

**ATTACHMENT A**  
**City of San José Substantial Amendments to the**  
**2015-20 Consolidated Plan and 2019-20 Annual Action Plan**

The following is a summary and draft language that amends the 2015-20 Consolidated Plan and 2019-20 Annual Action Plan.

**Background**

The City of San José’s federal Consolidated Plan details the funding strategy for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnership, and Housing Opportunities for Persons with AIDS (HOPWA) for the period between 2015 and 2020. The Annual Action Plan details each year within the 5-year Consolidated Plan and outlines the implementation of annual funding, which is developed through significant public input, analyses, and planning.

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

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

However, due to COVID-19, the United States Department of Housing and Urban Development (HUD) has issued guidance that waives the Citizen Participation Plan 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.

Additionally, HUD has awarded supplemental funding through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) that requires programming in the 2019-20 Annual Action Plan.

**Proposed Substantial Amendments**

The City is proposing the following amendment to the 2015-20 Consolidated Plan in order to add an eligible activity that was not previously identified:

1. Add Job Retention as an eligible activity under the Community Development Block Grant (CDBG) Community Development Investment (CDI) category;

The City is proposing the following amendment to the 2019-2020 Annual Action Plan in order to reallocate current program funds from projects/activities that did not expend the

projected funds within the fiscal year, as well as supplemental funding established by the CARES Act.

2. Add Job Retention as an eligible activity under the Community Development Block Grant (CDBG) Community Development Investment (CDI) category;
3. Allocate CDBG CDI funding for emergency job creation and retention loans to microenterprises in the amount of \$2,500,000 to the Opportunity Fund;
4. Award \$1,200,000 of CDBG Public Services funding for City food services to Loaves and Fishes;
5. Allocate \$2,000,000 of CDBG Public Services category funding for emergency hotel/motel vouchers for families to LifeMoves;
6. Allocate \$519,000 of CDBG CDI funding to fund operations costs for emergency shelters established by the City;
7. Reduce CDBG Public Services category funding to the San José Housing Rights Consortium (Consortium) to provide Legal Services for Low-income Tenants by \$125,000, from \$500,000 to \$375,000;
8. Increase CDBG CDI funding to Rebuilding Together Silicon Valley to provide the Emergency and Minor Repair Program for single family homes by \$400,000, from \$1,650,000 to \$2,050,000;
9. Reduce CDBG CDI funding for Code Enforcement to provide enhanced code enforcement services by \$404,074, from \$1,102,037 to \$697,693;
10. Program and authorize \$5,263,414 in CDBG funding made available by the Coronavirus Aid, Relief, and Economic Security Act (CARES) to provide emergency shelter costs, hotel/motel vouchers, and COVID-related staffing costs;
11. Program and authorize \$2,683,479 in Emergency Solutions Grant (ESG) funding made available by the CARES Act to provide emergency shelter costs, rapid rehousing services including hotel/motel vouchers, homelessness prevention services, and COVID-related staffing costs; and
12. Program and authorize \$209,618 in Housing Opportunities for Persons with AIDS (HOPWA) funding made available by the CARES Act to the Health Trust to provide additional housing assistance to people living with HIV/AIDS.

### **Analysis**

This proposal qualifies as a substantial amendment because it meets all three criteria:

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

Changes to the 2019-20 Annual Action Plan are primarily a result of:

1. The reprogramming of \$525,000 of CDBG funds that were not expended.

2. The reallocation of \$6,219,000 of FY 19-20 CDBG Funds from the acquisition and rehabilitation category.
3. Programming \$5,263,414 in CDBG funding made available by the CARES Act.
4. Programming \$2,683,479 in Emergency Solutions Grant (ESG) funding made available by the CARES Act.
5. Programming \$209,618 in Housing Opportunities for Persons with AIDS (HOPWA) funding made available by the CARES Act.

**Public Process**

The City of San José is providing notice of a five-day public comment period as part of the HUD public participation exemption process. Additionally, one public hearing will be held to provide opportunities for public comment:

- April 21, 2020 - City Council consideration of Substantial Amendments adoption, 1:30pm, Virtual Meeting, which can be found here: <https://www.sanjoseca.gov/news-stories/watch-a-meeting>
- (Please review Council Meeting [agenda](#) when available to confirm item number)

You can also view the documents on our [website](#).

Comments may also be provided to Robert Lopez by email ([Robert.Lopez@sanjoseca.gov](mailto:Robert.Lopez@sanjoseca.gov)), phone (408-975-4402), or in writing addressed to:

City of San José Housing Department  
200 E. Santa Clara Street, 12<sup>th</sup> Floor  
ATTN: Grants Management  
San José, CA 95113

1. On page 48 of the approved 2019-2020 Annual Action Plan, amend the estimated CDBG, ESG, and HOPWA Activities in section AP-38 Project Summary, as follows (**additions** or **deletions**):

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

	<b>Project Name</b>	<b>Target Area</b>	<b>Needs Addressed</b>	<b>Funding</b>	<b>GOI</b>
1	Senior Services	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> </ul>	CDBG: \$200,000	200 persons assisted
2	Neighborhood Engagement	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> </ul>	CDBG: \$200,000	250 persons assisted
3	Legal Services for LI Tenants	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> </ul>	CDBG: <del>\$500,000</del> \$375,000	300 persons assisted
4	Job Training for Unhoused Individuals	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> <li>Homelessness</li> </ul>	CDBG: \$500,000	10 Jobs created
5	Place Based Street and Infrastructure Enhancements	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> </ul>	CDBG: \$2,410,000	1,000 persons assisted
6	Targeted Code Enforcement	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> </ul>	CDBG: <del>\$1,102,037</del> \$697,693	<del>775</del> 700 housing units
7	Minor Home Repair Program	N/A	<ul style="list-style-type: none"> <li>Strengthening Neighborhoods</li> </ul>	CDBG: <del>\$1,650,000</del> \$2,050,000	<del>300</del> 325 housing units
8	HOPWA – The Health Trust	N/A	<ul style="list-style-type: none"> <li>Affordable Housing</li> </ul>	HOPWA: \$1,190,410	105 persons assisted
9	HOPWA – San Benito County	N/A	<ul style="list-style-type: none"> <li>Affordable Housing</li> </ul>	HOPWA: \$50,000	5 persons assisted
10	Rental Housing Development	N/A	<ul style="list-style-type: none"> <li>Affordable Housing</li> </ul>	HOME: \$10,139,416 CHDO: \$485,872	50 housing units
11	HOME TBRA	N/A	<ul style="list-style-type: none"> <li>Homelessness</li> </ul>	HOME: \$2,252,235	100 persons assisted
12	Services for Homeless and Unhoused Populations (CDBG)	N/A	<ul style="list-style-type: none"> <li>Homelessness</li> </ul>	CDBG: \$388,490	160 persons assisted 800 outreach contacts
13	Homeless Services (ESG18 City of San José)	N/A	<ul style="list-style-type: none"> <li>Homelessness</li> </ul>	ESG: \$757,502	150 persons assisted 700 outreach

					contacts
14	Fair Housing	N/A	• Fair Housing	CDBG: \$318,896 HOME: \$81,104	220 persons assisted
15	Acquisition, rehabilitation, and infrastructure for affordable housing sites and public facilities	N/A	• N/A	CDBG: \$6,720,000 \$505,000	N/A
16	CDBG Administration and Monitoring	N/A	• N/A	CDBG: \$1,632,424	N/A
17	HOME Administration and Monitoring	N/A	• N/A	HOME: \$242,810	N/A
18	HOPWA Administration and Monitoring	N/A	• N/A	HOPWA: \$38,363	N/A
19	City Food Services – COVID-19	N/A	• Strengthening Neighborhoods	CDBG: \$1,200,000	77,580
20	Job Creation and Retention Small Business Loans – COVID-19	N/A	• Strengthening Neighborhoods	CDBG: \$2,500,000	250
21	Emergency Hotel/Motel Vouchers – COVID-19	N/A	• Homelessness	CDBG: \$2,000,000	TBD
22	Emergency Homeless Shelter Operations – COVID-19	N/A	• Homelessness	CDBG: \$515,000	TBD
23	CDBG-CARES (2019)	N/A	• Homelessness	CDBG: \$4,210,732	TBD
24	ESG- CARES (2019)	N/A	• Homelessness	ESG: \$2,683,479	TBD
25	HOPWA- CARES (2019)	N/A	• Affordable Housing	HOPWA: \$188,657	TBD
26	CDBG- CARES Administration and Monitoring	N/A	• N/A	CDBG: \$1,052,682	N/A
27	HOPWA- CARES Administration and Monitoring	N/A	• N/A	HOPWA: \$20,961	N/A

<b>3</b>	<b>Project Name</b>	Legal Services for LI Tenants and Landlords
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Strengthening Neighborhoods
	<b>Needs Addressed</b>	Strengthening Neighborhoods
	<b>Funding</b>	CDBG: \$500,000 <del>\$375,000</del>
	<b>Description</b>	The goal of the Legal Services for LI Tenants is to increase housing stability by providing landlord/tenant counseling, education, referrals, and legal assistance to tenants facing unlawful evictions or other landlord/tenant issues. These services will include additional outreach and education to low income tenants Citywide.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	300 low-income tenants and landlords
	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	Law Foundation of Silicon Valley - Consortium

<b>6</b>	<b>Project Name</b>	Targeted Code Enforcement
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Strengthening Neighborhoods
	<b>Needs Addressed</b>	Strengthening Neighborhoods
	<b>Funding</b>	CDBG: \$1,102,037 <del>\$702,037</del>
	<b>Description</b>	Code Enforcement activities will be conducted in low-income, residential neighborhoods that meet the City's definition of "Deteriorated/Deteriorating Areas". Code Enforcement's focus will be primarily on the inspections of multi-family units.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	<del>775</del> 700 households in place-based neighborhoods
	<b>Location Description</b>	Santee, Mayfair, Five Wounds/Brookwood Terrace, and additional hotspots identified through the Mayor's Gang Prevention Task Force
	<b>Planned Activities</b>	Place-based Code Enforcement

7	<b>Project Name</b>	Minor Home Repair Program
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Strengthening Neighborhoods
	<b>Needs Addressed</b>	Strengthening Neighborhoods
	<b>Funding</b>	CDBG: \$1,650,000 <del>\$2,050,000</del>
	<b>Description</b>	<p>This program will repair housing units to address immediate health and safety needs for extremely low-income homeowners in San José. The focus of repairs will address emergency and critical repair needs, as well as accessibility and mobility needs within the home.</p> <p>The program also includes funding for limited rehabilitation to address more substantial safety issues in the home to ensure safe, affordable, decent living environment for the occupants.</p>
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	<del>250</del> 325 extremely low-income homeowners
	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	Rebuilding Together Habitat for Humanity

15	<b>Project Name</b>	Acquisition, Rehabilitation, and Infrastructure for Affordable Housing Sites and Public Facilities
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Affordable Housing and Strengthen Neighborhoods
	<b>Needs Addressed</b>	Affordable Housing and Strengthen Neighborhoods
	<b>Funding</b>	CDBG: \$6,720,000 <del>\$505,000</del>
	<b>Description</b>	CDBG funds will be used to support the acquisition, rehabilitation, and infrastructure for affordable housing sites and public facilities.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A
	<b>Location Description</b>	N/A
	<b>Planned Activities</b>	TBD

<b>19</b>	<b>Project Name</b>	City Food Services – COVID-19
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Strengthening Neighborhoods
	<b>Needs Addressed</b>	Strengthening Neighborhoods
	<b>Funding</b>	CDBG: \$1,200,000
	<b>Description</b>	This project will fund Loaves and Fishes Consortium to prepare and deliver food/meals throughout the City to its most vulnerable populations: homeless, disabled, seniors, and low-income individuals and families.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	77,750 people who are homeless, disabled, seniors, and low-income individuals and families will receive 180,500 meals
	<b>Location Description</b>	Citywide (service locations vary)
<b>Planned Activities</b>	Loaves and Fishes Consortium (includes The Health Trust Meals on Wheels and Martha’s Kitchen)	

<b>20</b>	<b>Project Name</b>	Job Creation and Retention Small Business Loans – COVID-19
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Strengthening Neighborhoods and/or Respond to Homelessness and Its Impacts on the Community
	<b>Needs Addressed</b>	Strengthening Neighborhoods and/or Respond to Homelessness and Its Impacts on the Community
	<b>Funding</b>	CDBG: \$2,500,000
	<b>Description</b>	The program will support San José microenterprises (small businesses of 5 or fewer FTEs owned by low-income owner) in the form of low-interest loans for working capital and business restarting to retain and/or create jobs during and after the COVID-19 crisis. The Opportunity Fund will be the subrecipient of CDBG funds and will operate the loan program.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	250 low-income jobs retained and/or created in first round of loans made
	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	Opportunity Fund – Microenterprise Loans for Job Retention and/or Creation

<b>21</b>	<b>Project Name</b>	Emergency Hotel/Motel Vouchers – COVID-19 (CDBG)
	<b>Target Area</b>	N/A

	<b>Goals Supported</b>	Homelessness
	<b>Needs Addressed</b>	Homelessness
	<b>Funding</b>	CDBG: \$2,000,000
	<b>Description</b>	The City is utilizing CDBG to fund LifeMoves to provide emergency hotel/motel vouchers to homeless individuals and families to prevent the spread of COVID-19.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Homeless individuals and families will be provided with emergency hotel/motel vouchers stays to prevent the spread of COVID-19.
	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	LifeMoves – Emergency hotel/motel vouchers

22	<b>Project Name</b>	Emergency Homeless Shelter Operations – COVID-19 (CDBG)
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Homelessness
	<b>Needs Addressed</b>	Homelessness
	<b>Funding</b>	CDBG: \$519,000
	<b>Description</b>	The City will utilize CDBG funds to support Emergency Homeless Shelter Operation and creation to prevent the spread of COVID-19.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	TBD
	<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Emergency Homeless Shelter Operations and Creation	

23	<b>Project Name</b>	CDBG-CARES (2019)
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Homelessness
	<b>Needs Addressed</b>	Homelessness
	<b>Funding</b>	CDBG: \$4,210,732
	<b>Description</b>	The City will utilize CDBG-CARES funds to support Emergency Homeless Shelter costs to prevent the spread of COVID-19.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	TBD

	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	Emergency Homeless Shelter Operations and Creation

24	<b>Project Name</b>	ESG-CARES (2019)
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Homelessness
	<b>Needs Addressed</b>	Homelessness
	<b>Funding</b>	ESG: \$2,683,479
	<b>Description</b>	<p>The City will utilize ESG funds to support Emergency Shelter Operation and creation to prevent the spread of COVID-19.</p> <p>The Homeless Prevention program will utilize an integrated approach to provide case management services, deposit/rental assistance, and other eligible services as needed to keep individuals and families from experiencing homelessness due to the COVID-19 emergency.</p> <p>ESG funds will be used to support the administration of the ESG program by the City's Housing Department. Funds may also be used for shelter and rapid rehousing activities.</p> <p><u>ESG Allocations by Component</u>  Homeless Prevention and Shelter: \$2,415,132  Administration: \$268,347 (10%)</p>
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	TBD
	<b>Location Description</b>	Citywide
	<b>Planned Activities</b>	<ul style="list-style-type: none"> <li>• Homeless Prevention</li> <li>• Emergency Shelter Operations and Creation</li> <li>• Administration</li> <li>• Funds may also be used for rapid rehousing activities.</li> </ul>

25	<b>Project Name</b>	HOPWA –CARES – The Health Trust
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	Affordable Housing
	<b>Needs Addressed</b>	Affordable Housing
	<b>Funding</b>	HOPWA: \$188,657
	<b>Description</b>	<p>The program will provide additional support to clients affected by COVID-19 and can include rent subsidies, permanent housing placement assistance, and supportive services to help low-income residents living with HIV/AIDS secure and maintain housing. Housing placement assistance includes working with an placement specialist and receiving security deposit assistance.</p>

		Supportive services include medical and housing case management and self-sufficiency services.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	90 low-income individuals living with HIV/AIDS
	<b>Location Description</b>	Santa Clara County
	<b>Planned Activities</b>	<ul style="list-style-type: none"> <li>• Supportive Services</li> <li>• TBRA</li> <li>• Permanent Supportive Housing</li> <li>• Administration</li> </ul>

<b>26</b>	<b>Project Name</b>	CDBG-CARES Administration and Monitoring
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	N/A
	<b>Needs Addressed</b>	N/A
	<b>Funding</b>	CDBG: \$1,052,682
	<b>Description</b>	A portion of the CDBG-CARES grant allocation will be used for reasonable planning and administrative costs associated with the administration of the CDBG funds and other related federal requirements. Administration funds will support oversight activities of the Housing Department, legal services from the City Attorney's Office, and environmental reviews. Funds may also be used to support the development of COVID-19 response plans.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	N/A
	<b>Location Description</b>	200 E. Santa Clara Street San José, CA 95113
<b>Planned Activities</b>	CDBG Planning and Administration	

<b>27</b>	<b>Project Name</b>	HOPWA-CARES Administration and Monitoring
	<b>Target Area</b>	N/A
	<b>Goals Supported</b>	N/A
	<b>Needs Addressed</b>	N/A
	<b>Funding</b>	HOPWA: \$20,961
	<b>Description</b>	The City will allocate \$20,961 (approximately 10 percent of the entitlement grant) to administrative costs associated with managing with the HOPWA-CARES grant.
	<b>Target Date</b>	06/30/2020
	<b>Estimate the number</b>	N/A

	<b>and type of families that will benefit from the proposed activities</b>	
	<b>Location Description</b>	200 E. Santa Clara Street San José, CA 95113
	<b>Planned Activities</b>	HOPWA Administration

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