

Encampment Resolution Grants

Section 50250 of the Health and Safety Code is amended to read:

For purposes of this chapter, the following definitions shall apply:

- (a) "Agency" means the Business, Consumer Services, and Housing Agency.
- (b) "Applicant" means a continuum of care or local jurisdiction
- (c) "Continuum of care" has the same meaning as in Section 578.3 of Title 24 of the Code of Federal Regulations.
- (d) "Council" means the California Interagency Council on Homelessness, previously known as the Homeless Coordinating and Financing Council, created pursuant to Section 8257 of the Welfare and Institutions Code.
- (e) "County" includes, but is not limited to, a city and county.
- (f) "Homeless" has the same meaning as in Section 578.3 of Title 24 of the Code of Federal Regulations.
- (g) "Local jurisdiction" means a city, including a charter city, a county, including a charter county, or a city and county, including a charter city and county.
- (h) "Program" means the Encampment Resolution Funding program established pursuant to this chapter.
- (i) "Recipient" means an applicant that receives grant funds from the Council for the purposes of the program.

Section 50251 of the Health and Safety Code is amended to read:

- (a) The Encampment Resolution Funding program is hereby established to, upon appropriation by the Legislature, increase collaboration between the Council, local jurisdictions, and continuums of care for the following purposes:
 - (1) Assist local jurisdictions in ensuring the safety and wellness of people experiencing homelessness in encampments.
 - (2) Provide encampment resolution grants to local jurisdictions and continuums of care to resolve critical encampment concerns and transition individuals into safe and stable housing.
 - (3) Encourage a data-informed, coordinated approach to address encampment concerns.
- (b) The Council shall administer the program.
 - (1) The Council may designate a state agency or department to support the administration of the encampment resolution program.
- (c) The Council's decision to approve or deny an application and the determination of the amount of funding to be provided shall be final and not subject to appeal.
- (d) The Council shall maintain records of the following:
 - (1) The number of applications for program grants received by the Council.
 - (2) The number of applications for program grants denied by the Council.

- (3) The name of each recipient of a program grant.
- (4) The amount of funds allocated to each applicant.
- (e) The Council may adopt regulations to implement this chapter. The adoption, amendment, or repeal of a regulation authorized by this subdivision is hereby exempted from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

Section 50252 of the Health and Safety Code is amended to read:

- (a) The Council shall distribute moneys appropriated in fiscal year 2021-22 for purposes of the program in accordance with this chapter.
 - (1) This initial distribution shall be referred to as Round 1 of the program.
- (b) Except as specified in subdivision (e), the Council shall award the moneys appropriated as competitive grants to applicants to be used to support encampment resolution and rehousing efforts for local jurisdictions. Council staff shall develop and disseminate encampment resolution strategies, case studies, and learnings to local jurisdictions.
- (c) Applicants may submit an application for a program grant to the Council in a form and manner specified by the Council. The application shall include, at a minimum, all of the following:
 - (1) Information on the number and demographics of the individuals living in the encampment that the applicant is requesting funding to help resolve.
 - (2) A description of why this specific encampment is being prioritized for resolution support.
 - (3) A description of how the applicant intends to collaborate with state and local partners to mitigate risk and address safety concerns, while ensuring a pathway for individuals living in encampments to move into safe and stable housing.
 - (4) A description of how the applicant intends to use these funds to connect all individuals living in the encampment to services and housing.
 - (5) A description of other local resources and funding streams that will be used to ensure the ongoing availability of services and housing support for people who are moved out of encampments into permanent housing.
- (d) When determining grant awards, funding shall be prioritized for:
 - (1) Jurisdictions that can demonstrate a commitment to cross-systems collaboration and innovative efforts to resolve encampment issues, while focusing on protecting the health and well-being of the individuals living in those encampments.
 - (2) Jurisdictions that have 50 or more individuals living in the encampment that they are seeking to support with these funds.
 - (3) The intent of the Council is to award grants, to the extent feasible, to a range of applicants that represent the diversity of communities across the state, including rural, urban, and suburban communities.

(e) Of the moneys available pursuant to subdivision (a), the Council may expend up to 5 percent for administration of the program.

Section 50252.1 is added to the Health and Safety Code to read:

(a) Upon appropriation by the Legislature, five hundred million dollars (\$500,000,000) of the funds administered pursuant to this chapter shall be made available for implementing Round 2 of the program, as follows:

(b) Round 2 funds shall be immediately available to fund eligible applicants from Round 1, as determined by the Council, that were not initially funded.

(1) The Council will work with eligible applicants on any programmatic improvements to the application as needed, as determined by the council, prior to allocating these funds.

(2) Any funds not allocated pursuant to subdivision (b) will be allocated as described in subdivisions (c) and (d).

(3) A program recipient shall not use funding from the program allocated under this section to supplant existing local funds for homelessness services under penalty of disallowance or reduction, or both, of future program funds, as determined by the Council.

(c) After funds are allocated pursuant to subdivision (b) above, the Council shall make the remaining funds available to eligible applicants on a rolling basis, as described below.

(1) The Council shall make an application for Round 2 of the program no later than September 1, 2022, and will accept applications and award funds on a rolling basis until June 30, 2023, or until a total of four hundred million (\$400,000,000) of the funds appropriated pursuant to subdivision (a) have been allocated, whichever occurs first.

(A) Any funds not allocated pursuant to this subdivision shall roll into the sustainability funds, as described in subdivision (d).

(2) Applicants may submit an application for a program grant to the Council in a form and manner specified by the Council. The application shall include, at a minimum, all of the following:

(A) Information on the number and demographics of the individuals living in the encampment that the applicant is requesting funding to help resolve.

(B) A description of why this specific encampment is being prioritized for resolution support.

(C) A description of how the applicant intends to collaborate with state and local partners to:

(i) Mitigate risk and address safety concerns of individuals living in encampments,

(ii) Provide a pathway for individuals living in encampments to move into safe and stable housing, and

(iii) Support connections to supportive services, including mental, behavioral, and physical health care services.

(D) A description of how the applicant intends to use these funds to connect all individuals living in the encampment to services and housing.

(E) A description of other local resources and funding streams that will be used to ensure the ongoing availability of services and housing support for people who are moved out of encampments into permanent housing.

(F) Numeric goals regarding how many individuals living in encampments this program will support transitioning into temporary shelter and permanent housing.

(G) A description of how the applicant would spend additional sustainability funds, as described in subsection (d) below, to provide:

(i) Individuals that have been transitioned into temporary shelter options are connected to programs and resources to connect them to permanent housing,

(ii) Individuals that have been transitioned into permanent housing options are supported to maintain their housing stability, and

(iii) Individuals the connection to sustainable supportive services, including mental, behavioral, and physical healthcare services for the individuals that have been served by this program.

(d) All of the remaining funds available pursuant to this section that are not allocated pursuant to subdivisions (b) and (c), no less than one hundred million dollars (\$100,000,000), shall be allocated to eligible recipients of the program for bonus sustainability funds. These funds shall only be available to recipients who meet their program goals and shall be used to increase permanent housing placements and sustain the housing stability and supportive services provided to individuals that have been relocated from encampments.

(1) The Council shall begin accepting applications for these sustainability funds no earlier than July 1, 2023, and will continue to accept applications and make awards to eligible applicants until all funds have been allocated.

(2) Recipients may submit an application for sustainability funds to the Council in a form and manner specified by the Council. The application shall include, at a minimum:

(A) Data on the number and demographics of the individuals that have been transitioned from living in the encampment into temporary shelter and permanent housing with these program funds.

(B) A description of how these sustainability funds will be used to increase permanent housing placements and sustain the housing stability and supportive services provided to individuals that have been relocated from encampments with these program funds.

(C) Verification that the recipient has met fiscal requirements and programmatic goals, as determined by the Council.

(e) The Council retains the right to conduct program monitoring on grantee performance and if grantees are not meeting their goals, the Council may require the grantee accept technical assistance and may limit the allowable uses of these program funds, as determined by the Council.

(f) Of the moneys available pursuant to subdivision (a), the Council may expend up to five (5) percent for administration of the program, including capacity building and technical assistance activities in support of program goals.

Section 50253 of the Health and Safety Code is amended to read:

(a) The Council shall administer Round 1 of the program in accordance with the following timelines:

(1) The Council shall make a program application available no later than October 31, 2021.

(2) Applications shall be due to the Council no later than December 31, 2021.

(3) The Council shall make initial award determinations no later than March 1, 2022.

(4) If not all funds have been awarded after the first round of grant awards, the Council may accept additional applications and make additional awards until all funds have been allocated.

(b) Recipients of Round 1 funds, as described in Section 50252, and recipients of Round 2 funds described in subdivision (b) of Section 50252.1, shall expend at least 50 percent of their allocation by June 30, 2023.

(1) Recipients who fail to expend their allocated funds in compliance with this subdivision shall return to the Council no less than 25 percent of their total allocation amount for reallocation by the Council during subsequent rounds of funding.

(c) Recipients of Round 1 funds, as described in Section 50252, and recipients of Round 2 funds described in subdivision (b) of Section 50252.1, shall expend all program funds no later than June 30, 2024. Any funds not expended by this date shall be returned to the Council to be reallocated as sustainability funds for current recipients, as described in Section 50252.1 (d). ~~returned to the General Fund.~~

(d) Recipients of Round 2 funds, to be allocated on a rolling basis as described in subdivision (c) of Section 50252.1, shall expend at least 50 percent of their allocation by June 30, 2024.

(1) Recipients who fail to expend their allocated funds in compliance with this subdivision shall return to the Council no less than twenty-five (25) percent of their total allocation amount to be reallocated as sustainability funds for current recipients, as described in Section 50252.1 (d).

(e) Recipients of Round 2 funds, as described in subdivision (c) of Section 50252.1, shall expend all program funds no later than June 30, 2025. Any funds not expended by this date shall be returned to the General Fund.

(f) Recipients of Round 2 sustainability funds, as described in subdivision (d) of Section 50252.1, shall expend at least fifty (50) percent of their allocation by June 30, 2025.

(g) Recipients of Round 2 sustainability funds, as described in subsection (d) of Section 50252.1, shall expend all sustainability program funds no later than June

30, 2027. Any funds not expended by this date shall be returned to the General Fund.

Section 50254 of the Health and Safety Code is amended to read:

- (a) Notwithstanding any other law, all recipients of funds pursuant to this chapter shall provide data elements, including, but not limited to, health information, in a manner consistent with state and federal law, to their local Homeless Management Information System for tracking in the statewide Homeless Data Integration System.
- (b) (1) The Council shall specify the form and substance of the required data elements.
(2) The Council may, as required by operational necessity, amend or modify data elements, disclosure formats, or disclosure frequency.
- (c) Any health information or personal identifying information provided to or maintained within the statewide Homeless Data Integration System pursuant to this section shall not be subject to public inspection or disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).
- (d) For purposes of this paragraph, "health information" includes "protected health information," as defined in Part 160.103 of Title 45 of the Code of Federal Regulations, and "medical information," as defined in subdivision (j) of Section 56.05 of the Civil Code.
- (e) All recipients shall provide information and products developed with grant funds on service delivery models in support of the overall program goal to mitigate risk and address safety concerns in encampments, while ensuring a pathway for individuals living in encampments to move into safe and stable housing, in a format and timeframe specified by the Council.
- (f) The Council shall evaluate the data and outcomes reported by recipients to assess efficacy of programs and identify scalable best practices for encampment resolution that can be replicated across the state.
- (g) The Council shall report to the chairs of the relevant fiscal and policy committees in both houses on the outcomes, learnings, and best practice models identified through this program. The report shall be submitted in compliance with Section 9795.
- (h) For purposes of implementing this chapter, contracts entered into or amended shall be exempt from all of the following:
 - (1) Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code.
 - (2) The personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code.

(3) Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and the State Contracting Manual.

(4) Notwithstanding Section 11546 of the Government Code, from review or approval of any division of the Department of Technology, upon approval from the Department of Finance.

(5) From the review or approval of any division of the Department of General Services.