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DIRECTOR

IMPERIAL COUNTY
DEPARTMENT OF SOCIAL SERVICES



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July 1, 2020

Dear Executive Board Members,

Requested Action

Discussion/Action ratify earmarking \$161,478 of the 2020-Emergency Solutions Grant (ESG) as non-competitive funds.

Background

On June 3, 2020, the Imperial Valley Continuum of Care Council (IVCCC) Executive Board approved for the Administrative Entity (AE) to move forward with the Emergency Solutions Grant-Balance Program Balance of State (BoS) Notice of Funding Availability (NOFA).

The total amount of ESG-BoS funds allocated to CoC 613 is \$322,956. Pursuant to the NOFA, CoC's are responsible for recommending homeless service providers funds for noncompetitive Rapid Rehousing (RR) funds for a minimum of 40 percent up to a maximum of 50 percent of ESG funds in their BoS formula allocation.

The Administrative Entity (AE) is respectfully requesting the Board to approve that 50% of the funds be earmarked as non-competitive, the total being \$161,478.

Respectfully,

A handwritten signature in black ink, appearing to read "Paula Llanas", with a long horizontal flourish extending to the right.

Paula Llanas, MSW
Assistant Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**Division of Financial Assistance**

2020 W. El Camino Avenue, Suite 670

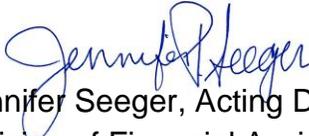
Sacramento, CA 95833

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www.hcd.ca.gov

May 12, 2020

MEMORANDUM FOR: ALL POTENTIAL APPLICANTS**FROM:**


Jennifer Seeger, Acting Deputy Director
Division of Financial Assistance

SUBJECT:

**Emergency Solutions Grants Program
2020 Notice of Funding Availability**
Balance of State Allocation and Continuum of Care Allocation

Notice of Application Due Date Extension and
Revised Balance of State Allocation Competitive Application

The Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) for the Emergency Solutions Grants (ESG) Program Balance of State Allocation and Continuum of Care Allocation on February 28, 2020, with applications due on May 28, 2020. The availability of ESG funds is \$5 million and \$6 million respectively.

HCD is now extending the application due date for both the Balance of State Allocation and the Continuum of Care Allocation to July 10, 2020.

HCD has also revised the 2020 Competitive Application for the Balance of State Allocation, Form VII – Impact and effectiveness System Level Performance Measure Section in order to clarify and simplify the required data input.

The ESG application form along with federal and state regulations is posted on the ESG website. To receive ESG NOFA FAQs, notice of the NOFA webinar, and other program information and updates, please subscribe to the ESG listserv. For questions, or assistance, please email ESG@HCD.ca.gov.

Federal Emergency Solutions Grants Program
Continuum of Care Allocation
2020 Notice of Funding Availability



Gavin Newsom, Governor
State of California

Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency

Douglas R. McCauley, Acting Director
California Department of Housing and Community Development

Division of Financial Assistance, Federal Programs Branch
Emergency Solutions Grants Program
2020 W. El Camino Avenue, Suite 150, Sacramento, CA 95833
ESG Program Email: ESG@hcd.ca.gov

February 28, 2020

Contents

I. Overview	1
A. Notice of Funding Availability	1
B. Tentative Program Timeline	1
II. Authorizing Legislation	2
III. Program Requirements	2
IV. State Annual Action Plan requirements relative to ESG	3
A. Amounts available for Administrative activities	3
B. Eligible costs	3
C. Minimum and maximum grant limits	4
D. Eligible activities	4
E. Match requirements	5
F. Nonentitlement areas	5
V. ESG Administrative Entity application submission requirements	6
A. Application process	6
B. Application packaging and submittal	6
Appendix A: Estimated Continuum of Care Allocation	7

I. Overview

A. Notice of Funding Availability

The California Department of Housing and Community Development (HCD) receives funding from the United States Department of Housing and Urban Development (HUD) for the Emergency Solutions Grants (ESG) program and allocates funds to eligible Continuum of Care (CoC) service areas. Approximately \$6,000,000 in new federal funds, as well as additional disencumbered funds that may become available later this year, will be allocated to eligible CoC service areas listed in [Appendix A](#).

The ESG program provides funding for the following objectives:

- Engaging individuals and families experiencing homelessness
- Improving the quality of Emergency Shelters (ES) for individuals and families experiencing homelessness by helping to operate these shelters and by providing essential services to shelter residents
- Rapidly re-housing individuals and families experiencing homelessness
- Preventing families/individuals from becoming homeless

The funds are distributed in two separate funding pools: the CoC allocation and the Balance of State (BoS) allocation.

This Notice of Funding Availability (NOFA) outlines application requirements and timelines for approved units of general-purpose local government¹, known as Administrative Entities (AEs), in the CoC allocation (see the Authorizing Legislation Section of this NOFA for the applicable program regulations). AEs are responsible for administering ESG funds in collaboration with their local CoC for their respective CoC service area. This NOFA also provides documentation requirements for AEs approved to administer available ESG funding.

All references to the “state” are references to the State of California. All references to ESG funding reference federal ESG funds administered by HCD unless otherwise noted.

B. Tentative program timeline

ESG NOFA and application for the CoC allocation released	February 28, 2020
Application deadline	May 28, 2020
HCD announces AE awards *	September 2020

* Award timeline is dependent on HUD’s award letter to HCD.

¹ Unit of general-purpose local government means any city, county, or other general-purpose political subdivision of a state.

II. Authorizing legislation

Funding under this NOFA is made available pursuant to Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act, 42 U.S.C. 11371 et seq. This NOFA should be read in conjunction with the following regulations that establish state and federal ESG requirements. Relevant legal authority includes, but is not limited to, the following:

- Code of Federal Regulations (CFR), Title 24, Part 576;
- California Code of Regulations (CCR), Title 25, Division 1, Chapter 7, Subchapter 20;
- 24 CFR Part 91 relating to Annual Action Plan requirements;
- 24 CFR Part 58, relating to environmental reviews;
- Homeless Definition Final Rule: The Interim Rule, published in the Federal Register on December 4, 2015, cited above, provides the homeless definition that applies to the ESG program;
- Chronically Homeless Definition Final Rule: The Interim Rule, published in the Federal Register on December 4, 2015, cited above, provides the chronically homeless definition that applies to the ESG program;
- Office of Management and Budget (OMB) requirements for Universal Identifier and Central Contractor Registration, 2 CFR Part 25, Appendix A to Part 25.

If state or federal statutes or regulations, or other laws, relating to the ESG program are modified by Congress, HUD, HCD or the state Legislature, the changes may become effective immediately and impact the work that was awarded funding under this NOFA.

If there is a conflict between the state and federal regulations, the federal regulations shall prevail. In addition, HCD reserves the right, at its sole discretion, to suspend or amend the provisions of this NOFA. If such an action occurs, HCD will notify interested parties. Awards made under this NOFA are also contingent upon HCD receiving an award letter from HUD for 2020.

III. Program requirements

The AE Provider selection process:

AEs are responsible for awarding ESG funds to eligible service providers for ESG-eligible activities in their approved CoC Service Area(s). Continuation grants are acceptable if they meet the requirements of 25 CCR 8403.

Pursuant to 25 CCR 8403(g), AEs shall select qualified service providers through a process that is consistent with the following requirements:

- Is a fair and open competition that avoids conflicts of interest;
- Follows the procurement requirements of 24 CFR Part 84;
- Evaluates provider capacity and experience, including the ability to deliver

- services in non-entitlement areas;
- Evaluates eligibility and quality of services, including adherence to Core Practices pursuant to 25 CCR 8409;
- Utilizes data and considers community input to identify unmet needs;
- Prioritizes activities that address the highest unmet need, considering other available funding and systemwide performance measures;
- Considers project-level performance measures when evaluating proposals; and
- Collaborates with the local CoC.

Note: 25 CCR 8408 prohibits subpopulation targeting with ESG funds in Homelessness Prevention (HP) and Rapid Re-Housing (RR) programs except if documentation of both of the following is provided to HCD prior to the award of funds for these activities:

- Evidence of an unmet need for these activities for the subpopulation proposed for targeting; and
- Evidence of existing funding in the CoC Service Area for programs that address the needs of the excluded populations for these activities.

IV. State Annual Action Plan requirements relative to ESG

Pursuant to 24 CFR Part 91 and as required by HUD, the following requirements regarding the AE activities are in HCD's Annual Action Plan.

A. Amounts available for Administrative activities

Of the allocation available to each AE, approximately 2.6 percent of federal ESG funds² may be used to pay for direct administrative costs. For the estimated administrative amounts see [Appendix A](#).

B. Eligible costs

Grantees and their recommended subgrantees must follow all Office of Management and Budget (OMB) Cost Principles and Generally Accepted Accounting Principles (GAAP). OMB and budget requirements are listed in 2 CFR Part 200. Costs charged to the ESG must be *allowable*, *allocable*, and *reasonable*. Shifting costs between awards to overcome funding deficiencies is **not** allowed.

Allowable costs must conform to any limitations or exclusions set forth in the federal cost principles. Additionally, the ESG NOFA allowable costs must comply with the policies and procedures afforded all activities within the grantee or subgrantee organization and be treated consistently (whether as a direct or indirect cost). Finally, allowable costs must comply with the GAAP and the costs must be adequately documented.

² 25 CCR 8402 (a)

Allocable costs are those treated consistently with other costs incurred for the same purpose in like circumstances. These costs must meet the requirements listed in 2 CFR Part 200.405.

Reasonable costs do not exceed in nature or amount of costs that would be incurred by a prudent person under the circumstances prevailing at the time a decision was made to incur the cost.

Eligible costs may be direct or indirect. They must be incurred for the same purpose in like circumstances and must be treated consistently as either direct or indirect costs.

Direct costs are those costs that can be identified specifically with a particular final cost objective (such as the ESG award) and can be directly assigned to an activity relatively easily with a high degree of accuracy.

Indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective or activity. Grantees that allow their sub grantees to seek reimbursement for indirect costs must comply with all OMB requirements, including 2 CFR Part 200.403 and Part 200 Appendix 4. Grantee records must include evidence of the modified total direct cost calculations, indirect cost limits, and supporting documentation for actual direct cost billing.

All eligible costs incurred after the date of the ESG award letter issued by HCD are reimbursable after full execution of the state Standard Agreement. Contractors shall not plan to expend any state ESG funds requiring reimbursement prior to the award letter. In addition, no funds shall be expended until any required environmental review process has been completed, if required under 24 CFR Part 50.

C. Minimum and maximum grant limits

Where there is an approved AE, the AE will be responsible for setting any minimum and maximum grant amounts, since it will be evaluating provider applications and managing these contracts. HCD will monitor AEs to ensure that they effectively manage the number of awards they make.

D. Eligible activities (25 CCR 8403 (h) 8408 (b))

1. For the 2020 NOFA, all activities permitted under the federal ESG regulations shall be eligible except for renovation, conversion, or major rehabilitation activities under 24 CFR Part 576.102. Minor repairs to an ESG-funded ES that do not qualify as renovation, conversion, or major rehabilitation are an eligible use of state ESG funds.

2. The following additional limitations apply:

- a) HMIS - A maximum of 10 percent of ESG funds may be used for actual costs for HMIS activities (24 CFR Part 576.107; 25 CCR 8408(c)).
- b) Minimum and maximum percentage of an allocation for RR - AEs must award a minimum of 40 percent of their available ESG funds to RR. There are no limitations on the maximum percentage of their RR allocation. AEs collaborating with a geographically contiguous CoC in the BoS allocation must award 100 percent of both CoC Service Area allocations to RR. In the absence of an approved AE, 40 percent of a CoC Service Area allocation may be accessed noncompetitively for RR. The CoC may recommend up to two applications for RR. HCD will administer these contracts. The remainder of the funds will be distributed through the formula to the BoS allocation³.

Note: Rental assistance payments provided as part of an RR or HP activity under 24 CFR Part 576.106 typically cannot exceed HUD's Fair Market Rent (FMR) as provided under 24 CFR Part 888 and must comply with HUD's standard for rent reasonableness as established under 24 CFR Part 982.507. Request for exceptions to FMR can be made to HUD through HCD and must be approved in writing by HUD. Contact your HCD representative in the Federal Programs Branch for further assistance.

E. Match requirements (24 CFR Part 576.201; 25 CCR 8410)

Funded applicants must make matching contributions in an amount that equals the amount of federal ESG funds awarded. HCD will request documentation as part of its monitoring to determine the sources and amounts used to meet the federal ESG matching requirement.

F. Nonentitlement areas (25 CCR 8403 (i))

The AE must ensure that all funded activities are available to nonentitlement areas of the CoC Service Area using the Coordinated Entry System and other means. The AE shall facilitate outreach to populations in the non-entitlement areas and shall evaluate participation from these areas at least annually. Funded activities may also serve households located in ESG entitlement areas.

³ 25 CCR 8403

V. ESG Administrative Entity application submission requirements

A. Application process

Submit applications on the Excel forms provided by HCD. Do not modify the application forms. Applications that do not meet the filing deadline will not be eligible for funding. The ESG AE application forms are available to download at the [ESG website](#).

B. Application packaging and submittal

Submit one hardcopy application with original signatures and one USB flash drive that includes a copy of the application with signatures to HCD on or before the application deadline. Applications will be accepted beginning the first business day following release of this NOFA and must be received by HCD no later than **5:00 p.m. Pacific Standard Time on Thursday, May 28, 2020**. HCD will only accept applications through a postal carrier that provides date stamp verification confirming delivery to HCD's office such as the U.S. Postal Service, UPS, and FedEx. Please contact HCD if delivery is not completed by fault of the private carrier/U.S. Mail. Personal deliveries are not accepted. Applications must be mailed to the following address:

Department of Housing and Community Development
Division of Financial Assistance, Federal Programs Branch
Emergency Solutions Grants Program
2020 W. El Camino Avenue, Suite 150
Sacramento, CA 95833

Applicants must submit their approved Board Resolutions by the application due date. The Department will NOT accept Resolutions after this time.

Questions regarding the ESG NOFA and application process can be directed to ESG@hcd.ca.gov.

Appendix A: Estimated Continuum of Care Allocation

2020 Estimated CoC Allocation*						
	CoC #	CoC Name	Grant Admin	Minimum of 40% for RR	Balance for other activities (RR, ES, HP, SO)	2020 ESG Formula Allocation
1	604	Bakersfield/Kern Co CoC	\$7,368	\$101,789	\$152,683	\$261,840
2	512	Daly/San Mateo Co CoC	\$5,248	\$72,500	\$108,751	\$186,499
3	514	Fresno/Madera Co CoC	\$7,957	\$109,916	\$164,873	\$282,746
4	600	Los Angeles City & Co CoC	\$31,543	\$435,746	\$653,620	\$1,120,909
5	502	Oakland/Alameda Co CoC	\$10,280	\$142,014	\$213,021	\$365,315
6	611	Oxnard/San Buenaventura/ Ventura Co CoC	\$4,536	\$62,665	\$93,997	\$161,198
7	505	Richmond/Contra Costa Co CoC	\$7,749	\$107,041	\$160,562	\$275,352
8	608	Riverside City & Co CoC	\$8,490	\$117,282	\$175,923	\$301,695
9	503	Sacramento City & Co CoC	\$6,067	\$83,808	\$125,712	\$215,587
10	506	Salinas/Monterey, San Benito Counties CoC	\$6,817	\$94,169	\$141,254	\$242,240
11	609	San Bernardino City & Co CoC	\$8,427	\$116,409	\$174,613	\$299,449
12	601	San Diego City and Co CoC	\$11,276	\$155,770	\$233,654	\$400,700
13	500	San Jose/Santa Clara City & Co CoC	\$11,711	\$161,784	\$242,677	\$416,172
14	614	San Luis Obispo Co CoC	\$3,366	\$46,502	\$69,753	\$119,621
15	602	Santa Ana/Anaheim/Orange Co CoC	\$18,018	\$248,906	\$373,359	\$640,283
16	603	Santa Maria/Santa Barbara Co CoC	\$8,783	\$121,325	\$181,988	\$312,096
17	504	Santa Rosa/Petaluma/ Sonoma Co CoC	\$5,995	\$82,820	\$124,229	\$213,044
18	511	Stockton/San Joaquin Co CoC	\$5,464	\$75,477	\$113,216	\$194,157
19	510	Turlock/Modesto/Stanslaus Co CoC	\$7,560	\$104,444	\$156,665	\$268,669
TOTAL						\$6,277,572

*Estimates are based on HCD's 2019 ESG allocation. Amounts are subject to award of 2020 ESG funds by HUD to the State and will be finalized prior to issuance of Standard Agreements to State grantees. Note: Allocations are also subject to change if AEs or CoCs do not continue to participate for 2020.