



# Mendocino County

## Legislation Text

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**File #:** 19-0777, **Version:** 1

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**To:** Board of Supervisors

**From:** Board of Supervisors

**Meeting Date:** August 27, 2019

**Department Contact:** Supervisor Gjerde

**Phone:** 463-4221

**Department Contact:** Supervisor McCowen

**Phone:** 463-4221

**Item Type:** Regular Agenda

**Time Allocated for Item:** 45 Minutes

**Agenda Title:**

Discussion and Possible Action Including Direction to Staff Regarding the Report Out and Recommendations of the Homeless Emergency Aid Program (HEAP) Ad Hoc Committee  
(Sponsor: HEAP Ad Hoc Committee (Supervisors Gjerde and McCowen))

**Recommended Action/Motion:**

Discuss and give direction to staff regarding the recommendations of the Homeless Emergency Aid Program (HEAP) Ad Hoc Committee.

**Previous Board/Board Committee Actions:**

On November 13, 2018 the Board appointed Supervisors Gjerde and McCowen as a Homeless Emergency Aid Program (HEAP) Ad Hoc Committee to work with staff and the Mendocino County Continuum of Care.

**Summary of Request:**

There is currently a statewide increase in the number of individuals experiencing homelessness and an increased commitment by the State legislature to allocate funding to address issues related to homelessness. Increasingly, where a local Continuum of Care (CoC) has been established, State funding is being directed to the CoC instead of cities or counties. Please refer to "Attachment A" for additional background information on the CoC Program as established by Federal law.

The Mendocino County Health and Human Services Agency (HHSA) is the Administrative Entity for the Mendocino County Homeless Services CoC which is staffed by HHSA employees, several of whom attend every CoC meeting. Until recently a County HHSA employee was a voting member and Chair of the CoC. Neither HHSA nor the Board of Supervisors has approval authority over which projects are recommended by the CoC for funding.

Pursuant to Senate Bill 850, which created the Homeless Emergency Aid Program (HEAP), the Mendocino County CoC was eligible to apply for \$4,921,967.86 in one time State funding based on the number of individuals experiencing homelessness in Mendocino County. Supervisors Gjerde and McCowen advocated that HEAP funding, which was allocated by the State in response to a Shelter Crisis, ought to be primarily allocated to support development of housing, a position that was supported by the Board of Supervisors. The Mendocino County CoC ultimately supported utilization of the great majority of HEAP funding to construct

long-term housing, rather than fund temporary services, thereby largely concurring in this case with the position of the Board of Supervisors.

In observing the HEAP funding process the ad hoc committee identified the following issues:

- 1) CoCs are self-forming; adopt their own governance process; elect their own governing board; and are not directly accountable to local government or the public;
- 2) Although CoCs are intended to be broadly representative of relevant organizations within the local community, there is no effective means of assuring that they are;
- 3) The Mendocino County CoC has adopted a complicated process for identification of CoC general members, voting members and election of the CoC governing board;
- 4) The Mendocino County CoC is subject to the Brown Act but compliance has been uneven;
- 5) The Mendocino County CoC could benefit by being more inclusive of relevant organizations, including local government, law enforcement and business representatives;
- 6) The Mendocino County CoC is widely, but incorrectly, perceived to be a County organization;
- 7) Utilizing an expansive Federal program with extensive complex regulations may not be the most efficient or effective method of accomplishing specific State objectives;
- 8) HEAP funding was allocated to address a Shelter Crisis but there was no requirement that funds be utilized to develop shelter.

The Mendocino County CoC and HHSA leadership have recently taken steps to address some of these issues, including that County employees not serve as voting members of the governing board, participation in Brown Act training, and the addition of a law enforcement representative to the governing board. Despite these changes the ad hoc committee remains concerned that more needs to be done to address the issues identified above. The ad hoc committee is concerned that the State legislature may not be fully aware of the potential for a lack of accountability of a CoC to local government and the public or the complexities involved in using a Federal program with multiple objectives and layers of bureaucratic requirements as a vehicle to achieve State objectives.

The ad hoc committee respectfully requests consideration of the following recommendations:

1. The Board include in its legislative program that State funding intended to address homelessness be directed to local Cities and Counties and/or to CoCs with governing boards that include broad based representation, including, at a minimum, local representatives from:
  - Homeless or formerly homeless individuals;
  - Providers of homeless assistance;
  - Providers of mental health assistance;
  - Public housing agencies or affordable housing developers;
  - Health care facilities;
  - Educational institutions;
  - Government elected officials or their appointees;
  - Law enforcement officials or their designees;
  - Business organizations;
2. The Mendocino County CoC utilize a broad based community process to revise its governance charter to achieve the following objectives:
  - Require that the governing board include broad based representation as stated in #1.;
  - Revise and clarify the membership and voting process for the CoC;
  - Assure Brown Act compliance;
3. The Mendocino County HHSA take additional steps to clarify that the CoC is not a County organization and

that neither HHSA nor the County have authority over recommendations made by the CoC;

4. The Mendocino County HHSA be reimbursed for staff time devoted to CoC activities; and
5. The HEAP Ad Hoc Committee be disbanded and Supervisors Gjerde and McCowen be appointed as a Homeless Action Ad Hoc Committee to bring forward recommendations to reduce street-level homelessness in Mendocino County.

**Alternative Action/Motion:**

Do not give direction to staff or give alternative direction to staff.

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**budget clarification:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** N/A

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**CEO Liaison:** Janelle Rau, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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**Executed By:** Lindsey Dunham, Deputy Clerk I

**Date:** August 29, 2019

**Final Status:** Direction Given to Staff

