

District 1 — Roma Dawson  
District 3 — Barry Del Buono  
District 5 — Ruben Navarro  
District 7 — Victoria Partida  
District 9 — Vacant  
Mayor — Vacant

Alex Shoor — District 2  
Linh Vong — District 4  
Andrea Wheeler — District 6  
Huy Tran — District 8  
Roberta Moore — District 10  
(C) Martha O’Connell — CAAC MR  
(VC) Ryan Jasinsky — CAAC ML

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Commissioners are appointed by corresponding Council Members, but do not need to reside in that Council District.

Note that Commissioner appointments are current as of the date of agenda posting, 11/10/2021

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## **REGULAR MEETING AGENDA**

5:45 PM

April 14, 2022

Virtual [Zoom Link](#)  
Web ID: **940 5398 8541**  
**888-475-4499 (Toll Free)**

**\* COVID-19 NOTICE \***

**Consistent with AB 361 and City of San José Resolution Nos. 79485, 80237, 80266, 80290, 80323, 80343, 80363, 80400 and 80445, this meeting will not be physically open to the public, and the Housing & Community Development Commissioners will be teleconferencing from remote locations.**

HCDC is meeting via teleconference from remote locations in accordance with State and local orders and measures taken as a result of the COVID-19 pandemic. Members of the public may view and listen to the meeting by following the instructions below. Additional instructions are provided below to those members of the Public who would like to comment on items on the agenda.

### **How to attend the Housing & Community Development Commission Meeting:**

- 1) **Electronic Device Instructions:** For participants who would like to join electronically from a PC, Mac, iPad, iPhone, or Android device, please click this URL: [Zoom Link](#).
  - a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
  - b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
  - c. When the Chair calls for the item on which you wish to speak, click on “raise hand.” Speakers will be notified shortly before they are called to speak.
  - d. When called, please limit your remarks to the time limit allotted.
- 2) **Telephone Device Instructions:** For participants who would like to join on their telephones, please dial **888-475-4499 (Toll Free)** and when prompted, enter meeting Webinar ID: **940 5398 8541**. You may also **press \*9 to raise a hand to speak**.
- 3) **Public Comments prior to meeting:** If you would like to submit your comments prior to the meeting, please e-mail [Luisa.Galdamez@sanjoseca.gov](mailto:Luisa.Galdamez@sanjoseca.gov) or call **(408)**

**535-8357 no less than 90 minutes before the start of the meeting.** Comments submitted prior to the meeting will be considered as if you were present in the meeting.

*Commissioners are strongly encouraged to log on by 5:30pm to ensure there are no technical difficulties – thank you!*

**APPROX. TIME            AGENDA ITEM**

*Note that the times for items shown below are approximate and intended only to notify the Commission of the approximate amount of time staff expects each item might take. Please note that items may be heard before or after the times shown.*

- 5:45            I.            Call to Order & Orders of the Day**
  - A. Chair reviews logistics for Zoom meetings
  
- 5:50            II.            Introductions**
  
- 6:00            III.            Consent Calendar**
  - A. Approve the Minutes for the Meeting of March 10, 2022  
ACTION: Approve the March 10, 2022 action minutes.
  
- 6:05            IV.            Reports and Information Only**
  - A. Chair
  - B. Director
  - C. Council Liaison
  
- 6:15            V.            Open Forum**

*Members of the Public are invited to speak on any item that does not appear on today’s Agenda and that is within the subject matter jurisdiction of the Commission. Meeting attendees are usually given two (2) minutes to speak during Open Forum; however, the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate due to a large number of speaker requests.*
  
- 6:20            VI.            Old Business**
  
- 6:21            VII.            New Business**
  - A. Fifth Substantial Amendment to the Fiscal Year 2019-20 Annual Action Plan for the Use of Funds from the U.S. Department of Housing and Urban Development (R. Henninger, Housing Department)**

ACTION: Hold a public hearing on the proposed Fifth Amendment to the Fiscal Year 2019-20 Annual Action Plan on the use of Emergency Solutions Grant (ESG-CV) funds from the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) awarded by the U.S. Department of Housing and Urban Development (HUD) to the City,

take public comment as required by the U.S. Department of Housing and Urban Development (HUD), and recommend to the City Council that it approve the proposed Fifth Substantial Amendment.

**7:00            B. Public Hearing on the Draft Fiscal Year 2022-23 Annual Action Plan**

**(K. Clements, Housing Department)**

ACTION: 1) Conduct a Public Hearing on the Draft Fiscal Year 2022-23 Annual Action Plan for the use of federal funds from the U.S. Department of Housing and Urban Development, 2) Provide Housing Department staff with input on the draft Action Plan, and 3) Recommend to the City Council it approve the Draft Action Plan.

**7:45            C. Housing Trust Fund Budget for Fiscal Year 2022-23**

**(K. Hemphill, Housing Department)**

ACTION: Acting as the Housing Trust Oversight Committee, recommend that the Director of Housing approve the expenditure plan for the Housing Trust Fund of \$4,037,067 for Fiscal Year 2022-23.

**8:30            D. Proposed Spending Plan for Measure E Real Property Transfer Tax Revenue For Fiscal Year 2022-2023 and an Amendment to the Spending Plan for Measure E Real Property Transfer Tax For Fiscal Year 2021-2022**

**(S. Bass, Housing Department)**

ACTION: Review the staff report and provide comments for transmittal to the City Council on: 1) The proposed spending plan of Measure E Real Property Transfer Tax revenues for Fiscal Year 2022-2023, and 2) The proposed amendments to the spending plan of Measure E Real Property Transfer Tax revenues for Fiscal Year 2021-2022.

**9:00            VIII. Open Forum**

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**9:05            IX. Meeting Schedule**

A Special Meeting for the Commission is scheduled to be held on **April 21, 2022 at 5:45 p.m. online**. The item expected to be heard is:

- Rent Stabilization Program Annual Fees FY 2022-2023

The next Regular Meeting for the Commission is scheduled to be held on **Thursday, May 12, 2022, at 5:45 p.m. online**. Items tentatively expected to be heard are:

- Housing Crisis Workplan Update
- Nominations for Chair and Vice Chair FY 2022-23

**9:00 X. Adjournment**

*The City's [Code of Conduct](#) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.*

You may speak to the Commission about any discussion item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the Commission. Please be advised that, by law, the Commission is unable to discuss or take action on issues presented during Open Forum. Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the Commission unless listed on the agenda, which has been posted not less than 72 hours prior to meeting. Agendas, Staff Reports and some associated documents for the Commission items may be viewed on the Internet at <http://www.sanjoseca.gov/hcdc>. Speakers using a translator will be given twice the time allotted to ensure non-English speakers receive the same opportunity to directly address the Commission.

Correspondence to the Housing & Community Development Commission is public record and will become part of the City's electronic records, which are accessible through the City's website. Before posting online, the following may be redacted: addresses, email addresses, social security numbers, phone numbers, and signatures. However, please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to the Housing & Community Development Commission, will become part of the public record. If you do not want your contact information included in the public record, please do not include that information in your communication.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk, 200 East Santa Clara Street, 14<sup>th</sup> Floor, San José, California 95113, at the same time that the public records are distributed or made available to the legislative body. Any draft resolutions or other items posted on the Internet site or distributed in advance of the Commission meeting may not be the final documents approved by the Commission. Contact the Office of the City Clerk for the final document.

On occasion, the Commission may consider agenda items out of order.

The Housing & Community Development Commission meets every second Thursday of each month (except for July and sometimes December) at 5:45pm, with special meetings as necessary. If you have any questions, please direct them to the Commission staff. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

**To request translation or interpretation services, accommodation, or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events, or printed materials, please call (408) 535-1260 as soon as possible, but at least three business days before the meeting.**

**Please direct correspondence, requests, and questions to:**

City of San José Housing Department  
Attn: Luisa Galdamez  
200 East Santa Clara Street, 12<sup>th</sup> Floor  
San José, California 95113  
Tel: (408) 535-8357  
Email: [Luisa.Galdamez@sanjoseca.gov](mailto:Luisa.Galdamez@sanjoseca.gov)

**Para residentes que hablan español:** Si desea mas información, favor de llamar a Luisa Galdamez al 408-975-4475.

**Tiếng Việt:** Xin vui lòng liên lạc Viviane Nguyen tại 408-975-4462.

**對於說華語的居民:** 請電 408-975-4450 向 Ann Tu 詢問詳細事宜。

**HOUSING & COMMUNITY DEVELOPMENT COMMISSION**  
**MEETING ACTION MINUTES**

**March 10, 2022**

<b>MEMBERS PRESENT:</b>	Martha O’Connell	Chair (MR)
	Ryan Jasinsky	Vice Chair (ML)
	Roma Dawson	Commissioner (D1)
	Alex Shoor	Commissioner (D2)
	Barry Del Buono	Commissioner (D3)
	Linh Vong	Commissioner (D4) <i>arrived 6:43pm</i>
	Victoria Partida	Commissioner (D7)
	Huy Tran	Commissioner (D8)
	Roberta Moore	Commissioner (D10)
<b>MEMBERS ABSENT:</b>	Ruben Navarro	Commissioner (D5)
	Andrea Wheeler	Commissioner (D6)
	VACANT	Commissioner (D9)
	VACANT	Mayor (CW)
<b>STAFF PRESENT:</b>	Kristen Clements	Secretary, Housing Department
	Luisa Galdamez	Assistant Secretary, Housing Department
	Dylan Sanchez	Council Liaison, District 2
	Rachel VanderVeen	Deputy Director, Housing Department
	Ragan Henninger	Deputy Director, Housing Department
	Kelly Hemphill	Housing Policy & Planning Administrator, Housing
	Stephanie Gutowski	Senior Development Officer, Housing Department
	Viviane Nguyen	Senior Analyst, Housing Department
	Ramo Pinjic	Acting Senior Analyst, Housing Department
	Noel Padilla	Acting Senior Analyst, Housing Department

**(I) Call to Order & Orders of the Day**

A. Review logistics for Zoom meetings

**Chair O’Connell called the meeting to order at 5:48 p.m.**

**(II) Introductions** – Commissioners and staff introduced themselves.

**(III) Consent Calendar**

A. Minutes for the Meeting of February 10, 2022

ACTION: Approve the February 10, 2022 action minutes.

**Vice Chair Jasinsky made the motion to approve the minutes for the meeting of February 10, 2022, with a second by Commissioner Tran. The motion passed 8-0.**

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**Yes: O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Partida, Tran, Moore (8)**

**No: None (0)**

**Abstain: (0)**

**Absent: Vong, Navarro, Wheeler (3)**

**(IV) Reports and Information Only**

**A. Chair:** Chair O’Connell reminded the Commissioners and members of the public to be mindful of commenting briefly, as there are four items on the agenda. The Chair noted that if a large number of speakers was present for any item, she may limit public comments to one minute.

**B. Director:** Ms. Kristen Clements noted that there would be no special meeting held in April to hear the Community Opportunity to Purchase (COPA) draft program, as that effort has been delayed due to the need for staff to focus on creating a draft sixth cycle Housing Element. COPA will likely return to Commission in late summer or early fall 2022.

**C. Council Liaison:** No report.

**(V) Open Forum**

**(VI) Old Business**

**(VII) New Business**

**A. Fiscal Year 2022-2023 Annual Action Plan Funding Priorities**

**(K. Clements, Housing Department)**

**ACTION:** Hold a public hearing on funding priorities for the Fiscal Year 2022-23 Annual Action Plan for the use of federal funds from the U.S. Department of Housing and Urban Development, provide input to staff, and make possible recommendations to the City Council on funding priorities.

**Vice Chair Jasinsky made the motion to shift \$100,000 from Fair Housing Public Services to Senior Services (Meal and Support Programs), with a second by Commissioner Moore. The motion passed 5-2 with 2 abstentions.**

**Yes: O’Connell, Jasinsky, Dawson, Partida, Moore (5)**

**No: Del Buono, Tran (2)**

**Absent: Navarro, Wheeler (2)**

**Abstain: Shoor, Vong (2)**

**B. Homelessness Annual Report for Fiscal Year 2020-2021**

**(K. Hemphill, Housing Department)**

**ACTION:** Review the Annual Homelessness Report for Fiscal Year 2020-2021, including updates on the approved Citywide Roadmap items for Fiscal Year 2021-2022 related to

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emergency interim housing and sheltering and enhanced encampment services, and recommend that the City Council approve the report.

**Commissioner Del Buono made the motion to recommend that the City Council approve the report, with a second by Commissioner Dawson. The motion passed 9-0.**

**Yes: O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Partida, Tran, Moore (9)**

**No: (0)**

**Absent: Navarro, Wheeler (2)**

**C. Rent Stabilization Program Annual Fees FY 2022-2023**

**(R. VanderVeen, Housing Department)**

ACTION: Review the proposed fee structure for Fiscal Year 2022-2023 for the Rent Stabilization Program, as stated below, and recommend that the City Council approve the following fees:

- i. Annual Apartment Rent Control Fee: increase from \$55.00 per unit to \$85.00 per unit;
- ii. Annual Apartment Non-Rent Control Fee: increase from \$5.45 per unit to \$15.00 per unit;
- iii. Annual Mobilehome Rent Control Fee: increase from \$20.00 per unit to \$34.00 per unit; and,
- iv. Fees in connection with withdrawal of a building under the Ellis Act Ordinance: increase from \$2,464 per unit for up to 10 units and \$907 per unit for over 10 units, to \$2,833 per unit for up to 10 units and \$951 per unit for over 10 units. the Annual Homelessness Report for Fiscal Year 2020-2021, including updates on the approved Citywide Roadmap items for Fiscal Year 2021-2022 related to emergency interim housing and sheltering and enhanced encampment services, and recommend that the City Council approve the report.

**Chair O’Connell made the motion that the item be continued to the April 14, 2022, meeting and that staff return with detailed information about historic program reserve levels, services provided with staff time and staff costs in FY 2021-22 and preferably back to FY 2017-18, and definition of terms (such as 'executive'), with a second by Commissioner Moore. The motion passed 9-0.**

**Yes: O’Connell, Jasinsky, Dawson, Shoor, Del Buono, Vong, Partida, Tran, Moore (9)**

**No: (0)**

**Absent: Navarro, Wheeler (2)**

**D. Rent Stabilization Program Fiscal Year 2021-2022 Quarters 1 and 2 Report for Apartments, Including the Apartment Rent Ordinance, Tenant Protection Ordinance, And Ellis Act Ordinance**

**(V. Nguyen, Housing Department)**



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**ACTION:** Review the report on the Rent Stabilization Program for apartments in Quarters 1 and 2 of Fiscal Year 2021-2022 and provide possible recommendations to staff.

**Staff heard the report, asked clarifying questions, and made comments to staff. No motion was made.**

**E. Rent Stabilization Program Fiscal Year 2021-2022 Quarters 1 and 2 Report for Mobilehomes**

**(R. Pinjic, Housing Department)**

**ACTION:** Review the report on the Rent Stabilization Program for mobilehomes in Quarters 1 and 2 of Fiscal Year 2021-2022 and provide possible recommendations to staff.

**Staff heard the report, asked clarifying questions, and made comments to staff. No motion was made.**

**(VIII) Open Forum**

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**(IX) Meeting Schedule**

The next regular Commission meeting is scheduled to be held on **April 14, 2022, at 5:45pm** online. Items expected to be heard are *(updated from the March agenda)*:

- Substantial Amendment to the FY 2021-22 Annual Action Plan regarding HOME-ARP Funds & Substantial Amendment to the FY 2019-20 Annual Action Plan regarding ESG-CV Funds
- Public Hearing on Draft FY 2022-23 Annual Action Plan
- Approval of Housing Trust Fund Budget FY 2022-23
- Approval of Measure E Budget FY 2022-23

In addition, a second, Special Meeting is expected to be held in April on a date to be determined. The item expected to be heard is:

- Rent Stabilization Program Annual Fees FY 2022-2023

**(X) Adjournment**

**Chair O'Connell adjourned the meeting at 10:08 p.m.**



# Memorandum

**TO:** HOUSING & COMMUNITY  
DEVELOPMENT COMMISSION

**FROM:** Jacky Morales-Ferrand

**SUBJECT:** SEE BELOW

**DATE:** April 7, 2022

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Approved

Date

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**SUBJECT: FIFTH SUBSTANTIAL AMENDMENT TO THE FISCAL YEAR 2019-20 ANNUAL ACTION PLAN FOR THE USE OF FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

## **RECOMMENDATION**

Conduct a public hearing on the proposed Fifth Amendment to the Fiscal Year 2019-20 Annual Action Plan on the use of Emergency Solutions Grant (ESG-CV) funds from the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act), take public comment as required by the U.S. Department of Housing and Urban Development (HUD), and recommend to the City Council that it approve the proposed Fifth Substantial Amendment.

## **OUTCOME**

This publicly noticed hearing provides an opportunity for the public to provide comment on the proposed amendment to the City's FY 2019-20 Annual Action Plan (Action Plan). The first public hearing on the proposed amendments was held on April 14, 2022, before the Housing and Community Development Commission.

The Substantial Amendment to the Action Plan enables the City to use federal funding made available in the Emergency Solutions Grant (ESG) programs by the CARES Act to be spent in FY 2021-22 to respond to local needs created by the Coronavirus Disease 2019 (COVID-19) pandemic. The funds will be used for emergency hotel/motel vouchers for families.

## **EXECUTIVE SUMMARY**

This is the fifth Substantial Amendment to the City's FY 2019-20 Annual Action Plan. The Annual Action Plans govern the expenditure of entitlement funds and competitive grants that the City receives from the U.S. Department of Housing and Urban Development (HUD). The

purpose of the amendment is to ensure that these funds are expended prior to the September 30, 2022 federal deadline.

The City proposes to use these identified ESG-CV funds to assist in the COVID-19 response and recovery, serving some of the most vulnerable community members. More specifically, ESG-CV funds are being redirected to provide emergency hotel stays for families impacted by COVID and for domestic violence survivors and their families. Staff will amend current contracts with LifeMoves to provide the services.

## **BACKGROUND**

This is the fifth Substantial Amendment to the City's FY 2019-20 Annual Action Plan. The purpose of this Substantial Amendment is to reallocate funds so the City can meet the federal spending deadline of September 30, 2022, for ESG-CV funds. Although the City is currently in the FY 2021-22 Annual Action Plan period, it is necessary to amend the FY 2019-20 Annual Action Plan for a technical reason. HUD has directed jurisdictions that all new commitments and changes of existing commitments involving CARES Act funding must be done by amendments to the Annual Action Plan that first recognized CARES Act funding. For San José, that is the FY 2019-20 Annual Action Plan.

The City's Annual Action Plan details its funding strategy for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership (HOME), 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 public input, analysis, and planning. The Action Plan provides spending caps for the different programs or services funded by federal funds.

All entitlement jurisdictions such as San José that receive HUD's federal funds by formula allocation are required to have an adopted Citizen Participation Plan. San José's Citizen Participation Plan<sup>1</sup> 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 Citizen Participation Plan (CPP), a substantial amendment constitutes a change to a previously adopted Five-Year Plan or Annual Plan that:

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

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<sup>1</sup> City of San José, Citizen Participation Plan, amended Aug. 4, 2020, <https://www.sanjoseca.gov/your-government/departments-offices/housing/resource-library/hud-reports/consolidated-annual-action-plans/citizen-participation-plan>.

When a proposed change in program funding reaches one of these thresholds, the City must comply with the public process required in the CPP for Substantial Amendments, which includes a 30-day public comment period and two public hearings. However, due to the need to deploy funds quickly to respond to the COVID-19 crisis, HUD has waived the citizen participation requirements for entitlement recipients, provided that (1) no fewer than five days are provided for public comment and that (2) reasonable notice and the opportunity to comment is provided. For ESG funds made available under the CARES Act, HUD waived the consultation and citizen participation requirements altogether, provided that the recipient publishes its planned changes, at a minimum, on the internet at the appropriate government web site or through other electronic media. However, the City's CPP requires at least two public hearings to give the citizens of San José an opportunity to provide feedback on the proposed actions. Public hearings may be conducted virtually.

Accordingly, the City has advertised the availability of the proposed amendments and the opportunity to comment on these amendments on its website five days prior to the hearing, has sent a notice by email to its general distribution list and to its Housing and Community Development Commissioners, and has posted the opportunity to comment on its social media accounts. An email address was provided on the notice where comments can be submitted. In addition, comments will be accepted prior to the hearing via a link on the City Council's agenda webpage as well as by e-mail to the City Clerk ([city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov)) by 12:00 noon on the day of the hearing. During the hearing, comments can be submitted via eComment on the City's agenda webpage as well as by emailing [councilmeeting@sanjoseca.gov](mailto:councilmeeting@sanjoseca.gov) and identifying the agenda item number in the subject line.

### *COVID-19 Response*

Since March 2020, the Housing Department has been immersed in COVID-19 response and recovery. The Housing Department allocated funding to support emergency shelter, food and necessities distribution, and emergency rental assistance. In April 2020, the City Council accepted the Housing Department's Annual Action Plan amendment, which reallocated \$6.2 million in existing FY 2019-20 Community Development Block Grants (CDBG) from HUD.<sup>2</sup> In July, the City Council approved a second Annual Action Plan amendment to allocate an additional \$589,000 in CDBG and \$6.6 million in federal HOME Investment Partnership (HOME) grants.<sup>3</sup> These reallocated grants went towards the following:

- temporary non-congregate shelter space for people at high-risk for COVID-19
- rent and utilities assistance for individuals and families financially impacted by COVID-19
- emergency hotel stays for families and victims of domestic violence
- food delivery to vulnerable residents, like seniors and people with disabilities

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<sup>2</sup> Council Report April 21, 2020 Item 8.4: <http://sanjose.legistar.com/gateway.aspx?M=F&ID=e3aa97a8-5785-494c-b26b-0a02cc207e8f.pdf>

<sup>3</sup> Council Report July 1, 2020 Item 8.7: <http://sanjose.legistar.com/gateway.aspx?M=F&ID=e3aa97a8-5785-494c-b26b-0a02cc207e8f.pdf>

- diaper and calming kit distribution to low-income families and childcare home providers
- expanded congregate homeless shelter space to facilitate social distancing, and
- grants to support small businesses affected by COVID-19.

In mid-September 2020, the City Council approved a third FY 2019-20 Annual Action Plan Amendment to move the \$32 million in ESG CARES Act Round 2 (ESG-CV2) funding from the FY 2020-21 to FY 2019-20 Annual Action Plan at HUD's request.<sup>4</sup> The City Council originally approved the use of the ESG-CV2 funds in August 2020 along with the five-year 2020-25 Consolidated Plan.<sup>5</sup> In late September, the City was notified by HUD of its second award of CDBG CARES Act funds in the amount of \$7,578,510 issued as part of HUD's third round allocation of CDBG funds authorized by the CARES Act (CDBG-CV3).<sup>6</sup> Finally, on March 23, 2021, the City Council approved the fourth FY 2019-20 Amendment, that authorized CDBG and ESG funds for City food services and homeless services including motel vouchers and shelter operations.<sup>7</sup>

## **ANALYSIS**

In June 2020, the City of San José was awarded \$32,836,839 in ESG-CV2 funds through a formula calculation. ESG-CV funds must be used to prevent, prepare for, and respond to COVID-19 among individuals and families who are homeless or receiving homeless assistance. The funds must be spent by September 2022. The City's FY 2019-20 Annual Action Plan is being amended for the following reasons:

- accommodating changes in forecasted spending rates that normally occur during the year
- meeting the annual federal deadline to spend ESG-CV funds by September, and
- providing assistance and services to families in need.

The proposed changes to the City's FY 2019-20 Annual Action Plan qualify as Substantial Amendment because they meet the HUD criteria of increasing or decreasing by the greater of \$100,000 or a 25% change in the amount allocated to a category. The changes are provided in **Attachment A** and are summarized below in Table 2:

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<sup>4</sup> City Council Report Sep. 22, 2020 Item 8.2: <http://sanjose.legistar.com/gateway.aspx?M=F&ID=5c2f962e-1b4d-4fc4-bec5-a343354f6041.pdf>

<sup>5</sup> City Council Report Aug. 11, 2020, Item 8.1: <http://sanjose.legistar.com/gateway.aspx?M=F&ID=e3aa97a8-5785-494c-b26b-0a02cc207e8f.pdf>

<sup>6</sup> The City did not get a CDBG-CV Round 2 award, which was issued only to States and insular areas. It also was not eligible to compete for CDBG-CV Round 2 funds through the State of California's competitive rounds.

<sup>7</sup> City Council Report March 23, 2021 Item 8.4:

<https://sanjose.legistar.com/View.ashx?M=F&ID=9259480&GUID=186F1BC3-72AF-45FF-9131-B6448BD62E70>

**Table 2: Proposed Funding Changes - Additions/Reductions**

<b>Funding Source</b>	<b>Activities</b>	<b>Approved</b>	<b>Change</b>
ESG - CV2	Administration	\$3,283,684	(\$2,000,000)
	Encampment support – trash service	\$2,279,200	(\$1,000,000)
	Emergency shelter, motel voucher program	\$3,500,000	\$3,000,000
		<b>Net Change</b>	<b>\$0</b>

*Only Activities with proposed changes are listed above*

The Housing Department is proposing to reduce funding in two activities and redirect funds to the motel voucher program for families. The following changes are included in the Substantial Amendment draft in **Attachment A**:

*Encampment Support/Hygiene & Infection Control: BeautifySJ trash service* – The Housing Department is proposing to decrease this activity by \$1 million based on lower than expected spending rates for trash service. In September 2020, the Council approved the Services Outreach Assistance and Resources (SOAR) program providing support to encampments during the pandemic. As part of SOAR, BeautifySJ provides regular trash service and clean ups at designated SOAR encampment sites. Due to staffing challenges, BeautifySJ is spending at a lower rate than anticipated.

*Administration* – The Housing Department proposes to reduce this activity by \$2 million. Original projections had higher administrative, managerial and analyst support personnel costs earmarked to this federal grant program for contracting, monitoring and tracking expenditures. Based on the ramp up activity and contract timelines, the expense to administer the program was less than anticipated. Moving funds to Emergency Motel Voucher Program will better support community needs.

*Emergency Motel Voucher Program* – The Housing Department is proposing to increase this activity by \$3 million. While homeless persons in general are vulnerable, families with minor children are especially vulnerable. Motel vouchers add capacity to the homeless shelter system when emergency shelters are full. The motel voucher program plays a critical role in the COVID-19 response and recovery to providing safe, non-congregate shelter. All family emergency shelters in the County are in San José and are typically at full capacity, leaving some families without immediate shelter options. Vulnerable families continue to experience financial hardships as a result of the pandemic. To continue to support families with their interim housing and shelter needs, the Administration is proposing to fund an additional \$3,000,000 for this program. LifeMoves has as an existing contract to operate the City’s Motel Voucher Program and has capacity to take on the additional funding and to increase its services.

## **CONCLUSION**

The proposed Fifth Substantial Amendment to the Action Plan enables the City to use federal ESG-CV funding and spend it by the September 2022 deadline. The funds will be used for emergency hotel/motel vouchers for families and survivors of gender-based violence.

## **EVALUATION AND FOLLOW-UP**

After the Commission's and the City Council's public hearings, staff will submit the Substantial Amendment and the record of public comments to HUD for approval. CARES Act funded programs are reported on in the Annual Homeless Report presented to the City Council.

## **PUBLIC OUTREACH**

This memorandum has been posted on the Commission's Agendas webpage<sup>8</sup> for the Commission meeting on April 14, 2022. In addition, the Substantial Amendment action will be posted to the City Council agenda website for its meeting on May 3, 2022. The Substantial Amendment is also posted on the Housing Department's website at [www.sanjoseca.gov/housingconplan](http://www.sanjoseca.gov/housingconplan). Staff published official notices required by HUD in *The Mercury News* of the public meetings. These notices were translated into Spanish, Vietnamese, Chinese, and Tagalog and also were published in *the El Observador*, *Vietnam Daily News*, *World Journal*, and *the Asian Journal* newspapers. City staff also sent e-mail announcements of the public hearings on the Substantial Amendment to over 2,600 organizations and individuals concerned about affordable housing and community development issues. The e-blasts were also posted on the Housing Department's website at [www.sjhousing.org](http://www.sjhousing.org), and were turned into news briefs that were automatically sent to media outlets.

Comments will be accepted prior to the hearing via a link on the City Council's agenda webpage as well as by e-mail to the City Clerk ([city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov)) by 12:00 p.m. the day of the hearing. All public comments provided to the City both verbally and in writing will be included in the appendices of the Substantial Amendment together with staff's responses when the document is submitted to HUD.

## **COMMISSION RECOMMENDATION/INPUT**

After this item is heard by the Commission at its virtual meeting on April 14, 2022 at 5:45 p.m., a supplemental memorandum summarizing the Commission's feedback will be included in the amended May 3, 2022, City Council meeting agenda.

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<sup>8</sup> <https://www.sanjoseca.gov/your-government/departments/housing/about-us/housing-community-development-commission/agendas-minutes/-fsiteid-1>

April 7, 2022

**Subject: Fifth Substantial Amendment to the FY 2019-20 Annual Action Plan**

Page 7

**FISCAL/POLICY ALIGNMENT**

This action is consistent with the City's *Consolidated Plan 2015-20* and with the City's Adopted *Housing Element 2014-2023*, in that the action provides services to very low-income households. It also furthers the advancement of the *Community Plan to End Homelessness* approved by the City Council in August 2020.

/s/

JACKY MORALES-FERRAND

Director of Housing

For questions, please contact Ragan Henninger, Deputy Director at [ragan.henninger@sanjoseca.gov](mailto:ragan.henninger@sanjoseca.gov).

**Attachment A:** Fifth Substantial Amendment to the FY 2019-20 Annual Action Plan



## **Attachment A**

### **Fifth Substantial Amendment to the FY 2019-20 Annual Action Plan**

#### **SUMMARY**

The following is a summary and draft language that amends the FY 2019-20 Annual Action Plan.

#### **Background**

This is a proposed fifth amendment to the City's FY 2019-20 Annual Action Plan. The purpose of the amendment is to meet federal spending deadline of September 30, 2022, for ESG-CV funds. Although the City is currently in the FY 2021-22 Annual Action Plan period, it is necessary to amend the FY 2019-20 Annual Action Plan for a technical reason. HUD has directed jurisdictions that all new commitments and changes of existing commitments involving federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding must be done by amendments to the Annual Action Plan that first recognized CARES Act funding. For San José, that is the FY 2019-20 Annual Action Plan.

The City's Annual Action Plan details its funding strategy for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership (HOME), 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 public input, analysis, and planning. The Action Plan provides spending caps for the different programs or services funded by federal funds.

#### **Substantial Amendment is Needed**

All entitlement jurisdictions such as San José that receive HUD's federal funds by formula allocation are required to have an adopted Citizen Participation Plan. San José's Citizen Participation Plan<sup>1</sup> 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 Citizen Participation Plan (CPP), a substantial amendment constitutes a change to a previously adopted Five-Year Plan or Annual Plan that:

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

The size of the proposed change qualifies this amendment as a Substantial Amendment.

Additionally, HUD has awarded supplemental funding through the CARES Act that required programming in San José's FY 2020-21 Annual Action Plan. For this reason, all amendments regarding CARES Act funds require amendment of the FY 2019-20 Annual Action Plan.

### **Proposed Amendment**

This proposed Substantial Amendment redirects ESG-CV2 funds as follows:

1. On page 48 of the approved FY 2019-20 Annual Action Plan, amend the estimated amount of ESG-CV2 and Activities in section AP-38 Project Summary, as follows:

**Table 1 – Project Summary  
FY 2019-20 Funding Directed to COVID-19 Relief**

Fund	Allocation	Total Estimated Resources
ESG CARES Round 1	\$2,482,218	\$2,482,218
ESG CARES Round 2	\$32,836,839	\$32,836,839
<b>Total</b>	<b>\$35,319,057</b>	<b>\$35,319,057</b>

**Table 2 – Proposed Funding Changes - Additions/Reductions**

Funding Source	Activities	Approved	Change	New Funding Level
ESG-CV1	No Changes			
ESG-CV2	Administration	\$3,286,839	(\$2,000,000)	\$1,286,839
	Encampment Support – Trash* <i>*Note: In Table AP-38 below - Part of Activity 30. Hygiene/Infection Control.</i>	\$3,882,000	(\$1,000,000)	\$2,882,000
	LifeMoves Motel Voucher Program <i>*Note: In Table AP-38 below - Part of Activity 31. Housing.</i>	\$3,500,000	+\$3,000,000	\$6,500,000

*AP-38 Projects Summary*  
**Project Summary Information**  
**Table 1 – Project Summary**

#	Project Name	Target Area	Needs Addressed	Funding	GOI
30	Hygiene/Infection Control: Providing hygiene and waste management related services to help control the spread of infectious disease	N/A	• Homeless -ness	ESG CARES 2: <del>\$3,882,000</del> \$2,882,000	TBD
31	Housing: Increasing access to housing opportunities and shelter	N/A	• Homeless -ness	ESG CARES 2: <del>\$21,864,018</del> \$28,278,089	<del>150</del> 300 persons assisted
32	Administration	N/A	• N/A	ESG CARES 2: <del>\$3,286,839</del> \$1,286,839	TBD

- - - - END OF FY 2019-20 ANNUAL ACTION PLAN AMENDMENT - - - -



# Memorandum

**TO:** HOUSING AND COMMUNITY  
DEVELOPMENT COMMISSION

**FROM:** Jacky Morales-Ferrand

**SUBJECT:** SEE BELOW

**DATE:** April 7, 2022

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Approved

Date

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**SUBJECT: PUBLIC HEARING ON THE DRAFT FISCAL YEAR 2022-23 ANNUAL  
ACTION PLAN**

## **RECOMMENDATION**

- 1) Conduct a public hearing on the draft Fiscal Year 2022-23 Annual Action Plan for the use of federal funds from the U.S. Department of Housing and Urban Development
- 2) Provide Housing Department staff with input on the Draft Annual Action Plan, and
- 3) Recommend to the City Council it approve the Draft Action Plan.

## **OUTCOME**

The public hearing provides an opportunity to the Housing and Community Development Commission (Commission) and the public to provide comment on the proposed funding priorities under the City of San José's (City) draft Fiscal Year (FY) 2022-23 Annual Action Plan (Action Plan) at this publicly noticed meeting.

The feedback provided by the Commission on the funding will inform the development of the City's FY 2022-23 Action Plan. Upon the City Council's adoption of the final FY 2022-23 Action Plan in May, the City's Housing Department (Housing Department) staff will submit the final federally mandated document to U.S. Department of Housing and Urban Development (HUD) by the May 15, 2022 deadline. Meeting this deadline enables the City to remain eligible to receive approximately \$14 million in federal housing and community development funds in FY 2022-23.

## **EXECUTIVE SUMMARY**

This action requests input on the proposed funding that will help in the development of the City's FY 2022-23 Action Plan, an annual planning report that HUD requires of jurisdictions receiving federal funds via formula grants. This memorandum summarizes the strategies on the use of approximately \$14 million in new funding that the City will receive in FY 2022-23. The report details an itemized description of the proposed activities and funding recommendations for each of the four federal funds. With City and Housing Department staff resources currently focused on programs and services related to COVID-19 pandemic relief and recovery, the FY 2022-23 funding priorities are based on stakeholder outreach conducted prior to the pandemic. The proposed activities are consistent with those approved by the City Council in the FY 2019-20 Annual Action Plan.

This memorandum summarizes the proposed uses for the funding received by the City for four federal programs: Community Development Block Grant (CDBG); HOME Investment Partnership Program (HOME); Housing Opportunities for Persons with AIDS (HOPWA); and Emergency Solutions Grant (ESG) funding.

CDBG funding is focused on three funding categories: 1) Public Services, including homeless services, neighborhood engagement/leadership development, senior services, fair housing, and other legal support services; 2) Community Development Investments, including enhanced code enforcement, minor home repairs, and community and infrastructure improvements; and 3) Grant administration. HOME funds help create new affordable housing developments, including some apartments for formerly homeless residents, and time-limited rent subsidies to help low-income residents afford market-rate apartments. HOPWA funds are used for rent subsidies and supportive services. ESG funds are targeted to outreach to homeless residents in San José and for homelessness prevention programs.

## **BACKGROUND**

As a HUD entitlement jurisdiction, the City receives federal formula grants each year from HUD for housing and community development activities. The funding is allocated to the City based on several factors including population, poverty, and housing statistics.

Every five years, HUD requires entitlement jurisdictions to develop a Five-Year Consolidated Plan (Consolidated Plan). The Consolidated Plan assesses San José's current housing market, analyzes demographic, ethnic, and socio-economic conditions, and identifies populations within the city that have the greatest community and housing needs. It also defines the City's priority needs, strategies, and objectives for reducing the most prevalent barriers to housing and services in our community.

In August 2020, the City adopted the Consolidated Plan for the FY 2020-25 period. The City participated in a Countywide collaboration to analyze data on housing needs and to develop this cycle's Consolidated Plan. The City then refined and prioritized the identified broad

regional objectives to establish its four major goals, which meet both regional and local priorities:

1. **Prevent and Address Homelessness** – Increase housing opportunities and self-sufficiency for homeless populations and assist in the prevention of homelessness for at-risk individuals and families.
2. **Create and Preserve Affordable Housing** – Create new affordable housing opportunities and preserve existing affordable housing.
3. **Promote Fair Housing** – Promote fair housing and lowered barriers to housing.
4. **Strengthen and Stabilize Communities** – Strengthen and stabilize communities' conditions and help to improve residents' opportunities such as the ability to increase their employment prospects and grow their assets.

The first three priorities are the same as for the previous Consolidated Plan cycle for FY 2015-20 as they continue to be of paramount importance for the City. While the fourth priority still allows for investment in community infrastructure as it did last cycle, it also allows for investments focused on improving residents' economic opportunities and resilience. It is a people-focused Plan. As the COVID-19 pandemic has exacerbated inequities in our society, it has become apparent that the City must do all it can to strengthen the opportunities for residents in San José. The FY 2020-25 Consolidated Plan enables the City to pay for a range of services to help those who are unhoused, paying too much for housing, in need of legal assistance to keep their housing, and in need of support to improve their employment prospects.

In each of the five years in the Consolidated Plan, HUD requires entitlement jurisdictions to submit an Action Plan which identifies a one-year strategy for meeting the goals contained in the Consolidated Plan. While FY 2020-21 would have been the first annual plan under the new Consolidated Plan, priorities quickly shifted in early 2020 to address the growing impacts of the COVID-19 pandemic. In addition to the City's annual formula allocations of federal funds, the City received \$48,160,981 in one-time CDBG and ESG CARES Act funding that the Housing Department is still contracting and monitoring. Also, the City received over \$30 million in Rental Assistance funds directly from the U.S. Department of Treasury to address the effects and financial impact of the COVID-19 pandemic on city residents. Finally, the Housing Department has \$22 million in the City's American Rescue Plan funds for various homeless and eviction prevention programs that the Department is still contracting.

As City staff continues to implement new and complex programs and services responding to and recovering from the COVID-19 pandemic, the capacity to conduct robust community outreach, release new requests for proposals and solicit feedback on potential new funding priorities is limited. Therefore, the City administration proposes to continue funding the priorities consistent with the FY 2019-20 Action Plan, which was the last Action Plan to receive full community input and approval prior to the pandemic. The FY 2022-23 funding priorities are based on stakeholder outreach conducted prior to the pandemic in conjunction with the FY 2019-20 Action Plan. The proposed activities this fiscal year are consistent with those approved by the

City Council for the FY 2019-20 Action Plan. While most contract renewals with grantees will be similar to those in previous years, some scopes of service may be altered to reflect current COVID-19 pandemic response and recovery priorities, and some performance measures may be changed to better demonstrate outcomes.

## **ANALYSIS**

The City has not yet received notice of its formula allocation amounts for FY 2022-23. It is estimated that in FY 2022-23, the City will receive approximately \$14.4 million in CDBG, HOME, HOPWA, and ESG entitlement grants. While the focus of this memorandum is the new annual federal allocations, the draft FY 2022-23 Action Plan will also provide a summary of anticipated carryover funding from previous years as well as program income from loan repayments. Table 1 below summarizes the estimated FY 2022-23 federal funding levels.

**Table 1: FY 2022-23 Estimated Federal Funding Levels**

<b>Program</b>	<b>Amount</b>
<b>CDBG</b>	\$ 8,890,526
<b>HOME</b>	\$ 3,221,675
<b>HOPWA</b>	\$ 1,553,405
<b>ESG</b>	\$ 763,052
<b>Total</b>	<b>\$14,428,658</b>

## **FY 2022-23 Action Plan**

The draft FY 2022-23 Action Plan contains a description of all activities recommended for funding. Each of the activities detailed in the draft FY 2022-23 Action Plan are aligned with the four goals of the Consolidated Plan and contributes to the City's five-year objectives. The draft FY 2022-23 Action Plan aligns the City's available resources with the planned activities that will enable the City to meet its annual goals. Completing the required annual plan enables the City stay on target to meet its five-year plan goals. The expenditure plans for CDBG, HOME, HOPWA, and ESG are provided below. All activities will be described in greater detail in the draft FY 2022-23 Action Plan.

### **CDBG Program**

CDBG is a flexible funding source that supports the development of viable urban communities by providing decent housing, encouraging a suitable living environment, and expanding economic opportunities, principally for lower-income households.

As the largest and most flexible of the four federal grants, CDBG funds are divided into three categories of eligible uses. These include Public Services (PS), Community Development Investments (CDI), and Administrative activities. The CDI category is further delineated into construction projects and non-construction projects. Construction projects consist of capital projects that directly fund physical improvements such as facility or infrastructure

improvements. Non-construction projects include programs and other services, such as job training, provided to Low- and Moderate-Income Households.

Table 2 below outlines the City's planned CDBG expenditures for the coming year by category and activity. Additional detail on these activities is provided in subsequent tables in this memo.

**Table 2: Proposed CDBG Activities for FY 2022-23**

<b>Category</b>	<b>CDBG Activities</b>	<b>Recommended Funding</b>
PS	Senior Services	\$318,481
PS	Neighborhood Engagement and Leadership Training	\$200,000
PS	Services for Homeless and Unhoused Populations	\$399,983
PS	Citywide Legal Services for Low-income Tenants and Landlords	\$475,115
CDI	Place-based Street and Infrastructure Enhancements	\$3,948,549
CDI	Targeted Code Enforcement	\$1,100,000
CDI	Acquisition, Rehabilitation, and Infrastructure Improvements	\$3,000,000
CDI	Minor Home Repair	\$1,650,000
Admin	Fair Housing	\$200,000
Admin	Grants Management	\$1,658,105
<b>Total Programmed Activities</b>		<b>\$12,950,233</b>
<b>Annual CDBG Award</b>		<b>\$8,890,526</b>
<b>Estimated Program Income</b>		<b>\$400,000</b>
<b>Prior Years' Approx. Uncommitted / Unspent Fund Balance</b>		<b>\$3,659,707</b>
<b>Total Available to Program</b>		<b>\$12,950,233</b>

### **CDBG – Public Services**

CDBG funds can pay for a variety of services for low-income individuals. Program regulations require that funding for PS be capped at 15% of the annual allocation combined with the prior year's program income. Program income is primarily comprised of repayments of loans made from federal funds. Services are generally funded on a three- to five-year funding cycle to provide predictability in service delivery and to support organizational capacity of service providers.

Table 3 below lists existing services and service providers currently under contract. Staff is recommending to extend the following services through FY 2022-23. Individual funding levels will be comparable to their FY 2021-22 levels but may vary slightly based on grant allocation and program income differences.



**Table 3: Existing Service Providers in CDBG Contract Funding Cycle**

<b>Service Type</b>	<b>Agency</b>	<b>Program</b>	<b>FY 2022-23 (recommended)</b>
Senior Services	The Health Trust	Meals on Wheels – Senior Services	\$191,481
Senior Services	Portuguese Organization for Social Services Opportunities (POSSO)	Senior Access and Health Support	\$127,000
Legal Services	San José Housing Rights Consortium	Legal Services for Low-Income Tenants & Landlords	\$475,115
Neighborhood Engagement	SOMOS Mayfair	Home Grown Talent Project	\$125,000
Neighborhood Engagement	CommUniverCity	Community Leadership Development	\$75,000
Homeless Services	HomeFirst	Citywide Outreach & Shelter	\$399,983
<b>Total</b>			<b>\$1,393,579</b>

### **CDBG – CDI Funds**

CDI funds can be used to fund public infrastructure and other needs that serve low-income individuals. There is no limit on the amount of funding that may be dedicated to the CDI category. The proposed funding priorities in this category include the following CDI activities:

Priority Projects – Housing Department staff has coordinated with other City departments to identify infrastructure and other capital projects eligible for CDBG that benefit the City’s lower-income communities. Since 2012, CDBG resources have leveraged investments in the Santee/McKinley, Mayfair, and Five Wounds/Brookwood Terrace neighborhoods to create clean, and engaged neighborhoods. In FY 2018-19, the Housing Department broadened its neighborhood focus to link federal funds with City investments or programs to address underserved needs in a low-resourced neighborhood. Examples of this include providing infrastructure investments adjacent to the planned housing developments for formerly homeless residents at Evans Lane in FY 2021-22. The Department will continue to invest in neighborhoods where City programs are aligned and can be leveraged. Potential projects could include, but are not limited to, improvements to a City-owned swim center, community center, park, and/or nonprofit facilities; the purchase of fire station equipment serving eligible low-income areas; or new infrastructure investments such as street trees in low-income areas experiencing heat effects. The Housing Department will continue to coordinate with the City Manager’s Budget Office and other City departments to identify projects that meet all eligibility criteria and federal spending deadlines. Therefore, the Plan allocates a reserve amount of funds in FY 2022-23 for proposed City projects.

**Table 4: CDI Place-based Projects**

<b>Project</b>	<b>Description</b>	<b>FY 2022-23 (recommended)</b>
TBD	Acquisition, Rehabilitation and Infrastructure for Affordable Housing Sites and Public Facilities	\$3,948,549
<b>Total</b>		<b>\$3,948,549</b>

Additionally, the Housing Department is continuing work on projects that have been funded in past grant years.

Nonprofit Facility Rehabilitation – Community-based organizations provide vital services for the residents of San José. They offer services that are often not feasible for public or private organizations to administer. Many organizations struggle to raise the revenue needed to provide basic essential services for the City’s most at-risk residents. This ongoing lack of resources leaves many agencies with the inability to maintain or improve the facilities where their staff are located and where direct services to clients are provided. CDI funding for nonprofit facilities has been identified as a critical need by many of the nonprofit agencies in San José and has been listed as a priority by the Silicon Valley Council of Nonprofits. Accordingly, the Plan identifies funds that will be allocated for the purposes listed in Table 5.

**Table 5: CDI Nonprofit Facility Rehabilitation**

<b>Agency</b>	<b>Program</b>	<b>FY 2022-23 (recommended)</b>
TBD	Acquisition and rehabilitation nonprofits	\$3,000,000
<b>Total</b>		<b>\$3,000,000</b>

CDI-funded Non-construction – Non-construction CDI projects include programs and other indirect services benefitting low- and moderate-income individuals and households. Enhanced Code Enforcement and Job Creation are two of the only “service” activities that can be funded with CDI funds. For Code Enforcement to be eligible, it must be linked with a special program such as the City’s Place-Based Neighborhood Initiative and Project Hope I and II. Code Enforcement will use CDBG resources in four specific neighborhoods that include Santee, Five Wounds/Brookwood Terrace, Cadillac/Project Hope, and Roundtable/Project Hope II. Table 6 provides a list of the programs to be funded under the CDI category:

**Table 6: Proposed CDI Non-construction Projects**

<b>Agency</b>	<b>Program</b>	<b>FY 2022-23 (recommended)</b>
City Code Enforcement	Enhanced Code Enforcement in targeted neighborhoods	\$1,100,000
Rebuilding Together Silicon Valley	Minor Repair and Limited Rehab for Low-Income Homeowners Program	\$1,100,000

Agency	Program	FY 2022-23 (recommended)
Habitat for Humanity	Minor Repair and Limited Rehab for Low-Income Homeowners Program	\$550,000
<b>Total</b>		<b>\$2,750,000</b>

Administrative – Recognizing the significant requirements associated with managing CDBG funds, HUD allows funding of administrative planning and oversight using up to 20% of the sum of the annual allocation plus the current year’s program income. In addition to grant planning and oversight, Fair Housing is the sole service that can be paid from the Administrative category as well as the Public Service category. In FY 2022-23, some Administrative funds will go towards Fair Housing programs listed below, and will pay other City departments’ staff’s work on CDBG-related activities. This includes the City Attorney’s Office work to perform legal reviews of all federal contracts, and the Planning, Building and Code Enforcement Department’s work to provide required environmental review support for all federally funded projects. It also includes staff work on the Assessment of Fair Housing.

**Table 7: Proposed FY 2022-23 CDBG Administrative Activities**

Agency	Program	FY 2022-23 (recommended)
Housing Department	CDBG Administration	\$1,613,105
City Attorney’s Office	Legal Staffing	\$20,000
Planning, Building and Code Enforcement Department	Environmental Reviews	\$25,000
Law Foundation of Silicon Valley - Four Agency Consortium	Fair Housing	\$200,000
<b>Total</b>		<b>\$1,858,105</b>

### **HOME Program**

The HOME program provides financial assistance to help increase the supply of affordable rental and homeownership housing for low-income households through the acquisition, rehabilitation, or construction of affordable housing and through the provision of tenant-based rental assistance.

**Table 8: Proposed FY 2022-23 HOME Activities**

Project	Allocated Amount
New Affordable Housing Development (including project delivery)	\$12,211,899
Program Administration	\$ 122,167
Fair Housing Services	\$ 200,000
<b>Total HOME</b>	<b>\$12,534,066</b>

New Affordable Housing Development – It should be noted that HOME rules require that new affordable housing developments must have all other financing obtained and be able to start

construction within one year of committing the funds. For this reason, the Housing Department must sometimes hold a significant portion of funds until a project is almost ready to start construction. In December 2021, staff released a \$150 million Notice of Funding Availability (NOFA) and continues to commit available funding to the projects selected that meet HOME criteria.

### **HOPWA Program**

The HOPWA program provides local jurisdictions and nonprofits with resources and incentives to support long-term strategies for meeting the housing needs of low-income individuals living with HIV/AIDS and their families.

The Health Trust was selected through a previous federally funded services Request for Proposal to provide rental assistance and supportive housing services. Staff is recommending continuing funding The Health Trust to administer HOPWA activities at the following levels through FY 2022-23. Additionally, as the nearest metropolitan statistical area, the City administers the HOPWA grant funding for San Benito County. The Housing Department coordinates with San Benito County staff to administer approximately \$73,000 in rental assistance in that County.

**Table 9: Proposed FY 2022-23 HOPWA Activities**

<b>Proposed Activity</b>	<b>Allocated Amount</b>
Rental Assistance and Supportive Services	\$ 1,510,194
City Administration	\$ 43,211
<b>Total HOPWA</b>	<b>\$1,553,405</b>

### **ESG Program**

The ESG program provides matching grants to help pay for shelter operating expenses and for other essential services to serve individuals and families experiencing homelessness.

In FY 2018-19, staff issued a Request for Proposals for outreach and homeless prevention services. Contracts were awarded to People Assisting the Homeless (PATH) and Bill Wilson Center. Staff is recommending to continue funding PATH and Bill Wilson Center to administer ESG activities at the following levels through FY 2022-23. Activities and grantees proposed for FY 2022-23 include:

**Table 10: Proposed FY 2022-23 ESG Activities**

<b>Proposed Activity</b>	<b>Agency</b>	<b>Description</b>	<b>FY 2022-23 (recommended)</b>
Street Outreach	PATH	Street-based outreach, engagement, and case management for the unhoused population	\$428,823

Proposed Activity	Agency	Description	FY 2022-23 (recommended)
Homeless Prevention Program for Youth and Families	Bill Wilson Center	Rental assistance and support for households at risk of becoming homeless, including victims of intimate partner violence	\$127,000
County HMIS	County of Santa Clara	Operation of the Homeless Management Information System (secure web-based database) in compliance with HUD	\$150,000
City Administration	City	City grant administration, compliance monitoring, environmental review, legal service support, and planning	\$57,229
		<b>Total</b>	<b>\$763,052</b>

### Meeting the Needs of Families

The proposed FY 2022-23 Action Plan provides \$4.8 million in funding for nine programs serving families (see Table 11 below). The Housing Department holds regular meetings with the Santa Clara County Office of Education (SCCOE) McKinney Vento staff to identify services gaps and need. The Housing staff also has regular conversations with domestic violence service providers to identify their needs. The domestic violence service providers reported that levels of violence are escalating during the Covid-19 pandemic, and they need additional motel vouchers to safely shelter victims. As a result of the conversations with SCCOE and domestic violence service providers, the Housing Department has funded community wireless network and emergency motel vouchers for families.

For the coming year, the draft Action Plan proposes these family-serving programs:

**Table 11: Proposed FY 2022-23 Annual Action Plan Family-serving Programs**

Grantee	Purpose	FY 2022-23 (recommended)
SOMOS Mayfair	Home Grown Talent, neighborhood engagement	\$125,000
CommUniversity	Neighborhood engagement	\$75,000
San José Housing Rights Consortium	Legal services for low-income tenants	\$475,115
Law Foundation Silicon Valley	Fair housing services	\$400,000
Code Enforcement	Enhanced code enforcement in Project Hope neighborhoods	\$1,100,000
Rebuilding Together & Habitat for Humanity	Single family home repairs	\$1,650,000
Bill Wilson Center	Family homeless prevention	\$127,000

<b>Grantee</b>	<b>Purpose</b>	<b>FY 2022-23 (recommended)</b>
HomeFirst	Homeless outreach and engagement (citywide)	\$399,983
PATH	Homeless outreach and engagement (downtown)	\$428,823
	<b>Total</b>	<b>\$4,780,921</b>

### **FY 2022-23 Action Plan Implementation**

Once the FY 2022-23 Action Plan is approved by the City Council, staff will work with service providers to develop or extend agreements that include finalized scopes of service, contract budgets, performance measures, goals, and outcomes. Upon approval of the FY 2022-23 Action Plan by HUD, staff will work with agencies identified in this plan, to finalize service agreements in preparation for execution on or about July 1, 2022.

Additionally, capital projects identified in the FY 2022-23 Action Plan will require further development. Upon approval of the FY 2022-23 Action Plan by the City Council, staff – a collaborative effort led by the Housing Department in close coordination with the City Manager’s Budget Office – will work with stakeholders to develop the final project scopes and will take all necessary steps to ensure compliance with funding and project requirements. Staff will coordinate environmental reviews in compliance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act clearances before final commitment of funds via contract.

### **CONCLUSION**

This publicly noticed public hearing provides an opportunity to the Commission and the public to provide comment on the proposed funding priorities and the draft FY 2022-23 Action Plan.

The feedback provided by the Commission on the draft FY 2022-23 Action Plan will inform the development of the City’s FY 2022-23 Action Plan. Final approval of the FY 2022-23 Action Plan will enable staff to submit the federally-mandated document to HUD by the May 15, 2022 deadline. Meeting this deadline will enable the City to remain eligible to receive approximately \$14.4 million in federal housing and community development funds in FY 2022-23. Upon City Council adoption of the final Plan in May, the Housing Department will submit the final document to HUD by the federal deadlines.

### **EVALUATION AND FOLLOW-UP**

Staff will consider the public comments received as it develops the final draft of the FY 2022-23 Action Plan. Staff will also refine the draft FY 2022-23 Action Plan based on HUD’s final grant

amounts for FY 2022-23, expected to be announced shortly. The revised FY 2022-23 Action Plan will be brought back to the City Council for final approval on May 3, 2022. Once it is submitted to and approved by HUD, the Final FY 2022-23 Action Plan will be available on the Housing Department's website ([www.sanjoseca.gov/housingconplan](http://www.sanjoseca.gov/housingconplan)) and by U.S. mail at the public's request.

At the end of each Action Plan period, the City is required to submit its Consolidated Annual Plan Evaluation Report (CAPER) which summarizes the City's progress in meeting its goals as indicated in the prior year Annual Action Plan. The Housing Department will present the FY 2022-23 CAPER in fall 2023.

## **PUBLIC OUTREACH**

Federal regulations require that jurisdictions hold at least two public hearings to receive public comment for the Plan and funding priorities. The City's adopted Citizen Participation Plan<sup>1</sup> requires the City to hold three public hearings, including one prior to the release of the draft FY 2022-23 Action Plan. This year, the City will hold a total of five public hearings on the FY 2022-23 Action Plan, exceeding the requirements of the Citizen Participation Plan. The first two public hearings were held before the Housing and Community Development Commission on March 10, 2022 and the City Council on March 22, 2022, where the Housing Department presented the draft funding strategies and priorities to solicit feedback.

This third public hearing, at the Commission at its April 14, 2022, meeting on the draft FY 2022-23 Action Plan, will provide an opportunity for the Commission and the public to comment. Staff will capture comments from this public hearing and convey them to the City Council in the form of a Supplemental Memorandum for the City Council meeting on April 26, 2022, which will be the fourth public hearing considering the draft FY 2022-23 Action Plan. The fifth and final public hearing is scheduled for May 3, 2022, at which time the City Council is expected to adopt the final FY 2022-23 Action Plan. The Housing Department then will submit the adopted FY 2022-23 Action Plan to HUD to meet the federal deadline.

Staff published official notices required by HUD in the *San José Mercury News* of the public meetings. These notices were translated into Spanish, Vietnamese, Chinese, and Tagalog and also were published in the *El Observador*, *Vietnam Daily News*, *World Journal*, and the *Asian Journal* newspapers. City staff also sent e-mail announcements of the public hearings on the draft FY 2022-23 Action Plan to over 2,600 organizations and individuals concerned about affordable housing and community development issues. The e-blasts were also posted on the Housing Department's website at [www.sjhousing.org](http://www.sjhousing.org), and were turned into news briefs that were automatically sent to media outlets.

All public comments provided to the City both verbally and in writing will be included in the appendices of the FY 2022-23 Action Plan together with staff's responses when the FY 2022-23 Action Plan is submitted to HUD.

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<sup>1</sup> <https://www.sanjoseca.gov/home/showpublisheddocument/64406/637369832783670000>



April 7, 2022

**Subject: Public Hearing on the Draft FY 2022-23 Annual Action Plan**

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**COMMISSION RECOMMENDATION/INPUT**

This item is scheduled to be heard by the City Council at its meeting to be held virtually on April 26, 2022 starting at 1:30 p.m. A Supplemental Memorandum summarizing the Commission's feedback will be included for this action on the April 26, 2022, City Council meeting agenda.

**FISCAL/POLICY ALIGNMENT**

This action is consistent with the City's *Consolidated Plan 2020-25*, adopted by the City Council on August 11, 2020, and with the City's Adopted *Housing Element 2014-2023*, in that the action provides services to very low-income households. It also furthers the advancement of the *Community Plan to End Homelessness* approved by the City Council in August 2020. The timely submittal of the Plan to HUD will enable the City to receive and distribute more than \$14 million in entitlement funds for the CDBG, HOME, HOPWA, and ESG programs for FY 2022-23.

/s/

JACKY MORALES FERRAND

Director of Housing

For questions, please contact Ragan Henninger, Deputy Director, at [ragan.henninger@sanjoseca.gov](mailto:ragan.henninger@sanjoseca.gov).





# Memorandum

**TO:** HOUSING & COMMUNITY  
DEVELOPMENT COMMISSION

**FROM:** Kelly Hemphill

**SUBJECT:** SEE BELOW

**DATE:** April 7, 2022

Approved

Date

**SUBJECT: HOUSING TRUST FUND BUDGET FOR FISCAL YEAR 2022-23**

## **RECOMMENDATION**

Acting as the Housing Trust Fund Oversight Committee, recommend that the Director of Housing approve the expenditure plan for the Housing Trust Fund of \$4,037,067 for Fiscal Year 2022-23.

## **OUTCOME**

Commissioners will be updated on the City's efforts to address homelessness using the Housing Trust Fund resources in Fiscal Year 2022-23.

## **BACKGROUND**

In 1993, the City Council established the Housing and Homeless Fund as the repository of funds that the Housing Department receives from time to time. The fund was set up with relatively few requirements. In June 2003, the City Council approved the conversion of the HHHF into a Housing Trust Fund (see Ordinance Number 26920, Part 46 of Chapter 4.80 of Title 4 of the San José Municipal Code) to allow the City to seek additional revenue sources to ensure an ongoing source of funding for affordable housing programs. The primary goals of the Fund were 1) to meet the needs of low- and moderate-income households; and 2) to enable the City to qualify for additional funding opportunities for its programs and housing for San Jose low- and moderate-income residents. The Housing Trust Fund (HTF) was to be funded by a variety of sources, including revenues received from tax credit application review fees, repayments of specially funded loan programs, administrative fees from City multifamily housing bond issues, and other outside sources such as the State's Proposition 46 Local Housing Trust Fund Matching Grant Program.

Most funds received by the Housing Department have regulatory requirements that define eligible activities. The largest bucket of funding from federal Housing and Urban Development (HUD) grants is limited to assisting homeless households with permanent housing options. The HTF was established in part because these funding sources specifically prohibit their use for Homelessness Response Team staffing. For years, the only funding available for crisis response intervention programming, such as emergency shelters or street-based basic needs services, was local funds, such as the HTF. More recent funding from the State, including the Homeless Housing Assistance and Prevention Program (HHAP), is flexible in its uses but requires strategic planning. The HTF allows for the opportunity to leverage existing programs and create or launch new programs and initiatives throughout the year. The HTF is an important ongoing source of flexible funding that helps fund the Department's strategic priorities specifically around homelessness.

The Municipal Code<sup>1</sup> specifies that there be a committee to advise the Director on the use of HTF funds. By resolution, the City Council named the Housing and Community Development Advisory Commission (and, by extension, the Housing and Community Development Commission) to act as that committee.

## **ANALYSIS**

### **Funding Priorities**

In August 2020, the City Council endorsed the *2020-2025 Community Plan to End Homelessness*, which serves as the strategic roadmap for ending homelessness in Santa Clara County. The *Plan* is organized around three main strategies:

1. Address the Root Causes of Homelessness Through System and Policy Change
2. Expand Homelessness Prevention and Housing Programs to Meet the Need, and
3. Improve Quality of Life for Unsheltered Individuals and Create Healthy Neighborhoods for All.

The HTF will prioritize funding programs under two of the three strategies. Strategy 3 includes meeting the basic needs of people living in unsheltered conditions (including temporary housing programs) and addressing community concerns regarding the impacts of unsheltered homelessness. The strategy seeks to increase street outreach, hygiene services, and transportation options to match the needs of unsheltered residents, and build new partnerships to host emergency shelter, and safe places to park. Since the most recent homeless census and survey counted 6,097 persons experiencing homelessness in San José, with 84% sleeping outdoors on the street, in parks, tents, encampments, vehicles, abandoned properties and/or bus and train stations, street-based programs are a priority for the Housing Department. The City of San José

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<sup>1</sup> Part 46 - CITY OF SAN JOSÉ HOUSING TRUST FUND

[https://library.municode.com/ca/san\\_jose/codes/code\\_of\\_ordinances?nodeId=TIT4REFIBUTA\\_CH4.80FU\\_PT46CI\\_SAJOHOTRFU](https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT4REFIBUTA_CH4.80FU_PT46CI_SAJOHOTRFU)

leads the region's efforts on this strategy. The HTF proposes to fund programs providing emergency shelter, mobile showers and laundry, bus passes, safe parking, and meals to unsheltered individuals.

Strategy 1 includes providing training, internships, and mentorships to help obtain access to living wage jobs and investing in social enterprises that train and employ people who are unhoused or at risk of homelessness. Staff proposes to use HTF to fund programs providing training and living wage job placement for unsheltered individuals and households enrolled in supportive housing programs.

Within each strategy is gaining input from people with lived experience of homelessness in order to shape how we address homelessness in our community. The HTF proposes to fund a new program that focuses on anonymous and confidential feedback focused on listening and building provider/participant trust.

### Proposed Funding Plan

Each year, the Housing Department presents the Commission with the proposed HTF budget for the upcoming Fiscal Year. In order to provide context and trends for the proposed FY 2022-23 expenditures, the HTF budget for the previous year is included with this memorandum as an attachment. High-level summaries of the complete HTF budgets are provided as **Attachment A** for FY 2021-22 and **Attachment B** for FY 2022-23.

Several of the proposed programs to be funded in FY 2022-23 are a continuation of services. Other programs are enhanced or new as a result of increased community needs and strategic priorities outlined in the *Community Plan to End Homelessness*. Below are details for the proposed HTF budget for FY 2022-23:

- **Homeless Initiatives**

- UPLIFT – Transit Passes (\$100,000)

Administered by the County of Santa Clara Office of Supportive Housing, the United Pass for Life Improvement from Transportation (UPLIFT) Transit Pass Program provides free transportation to case managed homeless adults, on any standard Valley Transportation Authority (VTA) bus and light rail lines. UPLIFT pass recipients must be working with a case manager at one of the participating agencies to qualify for the program. The participant must meet with their case manager at least once per month and be working towards attaining their specified goals. The County contributes the staff time necessary to run the program plus funds for purchasing the transit passes. This funding will assist with 2,000 bus passes.

- **Housing and Homeless Projects**

- Employment Initiative (\$125,000)

The Employment Initiative is managed by Destination: Home. The program aligns system resources and living-wage jobs for homeless or formerly homeless individuals participating in supportive housing programs. Destination: Home leverages other funding sources for operations of the Employment Initiative. This funding will be used to continue funding the manager position at Destination: Home for the Employment Initiative with an annual goal of placing 100 individuals into full-time jobs.

- Dignity on Wheels (\$500,000)

Dignity on Wheels is a mobile hygiene program that is operated by WeHOPE. Supporting two mobile trailers with services six days per week at various locations throughout San José, the goal of the program is to assist up to 2,000 homeless individuals with showers and laundry services. A third mobile trailer offers individualized case management and supportive services, WiFi, and COVID-19 resources through the new Hope Health Mobile rest stop trailer. The HTF funding will support the operations of all three trailers. This program will be also be funded using HHAP.

- Safe Parking Program (\$500,000)

Operated by Amigos de Guadalupe, the Safe Parking Program will provide a safe place for car dwellers to park, sleep, and receive individualized supportive services with the goal of transitioning to shelter and permanent housing. The program will also reduce the number of people living illegally in their vehicles on the street and decrease enforcement actions resulting in legal costs to homeless individuals.

- Meals Without Borders (\$200,000)

Operated by Opening Doors 2020, Meals Without Borders provides nutritious hot meals three days a week for homeless individuals in a location adjacent to St. James Park. The Program conducts homeless outreach, engages nearby neighborhoods, and encourages participation among neighbors to maximize community-wide involvement and support. The HTF funding will support the operations of the program in the coming fiscal year while the Parks, Recreation, and Neighborhood Services Department manages the contract.

- Pulse for Good (\$40,000)

Pulse For Good provides and maintains physical kiosks as an opportunity for program participants to share confidential feedback regarding the assistance they receive through a digital survey replacing paper surveys. Responses are automatically consolidated into a data dashboard, allowing filters and splicing of data to analyze trends and anomalies in real time. The program would add more kiosks to additional City-funded shelters for one year. The HTF funding will cover the setup, maintenance, warranty, and customer service.

- Overnight Warming Locations (\$600,000)

Operated by HomeFirst, Overnight Warming Locations (OWL) are set up during the cold weather season, October through April, to increase the number of emergency shelter beds available in San José. The program funds nightly shelter seven days a week in one or more City-owned facilities. By referral only, OWL will add at least 30 seasonal beds to the region's cold weather shelter program.

- Homeless Services (\$500,000)

During the 2019 homeless census, 6,097 people were found to be homeless within the City's boundaries. Of the 6,097 counted in San José's point-in-time count, 84% were unsheltered (living on the streets, in parks or in homeless encampments). In the upcoming year, this Homeless Services money is set aside as a contingency, to be used supplement or enhance existing programs or to fund new programs for homeless households with the end goal of attaining permanent housing.

- **Disaster/Emergency Assistance (\$398,000)**

- This funding is set aside for emergency assistance, such as motel stays or basic needs assistance, for survivors who may become displaced as a result of a natural disaster.

- **Non-Personnel (\$50,000)**

- The non-personnel funding allows for the Homelessness Response Team to enhance and invest in staff retention. The funding will pay for costs not allowable programs with more restrictive funds, such as staff trainings.

- **City Staffing and Overhead (\$1,000,000)**

- This funding will pay for four full-time positions whose duties are related to responding to homelessness. HTF is one of the only eligible funding sources to pay for positions on the Homelessness Response Team. A minimal amount of funding is set aside for the City Attorney's Office for legal services associated with these services.

A representative from the Department's Homelessness Response Team will be at the Housing and Community Development Commission meeting on April 14, 2022 and will be available to answer any questions.

/s/

KELLY HEMPHILL  
Homelessness Response Manager

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

April 7, 2022

**Subject: Housing Trust Fund Budget FY 2022-23**

Page 6

**ATTACHMENTS:**

**Attachment A** – Housing Trust Fund FY 2021-22 Budget

**Attachment B** – Housing Trust Fund FY 2022-23 Budget

**Attachment A**

**HOUSING TRUST FUND  
FY 2021-22 BUDGET**

**SOURCE OF FUNDS**

<b>FY 2021-22 BEGINNING FUND BALANCE</b>	\$6,097,221
<b>FY 2021-22 Revenue</b>	<u>\$2,563,000</u>
<b>TOTAL</b>	<b><u>\$8,660,221</u></b>

**USE OF FUNDS**

Homeless Initiatives	
• UPLIFT - Transit Passes (\$100,000)	\$100,000
Housing and Homeless Projects	\$3,191,545
• Employment Initiative (\$125,000)	
• Dignity on Wheels (\$500,000)	
• Safe Parking Program (\$500,000)	
• Opening Doors (\$187,000)	
• Pulse for Good (\$50,000)	
• Security System (\$150,000)	
• OWL (\$344,545)	
• SJ Bridge (\$900,000)	
• Homeless Response Team (\$35,000)	
• Homeless Services (\$400,000)	
Disaster/Emergency Assistance	\$339,000
Non-Personnel	\$53,220
Transfers	\$24,067
City Staffing and Overhead	\$1,000,000
<b>TOTAL</b>	<b><u>\$4,707,832</u></b>
<b><u>PROJECTED FY 2021-22 ENDING FUND BALANCE</u></b>	<b><u>\$3,952,389</u></b>

**Attachment B**

**HOUSING TRUST FUND  
FY 2022-23 BUDGET**

**SOURCE OF FUNDS**

<b>PROJECTED FY 2022-23 BEGINNING FUND BALANCE</b>	<b>\$3,952,389</b>
<b>PROJECTED FY 2022-23 Revenue</b>	<b><u>\$1,363,000</u></b>
<b>TOTAL</b>	<b><u>\$5,315,389</u></b>

**USE OF FUNDS**

Homeless Initiatives	
• UPLIFT - Transit Passes (\$100,000)	\$100,000
Housing and Homeless Projects	\$2,465,000
• Employment Initiative (\$125,000)	
• Dignity on Wheels (\$500,000)	
• Safe Parking Program (\$500,000)	
• Opening Doors (\$200,000)	
• Pulse for Good (\$40,000)	
• Overnight Warming Locations (\$600,000)	
• Homeless Services (\$500,000)	
Disaster/Emergency Assistance	\$398,000
Non-Personnel	\$50,000
Transfers	\$24,067
City Staffing and Overhead	\$1,000,000
<b>TOTAL</b>	<b><u>\$4,037,067</u></b>
<b><u>PROJECTED FY 2022-23 ENDING FUND BALANCE</u></b>	<b><u>\$1,278,322</u></b>





# Memorandum

**TO:** HOUSING & COMMUNITY  
DEVELOPMENT COMMISSION AS  
MEASURE E OVERSIGHT COMMITTEE

**FROM:** Rachel VanderVeen

**SUBJECT:** SEE BELOW

**DATE:** April 7, 2022

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Approved

Date

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**SUBJECT: PROPOSED SPENDING PLAN FOR MEASURE E REAL PROPERTY TRANSFER TAX REVENUE FOR FISCAL YEAR 2022-2023 AND AN AMENDMENT TO THE SPENDING PLAN FOR MEASURE E REAL PROPERTY TRANSFER TAX FOR FISCAL YEAR 2021-2022**

## RECOMMENDATION

Review the staff report and provide comments for transmittal to the City Council on:

- 1) The proposed spending plan of Measure E Real Property Transfer Tax revenues for fiscal year 2022-2023, and
- 2) The proposed amendments to the spending plan of Measure E Real Property Transfer Tax revenues for fiscal year 2021-2022.

## OUTCOME

The Housing and Community Development Commission (Commission) will confirm that the Fiscal Year (FY) 2022-2023 spending plan for Measure E Property Tax Revenue meets the City Council approved revised allocation plan. The spending plan for FY 2022-2023, included as **Attachment A** to this memo, will allocate \$92 million in Measure E funds to build up to 2,011 units of affordable housing, provide \$11 million to assist approximately 1,200 families to remain housed, provide \$13 million to acquire interim housing units to address the ongoing homelessness crisis, and provide a reserve of \$22 million to operate and construct the City's interim housing stock. Additionally, the Commission will review the amendment to the FY 2021-2022 spending plan for Measure E, which reallocates a surplus of \$50 million in accordance with newly-approved allocations to address the City's homelessness crisis and support the development of affordable housing.

## **EXECUTIVE SUMMARY**

Measure E has quickly become a critical source of funding for both the production of affordable housing and funding for homeless prevention and rental assistance programs. An estimated \$65 million in revenue is anticipated to be received in the upcoming fiscal year. This memo provides the spending plan for the Measure E real property tax revenue to address the ongoing housing crisis for fiscal year 2022-2023 and amendments to the FY 2021-2022 spending plan. The proposed plan incorporates ongoing City Council action regarding proposed changes to Measure E spending priorities under Council Policy 1-18 that will be voted on by the City Council on April 12, 2022.

## **BACKGROUND**

On February 12, 2022, the City Council held the first of two public hearings to consider proposed changes to Measure E categories and allocations. The second and final public hearing regarding these proposed changes will be held on April 12, 2022. At this meeting, the City Council will consider modifying the spending priorities and the allocation percentages of Measure E revenue under Section 22 of Council Policy 1-18 to:

- a. 40% for creation of new affordable housing for extremely low-income (ELI) households
- b. 30% for creation of new affordable housing for lower-income (LI) households
- c. 5% for creation of new affordable housing for moderate-income (MI) households
- d. 10% for homeless prevention and rental assistance, and
- e. 15% for homeless support programs including shelter construction and operations.

The Council will also consider changes to the description of the allowed use of funds which is included as **Attachment B**.

## **ANALYSIS**

This memorandum describes the amendment to the Measure E Spending Plan for FY 2021-2022, the proposed Measure E Spending Plan for FY 2022-2023, outlines the guidance for Measure E funds, and provides a summary of the responsibilities of the Oversight Committee.

An overview of the effect of the amendments to the FY 2021-2022 spending plan, a detailed version of the proposed FY 2022-2023 spending plan, and any carryforward balance from previous fiscal years is included as **Attachment A**.

Amendments to Spending Priorities and Spending Plan for 2021-2022

As part of the City's Manager's Mid-Year Budget Review process, the actual revenue in Fiscal Year 2021-2022 allocation was increased to \$90 million, \$50 million more than previously projected. The additional unanticipated \$50 million was allocated proportionally to increases within the spending categories. Due to proposed changes to the spending priorities, staff would like to amend the adopted spending plan for fiscal year 2021-2022 to reflect those updates to allocations as well as to reflect the Mid-Year Budget Review to the numbers in **Table 1** below.

**Table 1: Amended 2021-2022 Measure E Spending Plan**

<b>2021-2022 Amended Measure E Proposed Revenue Budget</b>	
<b>Spending Priority</b>	<b>Allocated Amount</b>
Administration (5%)	\$2,000,000
Creation of new affordable housing for Extremely Low-Income households (40%)	\$35,200,000
Creation of new affordable housing for Low-Income households (30%)	\$26,400,000
Creation of new for-sale and rental affordable housing for Moderate-Income households (5%)	\$4,400,000
Homeless prevention and rental assistance (10%)	\$8,800,000
Homeless support programs including shelter construction and operations (15%)	\$13,200,000
<b>Total</b>	<b>\$90,000,000</b>

\*The allocation for Program Administration for 2021-2022 is recommended to remain at \$2 million, consistent with the Adopted Budget, as additional resources will not be needed for the remainder of the current fiscal year.

The above changes will result in the reallocation of \$88 million in Measure E tax revenue to the following categories:

- **Creation of new affordable housing for Extremely Low-Income households** will increase by \$18,100,000.
- **Creation of new affordable housing for Low-Income households** will increase by \$13,100,000
- **Creation of new for-sale and rental affordable housing for Moderate-Income households** will increase by \$600,000
- **Homeless prevention and rental assistance** will increase by \$5,000,000
- The creation of a new spending priority of **Homeless support programs including shelter construction and operations** with a beginning balance of \$13,200,000.

**Attachment A** provides specifics on how the additional revenue of \$50 million was allocated, the expenditures and commitments of funds in fiscal year 2021-2022, and the changes to the spending priority categories.

Carryforward of Unused Balances from Fiscal Year 2020-2021

In fiscal year 2020-2021, \$3 million was expended of the roughly \$50 million received in Measure E Property Tax Revenue. The remaining \$47 million was carried forward in each of the respective spending priority categories. The balances of these accounts as of July 1, 2021, are accounted for in **Table 2** below.

**Table 2: 2020-2021 Measure E Revenue Fund Activity and Ending Balances**

<b>2020-2021 Fund Activity</b>			
<b>Spending Priority</b>	<b>Allocation of Funds</b>	<b>Expenditures</b>	<b>Carryforward Balance</b>
Administration*	\$2,526,541	\$329,430	\$0
Creation of new affordable housing for Extremely Low-Income households	\$21,601,929	\$0	\$22,590,629
Creation of new affordable housing for Low-Income households	\$16,801,500	\$0	\$17,570,489
Creation of new for-sale and rental affordable housing for Moderate-Income households	\$4,800,429	\$0	\$5,020,140
Homeless prevention and rental assistance	\$4,800,429	\$2,779,094	\$2,241,046
Homeless support programs including shelter construction and operations	N/A	N/A	N/A
<b>Total</b>	<b>\$50,530,828</b>	<b>\$3,108,524</b>	<b>\$47,422,304</b>

\*Per direction from the Budget office any unused balance in Administration is allocated across the other categories proportionally

Unanticipated Revenue in Fiscal Year 2021-2022 and Carryforward into Fiscal Year 2022-2023

Fiscal year 2021-2022 saw a large increase in revenue identified in the mid-year budget review, due to the unprecedented increase, staff currently anticipates a carryforward of \$100,147,304 into fiscal year 2022-2023. A tentative fund activity chart for fiscal year 2021-2022 is detailed in **Table 3** below. The fund activity chart also includes the \$47,422,304 carryforward from fiscal year 2020-2021 in the amount available for expenditures and commitments.

**Table 3: Tentative 2021-2022 Measure E Revenue Fund Activity and Ending Balances**

<b>Spending Priority</b>	<b>Carryforward Balance from FY 20-21</b>	<b>FY 21-22 Allocation of Funds</b>	<b>Expenditures and Commitments</b>	<b>Carryforward Balance</b>
Administration	\$0	\$2,000,000	\$2,000,000	\$0
Creation of new affordable housing for Extremely Low-Income households	\$22,590,629	\$35,200,000	\$15,625,000	\$42,165,629

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

April 7, 2022

**Subject: Proposed Measure E Spending Plan FY 2022-2023 and Proposed Revised Measure E Spending Plan FY 2021-2022**

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Spending Priority	Carryforward Balance from FY 20-21	FY 21-22 Allocation of Funds	Expenditures and Commitments	Carryforward Balance
Creation of new affordable housing for Low-Income households	\$17,570,489	\$26,400,000	\$13,375,000	\$30,595,489
Creation of new for-sale and rental affordable housing for Moderate-Income households	\$5,020,140	\$4,400,000	\$0	\$9,420,140
Homeless prevention and rental assistance	\$2,241,046	\$8,800,000	\$6,275,000	\$4,766,046
Homeless support programs including shelter construction and operations	N/A	\$13,200,000	\$0	\$13,200,000
<b>Total</b>	<b>\$47,422,304</b>	<b>\$90,000,000</b>	<b>\$37,275,000</b>	<b>\$100,147,304</b>

Amended Spending Plan for 2021-2022

In the 2021-2022 Spending Plan, which can be found detailed in the Manager’s Budget Addendum Memorandum *2021-2022 Proposed Measure E Spending Plan*,<sup>1</sup> staff outlined their plans to release a Notice of Funding Availability (NOFA) in FY 2021-2022. Staff was able to release two NOFAs in 2021 for the construction of new affordable housing developments – one in September 2021 for \$75 million, and another in December 2021 for \$150 million. The McEvoy development was the sole applicant to the September 2021 NOFA and was awarded \$20 million, which will create 224 affordable homes. The December 2021 NOFA includes a combination of sources for a total available award amount of \$150 million, \$95 million of which is Measure E revenue. A list of all awarded and waitlisted developments and their funding requests broken down by eligible amounts by affordability type is attached as **Attachment C**.

Measure E Spending Priorities and Spending Plan for 2022-2023

For 2022-2023, an estimated \$65 million in Measure E revenue is expected to be collected. The estimated allocated amounts of the transfer tax are based on the percentage allowed by the proposed changes to spending priorities contained within Council Policy 1-18 for Measure E, outlined in **Attachment B**. Amounts are then allocated to each item below in **Table 4** and **Attachment A**. These amounts can increase or decrease proportionally based on actual transfer taxes collected.

<sup>1</sup> <https://www.sanjoseca.gov/home/showpublisheddocument/73685/637581638185683189>

The Administration will reconcile the actual revenues received in each fiscal year as part of the City Manager's Annual Report, which is reviewed and approved by the City Council every October. Any excess or shortfall of revenue will be proportionally allocated among the City Council-approved spending categories and percentages.

**Table 4: Proposed 2022-2023 Measure E Spending Plan**

<b>Proposed Measure E Spending Plan</b>	<b>Carryforward from 2021-2022</b>	<b>2022-2023 Allocation of Funds</b>	<b>Total Funds</b>
Program Administration (5%)	\$0	\$3,250,000	\$3,250,000
Creation of new affordable housing for Extremely Low-Income households (40%)			
<b>1. Rental Acquisition and rehabilitation: \$16,000,000</b>			
<b>2. Rental New construction: \$50,865,629</b>	\$42,165,629	\$24,700,000	\$66,865,629
Creation of new affordable housing for Low-Income households (30%)			
<b>1. Commercial space: \$2,325,000</b>			
<b>2. Rental Acquisition and rehabilitation: \$5,000,000</b>			
<b>3. Rental New construction: \$31,795,489</b>	\$30,595,489	\$18,525,000	\$49,120,489
Creation of new for-sale and rental affordable housing for Moderate-Income households (5%)			
<b>1. For Sale: \$8,707,640</b>			
<b>2. Accessory Dwelling Units: \$3,800,000</b>	\$9,420,140	\$3,087,500	\$12,507,640
Homeless prevention and rental assistance (10%)			
<b>1. Homeless Prevention (Destination: Home): \$7,226,046</b>			
<b>2. Homeless Prevention (Domestic Violence Set-Aside): \$600,000</b>			
<b>3. Rental Assistance and case management for encampment residents:(County of Santa Clara): \$3,000,000</b>			
<b>4. Housing for Homeless Students (Bill Wilson Center): \$115,000</b>	\$4,766,046	\$6,175,000	\$10,941,046
Homeless support programs including shelter construction and operations (15%)	\$13,200,000	\$9,262,500	\$22,642,500
<b>Total</b>	<b>\$100,147,304</b>	<b>\$65,000,000</b>	<b>\$165,147,304</b>

- **Program Administration:** For the 2022-2023 spending plan, approximately **\$3,250,000** will be set aside for administrative costs related to the implementation of Measure E

programs. In the 2022-2023 Adopted Operating Budget, the City has identified program administration costs that will be attributable to supporting staff in the Housing and Finance Departments, as well as the City Attorney's Office. These administrative costs would address an increase in staff workload needed, to provide the appropriate level of support for homelessness prevention, assistance, and construction. Any savings from the Program Administration allocation will be proportionately reallocated to the other spending categories as part of the 2022-2023 Annual Report process.

- **Creation of new affordable housing for Extremely Low-Income households:** Approximately **\$66,865,629** will be spent in two categories: 1) Staff anticipates bringing forward development commitments to the City Council in fiscal year 2022-2023 and has allocated \$50,865,629 for new construction activities to create 890 units for ELI households earning up to 30% of Area Median Income. **Attachment C** outlines the applicants and awardees from the December 2021 NOFA that are eligible to receive funding and their anticipated funding requests; 2) Staff is allocating \$16,000,000 for acquisition and rehabilitation of both existing multifamily building, allowing stability for existing residents; and motels. Staff anticipates the receipt of California Department of Housing and Urban Development HomeKey Grants and has allocated \$13,000,000 for the acquisition of motels.
- **Creation of new affordable housing for Low-Income households:** Approximately **\$49,120,489** will be spent in three categories: 1) \$2,325,000 will be allocated towards the funding of commercial space within affordable housing developments; 2) \$15,000,000 will be allocated to funding for the acquisition of land in areas of opportunity to develop future affordable housing, and funding acquisition and rehabilitation activity throughout the City; and 3) Staff anticipates bringing forward development commitments to the City Council in 2022-2023 and has allocated \$31,795,489 for new construction activities to create up to 922 units for LI households earning up to 60% of Area Median Income.
- **Creation of new for-sale and rental affordable housing for Moderate-Income households:** Approximately **\$12,507,640** will be spent in two categories: 1) Staff has allocated \$8,707,640 for homeownership opportunities for Moderate-Income households earning up to 120% of Area Median Income; and 2) as previously directed \$3,800,000 has been carried forward towards the funding of an Accessory Dwelling Unit program.
- **Homelessness Prevention and Rental Assistance:** Approximately **\$10,941,046** of will be spent in four categories: 1) Approximately \$7,226,046, will be used to fund the Destination: Home homelessness prevention program for the provision of financial assistance and support to households at risk of homelessness by assisting approximately 790 families avoid homelessness; 2) \$600,000 will be used for homeless prevention services and support for survivors of domestic violence and sexual assault also managed by Destination: Home; 3) \$3,000,000 will be used to fund the e County of Santa Clara to support either case management or housing to provide housing options for people living in encampments in San Jose; and 4) Staff continues to commit to funding \$115,000 to be

granted to the Bill Wilson Center for the homeless student housing program. In partnership with San José State University and Airbnb, Bill Wilson Center will provide temporary housing to college students experiencing homelessness.

- **Homeless support programs including shelter construction and operations:** Approximately **\$22,462,500** will be carried forward in a reserve to fund construction and operating costs of interim housing sites in future years. On September 29, 2021, the Rules and Open Government Committee approved a memorandum from the Mayor and Councilmembers Peralez, Jimenez, Foley, and Mahan seeking to have 1,000 pandemic-era EIH units and 300 HomeKey motel units under construction or completed by December 2022. Staff has developed a source and use model providing financial projections from the current year through Fiscal Year 2029-2030. These scenarios are outlined in detail in the City Council memorandum *Proposed Changes to the Spending Priorities and Percentage Allocations Measure E Real Property Transfer Taxes*<sup>2</sup>. In each of the three scenarios, the existing funding sources are not adequate to fully cover operating costs through 2029-2030, with additional funding being needed from Measure E, the City's General Fund, and the American Rescue Plan Fund.

### Commission as the Oversight Committee

On June 23, 2020, the City Council designated the Housing and Community Development Commission as the Oversight Committee for the City's Measure E Spending. As the Oversight Committee, the Commission has the following responsibilities:

- a) Review and provide comments to be transmitted to the City Council of the annual spending plan of the Transfer Tax revenues as set forth in Council Policy 1-18
- b) Review and provide comments to be transmitted to the City Council of any proposed amendments to the annual spending plan of the Transfer Tax revenues, and
- c) Review the expenditure of the Transfer Tax revenues for the prior fiscal year in fall 2021.

The Housing Department will request approval from the Commission each year as a part of the City's annual budget process.

### CONCLUSION

The Housing and Community Development Commission as Oversight committee's review and comment of the amendments to the FY 2022-2023 and revised FY 2021-2022 spending plans will assist to align revenue allocations to provide more funding to homeless services, rental assistance, and interim housing operations and construction, thus allowing Staff to present the

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<sup>2</sup> <https://sanjose.legistar.com/LegislationDetail.aspx?ID=5537400&GUID=13F40748-8EF1-4D2E-9A58-9CF8C7E69810&Options=&Search=>



April 7, 2022

**Subject: Proposed Measure E Spending Plan FY 2022-2023 and Proposed Revised Measure E Spending Plan FY 2021-2022**

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amended Spending Plan to Council on May 3, 2022. Staff will take any feedback from the Commission as Oversight Committee on the proposed FY 2022-2023 Measure E Spending Plan to City Council for the formation of the upcoming fiscal year's budget process.

### **EVALUATION AND FOLLOW-UP**

The City Council will hold the second public hearing on April 12, 2022, to consider proposed changes to City Council Policy 1-18 Section 22 updating the percentage allocation descriptions and amounts for Measure E funds. Due to the timing of this memo being released prior to the hearing, staff will provide the Commission a supplemental memorandum summarizing the outcome of the City Council meeting. The proposed spending plans are based on the proposed allocations of funding and may be revised if the City Council moves forward with a different recommendation on April 12, 2022.

After the Commission reviews the Proposed 2022-2023 Measure E Spending Plan, the uses will be integrated into the Housing Department's City Budget proposal for the City Council's review and approval in June 2022. After the Commission reviews the Amendment to the 2021-2022 Measure E Spending Plan, the uses will be integrated into the Housing Department's City Budget and presented for the City Council's review and approval on May 3, 2022.

In its role as the Community Oversight Committee for Measure E funds, the Commission also will review the annual Measure E expenditure report after the end of the fiscal year to ensure the uses were consistent with the approved spending plan. This cycle –the Commission's review of the proposed budget, and later review of the actual expenditures from the previous year – will repeat annually.

### **PUBLIC OUTREACH**

This memorandum will be posted on the Commission's Agenda website for its virtual April 14, 2022 meeting.

/s/

RACHEL VANDERVEEN

Deputy Director of Housing

The principal author of this memorandum is Shelsy Bass, Senior Development Officer. For questions, please contact Rachel VanderVeen, Deputy Director, at (408) 535-8231

### **ATTACHMENTS:**

**Attachment A:** Measure E Spending Plan for FY 2022-2023

HOUSING & COMMUNITY DEVELOPMENT COMMISSION

April 7, 2022

**Subject: Proposed Measure E Spending Plan FY 2022-2023 and Proposed Revised Measure E Spending Plan FY 2021-2022**

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**Attachment B:** Revised Measure E Spending Priorities and Potential Uses

**Attachment C:** Results of the December 2021 NOFA

**ATTACHMENT A - [Attachment A - Proposed Measure E Spending Plan 2022- 2023.xlsx](#)  
Proposed Measure E Spending Plan 2022-2023**

**To be attached as a PDF**

**ATTACHMENT B - [Attachment B - Revised Measure E Spending Priorities and Potential Uses.xlsx](#)**  
**Revised Measure E Categories and Potential Uses**

To be attached as a PDF

**ATTACHMENT C**  
**Results of the December 2021 NOFA**

Results of the December 2021 NOFA				
Project Name	Amount of Funds Requested	ELI Funds Requested	LI Funds Requested	MI Funds Requested
Awarded Developments				
777 W San Carlos	\$19,125,000	\$12,750,000	\$6,375,000	\$0
Parkmoor Community Apartments	\$9,875,000	\$5,151,899	\$5,023,101	\$0
Kooser	\$19,251,066	\$3,891,173	\$15,359,893	\$0
Tamien	\$14,125,000	\$7,062,500	\$7,062,500	\$0
Dupont	\$17,375,000	\$11,625,000	\$5,750,000	\$0
797 Almaden	\$12,250,000	\$6,250,000	\$6,000,000	\$0
525 N Capitol	\$15,000,000	\$7,500,000	\$7,500,000	\$0
The Charles (551 Keyes)	\$9,675,885	\$4,887,818	\$4,788,067	\$0
Alum Rock Multifamily	\$7,500,000	\$3,813,559	\$3,686,441	\$0
Almaden Apartments	\$9,750,000	\$4,875,000	\$4,875,000	\$0
Blossom Hill	\$10,875,000	\$7,250,000	\$3,625,000	\$0
<b>Totals</b>	<b>\$144,801,951</b>	<b>\$75,056,949</b>	<b>\$70,045,002</b>	<b>\$0</b>
Waitlisted Developments				
Villa Del Sol	\$12,000,000	\$3,687,500	\$2,500,000	\$5,812,500
Dry Creek Crossing	\$9,450,000	\$6,300,000	\$3,150,000	\$0
The Gardens at Cathedral of Faith	\$29,625,000	\$7,311,702	\$22,313,298	\$0
2350 Bascom	\$12,300,000	\$7,340,323	\$4,959,677	\$0
2880 Alum Rock	\$8,900,000	\$2,691,975	\$1,867,901	\$4,340,123
<b>Totals</b>	<b>\$72,275,000</b>	<b>\$27,331,500</b>	<b>\$34,790,876</b>	<b>\$10,152,623</b>

Spending Category Items	2020-2021 Carrforward	2021-2022 Adopted Spending Plan	Amended Percent of Funding	Proposed Adjustment	2021-2022 Amended Spending Plan	2021-2022 Carryforward	2022-2023 Spending Plan	Anticipated 2022-2023 Carryforward
<b>Funding for PSH and Extremely Low-Income Households</b>	\$ 22,590,629	\$17,100,000	40%	\$18,100,000	\$35,200,000	\$42,165,629	\$24,700,000	\$0
<b>Fund Beginning Balance</b>					\$57,790,629		\$66,865,629	
Funding for New Development and Land Acquisition for Affordable Housing.		\$17,100,000		(\$17,100,000)	\$0		\$50,865,629	\$0
- McEvoy Apartments				\$15,625,000	\$15,625,000			
Funding for Acquisition and Rehabilitation							\$3,000,000	
- Project Homekey Site Acquisition							\$13,000,000	
<b>Fund Ending Balance</b>					\$42,165,629		\$0	
<b>Funding for Low-Income Households</b>	\$ 17,570,489	\$13,300,000	30%	\$13,100,000	\$26,400,000	\$30,595,489	\$18,525,000	\$0
<b>Fund Beginning Balance</b>		\$30,870,489			\$43,970,489		\$49,120,489	
Funding for New Development, Land Acquisition, and Acquisition/Rehabilitation for Affordable Housing		\$9,975,000		(\$9,975,000)	\$0		\$31,795,489	
- McEvoy Apartments				\$12,375,000	\$12,375,000			
Funding for the Construction of Commercial Space for New Affordable Housing Developments		\$3,325,000		(\$3,325,000)	\$0	\$2,325,000	\$2,325,000	
- Quetzal Gardens Commercial Space				\$1,000,000	\$1,000,000			
Funding for Acquisition/Rehabilitation							\$5,000,000	
Funding for Land Acquisition							\$10,000,000	
<b>Fund Ending Balance</b>					\$30,595,489		\$0	
<b>Funding for Rental and For-Sale Housing for Moderate-Income Households</b>	\$ 5,020,140	\$3,800,000	5%	\$600,000	\$4,400,000	\$9,420,140	\$3,087,500	\$0
<b>Fund Beginning Balance</b>		\$8,820,140			\$9,420,140		\$12,507,640	
Funding for the Development of Moderate-Income For-sale Households.		\$3,800,000		(\$3,800,000)			\$8,707,640	
Funding for Accessory Dwelling Unit Program		\$3,800,000		(\$3,800,000)	\$0	\$3,800,000	\$3,800,000	
<b>Fund Ending Balance</b>					\$9,420,140		\$0	
<b>Funding for Homeless Prevention and Rental Assistance</b>	\$ 2,241,046	\$3,800,000	10%	\$5,000,000	\$8,800,000	\$4,766,046	\$6,175,000	\$0
<b>Fund Beginning Balance</b>		\$6,041,046			\$11,041,046		\$10,941,046	
Homeless Prevention and Rental Assistance		\$3,200,000		\$475,000	\$3,675,000		\$7,226,046	
Funding for Community Based Organizations and Nonprofits Serving Victims of Domestic Violence		\$600,000		\$0	\$600,000		\$600,000	
Student Housing							\$115,000	
Rental Assistance and Case Management for Encampment Residents		\$0		\$2,000,000	\$2,000,000		\$3,000,000	
<b>Fund Ending Balance</b>					\$4,766,046		\$0	
<b>Funding for Homeless Support Programs</b>	0	\$0	15%	\$13,200,000	\$13,200,000	\$13,200,000	\$9,262,500	\$22,462,500
<b>Fund Beginning Balance</b>	\$ -	\$0			\$13,200,000		\$22,462,500	
Reserve for Emergency Interim Housing Operations				\$0	\$0	\$13,200,000	\$22,462,500	\$22,462,500
<b>Fund Ending Balance</b>					\$13,200,000		\$22,462,500	
<b>Total Funds Allocated</b>	\$ 45,181,258	\$38,000,000			\$88,000,000		\$61,750,000	
<b>Administration Fee</b>	\$ -	\$2,000,000	5%	\$0	\$2,000,000	-	\$3,250,000	
Administrative Costs					\$2,000,000		\$3,250,000	
<b>Measure E Total Available</b>		\$40,000,000			\$90,000,000		\$65,000,000	

Proposed Spending Priority Category Descriptions		
Existing Spending Priority Language	Proposed Spending Priority Language	Proposed Uses of Funds
Permanent Supportive and Affordable Rental Housing for Extremely Low-Income Households	<b>Creation of New Affordable Housing for Extremely Low-Income Households</b>	Predevelopment, acquisition, construction, operating costs and reserves, and permanent financing for new construction, acquisition/rehabilitation, or preservation developments serving extremely low-income households for newly restricted for-sale and rental housing for a minimum of 20 years, and limited funding for neighborhood serving commercial space for households up to 30% of the Area Median Income. For-sale activities can include but are not limited to forgivable loans, downpayment assistance, first-time homeownership opportunities, sites under land trusts and shared-equity programs. Case management activity may be funded when it is used to support the creation of extremely low-income units.
Affordable Rental Housing for Low-Income Households	<b>Creation of New Affordable Housing for Low-Income Households</b>	Predevelopment, acquisition, construction, operating costs and reserves, and permanent financing for new construction, acquisition/rehabilitation, or preservation developments serving low-income households for newly restricted for-sale and rental housing for a minimum of 20 years, and limited funding for neighborhood serving commercial space for households up to 80% of the Area Median Income. For-sale activities can include but are not limited to forgivable loans, downpayment assistance, first-time homeownership opportunities, sites under land trusts and shared-equity programs. Case management activity may be funded when it is used to support the creation of low-income units.
For-Sale and Moderate-Income Rental Housing Households	<b>Creation of New Affordable Housing for Moderate-Income Households</b>	Predevelopment, acquisition, construction, operating costs and reserves, and permanent financing for new construction, acquisition/rehabilitation or preservation developments serving moderate-income households for newly restricted for-sale and rental housing for a minimum of 20 years, and limited funding for neighborhood serving commercial space for households up to 120% of the Area Median Income. Financing may also include funding rent-restricted Accessory Dwelling Units. For-sale activities can include but are not limited to forgivable loans, downpayment assistance, first-time homeownership opportunities, sites under land trusts and shared-equity programs.
Homelessness Prevention and Rental Assistance	<b>Homelessness Prevention and Rental Assistance</b>	Programs and services targeting people who are homeless or at-risk of becoming homeless including homeless prevention, gender-based violence programs, legal services, and rental assistance. Case management services may be funded if directly supporting these activities.
N/A	<i>New Category:</i> <b>Homeless Support Programs Including Shelter Construction and Operations</b>	Programs and services targeting people who are homeless or at-risk of becoming homeless including but not limited to case management, outreach teams, encampment services, safe parking, employment and training programs, homeless shelters, and interim housing construction and operations.

<b>Results of the Decemer 2021 NOFA</b>				
<b>Development Name</b>	<b>Amount of Funds Requested</b>	<b>ELI Funds Requested</b>	<b>LI Funds Requested</b>	<b>MI Funds Requested</b>
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