

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: April 15, 2019

Reviewed by: NA

SUBJECT: California Homeless Coordinating and Financing Council –
Homeless Emergency Aid Program (HEAP) – Proposed Activities
for inclusion in contract with Alameda County

REPORT BY: Isabelle Leduc, Assistant City Manager
Nicole Almaguer, City Manager

SUMMARY

On March 18, 2019 Council received an overview of the California Homeless Coordinating and Financing Council - Homeless Emergency Aid Program (HEAP) as administered by Alameda County. The Program is designed to provide immediate emergency assistance to address the homelessness crisis throughout California. Albany's allocation is \$338,234. Due to the aggressive deadline for the expenditure of the funds by the State there is a general concurrence in the region to use the funds on existing programs or one - time expenditures with the most potential for positive impact. Staff is recommending that Council authorize the City Manager to enter into an agreement with Alameda County for the expenditure of HEAP grant funds. Based on input received from Council and the Social & Economic Justice Commission, staff has drafted two possible expenditure plans for the use of HEAP funds for Council's consideration.

SOCIAL & ECONOMIC JUSTICE COMMISSION RECOMMENDATION

That the Council consider allocating Homeless Emergency Aid Program funds to support Albany Project HOPE with housing subsidies, landlord incentives, homelessness prevention activities, and that further research be done on the possibility of using a portion of HEAP funds for a public toilet.

STAFF RECOMMENDATION

That the Council adopt resolution No. 2019-28 authorizing the City Manager to enter into an agreement with the County of Alameda for the expenditure of Homeless Emergency Aid Program (HEAP) grant funds in the amount \$338,234 and select one of the two expenditure plans proposed.

BACKGROUND

On March 18, 2019, Council received an overview of the California Homeless Coordinating and Financing Council Homeless Emergency Aid Program (HEAP) established by Senate Bill (SB) 850, and signed into law by Governor Brown in June 2018, to provide localities with flexible block grant funds to address their immediate homelessness challenges. The Homeless Emergency Aid Program (HEAP) provides \$500 million in one-time emergency funding to enable local governments to respond to homelessness. HEAP funds are intended to provide funding to Continuums of Care (CoCs) and large cities with populations over 330,000. Eligible uses of HEAP funds include homeless prevention activities, criminal justice diversion programs for homeless individuals with mental health needs, establishing or expanding services for homeless youth and emergency aid. The parameters of the program are intentionally broad to allow local communities to craft programs that meet the specific needs they have identified. All activities must directly benefit the target population.

The City of Albany is part of the Oakland, Berkeley/Alameda County CoC which is set to receive approximately \$24.9 million. On September 4, 2018, Council adopted resolution No. 2018-110 declaring a shelter crisis pursuant to SB 850. On October 2, 2018, the Board of Supervisors designated Alameda County as the Administrative Entity (AE) to administer HEAP for the local CoC and responsibilities for managing contracts and reporting to the State on contract expenditures, the number of homeless individuals served by program funds, and the progress towards State and local homelessness goals. Based on the HEAP distribution formula adopted by the Board of Supervisors, Albany's allocation is \$338,234.

The HEAP statute mandates that 50 percent of the awarded funds must be contractually obligated by January 1, 2020. Additionally, 100 percent of the funds must be expended by June 2021 or returned to the Business, Consumer Services and Housing Agency (BCSH). Given the aggressive State deadlines for expenditure of HEAP funds, the County is in the process of drafting agreements with cities for the use of HEAP funds and will be monitoring encumbrances of cities' funds to avoid reversion to the State. A local match will be required and is currently recommended at 30% in FY2019-2020. Details regarding eligible sources and uses of matching funds will be determined based on further discussions with the City Managers Subcommittee.

The general concurrence within the region is that all dedicated cities will work expeditiously to ensure all funding allocated will be expended, as such, there is an obligation to look towards existing programs or one-time expenditures with the most potential for positive impact.

DISCUSSION

Albany's total allocation of \$338,234 is available for programming within the following categories: Services, Rental Assistance or Subsidies, capital improvements and

Administration. A description of each category is included (Attachment 2). On March 18, 2019 the Council received a presentation regarding potential existing programs that could be augmented with the use of HEAP funds including housing subsidies, homelessness prevention, flexible housing subsidy funds, homeless encampment clean-ups and a possible one-time expenditure for the purchase of an auto cleaning public toilet. Council expressed interest in activities that provide housing and keep people housed, such as housing subsidies and homelessness prevention. An interest was also expressed in utilizing some funding for encampment clean ups. The Council also requested additional information on costs associated with the auto cleaning toilet. As part of the action, the Council referred the matter to the Social and Economic Justice Commission (SEJC) for further input. At their April 2 meeting, the SEJC considered the use of HEAP funds and recommended that the funds be used to support Albany Project HOPE with housing subsidies, landlord incentives, and homelessness prevention, and that further research be done on the possibility of using a portion of HEAP funds for a public toilet.

Based on the direction received by the Council, the recommendations received by the SEJC, and staff's discussions with representatives from Berkeley Food and Housing Project, the following two funding proposal options have been developed for Council consideration. The primary difference between the two options is whether the Council would like to continue forward with including the purchase of a public restroom unit or focus the utilization of the funding specifically on the areas of housing subsidies and homelessness prevention.

Option 1

- Increase housing subsidies to allow for deeper and longer subsidies for people newly housed (rapid re-housing).
- Increase housing prevention activities to keep people who are at risk of losing their housing housed.
- Allocate funds for landlord incentives
- Allocate funds to a flexible housing subsidy fund for move-in costs
- Encampment clean-up, including any biohazards and needles with assistance from a trained contractor.
- Administration (2.5%)

Staff has prepared a HEAP expenditure plan (Attachment 3) for this "Option 1" which outlines the potential distribution of funding among the activities selected for the use of HEAP funds.

Option 2

The Council and SEJC have expressed some level of interest in an auto cleaning public toilet. Based on staff's preliminary research, the purchase cost of a single unit is approximately \$140,000. More time is needed to identify a location and costs associated

with site preparation and installation as these costs could vary significantly depending on the site dynamics. If the Council wishes to pursue the purchase and installation of a public restroom, the Council could include the purchase cost of the auto cleaning toilet in the HEAP expenditure plan (\$140,000), and direct staff to identify location options for the unit, installation/site preparation costs, ongoing maintenance costs and potential funding sources for these costs which could possibly include Community Development Block Grant funding. This option would allocate HEAP funds to the purchase of the auto cleaning toilet and provide additional time to conduct a thorough analysis for the placement of the unit. Staff has drafted a second expenditure plan (Attachment 4) that includes the cost of the toilet “Option 2”.

ANALYSIS

The County is in the process of drafting grant agreements with cities for the use of HEAP funds. The decision-making process must continue to operate on a compressed timeline for the City to meet the upcoming State and County deadlines. A final recommendation for the use of HEAP funds is required to provide adequate time for the City to enter into an agreement with Alameda County for the expenditure of the funds.

SUSTAINABILITY IMPACT

N/A

FINANCIAL IMPACT

Funds for program costs will come from the State HEAP grant. In addition, there is a matching fund obligation of 30% that is yet to be fully defined. Further research is required to identify funding for the costs associated with site preparation and installation of the auto cleaning toilet should Council choose this option.

Attachments

1. Resolution No. 2019-28
2. HEAP Eligible Activities Description
3. HEAP Expenditure Plan Option 1
4. HEAP Expenditure Plan Option 2
5. HEAP program guidance
6. HEAP Frequently asked questions

1 **RESOLUTION NO. 2019-28**

2 **A RESOLUTION OF THE ALBANY CITY COUNCIL TO AUTHORIZE**
3 **THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE**
4 **COUNTY OF ALAMEDA FOR THE EXPENDITURE OF HOMELESS**
5 **EMERGENCY AID PROGRAM (HEAP) GRANT FUNDS**
6 **IN THE AMOUNT OF \$338,234.**

7 **WHEREAS**, the California Homeless Coordinating and Financing Council
8 Homeless Emergency Aid Program (HEAP) established by Senate Bill (SB) 850 was
9 signed into law by Governor Brown in June 2018, to provide \$500 million to localities
10 with flexible one-time emergency block grant funds to address their immediate
11 homelessness challenges; and

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13 **WHEREAS**, eligible uses of HEAP funds include homeless prevention activities,
14 criminal justice diversion programs for homeless individuals with mental health needs,
15 establishing or expanding services for homeless youth and emergency aid; and

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17 **WHEREAS**, the City of Albany is part of the Oakland, Berkeley/Alameda County
18 CoC which is set to receive approximately \$24.9 million; and

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20 **WHEREAS**, based on the HEAP distribution formula adopted by the Board of
21 Supervisors, Albany's allocation is \$338,234; and

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23 **WHEREAS**, on October 2, 2018, the Board of Supervisors designated Alameda
24 County as the Administrative Entity (AE) to administer HEAP for the local CoC and
25 responsibilities for managing contracts and reporting to the State on contract
26 expenditures, the number of homeless individuals served by program funds, and the
27 progress towards State and local homelessness goals; and

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WHEREAS, the HEAP statute mandates that 50 percent of the awarded funds must be contractually obligated by January 1, 2020 and 100 percent of the funds must be expended by June 2021 or returned to the Business, Consumer Services and Housing Agency (BCSH); and

WHEREAS, due to the aggressive timeline for the expenditure of the funds there is a general concurrence in the region to use the funds on existing programs or one-time expenditures with the most potential for positive impact.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby authorize the City Manager to enter into an agreement with the County of Alameda for the expenditure of Homeless Emergency Aid Program (HEAP) grant funds in the amount \$338,234.

ROCHELLE NASON, MAYOR

Attachment 2

HOMELESS EMERGENCY AID PROGRAM

Description of eligible activities:

- **Services:** activities including, but not limited to street outreach, health and safety education, criminal justice diversion programs, homelessness prevention activities, and other service activities.
- **Rental Assistance or Subsidies:** activities including but not limited to housing vouchers, rapid re-housing programs, flexible housing subsidy funds, and eviction prevention strategies
- **Capital Improvements:** activities including but not limited to emergency shelter, navigation centers, transitional housing, permanent supportive housing, small/tiny houses, and improvements to current structures that serve homeless individuals and families. Some communities are discussing solutions to address homelessness and the public health crisis by using funds for handwashing stations or public toilet and shower facilities.
- **Administration:** HEAP allows no more than five percent of funds to be utilized for administrative costs related to the execution of eligible activities. Administrative costs do not include staff costs directly related to carrying out the eligible activities. Program funds shall not be used for overhead or planning activities.

Attachment 3

HEAP Expenditure Plan

Option 1

Activity	Amount
Increase housing subsidies to allow for deeper and longer subsidies for people newly housed.	\$150,000
Increase housing prevention activities to keep people who are at risk of losing their housing housed.	\$54,778
Allocate funds to a landlord incentive program to encourage property owners to rent to people experiencing homelessness by providing additional funds above the requested security deposits.	\$25,000
Allocate funds to a flexible housing subsidy fund for move-in costs	\$25,000
Encampment clean up, including any biohazards and needles with assistance from a trained contractor.	\$75,000
Administration (2.5%)	\$8,456
TOTAL HEAP	\$338,234

Attachment 4

Heap Expenditure Plan

Option 2 (with auto cleaning toilet)

Activity	Amount
Increase housing subsidies to allow for deeper and longer subsidies for people newly housed.	\$79,778
Increase housing prevention activities to keep people who are at risk of losing their housing housed.	\$30,000
Allocate funds to a landlord incentive program to encourage property owners to rent to people experiencing homelessness by providing additional funds above the requested security deposits.	\$15,000
Allocate funds to a flexible housing subsidy fund for move-in costs	\$15,000
Encampment clean-up, including any biohazards and needles with assistance from a trained contractor.	\$50,000
Purchase of an auto cleaning single toilet unit (other funds to be identified for site preparation/ installation and ongoing maintenance)	\$140,000
Administration (2.5%)	\$8,456
TOTAL HEAP	\$338,234

HOMELESS EMERGENCY AID PROGRAM (HEAP)

Program Guidance



Edmund G. Brown Jr., Governor
Secretary Alexis Podesta, Council Chair
Ginny Puddefoot, Executive Officer

August 7, 2018



**Homeless Emergency Aid Program (HEAP) Grant
Program Guidance – August 2018**

The California Homeless Coordinating and Financing Council (HCFC) is pleased to announce the launch of the Homeless Emergency Aid Program (HEAP). HEAP is a \$500 million block grant program designed to provide direct assistance to cities and counties to address the homelessness crisis throughout California. HEAP is authorized by Senate Bill (SB) 850, which was signed into law by Governor Brown in June 2018. This overview provides a program timeline with key milestones and delineates when stakeholders may expect program deliverables.

Available Funding

HEAP funding is divided into three categories for distribution.

Category for Distribution	Funded Amount	Eligible Applicants
Continuum of Care – Based on Point in Time Count Ranges [SB 850: Section 2, Chapter 5, 50213 (a)]	\$250,000,000	Continuum of Care (CoC)
Continuum of Care – Based on Percent of Homeless Population [SB 850: Section 2, Chapter 5, 50213 (b)]	\$100,000,000	Continuum of Care (CoC)
City / City that is also a County – Based on Population [SB 850: Section 2, Chapter 5, 50213 (c)]	\$150,000,000	Large Cities (LCs) with a population over 330,000

Eligible Uses

HEAP funds are intended to provide funding to Continuums of Care (COCs) and large cities (LCs) with populations over 330,000, so they may provide immediate emergency assistance to people experiencing homelessness. Eligible uses include, but are not limited to the following:

- a. Homelessness prevention activities,
- b. Criminal justice diversion programs for homeless individuals with mental health needs,
- c. Establishing or expanding services meeting the needs of homeless youth or youth at risk of homelessness, and
- d. Emergency aid.

The parameters of the program are intentionally broad to allow local communities to be creative and craft programs that meet the specific needs they have identified. All activities must directly benefit the target population.

Expenditure Deadlines

The HEAP statute mandates that 50 percent of the awarded funds must be contractually obligated by January 1, 2020. Additionally, 100 percent of the funds must be expended by June 30, 2021. Unexpended funds must be returned to the Business, Consumer Services and Housing Agency (BCSH) and will revert to the General Fund. Finally, administrative costs are

capped at five percent of program funds, but this does not include staff costs directly related to carrying out program activities.

Eligible Applicants

For the HEAP program, an Administrative Entity (AE) is the CoC. The CoC is the eligible applicant for HEAP funding for the same geographic boundaries for which it administers federal Department of Housing and Urban Development CoC funds. LCs with populations over 330,000 are also eligible applicants. Please refer to the California Department of Finance [website](#) for population estimates. LC grant applicants will enter into a contract with BCSH and administer their own funds separately, however, they will still be expected to collaborate with their CoC.

Shelter Crisis Declaration

The shelter crisis declaration is required for all cities and counties within a CoC that wish to receive HEAP funds, except for CoCs with fewer than 1,000 homeless people, based on the 2017 Point in Time count. Each incorporated city must declare a shelter crisis pursuant to Chapter 7.8 (commencing with Section 8698) of Division 1 of Title 2 of the Government Code. Counties may declare a shelter crisis only for the unincorporated areas of the county. The declaration is a resolution that must be adopted by the governing body of a jurisdiction or jurisdictions within a CoC or LC. A sample resolution has been provided (see attachment A). If a CoC has fewer than 1,000 homeless people, they may submit with their application a waiver exempting all cities and the counties that are part of the CoC from declaring a shelter crisis.

Pre-Application Program Timeline

Beginning in early August, the HEAP team will begin the distribution of key program information and documents. These pre-application materials will help inform the local collaborative process and assist stakeholders as they plan their applications.

Program Guidance, Timeline, Sample Shelter Crisis Resolution, Funding Allocations	
August 3, 2018	The guidance document includes a program timeline, sample resolution and funding allocation spreadsheet.
HEAP Frequently Asked Questions	
August 10, 2018	The FAQs will be updated on a regular basis on the HCFC website: http://www.bcsch.ca.gov/hcfc/
Sample Application and Instructions	
August 17, 2018	An application map will be released in advance of the HEAP Notice of Funding Availability (NOFA). The map will track to the application. The map, once completed will make the application process seamless.
August 20, 2018	Application instructions will be distributed along with the sample application.
Workshops/Webinars - Application Training Documents	
August 13 – Ongoing	Outreach and technical assistance will be conducted by the HEAP team. A detailed schedule will be posted on the HCFC website at a later date.

Application Timeline

Applications will be accepted immediately upon release of the Round 1 Notice of Funding Availability (NOFA) beginning on September 5, 2018. The Round 2 NOFA is planned for release on February 15, 2019. If, after the second round of awards, not all funds have been

claimed by all administrative entities, the BCSH shall, no later than June 15, 2019, work with the Department of Finance to identify an appropriate allocation methodology for a third round of awards or determine if any unallocated funds should revert to the General Fund.

Round 1	
NOFA Release	September 5, 2018
Early Applications Reviews Start***	Starting in September 2018
Early Applications Awarded	Starting in September 2018
Early Distribution of Funds Begins	Starting in late October 2018
Round 1 Application Cut-off Date	No later than December 31, 2018
Standard Applications Awarded	No later than January 2019
Standard Distribution of Funds Begins	April 2019
Round 2	
NOFA Release	February 15, 2019
Early Applications Reviews Start***	Starting in February 2019
Early Applications Awarded	Starting in February 2019
Early Distribution of Funds Begins	Starting in late March 2019
Round 2 Application Cut-off Date	No later than April 30, 2019
Standard Applications Awarded	No later than May 2019
Standard Distribution of Funds Begins	July 2019

***The HEAP team, recognizing the urgent need in cities and counties, encourages early applications and will review applications, make award decisions, and disburse funds on a rolling basis, immediately upon receipt.

Application Process

HEAP applications will be received through an online portal, with supporting attachments submitted via email. There are separate applications for CoCs and LCs. The applicant (CoC or LC) must submit with the application proof that a resolution declaring a shelter crisis has been approved for all jurisdictions receiving funds. Applicants must conduct a local collaborative application process to determine how HEAP funds will be utilized in the CoC or LC. The submitting entity must also demonstrate coordination with stakeholders, including but not limited to, homeless service and housing providers, law enforcement, cities, and homeless advocates whose general service area falls within the CoC or LC. The CoC or LC in turn may make sub-awards to entities it determines are qualified to carry out the eligible activities and operate within areas with approved shelter crisis status.

Special Notes

Collaboration

CoCs and LCs must demonstrate that a local collaborative effort has been conducted prior to application submission. A collaborative process may include, but is not limited to, a public meeting, regional homeless taskforce meeting, letters of support with signatures of endorsement, an adopted homeless plan, and an adopted budget which includes HEAP funds. Proof of a public process may include sign-in sheets, meeting minutes, agendas, and public comment logs, among other items. It is important that a wide enough range of participants are consulted as part of this process. Participants should include representatives of local homeless

service provider entities, law enforcement, behavioral health, and city and county public officials.

Homeless Youth

The HEAP statute requires a minimum investment of five percent of all awards be set aside for emergency assistance for homeless youth. The HEAP team encourages and expects local CoCs and LCs to work with youth advocates and related stakeholders to consider the level of investment that makes sense for this most vulnerable segment of the target population.

Contact the Program

The HCFC will be providing ongoing technical assistance and training to support CoCs and LCs in successfully applying for and administering HEAP funds. Additional information regarding the HEAP program is available on the HCFC [website](#). To receive information releases regarding the HEAP program, please register for the program [listserv](#). If you have questions, please direct them to the HCFC inbox at HCFC@BCSH.ca.gov.

Attachment A – Sample Crisis Declaration Resolution

DRAFT

Sample Resolution:
Declaration of a Shelter Crisis

RESOLUTION NO. _____

RESOLUTION OF [insert name of local governing body, e.g. City Council or County Board of Supervisors] OF THE [insert name of jurisdiction, e.g. City or County here] _____, STATE OF CALIFORNIA declaring a shelter crisis pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code § 8698.2).

The _____ [insert name of local governing body, e.g. City Council or County Board of Supervisors] Finds:

WHEREAS, California’s Governor Edmund G. Brown, Jr. and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness;

WHEREAS, The Governor and Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of SB 850 and the 2018-19 Budget Act (Chapter 48, Statutes of 2018);

WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code §8698.2;

WHEREAS, [insert name of city or county here] has developed a homelessness plan and undertaken multiple efforts at the local level to combat homelessness;

*WHEREAS, [insert name of city or county here] finds that **[Insert the 2017 Point in Time Count for the jurisdiction]** persons within the [insert name of city or county here] are homeless and living without shelter;*

REQUIRED

*WHEREAS, [insert name of city or county here] **finds that the number of homeless is significant, and these persons are without the ability to obtain shelter;***

WHEREAS, [insert name of city or county here] finds that the health and safety of unsheltered persons in the [insert City or County] is threatened by a lack of shelter;

WHEREAS, [insert name of city or county here] affirms the [insert: City’s or County’s] _____ commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities;

NOW, THEREFORE, BE IT RESOLVED BY THE [insert name of city council or county board of supervisors here] _____, CALIFORNIA, that a **shelter crisis** pursuant to Government Code §8698.2 exists in [insert name of city or county here] _____, and authorizes the [insert: City's or County's] _____ participation in the Homeless Emergency Aid Program.

Required: This is a specific term used in the code. Other terms such as shelter emergency, or homeless crisis are not sufficient.

PASSED AND ADOPTED by the [insert governing body here] _____ of the [insert name of city or county here] _____, State of California at the meeting of the said [insert Board or City Council] held on the ___ day of _____ by the following vote:

- AYES:** [insert name of local governing body]: _____
- NOES:** [insert name of local governing body]: _____
- ABSTAIN:** [insert name of local governing body]: _____
- ABSENT:** [insert name of local governing body]: _____

By: _____
_____, CHAIR PERSON
_____ [insert name of local governing body]

ATTEST:
By: _____
Date: _____

APPROVED AS TO LEGAL FORM:
By: _____
Date: _____

Attachment B – Formula Funding Estimates

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-600	Los Angeles City & County	55,188	41.100%	\$ 40,000,000.00	\$ 41,099,807.86	\$ 81,099,807.86	\$ 4,054,990.39
CA-601	San Diego City & County	9,160	6.822%	\$ 12,000,000.00	\$ 6,821,668.48	\$ 18,821,668.48	\$ 941,083.42
CA-500	San Jose/Santa Clara City & County	7,394	5.506%	\$ 12,000,000.00	\$ 5,506,486.54	\$ 17,506,486.54	\$ 875,324.33
CA-501	San Francisco	6,858	5.107%	\$ 12,000,000.00	\$ 5,107,314.68	\$ 17,107,314.68	\$ 855,365.73
CA-502	Oakland, Berkeley/Alameda County	5,629	4.192%	\$ 12,000,000.00	\$ 4,192,049.33	\$ 16,192,049.33	\$ 809,602.47
CA-602	Santa Ana, Anaheim/Orange County	4,792	3.569%	\$ 12,000,000.00	\$ 3,568,715.65	\$ 15,568,715.65	\$ 778,435.78
CA-503	Sacramento City & County	3,665	2.729%	\$ 10,000,000.00	\$ 2,729,412.12	\$ 12,729,412.12	\$ 636,470.61
CA-506	Salinas/Monterey, San Benito Counties	3,364	2.505%	\$ 10,000,000.00	\$ 2,505,250.30	\$ 12,505,250.30	\$ 625,262.52
CA-504	Santa Rosa, Petaluma/Sonoma County	2,835	2.111%	\$ 10,000,000.00	\$ 2,111,291.50	\$ 12,111,291.50	\$ 605,564.57
CA-608	Riverside City & County	2,406	1.792%	\$ 8,000,000.00	\$ 1,791,805.06	\$ 9,791,805.06	\$ 489,590.25
CA-508	Watsonville/Santa Cruz City & County	2,249	1.675%	\$ 8,000,000.00	\$ 1,674,883.45	\$ 9,674,883.45	\$ 483,744.17
CA-514	Fresno City & County/Madera County	2,016	1.501%	\$ 8,000,000.00	\$ 1,501,362.84	\$ 9,501,362.84	\$ 475,068.14
CA-609	San Bernardino City & County	1,866	1.390%	\$ 8,000,000.00	\$ 1,389,654.30	\$ 9,389,654.30	\$ 469,482.71
CA-606	Long Beach	1,863	1.387%	\$ 8,000,000.00	\$ 1,387,420.13	\$ 9,387,420.13	\$ 469,371.01
CA-603	Santa Maria/Santa Barbara County	1,860	1.385%	\$ 8,000,000.00	\$ 1,385,185.96	\$ 9,385,185.96	\$ 469,259.30
CA-510	Turlock, Modesto/Stanislaus County	1,661	1.237%	\$ 6,000,000.00	\$ 1,236,985.95	\$ 7,236,985.95	\$ 361,849.30
CA-505	Richmond/Contra Costa County	1,607	1.197%	\$ 6,000,000.00	\$ 1,196,770.88	\$ 7,196,770.88	\$ 359,838.54
CA-511	Stockton/San Joaquin County	1,542	1.148%	\$ 6,000,000.00	\$ 1,148,363.84	\$ 7,148,363.84	\$ 357,418.19
CA-512	Daly City/San Mateo County	1,253	0.933%	\$ 4,000,000.00	\$ 933,138.71	\$ 4,933,138.71	\$ 246,656.94
CA-509	Mendocino County	1,238	0.922%	\$ 4,000,000.00	\$ 921,967.86	\$ 4,921,967.86	\$ 246,098.39

Attachment B – Formula Funding Estimates Continued

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-518	Vallejo/Solano County	1,232	0.917%	\$ 4,000,000.00	\$ 917,499.52	\$ 4,917,499.52	\$ 245,874.98
CA-519	Chico, Paradise/Butte County	1,195	0.890%	\$ 4,000,000.00	\$ 889,944.74	\$ 4,889,944.74	\$ 244,497.24
CA-613	Imperial County	1,154	0.859%	\$ 4,000,000.00	\$ 859,411.07	\$ 4,859,411.07	\$ 242,970.55
CA-611	Oxnard, San Buenaventura/Ventura County	1,152	0.858%	\$ 4,000,000.00	\$ 857,921.63	\$ 4,857,921.63	\$ 242,896.08
CA-614	San Luis Obispo County	1,125	0.838%	\$ 4,000,000.00	\$ 837,814.09	\$ 4,837,814.09	\$ 241,890.70
CA-507	Marin County	1,117	0.832%	\$ 4,000,000.00	\$ 831,856.30	\$ 4,831,856.30	\$ 241,592.81
CA-515	Roseville, Rocklin/Placer, Nevada Counties	979	0.729%	\$ 2,000,000.00	\$ 729,084.44	\$ 2,729,084.44	\$ 136,454.22
CA-516	Redding/Shasta, Siskiyou, Lassen, Plumas, Del Norte, Modoc, Sierra Counties	934	0.696%	\$ 2,000,000.00	\$ 695,571.87	\$ 2,695,571.87	\$ 134,778.59
CA-513	Visalia/Kings, Tulare Counties	853	0.635%	\$ 2,000,000.00	\$ 635,249.26	\$ 2,635,249.26	\$ 131,762.46
CA-604	Bakersfield/Kern County	810	0.603%	\$ 2,000,000.00	\$ 603,226.14	\$ 2,603,226.14	\$ 130,161.31
CA-524	Yuba City & County/Sutter County	760	0.566%	\$ 2,000,000.00	\$ 565,989.96	\$ 2,565,989.96	\$ 128,299.50
CA-522	Humboldt County	759	0.565%	\$ 2,000,000.00	\$ 565,245.24	\$ 2,565,245.24	\$ 128,262.26
CA-525	El Dorado County	602	0.448%	\$ 1,000,000.00	\$ 448,323.63	\$ 1,448,323.63	\$ 72,416.18
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HEAP Large Cities Allocation

CoC Number	Jurisdiction	50213(c) Large Cities \$150,000,000 Allocation	50213(c) Minimum Youth Set Aside Per Large City Allocation
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CA-601	San Diego	\$ 14,110,397.95	\$ 705,519.90
CA-500	San Jose	\$ 11,389,987.16	\$ 569,499.36
CA-501	San Francisco	\$ 10,564,313.22	\$ 528,215.66
CA-502	Oakland	\$ 8,671,116.82	\$ 433,555.84
CA-602	Santa Ana	\$ 3,690,885.841	\$ 184,544.29
CA-602	Anaheim	\$ 3,690,885.841	\$ 184,544.29
CA-503	Sacramento	\$ 5,645,699.61	\$ 282,284.98
CA-514	Fresno	\$ 3,105,519.90	\$ 155,276.00
CA-606	Long Beach	\$ 2,869,833.12	\$ 143,491.66
CA-604	Bakersfield	\$ 1,247,753.53	\$ 62,387.68

HOMELESS EMERGENCY AID PROGRAM (HEAP)

Frequently Asked Questions



Edmund G. Brown Jr., Governor
Secretary Alexis Podesta, Council Chair
Ginny Puddefoot, Executive Officer

August 10, 2018



Homeless Emergency Aid Program (HEAP) Frequently Asked Questions

Shelter Crisis Declaration

Q: Who has the authority to declare a shelter crisis?

A: Government Code Chapter 7.8 Section 8698 states a government body may declare the shelter crisis. For the purpose of the HEAP program a local jurisdiction (city, county or city that is also a county) is the government body that has the authority to declare a shelter crisis.

Q: Can the county declare a shelter crisis that covers all jurisdictions within the county?

A: No. Senate Bill (SB) 850 Section 50212. (a) states, “in order to be eligible for program funds, an administrative entity shall demonstrate the following:

(1) Except as otherwise provided in subdivision (b), the jurisdiction or jurisdictions that the administrative entity represents for which funding is requested have, at the time of the award, declared a shelter crisis pursuant to Chapter 7.8 (commencing with Section 8698) of Division 1 of Title 2 of the Government Code.”

This means that each jurisdiction (city, county, or city that is also a county) that the administrative entity represents must declare a shelter crisis if it wishes to receive a share of the HEAP funding. Further clarity regarding the specific requirements surrounding declaring a shelter crisis is available in Chapter 7.8 (commencing with Section 8698) of Division 1 of Title 2 of the Government Code.

The County may declare a shelter crisis for the unincorporated areas of the county.

Q: Can a Continuum of Care declare a shelter crisis?

A: No. The only entities that may declare a shelter crisis are governing bodies. According to Government Code Chapter 7.8, Section 8698.3, (a) (1) “the governing body may declare a shelter crisis”.

Q: Can a county that has declared a shelter crisis contract with non-profit services providers or provide direct homeless services funded by HEAP in cities that have not declared a shelter crisis?

A: No. The intent of the statute is that HEAP funds are distributed to and expended in jurisdictions that have declared a shelter crisis.

Q: Do all of the counties that the administrative entity represents have to declare a shelter crisis for any funds to be awarded to the administrative entity?

A: No. SB850 Section 50212 states (b) states, “the jurisdiction or jurisdictions that the administrative entity represents for which funding is requested have, at the time of the award, declared a shelter crisis”.

This means that only the jurisdictions requesting HEAP funding through their CoC must declare a shelter crisis.

Q: Can a Joint Powers Authority that acts as the CoC declare a shelter crisis?

A: No. Each individual jurisdiction represented by a CoC where HEAP funds will be used must declare a shelter crisis.

Funding Rounds

Q: As we are developing plans for use of HEAP, some of our jurisdictions will be ready to go sooner than others. Can we submit our application(s) separately as the plans for each region are completed up until the deadline?

A: No. One application will be received per CoC and Large City per round. Keep in mind that you have a generous application window from the date the NOFA launches on 9/5/2018 through 12/31/2018 when Round 1 closes to conduct your local process.

Q: Do we lose our allocation if we don't request it all at once in one application?

A: Funds not applied for in Round 1 will be redistributed in Round 2 using the same formula distribution methodology. If a CoC fails to apply in Round 1, they will not receive the same level of allocation in Round 2 that they would have received in Round 1.

One application per funding round will be accepted. If you have jurisdictions that are not ready when the first round of funding is released, you may apply for the second round in 2019. Of course, we are encouraging all communities to prepare to apply as early as possible. The HEAP team will be conducting outreach and TA to help make that a smooth process.

Large City Application

Q: How do large cities apply for HEAP funds?

A: Large cities will complete an online application that will be released with specific instructions unique to the large cities allocation.

Q: Will the large cities share the \$150 million be allocation evenly?

A: No. The large cities funds will be allocated in proportion to the percent of homeless people in the large cities jurisdictions. Please refer to Attachment B of the HEAP Overview document. The breakout of the funds is charted there.

Uses of HEAP Funds

Q: What qualifies as “emergency aid”?

A: The statute does not specifically define emergency aid. However, we are interpreting this to mean any urgent and immediate services which includes housing that will be provided to homeless people. Broad categories of uses include, but are not limited to, shelters, shelter beds, public toilets and shower facilities, tiny shed homes, etc.

Q: Can HEAP be used for the construction of permanent supportive housing?

A: According to SB850 Section 50214. (a), “program funds shall be expended on one-time uses that address homelessness, including, but not limited to, prevention, criminal justice diversion programs to homeless individuals with mental health needs, and emergency aid.” While the statute does not specifically address construction of housing, the intent is for funds to be used for urgent needs. This is further illuminated by the declaration of shelter crisis, which allows jurisdictions to relax building and safety standards to permit flexible housing solutions to be implemented quickly. In addition, HEAP funds have a timeline for contractual obligation.

HEAP statute mandates that 50 percent of the awarded funds must be contractually obligated by January 1, 2020. Additionally, 100 percent of the funds must be expended by June 30, 2021. Unexpended funds must be returned to the Business, Consumer Services and Housing Agency (BCSH) and will revert to the General Fund. This factor should be considered when making decisions about the best use for HEAP funds. It may prove prohibitive considering the usually long timeframe for developing permanent supportive housing.

Q: What are some examples of allowable uses for the HEAP funds?

A: While the statute does not call out specific examples of the use of HEAP funds, many resources among homeless services and housing providers exist. Some communities are considering new opportunities to address homelessness and the public health crisis that surrounds being homeless. Some articles and interesting sources are as follows:

Tiny Homes – shed type housing alternatives -

<https://www.oaklandhomelessresponse.com/our-response-1>

<https://www.youtube.com/watch?v=Yh7j81iT6HA>

<https://www.compassionvillage.org/tiny-house-villages/>

Tent Communities – moveable, inexpensive, flexible

<http://www.latimes.com/local/lanow/la-me-ln-homeless-shelter-plans-20180730-story.html>

Sanitary Facilities – Toilets, showers, handwashing stations

<http://www.sandiegouniontribune.com/communities/north-county/sd-no-homeless-toilets-20171025-story.html>

<https://www.sfgate.com/news/article/Thousands-sign-petition-demanding-10-new-public-10696383.php>

<https://www.sacbee.com/news/article214375319.html>

Point in Time Count

Can the jurisdiction use a homeless count different from the HUD Point in Time (PIT) count to apply for HEAP funding?

A: No. The statute specifically recognizes the HUD PIT counts as the basis for determining the allocation structure of the program. The statute states in Section 50210(f), “Homeless point-in-time count” means the 2017 homeless point-in-time counts pursuant to Section 578.3 of Title 24 of the Code of Federal Regulations. The PIT numbers are reflected in the allocation chart, Attachment A.



Attachment A – Formula Funding Estimates

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-600	Los Angeles City & County	55,188	41.100%	\$ 40,000,000.00	\$ 41,099,807.86	\$ 81,099,807.86	\$ 4,054,990.39
CA-601	San Diego City & County	9,160	6.822%	\$ 12,000,000.00	\$ 6,821,668.48	\$ 18,821,668.48	\$ 941,083.42
CA-500	San Jose/Santa Clara City & County	7,394	5.506%	\$ 12,000,000.00	\$ 5,506,486.54	\$ 17,506,486.54	\$ 875,324.33
CA-501	San Francisco	6,858	5.107%	\$ 12,000,000.00	\$ 5,107,314.68	\$ 17,107,314.68	\$ 855,365.73
CA-502	Oakland, Berkeley/Alameda County	5,629	4.192%	\$ 12,000,000.00	\$ 4,192,049.33	\$ 16,192,049.33	\$ 809,602.47
CA-602	Santa Ana, Anaheim/Orange County	4,792	3.569%	\$ 12,000,000.00	\$ 3,568,715.65	\$ 15,568,715.65	\$ 778,435.78
CA-503	Sacramento City & County	3,665	2.729%	\$ 10,000,000.00	\$ 2,729,412.12	\$ 12,729,412.12	\$ 636,470.61
CA-506	Salinas/Monterey, San Benito Counties	3,364	2.505%	\$ 10,000,000.00	\$ 2,505,250.30	\$ 12,505,250.30	\$ 625,262.52
CA-504	Santa Rosa, Petaluma/Sonoma County	2,835	2.111%	\$ 10,000,000.00	\$ 2,111,291.50	\$ 12,111,291.50	\$ 605,564.57
CA-608	Riverside City & County	2,406	1.792%	\$ 8,000,000.00	\$ 1,791,805.06	\$ 9,791,805.06	\$ 489,590.25
CA-508	Watsonville/Santa Cruz City & County	2,249	1.675%	\$ 8,000,000.00	\$ 1,674,883.45	\$ 9,674,883.45	\$ 483,744.17
CA-514	Fresno City & County/Madera County	2,016	1.501%	\$ 8,000,000.00	\$ 1,501,362.84	\$ 9,501,362.84	\$ 475,068.14
CA-609	San Bernardino City & County	1,866	1.390%	\$ 8,000,000.00	\$ 1,389,654.30	\$ 9,389,654.30	\$ 469,482.71
CA-606	Long Beach	1,863	1.387%	\$ 8,000,000.00	\$ 1,387,420.13	\$ 9,387,420.13	\$ 469,371.01
CA-603	Santa Maria/Santa Barbara County	1,860	1.385%	\$ 8,000,000.00	\$ 1,385,185.96	\$ 9,385,185.96	\$ 469,259.30

Attachment A – Formula Funding Estimates Continued

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-510	Turlock, Modesto/Stanislaus County	1,661	1.237%	\$ 6,000,000.00	\$ 1,236,985.95	\$ 7,236,985.95	\$ 361,849.30
CA-505	Richmond/Contra Costa County	1,607	1.197%	\$ 6,000,000.00	\$ 1,196,770.88	\$ 7,196,770.88	\$ 359,838.54
CA-511	Stockton/San Joaquin County	1,542	1.148%	\$ 6,000,000.00	\$ 1,148,363.84	\$ 7,148,363.84	\$ 357,418.19
CA-512	Daly City/San Mateo County	1,253	0.933%	\$ 4,000,000.00	\$ 933,138.71	\$ 4,933,138.71	\$ 246,656.94
CA-509	Mendocino County	1,238	0.922%	\$ 4,000,000.00	\$ 921,967.86	\$ 4,921,967.86	\$ 246,098.39
CA-518	Vallejo/Solano County	1,232	0.917%	\$ 4,000,000.00	\$ 917,499.52	\$ 4,917,499.52	\$ 245,874.98
CA-519	Chico, Paradise/Butte County	1,195	0.890%	\$ 4,000,000.00	\$ 889,944.74	\$ 4,889,944.74	\$ 244,497.24
CA-613	Imperial County	1,154	0.859%	\$ 4,000,000.00	\$ 859,411.07	\$ 4,859,411.07	\$ 242,970.55
CA-611	Oxnard, San Buenaventura/Ventura County	1,152	0.858%	\$ 4,000,000.00	\$ 857,921.63	\$ 4,857,921.63	\$ 242,896.08
CA-614	San Luis Obispo County	1,125	0.838%	\$ 4,000,000.00	\$ 837,814.09	\$ 4,837,814.09	\$ 241,890.70
CA-507	Marin County	1,117	0.832%	\$ 4,000,000.00	\$ 831,856.30	\$ 4,831,856.30	\$ 241,592.81
CA-515	Roseville, Rocklin/Placer, Nevada Counties	979	0.729%	\$ 2,000,000.00	\$ 729,084.44	\$ 2,729,084.44	\$ 136,454.22
CA-516	Redding/Shasta, Siskiyou, Lassen, Plumas, Del Norte, Modoc, Sierra Counties	934	0.696%	\$ 2,000,000.00	\$ 695,571.87	\$ 2,695,571.87	\$ 134,778.59
CA-513	Visalia/Kings, Tulare Counties	853	0.635%	\$ 2,000,000.00	\$ 635,249.26	\$ 2,635,249.26	\$ 131,762.46
CA-604	Bakersfield/Kern County	810	0.603%	\$ 2,000,000.00	\$ 603,226.14	\$ 2,603,226.14	\$ 130,161.31
CA-524	Yuba City & County/Sutter County	760	0.566%	\$ 2,000,000.00	\$ 565,989.96	\$ 2,565,989.96	\$ 128,299.50
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