



## Legislation Text

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**File #:** 22-0008, **Version:** 1

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Health and Human Services Agency recommending the Board receive and file a presentation on the roles and responsibilities of the Continuum of Care, and the roles and responsibilities of the Administrative Entity / Collaborative Applicant and provide direction to staff if necessary.

**FUNDING:** N/A

**DISCUSSION / BACKGROUND:**

The Continuum of Care (CoC) Program, which is facilitated through the Federal Department of Housing and Urban Development (HUD), is designed to promote a community-wide commitment to the goal of ending homelessness. Through being responsible for receiving Federal and State funding and holding annual funding competitions in the community, CoCs provide grant funding for efforts by nonprofit providers, as well as State and local governments, to rehouse homeless individuals and families while minimizing the trauma and dislocation caused to homeless individuals and families. CoCs also promote access to and effect utilization of mainstream programs, with a goal of optimizing self-sufficiency among individuals and families experiencing homelessness.

In 1995, HUD established the competitive CoC funding application process to provide resources to communities to implement community-wide, coordinated efforts for assessing and addressing the housing and service needs of individuals and families that were homeless or at risk of homelessness. The CoC is the group that takes on coordination of homeless services and homelessness prevention activities across a specified geographic area. Through the established CoC application process, communities were able to submit to HUD a consolidated application to fund homelessness assistance programs. Since the CoC application's inception, CoCs have operated under guidance published each year in HUD's annual Notice of Funding Availability (NOFA). The CoC Program interim rule provides formal regulations to guide the establishment and operation of CoCs. To date, as CoC programs have continually improved their effectiveness, there are over 400 CoCs nationwide and 44 across California.

To carry out the primary purpose of the CoC Program, HUD requires representatives of relevant organizations (e.g., nonprofit organizations, faith-based organizations, victim services providers, local governments) to form a Continuum of Care to serve a specific geographic area. In addition, each CoC must establish a board to act on its behalf, and the CoC may appoint additional committees or workgroups to fulfill its responsibilities as defined in the CoC Program interim rule and HUD NOFAs. The CoC must develop a governance charter to document all groups created to support the CoC and each group's relative responsibilities. The CoC Program interim rule requires that CoC boards must include at least one homeless or formerly homeless individual, and the other board seats must represent the relevant organizations and projects serving homeless subpopulations (such as persons with substance use disorders; persons with HIV/AIDS; veterans; the chronically homeless; families with children; unaccompanied youth; the seriously mentally ill; and victims of domestic violence, dating violence, sexual assault, and stalking) within the CoC's geographic area. On an annual basis, CoCs must review their current structure, membership, and representation to ensure that every aspect of the CoC and the CoC board complies with each regulatory condition outlined by HUD. To

maintain eligibility for funding, HUD reviews each CoC's governance and administrative documents annually, ensuring that regulatory compliance is maintained.

To operate successfully, a CoC must fulfill the following responsibilities specified in the CoC Program interim rule:

- Conduct semi-annual meetings of the full membership
- Issue a public invitation for new members, at least annually
- Adopt and follow a written process to select a board
- Appoint additional committees, subcommittees, or work groups
- Develop and follow a governance charter detailing the responsibilities of all parties
- Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor the performance of recipients and subrecipients, evaluate outcomes, and take action against poor-performers
- Evaluate and report to HUD outcomes of CoC projects
- Establish and operate a centralized or coordinated entry system (Countywide intake into CoC programs)
- Establish and follow written standards for providing CoC assistance

Beyond these responsibilities, the CoC Program interim rule defines regulatory requirements with respect to operation of the Homeless Management Information System (HMIS) and designation of a Collaborative Applicant.

#### HMIS:

The CoC Program interim rule places greater emphasis on the CoC's role in monitoring HMIS implementation and compliance with applicable HMIS regulations and notices, as well as compliance with Collaborative Applicant requirements. The CoC is required to designate a single HMIS, select an eligible applicant to manage the CoC's HMIS, monitor grant recipient and subrecipient participation in the HMIS, and review and approve privacy, security, and data quality plans that are all monitored by HUD.

#### Collaborative Applicant:

CoCs are responsible for reviewing and approving the funding application and response to HUD's Notice of Funding Availability (NOFA) competitions for homelessness assistance resources. Each year, HUD releases a CoC NOFA for its homeless assistance programs. According to the CoC Program interim rule, in response the CoC must:

- Design, operate, and follow a collaborative process for developing applications and approving the submission of applications
- Establish priorities for funding projects in its geographic area
- Designate an eligible applicant to be the Collaborative Applicant that will collect and combine the required application information from all applicants and for all projects within the geographic area.

It is important to note that, regardless of the number of applications submitted or the entity designated as the collaborative applicant, the CoC remains the entity accountable for approval of the application and activities.

Since 2018, the State of California has provided one-time, annual funding grants to the big 13 Cities, all Counties, and the 44 California Continuums of Care to further develop system responses to homelessness across the State. The intent of the State has been to ensure that though separate

allocations are provided, that all efforts are regionally coordinated, with an emphasis on centralizing efforts within the existing HMIS and other requirements of the CoC, Coordinated Entry, Housing First program methodology, and more. To be eligible for the funding allocations, the State requires that the applicants within each geographic area are coordinating with one another. With a compliant CoC program, this regional coordination is easily evidenced through the CoC governing board structure, at least semi-annual CoC meetings, HMIS covering the geographic area, subcommittees and workgroups, and other CoC requirements per the CoC Program interim rule. To further evidence regional coordination to the State, in order to receive recent allocations, each applicant was required to provide the most recent "Community Gaps Assessment" with each application, which is a requirement of HUD for CoCs. This information was used to justify the intent of each applicant to utilize funding for activities as identified within the gaps assessment. Additionally, the State required a commitment to developing a single regional homeless plan, and now in order to receive the current allocation of funds in 2021-2022, the State is requiring that the plan be submitted with all applications from that service area.

For CoC's to receive their State allocation, they are required to select an "Administrative Entity" (AE). The AE is defined as a unit of general-purpose local government (City or County), a Joint Powers Authority (JPA), or a nonprofit organization that has previously administered federal Department of Housing and Urban Development (HUD) CoC funds as the collaborative applicant pursuant to Section 578.3 of Title 24 of the Code of Federal Regulations and been designated by the CoC to administer program funds. It is important to note that regardless of who the CoC designates as their AE, the CoC remains the entity accountable for approval of the application, activities, and funding allocations. The AE is responsible, based upon the CoC's direction, to administer contracts associated with the State allocations and to fulfill reporting requirements to the State.

As El Dorado Opportunity Knocks (EDOK) is our local CoC program that serves El Dorado County as its geographic area, the Health and Human Services Agency (HHSA) was asked by the County Administrative Office to provide the Board of Supervisors with a presentation that defines the roles and responsibilities of EDOK as our CoC program. The presentation will further define the roles and responsibilities of the Administrative Entity/Collaborative Applicant, and the relationship between the CoC and Administrative Entity/Collaborative Applicant.

#### **ALTERNATIVES:**

The Board could choose not to receive the presentation or provide direction.

#### **PRIOR BOARD ACTION:**

- 1) 13-1132, September 10, 2013, a presentation on homelessness in El Dorado County.
- 2) 17-0741- Version 1, August 15, 2017, a presentation on El Dorado Opportunity Knocks Continuum of Care (CoC).
- 3) 17-0741- Version 2, December 5, 2017, a presentation on the Department of Housing and Urban Development Continuums of Care, and the return on investment of existing CoC's in other counties.
- 4) 20-1163, November 10, 2020, a presentation of the status of the Housing and Homelessness Program in the County of El Dorado.

#### **OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

N/A

#### **CAO RECOMMENDATION:**

Receive the presentation and provide direction if needed.

**FINANCIAL IMPACT:**

This Board item has no financial impact.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

The Clerk of the Board to receive and file the attached presentation.

**STRATEGIC PLAN COMPONENT:**

Healthy Communities and Good Governance

**CONTACT**

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