



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Jacky Morales-Ferrand
Margaret McCahan

SUBJECT: SEE BELOW

DATE: April 18, 2018

Approved

Date

4/20/18

**SUBJECT: SUBSTANTIAL AMENDMENT TO THE FY 2017-2018 ANNUAL
ACTION PLAN FOR THE USE OF FUNDS FROM THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

RECOMMENDATION

- (a) Hold a Public Hearing and take public comment on the proposed Substantial Amendment to the Fiscal Year 2017-2018 Annual Action Plan to:
 - (1) Reallocate approximately \$650,000 in grant funding; and,
 - (2) Recognize an additional \$200,000 in program income and commit \$115,000 of it.
 - (3) Funds for these changes will be made available by taking the following actions:
 - (a) Decrease the CDBG fund allocation for Legal Services from \$530,000 to \$30,000.
 - (b) Decrease the CDBG fund allocation for Place-Based Street and Infrastructure Enhancements from \$1,830,000 to \$1,680,000.
 - (c) Increase the CDBG fund allocation for Revenues by \$200,000.
- (b) Adopt a resolution approving the proposed Substantial Amendment for submission to the U.S. Department of Housing and Urban Development; and,
- (c) Adopt the following 2017-2018 Appropriation Ordinance and Funding Sources Resolution amendments in the Community Development Block Grant Fund:
 - (1) Increase the estimate for Revenue from the Use of Money/Property by \$200,000; and
 - (2) Decrease the Housing Rehabilitation Loans and Grants Appropriation to the Housing Department by \$150,000;
 - (3) Increase the Housing Emergency and Minor Repair Program appropriation to the Housing Department by \$515,000;
 - (4) Decrease Ending Fund Balance by \$165,000.
- (d) Adopt the following 2017-2018 Appropriation Ordinance amendments in the HOME Invest Partnership Fund:
 - (1) Decrease the Housing Loans and Grants appropriation to the Housing Department by \$68,000; and
 - (2) Increase Ending Fund Balance to the Housing Department by \$68,000.

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OUTCOME

Approval of this Substantial Amendment will ensure that all available CDBG funds for homeless services and community development programs can be spent in Fiscal Year 2017-18.

BACKGROUND

On June 20, 2017, the City Council approved the Fiscal Year (FY) 2017-2018 Annual Action Plan for expenditure of the entitlement funds and competitive grants that the City receives from the U.S. Department of Housing and Community Development (HUD). Staff submitted the City Council-approved Plan to HUD in June 2017, and HUD approved it in July 2017.

The City's Annual Action Plan details its funding strategy for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership, and Housing Opportunities for People with AIDS (HOPWA) programs each year. Annual Action Plans implement a jurisdiction's Five-Year Consolidated Plan and are developed through significant public input, analysis, and planning. The Action Plan provides spending caps for the different programs or services funded by federal funds.

All entitlement jurisdictions that receive federal funds are required by HUD to have an adopted Citizen Participation Plan (CPP). San José's CPP describes the efforts that the City will take to encourage its residents to participate in developing federal spending plans. It also provides requirements for the public process to be used when a "substantial amendment" to programs funded in the Annual Action Plan is proposed. Per the City's CPP, the following changes constitute a substantial amendment:

1. Increases or decreases by the greater of \$100,000 or a 25% change in the amount allocated to a category of funding;
2. A significant change to an activity's proposed beneficiaries or persons served; or,
3. Funding of a new activity not previously described in the Action Plan.

When a proposed change in program funding hits one of these thresholds, the City must comply with the public noticing process required in the CPP for substantial amendments. This includes public notice and public hearing by HCDC and the City Council, as described below.

ANALYSIS

Substantial Amendment is Required

The proposed changes to the City's FY 2017-2018 Annual Action Plan qualify as a substantial amendment because they meet criteria 1 and 2 above. Therefore, this Substantial Amendment proposal is being brought to HCDC and to the City Council as required by the CPP. Public

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notices were published in five newspapers, both in English and in four foreign languages, 30 days in advance of the planned City Council meeting on May 1, 2018.

Causes of the Need to Amend

Managing expenditures of the City's federally-funded budget often requires adjustments to its Annual Action Plan to accommodate expenditures that were slower than anticipated or the influx of loan repayments that exceed expected amounts. Specifically, the proposed changes are needed to program a total of \$850,000, as follows.

1. **Reprogram \$500,000 in CDBG Public Services (PS).** The FY 2017-2018 Annual Action Plan anticipated \$500,000 to be awarded and spent in FY 2017-2018 through a new Request for Proposal for legal services to assist tenants that are improperly evicted. However, the Legal Services RFP was not published until February 21, 2018. This will not provide enough time for the Housing Department to select the grantees, execute agreements, and spend the funds within the fiscal year. This change will reduce CDBG expenditures for Legal Services for the current fiscal year from \$530,000 to \$30,000. The Department still intends to award \$500,000 in the Legal Services RFP but the bulk of those expenditures will be reprogrammed in the FY 2018-2019 Annual Action Plan. This large change within the PS category of expenditures triggered the requirement for a substantial amendment process.
2. **Reprogram \$150,000 in CDBG Community Development Investment (CDI) funds.** CDI funds were programmed to be spent on several City projects. These funds were not disbursed due to slower than anticipated progress on several multiple-year construction projects. This change reduces planned CDI expenditures in the current fiscal year by \$150,000; however, the appropriation action for this reallocation is for \$515,000 as explained below.
3. **Recognize an additional \$200,000 of unanticipated CDBG Program Income (PI).** Program Income is derived from repayments of previously-funded loans. Staff's annual estimates sometimes differ from actual repayments. In this case, an additional \$200,000 was received in loan repayments, which is a principal source of Program Income.

Process of Determining Proposed Changes

While unused funds are returned to fund balance, HUD has expenditure requirements that are designed to encourage grant recipients to spend their funds in a timely manner. Specifically, by April 30 of each year, the City must have no more than 150% of its previous year's CDBG entitlement amount unspent. If the City does not meet these requirement, it could jeopardize future entitlements. Therefore, it is important to try to reprogram as much of the unutilized funds as possible to the extent they can expended to meet the many needs of San José's community.

To determine the reallocation of funding for the current FY, staff issued a request to existing awardees for proposals on their capacity to spend additional funds before the end of FY 2017-18. Staff's request was open-ended, and did not dictate the amount of additional funds that an agency could spend or number of additional clients they could serve. Staff assessed awardees' proposals

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for expanded program delivery by assessing: 1) the reasonableness of both expenditure projections and additional activities to be provided; 2) agencies' current satisfactory performance; and, 3) their demonstrated ability to meet current identified performance goals.

Based on this assessment, staff is proposing changes to existing PS and CDI awards that so funds can be spent timely by June 30, 2018. The changes are outlined in **Attachment A** and are summarized below.

Proposed Changes

The following changes are included in the Substantial Amendment and are summarized in Table 1 below:

Table 1: Summary of Additional Awards in the Substantial Amendment

Category	Activity	Awardee	Additional Award
PS	Senior Services	The Health Trust Meals on Wheels	\$ 30,000
		POSSO Senior Food Access	\$ 23,000
PS	Neighborhood Engagement	Somos Mayfair Home Grown Talent Program	\$ 35,000
PS	Legal Services	<i>Silicon Valley Law Foundation*</i>	\$ 68,000
PS	Homeless Outreach & Engagement	HomeFirst	\$ 114,000
		<i>PATH*</i>	\$ 230,000
Total - Public Services Increase			\$ 500,000
CDI	Minor Repair Program	Rebuilding Together SV	\$ 75,000
CDI		Habitat for Humanity	\$ 190,000
Total - CDI/Other			\$ 265,000
PI	Ending Fund Balance	None - additional Program Income for use in FY 2018-19	\$ 85,000
Total - all			\$ 850,000

**Note: Per descriptions on the next page, these changes only reflect substitutions of CDBG for HOME for the Silicon Valley Law Foundation, and substitution of CDBG for HALA for PATH, and do not reflect increases in funding.*

Public Services

The following changes are being made to reprogram \$500,000 in public services funds from the Legal Services RFP to other uses:

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Senior Services: Funding to the Health Trust and the Portuguese Organization for Social Services and Opportunities (POSSO) for meal and senior nutrition services will be increased by **\$53,000**. The additional funding is expected to feed an additional 50 seniors.

Neighborhood Engagement: Funding to Somos Mayfair for neighborhood engagement programs will be augmented by **\$35,000**. This increases overall funding for Neighborhood Engagement Programs from \$200,000 to \$235,000. The additional funds are expected to give entrepreneurship training and experience in food-related businesses to an additional 40 people in Somos Mayfair's Home Grown Talent program.

Substitute CDBG for HOME: CDBG funding will increase by **\$68,000** to the Silicon Valley Law Foundation from \$300,000 to \$368,000, and its HOME funding will commensurately decrease from \$100,000 to \$32,000. The overall funding amount remains unchanged.

Homeless Outreach and Engagement Services: Funding will increase by **\$114,000** to HomeFirst for outreach and engagement services. This is expected to serve an additional 50 homeless individuals.

Substitute CDBG for HALA: Funding will increase by **\$230,000** to PATH for homeless outreach services, and planned funding from a non-federal funds source, the Housing Authority Litigation Award (HALA), will commensurately decrease. The overall amount of funding remains unchanged but the amount of federal funds is increased. This change allows more flexible HALA funds to be used for other purposes.

Note that, including public services increases and the substitution of CDBG for other sources, the total CDBG to be spent for Homeless Programs is increased from \$350,000 to \$694,000.

Community Development Infrastructure Programs

The following changes are being made to the CDI allocations:

Minor Home Repair Program: Funding will increase for Minor Home Repair Programs by **\$265,000** from \$1,250,000 to \$1,515,000. The change will add \$75,000 to the Habitat for Humanity contract and add \$190,000 to the Rebuilding Together contract. The additional funds are expected to provide repair services to an additional 30 households. This is composed of \$150,000 in reprogrammed CDI funds plus \$115,000 of newly-available program income.

While not part of the Substantial Amendment, appropriation actions are recommended to increase funding to Habitat for Humanity by **\$250,000** to continue a contract retroactive to July 1, 2017 for the repair of housing units for low-income homeowners; this allocation was previously approved in the 2016-2017 Annual Action Plan. This action is funded by a decrease to the Ending Fund Balance.

An increase to the Housing Emergency and Minor Repair Program appropriation of \$515,000 is recommended to reflect these changes.

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Other Changes

In addition to the changes above, the following updates are being made to the Substantial Amendment:

Section 108 Loan Guarantee: Section 108 is a federal loan guarantee program backed by annual allocations of CDBG. The former San José Redevelopment Agency (RDA) borrowed funds under the Section 108 program intending to make amortized payments on the three loans from its share of the redevelopment tax increment. Given the dissolution of redevelopment statewide and the obligation of tax increment to cover all of the former RDA's enforceable obligations, another source of funding is necessary to take on that debt service. CDBG funds are utilized to cover the debt service obligation. The City Council previously approved an increase of \$320,000 for Section 108 Loan Repayments from \$1,885,865 to \$2,205,865. This use varies each year as the amount able to be paid by the borrowers for loans guaranteed by this program varies each year; thus the guarantee makes up the difference between the amount paid and the amount due. The Substantial Amendment will reflect this previously-approved change.¹

Program Income: The additional \$200,000 in Program Income over the estimate for FY 2017-2018 creates an adjustment in Program Income from \$2,400,000 to \$2,600,000. Of this additional income, \$115,000 is used to support changes in the Substantial Amendment funding for CDIs.

Total Estimated Resources: The additional Program Income (\$200,000) and correction of an inadvertent error reflected in 2017-2018 Annual Action Plan changes the Total Estimated Resources for all federal funding from \$12,239,506 to \$24,439,506.

EVALUATION AND FOLLOW-UP

After the City Council public hearing, staff will submit the Substantial Amendment and the record of public comments to HUD for approval. In fall 2018, staff will return to the City Council with the Consolidated Annual Performance Evaluation Report (CAPER) that reports on performance of federally-funded programs and projects included in the 2017-2018 Annual Action Plan.

¹ Note that given the successful refunding bond issuance for RDA debt in December 2017, FY 2017-18 should be the final year that CDBG will need to pay for the RDA's Section 108 debt repayment.

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PUBLIC OUTREACH

The proposed Substantial Amendment will be the subject of a public hearing at the April 12, 2018, meeting of the City's Housing and Community Development Commission (HCDC). The Housing Department sent a public hearing notice for posting on March 29, 2018, announcing both the HCDC public hearing on April 12, 2018, and City Council public hearing on May 1, 2018, to organizations and individuals concerned about housing and community development issues. As required by the City's Citizen Participation Plan, the public hearing notice was also translated into Spanish, Vietnamese, Chinese and Tagalog and published in late March in the *El Observador*, *Vietnam Daily News*, *The World Journal* and *Philippine News* newspapers, respectively, as well as in the *San José Mercury News*.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

The Housing and Community Development Commission (HCDC) held a public hearing on this item on April 12, 2018. Comments from members of the public and those from Commissioners are attached as **Attachment B**.

FISCAL/POLICY ALIGNMENT

The projects identified in this Substantial Amendment to the FY 2017-2018 Annual Action Plan are consistent with the approved 2015-2020 Consolidated Plan.

COST SUMMARY/IMPLICATIONS

This action will allow the City to budget and use an additional \$200,000 in CDBG repayment revenue and reallocate \$815,000 of CDBG funds, to support eligible costs associated with this Federal funding source.

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BUDGET REFERENCE

The table below identifies appropriations to fund the contracts recommended as part of this memo.

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2017-2018 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
441	R080	Revenue from the Use of Money/Property	\$530,000	\$200,000	967	6/20/2017, 78229
441	0063	Housing Rehabilitation Loans and Grants	\$3,026,948	(\$150,000)	967	10/17/201, 30014
441	3610	Housing Emergency and Minor Repair Program	\$1,000,000	\$515,000	967	6/20/2017, 29962
441	8999	Ending Fund Balance	\$1,777,844	(\$165,000)	968	2/13/2018, 30070
445	0070	Housing Loans and Grants	\$3,875,000	(\$68,000)	1001	6/20/2017, 29962
445	8999	Ending Fund Balance	\$5,746,335	\$68,000	1001	2/13/2018, 30070

CEQA

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

/s/

JACKY MORALES-FERRAND
Director, Housing Department



MARGARET MCCAHAH
Budget Director

I hereby certify that there will be available for appropriation in the Community Development Block Grant Fund in Fiscal Year 2017-2018 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$200,000.



MARGARET MCCAHAH
Budget Director

For questions, please contact Kristen Clements, Division Manager, at (408) 535-8236.

Attachment A: Summary of Substantial Amendment to the FY 2017-2018 Annual Action Plan

Attachment B: Comments from the Public Hearing, Housing and Community Development Commission Meeting, April 12, 2018

City of San José

Substantial Amendment to the 2017-2018 Annual Action Plan

Background

The City of San José's federal Annual Action Plan details the funding strategy for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership, and Housing Opportunities for People with AIDS (HOPWA) programs each year. These Annual Action Plans implement a jurisdiction's Five-Year Consolidated Plan and are developed through significant public input, analyses, and planning.

The City's Citizen Participation Plan (CPP) describes the efforts that the City will take to encourage its residents to participate in developing these plans. It also provides requirements for public process when a "substantial amendment" to the Annual Action Plan is proposed. The following changes constitute a substantial amendment and require public notice as described in the CPP:

- Increases or decreases by the greater of \$100,000 or a 25% change in the amount allocated to a category of funding
- A significant change to an activity's proposed beneficiaries or persons served
- Funding of a new activity not previously described in the Action Plan

Proposed Substantial Amendment

The City is proposing the following amendments to the 2017-2018 Annual Action Plan in order to reprogram funds from projects/activities that did not move forward, and to program extra Program Income funds that were received.

Each project listed below references the project number in AP-35 – 91.220(d) *Table 11 - Project Information*, AP-38 Project Summary *Table 12 – Project Summary*, and corresponding tables throughout the Annual Action Plan have been updated:

1. Increase CDBG's "Estimated Program Income" from \$2,400,000 to \$2,600,00. This will also change the "Total Estimated Resources" for CDBG from \$12,872,038 to \$13,072,038, and the overall "Total Estimated Resources" for all federal funding to \$24,439,506 (*first found on page 32, Table 4 "FY 2017-18 Summary of Funding"*).
2. Increase CDBG funding for Law Foundation from \$300,000 to \$368,000; AND, decrease HOME funding for Law Foundation from \$100,000 to \$32,000. The overall contract with the Law Foundation will not be increased.
3. Increase funding for Neighborhood Engagement Programs from \$200,000 to \$235,000.
 - Increasing funding to Somos Mayfair by \$35,000.

4. Increase funding for Homeless Programs from \$350,000 to \$694,000.
 - Increase funding to HomeFirst Services of Santa Clara County by \$114,000
 - Provide \$230,000 of CDBG funds to PATH. These funds will replace Housing Authority Litigation Award (HALA).
5. Reduce funding for Legal Services for Low-Income Tenants from \$530,000 to \$30,000. The RFP for new Legal Services for FY17-18 could not be released until February 21, 2018; thus the 2017 funding of \$500,000 was reprogrammed to other public service activities.
6. Decrease funding for Place-Based Street and Infrastructure Enhancements, from \$1,830,000 to \$1,680,000.
7. Increase funding for the Minor Repair from \$1,250,000 to \$1,515,000.
 - Additional \$75,000 for Habitat for Humanity.
 - Additional \$190,000 for Rebuilding Together.
8. Increase funding for Section 108 Loan Repayments from \$1,885,865 to \$2,038,865.

In addition to the above substantial amendment changes, the AAP has been updated to reflect the following changes:

1. Estimated FY 2017-18 Program Income has been adjusted from \$2,400,000 to \$2,600,000.
2. Change in Total Estimated Resources from \$12,239,506 (error in original AAP) to \$24,439,506.

Analysis

This proposal qualifies as a substantial amendment because it meets two of the three criteria:

- A significant change to an activity's proposed beneficiaries or persons served
- Change in funding amount: Several of the project funding updates exceed the threshold level.

Changes to the 2017-2018 Annual Action Plan are primarily a result of:

1. The reprogramming of \$500,000 for Legal Services. The Legal Services RFP was not able to be published until February 21, 2018 not giving enough time to draw down funds in FY2017-2018.
2. Programming additional \$200,000 of unanticipated Program Income.
3. The reprogramming of \$150,000 of CDI funds that were not funded.

Senior Services

The additional \$53,000 will provide services to an additional 50 people using Meals on Wheels (The Health Trust), and Senior Nutrition & Wellness (POSSO).

Neighborhood Engagement

The additional \$35,000 will provide services to an additional 40 people in the Home Grown Talent program (Somos Mayfair).

Minor Home Repair Program

The additional \$265,000 will provide services to an additional 30 households through Rebuilding Together, Silicon Valley, and Habitat for Humanity.

Homeless Services

The additional \$344,000 will provide services to an additional 50 homeless individuals through HomeFirst and PATH outreach and engagement services.

Public Process

The City of San José provided a public notice in five newspapers as part of the CPP requirements. Additionally, two public hearings will be held to provide opportunities for public comment:

- April 12, 2018 - Housing & Community Development Commission Meeting, 5:45pm, Wing Rooms 118-120
- May 1, 2018 - City Council consideration of Substantial Amendment adoption, 1:30pm, Council Chambers (Please review Council Meeting [agenda](#) when available to confirm item number)

Comments may also be provided to Kristen Clements by email (Kristen.Clements@sanjoseca.gov) or phone (408-535-8236), or in writing addressed to:

City of San José Housing Department
200 E. Santa Clara Street, 12th Floor
San José, CA 95113

1. On page 32 of the approved 2017-2018 Annual Action Plan, amend Introduction and amend Table 4 – FY 2017-18 Summary of Funding as follows: (**additions** or **deletions**):

Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

The City of San José's (City) Fiscal Year (FY) 2017-18 Action Plan covers the time period from July 1, 2017 to June 30 2018 (HUD Program Year 2017). The City Fiscal Year (FY) 2017-2018 entitlement amount is ~~\$12,463,415~~ **\$12,463,415**. While HUD allocations are critical, they are not sufficient to overcome all barriers and address all needs that low-income individuals and families face in attaining self-sufficiency. The City will continue to leverage additional resources to successfully provide support and services to the populations in need.

The FY 2017-2018 allocation amount for each of the federal housing and community development programs is broken down as follows:

- Community Development Block Grant (CDBG) - \$8,196,038
- HOME Investment Partnerships Program (HOME) - \$2,512,787
- Housing Opportunities for Persons with AIDS (HOPWA) - \$999,261
- Emergency Services Grant (ESG) - \$755,329

In addition to the FY 2017-2018 allocation for CDBG and HOME, total program resources for the two programs will be higher than the allocation amount due to estimated program income (e.g., repayments of federally funded loans) and prior year balance. The prior year's CDBG balance consists of unused balances from previous year's projects. The "Prior Year Balance" of HOME funds consists of previous year's funds that were left uncommitted, funds committed to the Tenant Based Rental Assistance (TBRA) program that were unspent (which will be rolled over into the new program year), program income, and CHDO funds set-aside but not committed to a specific project. The prior year balance in the HOPWA program consists of unused funds from previous year projects.

Table 1 – FY 2017-18 Summary of Funding

	2017-18 Funding Allocation	Prior Year Balance	Estimated FY 2017-18 Program Income	Total Estimated Resources
Total CDBG	\$8,196,038	\$2,276,000	\$2,400,000 \$2,600,000	\$12,872,038 \$13,072,038
Total HOME	\$2,512,787	\$6,950,091	\$0	\$9,462,878
Total HOPWA	\$999,261	\$150,000	\$0	\$1,149,261
Total ESG	\$755,329	\$0	\$0	\$755,329
TOTAL	\$12,463,415	\$9,376,091	\$2,400,000 \$2,600,000	\$12,239,506 \$24,439,506

2. On page 33 of the approved 2017-2018 Annual Action Plan, amend Table 5 – Fiscal Year 2017-2018 CDBG Budget Priorities as follows (**additions** or **deletions**):

Table 2 - Fiscal Year 2017-2018 CDBG Budget Priorities

CDBG Fiscal Year 2017-2018 Annual Budgetary Priorities	
FY 2017-2018 Budget	\$12,871,038 \$13,072,038
Administration (includes City grant administrative costs and fair housing activities)	\$2,014,106
Public Services Program	\$1,280,000 \$1,212,000
Neighborhood Engagement Program	\$200,000 \$235,000
Homeless Programs	\$350,000 \$694,000
Senior Programs	\$200,000 \$253,000
Legal Services for LI Tenants	\$530,000 \$30,000
Community Development Improvement Program	\$7,692,067 \$7,807,067
Place Based Projects (pedestrian safety improvements, green alleyway improvement, ADA Curb Ramps, Lighting Improvements)	\$1,830,000 \$1,680,000
Targeted Code Enforcement	\$1,085,119
Minor Repair	\$1,250,000 \$1,515,000
Job Training	\$500,000
Non-profit Facility Rehab	\$3,026,948
Section 108 Repayments	\$1,885,865 \$2,038,865
Total	\$12,872,038 \$13,072,038

3. On pages 36 of the approved 2017-2018 Annual Action Plan, amend Table 9 – Expected Resources – Priority Table as follows (**additions** or **deletions**):

Table 3 - Expected Resources – Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 3				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public Federal	<ul style="list-style-type: none"> • Admin and Planning • Acquisition • Economic Development • Housing • Public Improvements • Public Service 	\$8,196,038	\$2,400,000 \$2,600,000	\$2,276,000	\$12,872,038 \$13,072,038	\$9,145,528 \$9,346,528	This program funds various nonprofit agencies and other city departments to implement services that benefit low- and moderate-income persons and neighborhoods or address community and economic development needs.

4. On pages 44-45 of the approved 2017-2018 Annual Action Plan, amend Table 10 – Goals Summary (One Year) as follows (**additions** or **deletions**):

Table 4 – Goals Summary (One Year)

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase & Preserve Affordable Housing Opportunities	2017	2018	• Affordable Housing	N/A	Affordable Housing	HOME: \$6,712,878 HOPWA: \$1,123,261	<ul style="list-style-type: none"> HOME Rental Units Constructed = 50 housing units Tenant-Based Rental Assistance/Rapid Re-housing = 90 households assisted
2	Respond to Homelessness and Its Impacts on the Community	2017	2018	• Homeless	N/A	Homelessness	CDBG: \$350,000 \$694,000 HOME: \$2,400,000 ESG: \$755,329	<ul style="list-style-type: none"> Homeless overnight shelter = 250 persons assisted HOME Tenant-Based Rental Assistance/Rapid Re-housing = 150 households assisted Other – Outreach Contacts = 700 800 persons assisted
3	Strengthen Neighborhoods	2017	2018	• Non-Housing Community Development Non-Homeless Special Needs	N/A	Strengthening Neighborhoods	CDBG: \$8,622,067 \$8,325,067	<ul style="list-style-type: none"> Public service activities other than LMI Housing Benefit = 450 490 persons assisted Jobs created = 10 jobs Housing code enforcement/Foreclosed property care = 775 housing units Homeowner housing rehabilitated = 250 280 housing units Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit = 21,000 16,000
4	Promote Fair Housing Choice	2017	2018	• Non-Housing Community Development	N/A	Fair Housing	CDBG: \$300,000 \$368,000 HOME: \$100,000 \$32,000	<ul style="list-style-type: none"> Public service activities other than LMI Housing Benefit = 220 persons assisted.

5. On pages 50-65 of the approved 2017-2018 Annual Action Plan, amend Table 12 – Project Summary as follows (**additions** or **deletions**):

Table 5 – Project Summary

	Project Name	Target Area	Needs Addressed	Funding	GOI
1	Senior Services	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods 	CDBG: \$200,000 \$253,000	200 250 persons assisted
2	Neighborhood Engagement	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods 	CDBG: \$200,000 \$235,000	250 290 persons assisted
3	Legal Services for LI Tenants	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods 	CDBG: \$530,000 \$30,000	300 15 persons assisted
4	Job Training for Unhoused Individuals	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods Homelessness 	CDBG: \$500,000	10 Jobs created
5	Place Based Street and Infrastructure Enhancements	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods 	CDBG: \$1,830,000 \$1,680,000	20,000 15,000 persons assisted
6	Targeted Code Enforcement	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods 	CDBG: \$1,085,119	775 housing units
7	Minor Home Repair Program	N/A	<ul style="list-style-type: none"> Strengthening Neighborhoods 	CDBG: \$1,250,000 \$1,515,000	250 280 housing units
8	HOPWA – The Health Trust	N/A	<ul style="list-style-type: none"> Affordable Housing 	HOPWA: \$1,073,261	105 persons assisted
9	HOPWA – San Benito County	N/A	<ul style="list-style-type: none"> Affordable Housing 	HOPWA: \$50,000	5 persons assisted
10	Rental Housing Development	N/A	<ul style="list-style-type: none"> Affordable Housing 	HOME \$6,712,878	50 housing units
11	HOME TBRA	N/A	<ul style="list-style-type: none"> Homelessness 	HOME: \$2,400,000	100 persons assisted
12	Services for Homeless and Unhoused Populations (CDBG)	N/A	<ul style="list-style-type: none"> Homelessness 	CDBG: \$350,000 \$694,000	150 200 persons assisted 700 800 outreach contacts
13	Homeless Services (ESG17 City of San José)	N/A	<ul style="list-style-type: none"> Homelessness 	ESG: \$755,329	150 persons assisted 700 outreach contacts
14	Fair Housing	N/A	<ul style="list-style-type: none"> Fair Housing 	CDBG: \$300,000 \$368,000 HOME: \$100,000 \$32,000	220 persons assisted
15	Non-profit Facility Rehab	N/A	<ul style="list-style-type: none"> Homelessness Strengthening Neighborhoods 	CDBG \$3,026,948	1,000 persons assisted

16	Section 108 Repayment	N/A	• N/A	CDBG: \$1,885,865 \$2,038,865	N/A
17	CDBG Administration and Monitoring	N/A	• N/A	CDBG: \$1,714,106 \$1,646,106	N/A
18	HOME Administration and Monitoring	N/A	• N/A	HOME: \$250,000 \$318,000	N/A
19	HOPWA Administration and Monitoring	N/A	• N/A	HOPWA: \$26,000	N/A

1	Project Name	Senior Services
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Strengthening Neighborhoods
	Funding	CDBG: \$200,000 \$253,000
	Description	This project will provide community-based services – including Meals on Wheels and the Senior Nutrition and Wellness - to San José’s low-income seniors in order to improve health and quality of life, prevent or reduce their isolation and depression, and/or increase their housing stability improving their opportunities to age in place.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	200 250 low-income seniors
	Location Description	City-wide (service locations vary)
	Planned Activities	Meals on Wheels – The Health Trust Senior Nutrition and Wellness - POSSO

2	Project Name	Neighborhood Engagement
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Strengthening Neighborhoods
	Funding	CDBG: \$200,000 \$235,000
	Description	The goal of the Neighborhood Engagement program is to increase social capital (i.e., a form of economic and/or cultural capital in which social networks are essential components to community growth) in San José neighborhoods, increase community engagement and cohesion, build the capacity of local organizations, pilot solutions to solve neighborhood level problems, and develop leadership skills of residents to promote, support, and sustain civic engagement by residents that are typically underrepresented in city governance and civic processes. This work will build upon the previous successes of the Strong Neighborhoods Initiative and the work of the Housing Department’s Place Based Initiative.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	250 290 low-income residents
	Location Description	East San José and Central San José
	Planned Activities	Somos Mayfair – Home Grown Talent CommUniverCity – Community Leadership Program

3	Project Name	Legal Services for LI Tenants
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Strengthening Neighborhoods
	Funding	CDBG: \$530,000 \$30,000
	Description	The goal of the Legal Services for LI Tenants is to increase housing stability by providing landlord/tenant counseling, education, referrals, and legal assistance to tenants facing unlawful evictions or other landlord/tenant issues. These services will include additional outreach and education to low income tenants Citywide.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	300 15 low-income residents
	Location Description	TBD – RFP to be issued.
	Planned Activities	TBD – Agencies to be selected from RFP.

4	Project Name	Job Training
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods and/or Respond to Homelessness and Its Impacts on the Community
	Needs Addressed	Strengthening Neighborhoods and/or Respond to Homelessness and Its Impacts on the Community
	Funding	CDBG: \$500,000
	Description	The program will support job training for low income individuals, focused on homeless individuals and/or youth/young adults (ages 16-24). Community outreach related to the Annual Action Plan highlighted a community need for job training, especially for unhoused individuals and youth/young adults. This program must meet the national objective of low/moderate job creation and retention (LMJ) as well as the required Public Benefit Standards Activities must create or retain permanent jobs to be made available or held by low/moderate income persons. This requirement is met when job training participants are placed in permanent jobs. In addition, in order to be eligible for CDBG funding the job training must be tied to assistance to for-profit businesses. Non-profit entities, including Community Based Development Organizations, are eligible to apply.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	10 jobs created
	Location Description	1671 The Alameda #306

		San Jose, CA 95126
	Planned Activities	Downtown Streets Team

5	Project Name	Place-Based Street and Infrastructure Enhancements
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Strengthening Neighborhoods
	Funding	CDBG: \$1,830,000 \$1,680,000
	Description	<p>CDBG funds will be used to support street and pedestrian safety improvements in low-moderate income areas. This may include enhanced pedestrian crosswalks to increase pedestrian visibility to motorists, reduce conflicts between modes of transportation, and shorten crossing distances. Improvements may include adding and improving sidewalk ramps, installing high-visibility crosswalks with flashing beacons, adding signage and high visibility roadway markings, repair damaged sidewalks, and improving functionality of intersections. All approved projects will be located in low-income areas and are not included in the City's budget for capital improvements.</p> <p>Additionally, this project will include support for alleyway improvements in low income neighborhoods. The poor condition of deteriorated alleyways has been an ongoing concern of the neighborhood residents. Several alleyways are unpaved or have deteriorating pavement, creating a rough roadbed and flooding in storms. The improvements will provide a reliable roadway surface, ensuring safe access for residents, improving accessibility, improved storm water management and raising awareness of storm water issues.</p> <p>This project will also support additional improvements at the King Road and San Antonio intersection to improve Pedestrian Safety and Accessibility. The project, originally funded in FY 15-16, involved improving the southern portion of the intersection and the additional funds will expand the project to improve the northern side of the intersection as well.</p> <p>Lastly, this project will support lighting and pedestrian safety improvements on Evans Lane, where a supportive housing project will be under developments soon.</p>
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	20,000 15,000 low and moderate-income households
	Location Description	TBD
	Planned Activities	TBD

6	Project Name	Targeted Code Enforcement
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Strengthening Neighborhoods
	Funding	CDBG: \$1,085,119
	Description	Code Enforcement activities will be conducted in low-income, residential neighborhoods that meet the City's definition of "Deteriorated/Deteriorating Areas". Code Enforcement's focus will be primarily on the inspections of multi-family units, with ancillary
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	775 households in place-based neighborhoods
	Location Description	Santee, Mayfair, Five Wounds/Brookwood Terrace, and additional hotspots identified through the Mayor's Gang Prevention Task Force
	Planned Activities	Place-based Code Enforcement

7	Project Name	Minor Home Repair Program
	Target Area	N/A
	Goals Supported	Strengthening Neighborhoods
	Needs Addressed	Strengthening Neighborhoods
	Funding	CDBG: \$1,250,000 \$1,515,000
	Description	<p>This program will repair housing units to address immediate health and safety needs for extremely low-income homeowners in San José. The focus of repairs will address emergency and critical repair needs, as well as accessibility and mobility needs within the home.</p> <p>The program also includes funding for limited rehabilitation to address more substantial safety issues in the home to ensure safe, affordable, decent living environment for the occupants.</p>
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	250 280 extremely low-income homeowners
	Location Description	Citywide
	Planned Activities	Rebuilding Together Habitat for Humanity

8	Project Name	HOPWA – Santa Clara County
	Target Area	N/A
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOPWA: \$1,073,261
	Description	The program will provide rent subsidies, permanent housing placement assistance, and supportive services to help low-income residents living with HIV/AIDS secure and maintain housing. Housing placement assistance includes working with an placement specialist and receiving security deposit assistance. Supportive services include medical and housing case management and self-sufficiency services.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	105 low-income individuals living with HIV/AIDS
	Location Description	Santa Clara County
	Planned Activities	<ul style="list-style-type: none"> • Supportive Services • TBRA • Permanent Supportive Housing • Administration

9	Project Name	HOPWA – San Benito County
	Target Area	N/A
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOPWA: \$50,000
	Description	The City's HOPWA entitlement grant to San Benito County will provide housing placement assistance, rental subsidies, and nutritional and dental assistance to low-income clients living with HIV/AIDS.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	5 low-income individuals living with HIV/AIDS
	Location Description	San Benito County
	Planned Activities	<ul style="list-style-type: none"> • Housing Placement • Supportive Services • TBRA • Administration

10	Project Name	Rental Housing Development
	Target Area	N/A
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	HOME: \$6,712,878
	Description	<p>Consistent with the City's goal to assist in the creation and preservation of affordable housing for low income households, the City has the option to use HOME funds for new construction of Rental Housing Development and/or Rehabilitation of existing Multi-family units.</p> <p>HUD requires that at least 15 percent of each year's HOME allocations be set aside for Community Housing Developers (CHDOs). This requirement will be met through the rental housing development activity. At least \$376,919 of the rental development activity funds will be committed to a CHDO developer within 24-months, as required by HOME regulations.</p> <p>For any HOME funds used to develop new housing units, the City will comply with the Federal Fair Housing Act and Section 504 of the Rehabilitation Act of 1973. Participation in the HOME Program will enhance the City's funding sources for new construction, while at the same time providing flexibility in the use of funds for an overall gap-financing program.</p>
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	50 low-and moderate-income households
	Location Description	TBD
	Planned Activities	TBD

11	Project Name	HOME Tenant Based Rental Assistance
	Target Area	N/A
	Goals Supported	Homelessness
	Needs Addressed	Homelessness
	Funding	HOME: \$2,400,000
	Description	<p>Consistent with the City's goal to assist in the creation and preservation of affordable housing for low-income households, the City will use HOME funds to provide tenant-based rental subsidies targeting employable homeless individuals and families. The City will contract with three (3) agencies to provide intensive case management services (funded with City General Funds) for TBRA clients. The program's goal is to transition participants out of homelessness, and improve their long-term self-sufficiency.</p>
	Target Date	06/30/2018

	Estimate the number and type of families that will benefit from the proposed activities	100 homeless individuals/families
	Location Description	TBD
	Planned Activities	Agency(s) will be selected from Request for Proposals released in Spring 2017.

12	Project Name	Services for Homeless and Unhoused Populations (CDBG)
	Target Area	N/A
	Goals Supported	Homelessness
	Needs Addressed	Homelessness
	Funding	CDBG: \$350,000 \$694,000
	Description	The City will utilize CDBG funds to support a Citywide Homeless Outreach, Engagement, and Shelter program. The program will focus on utilizing an integrated approach to provide a comprehensive response to addressing chronic homelessness in the City. Activities may include street outreach, emergency shelter operations, and rapid re-housing services for the chronic homeless population. The City will contract with HomeFirst Services of Santa Clara County to provide these services. CDBG funds will be utilized to support shelter or outreach services.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	150 200 unduplicated homeless individuals will be provided shelter services
	Location Description	Citywide
	Planned Activities	HomeFirst - Homeless Outreach and Engagement PATH – Homeless Outreach and Engagement

13	Project Name	ESG17 City of San José
	Target Area	N/A
	Goals Supported	Homelessness
	Needs Addressed	Homelessness
	Funding	ESG: \$755,329
	Description	<p>The City will utilize ESG funds to support a Homeless Outreach and Engagement program as well as a Supportive Services and Rapid Re-housing Program for homeless individuals and families.</p> <p>The Homeless Outreach and Engagement Program will focus on utilizing an integrated approach to provide a comprehensive response to addressing chronic homelessness in the City. The City will contract with HomeFirst to provide the Outreach and Engagement services. This program is combined with the CDBG Homeless Outreach, Engagement, and Shelter program.</p>

	<p>The Supportive Services and Rapid Re-housing Program for Unsheltered Populations will utilize an integrated approach to provide shelter, interim housing, case management services, deposit/rental assistance, and other eligible services as needed. The City will contract with Bill Wilson Center, the lead agency in a consortium of homeless and domestic violence service providers to provide these services.</p> <p>ESG funds will be used to support the administration of the ESG program by the City's Housing Department.</p> <p><u>ESG Allocations by Component</u> Outreach = \$260,000 Shelter = \$76,550 Rapid Rehousing = \$363,450 Administration = \$55,729</p>
Target Date	06/30/2018
Estimate the number and type of families that will benefit from the proposed activities	100 unduplicated homeless individuals will be provided shelter services 700 outreach contacts will be made with homeless individuals 50 homeless individuals/families will receive rapid re-housing services (deposit/rental assistance)
Location Description	Citywide
Planned Activities	<ul style="list-style-type: none"> • Emergency Shelter • Homeless Outreach • Rapid Re-housing • Administration

14	Project Name	Fair Housing
	Target Area	N/A
	Goals Supported	Fair Housing
	Needs Addressed	Fair Housing
	Funding	CDBG: \$300,000 \$368,000 HOME: \$100,000 \$32,000
	Description	The City will continue to program some of its CDBG Administrative funds as well as some public service funds, and HOME Administrative Funds to support an agency(s) that will provide Fair Housing services. Services may include: outreach and education on fair housing issues; conducting fair housing testing; enforcing fair housing laws through litigation; and providing technical assistance to the Housing Department on how to monitor City-financed developments for fair housing compliance. The City will contract with a consortium of four agencies to provide these services, with the Law Foundation of Silicon Valley serving as the consortium lead.
	Target Date	06/30/2018

	Estimate the number and type of families that will benefit from the proposed activities	220 individuals/families
	Location Description	Various locations
	Planned Activities	The Law Foundation Fair Housing Project

15	Project Name	Non-profit Facility Rehabilitation
	Target Area	N/A
	Goals Supported	Homelessness Strengthening Neighborhoods
	Needs Addressed	Homelessness Strengthening Neighborhoods
	Funding	CDBG: \$3,026,948
	Description	CDBG funds will be used to support the Bill Wilson Center Rehabilitation project, originally funded in the FY14-15 Annual Action Plan. Funds will rehabilitate the homeless drop-in center, which includes three buildings on the corner of South 2 nd and Margaret Street. Additionally, the City will issue a Request for Proposals (RFP) for non-profit facility rehabilitation. Projects selected will be aligned with the 5-year goals in the Consolidated Plan.
	Target Date	06/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	1,000 individuals/families
	Location Description	691 South 2 nd Street, San José, CA 693 South 2 nd Street, San José, CA 10 Margaret Street, San José, CA Additional locations TBD
	Planned Activities	Bill Wilson Center Rehabilitation Additional Activities TBD

16	Project Name	Section 108 Loan Repayment
	Target Area	N/A
	Goals Supported	N/A
	Needs Addressed	N/A
	Funding	CDBG: \$1,885,865 \$2,038,865
	Description	The former Redevelopment Agency (RDA) borrowed funds under the Section 108 program intending to make amortized payments on the three loans from its share of the redevelopment tax increment. With the dissolution of RDAs statewide and the tax increment to cover all of the

		former Redevelopment Agency's enforceable obligations, another source of funding is necessary to take on that debt service. Since the City's General Fund is experiencing its own revenue shortfalls, CDBG funds are utilized to cover the debt service obligation. Of the three Section 108 loans, the proceeds from one were loaned by the Agency to developers who are making repayments; proceeds from the other two were disbursed to developers in the form of grants. In FY 2017-2018 the City will partially offset the Section 108 loan payment with \$1,885,865 in loan repayments paid by those developers who were loaned, not granted, Section 108 loan proceeds.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	N/A
	Planned Activities	Section 108 Repayment

17	Project Name	CDBG Administration and Monitoring
	Target Area	N/A
	Goals Supported	N/A
	Needs Addressed	N/A
	Funding	CDBG: \$1,714,106 \$1,646,106
	Description	A portion of the CDBG grant allocation will be used for reasonable planning and administrative costs associated with the administration of the CDBG funds and other related federal requirements. Administration funds will support oversight activities of the housing department, legal services from the City Attorney's Office, and environmental reviews.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	200 E. Santa Clara Street San José, CA 95113
	Planned Activities	CDBG Planning and Administration

18	Project Name	HOME Administration and Monitoring
	Target Area	N/A
	Goals Supported	N/A
	Needs Addressed	N/A
	Funding	HOME: \$250,000 \$318,000
	Description	Up to 10 percent of the total HOME grant allocation will be used for reasonable planning and administrative costs associated with the administration of the HOME funds and other related federal requirements.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	200 E. Santa Clara Street San José, CA 95113
	Planned Activities	HOME Planning and Administration

19	Project Name	HOPWA Administration and Monitoring
	Target Area	N/A
	Goals Supported	N/A
	Needs Addressed	N/A
	Funding	HOPWA: \$26,000
	Description	The City will allocate \$25,500 (approximately 3 percent of the entitlement grant) to administrative costs associated with managing with the HOPWA grant.
	Target Date	06/30/2018
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	200 E. Santa Clara Street San José, CA 95113
	Planned Activities	HOPWA Administration

6. On page 84 of the approved 2017-2018 Annual Action Plan, amend the estimated CDBG Program Income in section AP-90, as follows (**additions** or **deletions**):

**Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l) (1)**

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$2,400,000 \$2,600,000
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$0
3. The amount of surplus funds from urban renewal settlements	\$0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	\$0
5. The amount of income from float-funded activities	\$0
Total Program Income	\$2,400,000 \$2,600,000

- - - - END OF ANNUAL ACTION PLAN AMENDMENT - - - -

**Comments from the Public Hearing
Housing and Community Development Commission Meeting, April 12, 2018**

Topic: Substantial Amendment to the FY2017-2018 Annual Action Plan

Public Comments	Staff Response
A representative from the Bill Wilson Center thanked the City for their continued partnership.	None
A representative from Downtown Streets Team thanked the City and the Commission for supporting all the programs receiving funding.	None
Commission Comments	Staff Response
Commissioner Shoor commented that he would like to see services be funded that have more tangible outcome measures than the neighborhood engagement program that is currently being funded.	Staff responded that the comment will be considered when a new Request for Proposals for neighborhood engagement services is issued and outcome measures are determined.
Commissioner O'Connell commented that she agreed with Commissioner Shoor's comment on having CDBG funding be used for other services with more tangible outcome measures, and that she was not against unspent federal funds being returned to the federal government.	Staff responded that funds are needed for residents of San José so staff's efforts are to spend timely all federal funds allocated.
Chair Graves commented that he agrees with Commissioner Shoor's comment on having CDBG funding be used for other services with more tangible outcome measures.	None
Commissioner Del Buono made the motion to recommend approval to the City Council of the Substantial Amendment to the FY 2017-2018 Annual Action Plan, with a second by Commissioner Navarro. The motion passed unanimously (11-0).	None