April CoC Quarterly Membership Meeting ACTION ITEM: Approve proposed agenda	DRAFT Agenda	Staff	4:15pm
14.	Review Agenda for Next CoC Board Meeting Potential ACTION ITEM	Staff Report for DRAFT Agenda for 4/26/23	Board Chair	4:30pm
15.	Board Member Questions & Comments Potential ACTION ITEM		Board Chair	4:50pm
16.	Public Comment on Non-Agendized Items		Board Chair	4:55pm

PUBLIC COMMENT:

Public Comment may be made via email or during the live zoom meeting. To submit an emailed public comment to the Board email Araceli.Rivera@sonoma-county.org. Please provide your name, the agenda number(s) on which you wish to speak, and your comment. These comments will be emailed to all Board members. Public comment during the meeting can be made live by joining the Zoom meeting using the above provided information. Available time for comments is determined by the Board Chair based on agenda scheduling demands and total number of speakers.