

Attachment List for Item #1

Hold a Public Hearing and Consider Approval of the Community Development Block Grant (CDBG) Funding Allocations for FY 2014-15, Adopt the One-Year Action Plan and Amendments to CDBG Citizen Participation Plan (Staff Contact: Felix Reliford, 408-586-3071)

Attachments:

- A. March 5, 2014 Community Advisory Commission (CAC) Minutes**
- B. CAC Funding Recommendations**
- C. Draft Action Plan**
- D. Amendments to Citizen Participation Plan**

MEETING MINUTES

A

MILPITAS COMMUNITY ADVISORY COMMISSION Milpitas City Hall – Committee Conference Room Wednesday, March 5, 2014

- I. **Pledge of Allegiance** – Chair Beard called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. **Roll Call** - Present: Chair Beard, Vice Chair Batilo, Commissioners Leon, Maglalang, Manassau, Mohsin, Rosario, Councilmember Gomez

Alternate Commissioners Present: Holland, Truong

Absent: Andres, Do
- III. **Seating of Alternates** – Alternate Commissioner Truong seated for voting.
- IV. **Approval of Agenda** – Commissioner Rosario motioned, and Commissioner Leon seconded, for approval of the Agenda. Motion carried unanimously to approve the agenda as submitted.
- V. **Approval of Minutes – Minutes of February 5, 2014** – Commissioner Mohsin motioned, and Commissioner Rosario seconded, for approval of the meeting minutes. Motion carried unanimously.
- VI. **Public Forum** – No items
- VII. **Announcements** – Felix Reliford, Principal Housing Planner, introduced Secretary Elia Escobar who was present at the Commission meeting to assist with the CDBG item and record the meeting minutes.
- VIII. **Liaison Report** – Councilmember Gomez thanked the Commissioners for their time and effort on the Tree Planting event and commented that Chair Beard has restructured the Commission to be one that gives back to the community.
- IX. **Commissioners' Round Table** – No items
- X. **New Business:**
 - A. Community Development Block Grant (CDBG) Applications for FY2014-15**

The Commission conducted an annual review of CDBG funding applications for FY 2014-15. There were 15 eligible applications received, 12 for public services and 3 for non-public services.

Commissioner Truong motioned, and Commissioner Batilo seconded, to open the public hearing. Staff Liaison Felix Reliford explained the process of allocating funds and representatives from 14 agencies gave short presentations about their organizations and the services they provide.

 1. Catholic Charities of Santa Clara County – Wanda Hale, Project Manager
They serve all of Santa Clara County and every year the demand for their services grows.
 2. Child Advocates of Silicon Valley – Karen Scussel, Executive Director

She presented a handout. 32 of the children they currently serve are based in Milpitas but this is the first time they have applied for Milpitas CDBG funds.

3. City of Milpitas Recreation Services Assistance Program – Stephanie Douglas, Recreation Supervisor
Ms. Douglas provided an activity guide and said that the CDBG funds provide subsidies for their programs.
4. Emergency Housing Consortium – Hilary Barroga, Chief Program Officer
EHC serves homeless and at-risk individuals throughout Santa Clara County. They are requesting funds for 20 Milpitas residents in their San Jose location.
5. The Health Trust – Teresa Johnson, Director of Meals on Wheels
They provide meals, social interaction and welfare checks.
6. Live Oak Adult Day Services – Colleen Hudgen, Executive Director
Ms. Hudgen provided a handout. They provide specialized adult day care programs for frail, at-risk, low income seniors.
7. Milpitas Food Pantry – Karen Kolander, Director
80% of the people served there are Milpitas residents.
8. Milpitas USD Milpitas Family Literacy Project – Linda Lambert, Coordinator
Ms. Lambert showed a video presentation. These funds would provide their services for 35-40 Milpitas families.
9. Next Door Solutions – Kathleen Krenek, Executive Director
They served 68 persons last year from Milpitas and expect to serve about 95 this year.
10. Project Sentinel – Ann Marquart, Executive Director
\$10,000 is allocated for them from general CDBG administration, they are asking for an additional \$15,000.
11. Senior Adult League Assistance (SALA) – Georgia Bacil, Directing Attorney
The target age for their clients is 60 and over, and this is the only program county-wide that provides services at Barbara Lee Senior Center.
12. YWCA Domestic Violence Department – Susan Cortopassi, Grant Writer
They provide essential domestic violence services including a 24-hour toll free bilingual crisis hotline.
13. Rebuilding Together Silicon Valley – Beverley Jackson, Executive Director
They provide repairs and home improvements for very low income homeowners and over 14,000 volunteer hours annually.
14. Terrace Gardens Senior Housing – Cody Glossop, Regional Manager
They are seeking funds for modernization of three aging elevators.

There was no representative present from the San Jose Conservation Corps.

Commissioner Mohsin motioned, and Commissioner Leon seconded, to close the public hearing. The Commission took a 15 minute break to deliberate.

Upon return, Staff Liaison Reliford stated that Live Oak Adult Day Services and Milpitas Unified School District allocations did not add up to the minimum of \$5,000 per City Council's

policy to provide at least \$5,000 each. Commissioner Leon commented that some of the agencies are funded through 100% donations and he believes the Family Literacy Program funding may be offset by the State. He also said that the program is important but there are some going without food on their tables and that is a priority. He feels Live Oak Adult Day Services are not easily accessible. Commissioner Leon said there is a large need to support the local community.

Chair Beard agreed that funds should stay within Milpitas but recommended funding each for \$5,000 this year and suggested discussing alternate ways to allocate funds at an upcoming commission meeting. Commissioner Leon agreed but wants to establish a process to help make a more educated decision based on services and the number of residents they are serving, along with what resources are available to these groups as some rely solely on the City of Milpitas. Commissioner Leon updated his tally sheet.

Commissioner Mohsin commented that \$5,000 does not seem like a valuable amount. Commissioner Maglalang said that the \$5,000 minimum is a problem and wondered if the minimum amount could range from \$4,000 - \$5,000. Chair Beard answered that with the amount of work to audit she feels that \$5,000 is the minimum to make it worthwhile for both staff and the organizations.

Councilmember Gomez stated that the City Council does look for advice from the CAC and believes they should have this discussion. He encourages other groups to apply and said they could possibly add additional funding.

Vice Chair motioned, and Commissioner Leon seconded, to ask the City Council to consider giving an additional \$15,000 from the City's Housing Authority for Project Sentinel with the condition that they include outreach in various languages.

Commissioner Leon motioned, and Commissioner Mohsin seconded, to ask the City Council to provide additional funding for the Milpitas Food Pantry to match their funding request of \$25,000.

Commissioner Mohsin motioned, and Commissioner Manassau seconded, to request that the City Council consider deleting the policy of a minimum of \$5,000 for all service providers.

Commissioner Mohsin motioned, and Vice Chair Batilo seconded, to accept the tally amounts for Public Services and forward the recommendations to City Council. Commissioner Leon abstained.

Commissioner Mohsin motioned, and Commissioner Maglalang seconded, to accept the tally amounts for Non-Public Services and forward the recommendations to City Council.

B. Review of CAC Tree Planting Event on February 15, 2014

Chair Beard discussed next steps for the tree planting event, including her desire to send thank you letters. She requested volunteers for the data entry and Commissioner Leon volunteered. Alternate member Holland is already looking at other sites and grants, and Chair Beard said that the CAC needs funding first before proceeding.

Commissioner Maglalang suggested that the CAC concentrate tree plantings at boundary/perimeter streets and identify which boundary streets have existing water lines, outlets or the possibility of installing water lines to and from outlets. They should also assess the feasibility of lining up new water lines coming from recycled or regular water. He would also like the CAC to schedule a weekly tree planting from the rest of this Spring season until Spring 2015.

Commissioner Maglalang would like to share tree planting news, via Facebook or website, so that volunteers will have access to updates, announcements and a schedule of events. Staff Liaison Reliford to check if the city will allow it.

Commissioner Maglalang would like the CAC to prepare an annual budget and submit to City Council for approval, continue the search for grants, follow up on letters of solicitations to Milpitas businesses, and report on these items at a future meeting.

XI. Unfinished Business – No items

XII. Adjournment – The meeting was adjourned at 9:30 pm to the next meeting of April 2, 2014.

CDBG FY 2014-15 CAC TALLY SHEET AND ADDITIONAL FUNDING ALLOCATION (\$19,810)

PUBLIC SERVICES

B

	Beard	Batilo	Truong	Leon	Manassau	Maglalang	Mohsin	Rosario	Average	RECOM.
1 Catholic Charities LTCOP	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
2 Child Advocates of Silicon Valley	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
3 City of Milpitas Recreation Services Assistance Program	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
4 Emergency Housing Consortium	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
5 The Health Trust	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
6 Live Oak Adult Day Services	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
7 Milpitas Food Pantry	6,347.00	6,347.00	6,347.00	6,347.00	6,347.00	6,347.00	6,347.00	6,347.00	6,347.00	
8 Milpitas USD, Milpitas Family Literacy Project	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
9 Next Door Solutions to Domestic Violence	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
10 Project Sentinel***									0.00	
11 Senior Adults Legal Assistance (SALA)	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
12 YWCA Domestic Violence Dept	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	
TOTALS	56,347.00									

Public Services: CAC recommendation Milpitas Food Pantry (**\$6,347**). Staff recommended increase funding (\$2,971.40). Total Funding: \$9,318.40

Total Public Services Funding: CAC recommenmdation (**\$56,347**). CDBG additional funding (\$2,971.40). Total Public Services: \$59,318.40

Total Program Administration: \$79,091.20 (including \$3,962.20 increased allocation funding)

Note: HUD increased allocation by \$19,810 since CAC Meeting

CDBG FY 2014-15 CAC TALLY SHEET AND ADDITIONAL ALLOACTION (\$19,810)

NON-PUBLIC SERVICES

B

		Beard	Batilo	Truong	Leon	Manassau	Maglalang	Mohsin	Rosario	Average	RECOM.
13	Rebuilding Together Silicon Valley	75,000.00	95,000.00	95,000.00	100,000.00	75,000.00	85,000.00	105,000.00	75,000.00	88,125.00	
14	San Jose Conservation Corps	50,000.00	30,000.00	30,000.00		50,000.00	40,000.00		50,000.00	31,250.00	
15	Terrace Gardens Senior Housing Inc	119,170.00	119,170.00	119,170.00	144,170.00	119,170.00	119,170.00	139,170.00	119,170.00	124,795.00	
	TOTALS	244,170.00	244,170.00	244,170.00	244,170.00	244,170.00	244,170.00	244,170.00	244,170.00	244,170.00	

Non-Public Services: CAC recommendation Rebuilding Together **(\$88,125)**. Staff recommended increase funding (\$6,438.20). Total funding: \$94,563.20

Non-Public Services: CAC recommendation Terrace Gardens **(\$124,795)**. Staff recommended increase funding (\$6,438.20). Total funding: \$131,233.20

Total Non-Public Services Funding: CAC recommendation **(\$244,147)**. CDBG additional funding (\$12,876.40). Total Non-Public Services Funding: \$257,046.40

Note: HUD increased allocation by \$19,810 since CAC Meeting

City of Milpitas

Draft Action Plan

March 21, 2014 – April 21, 2014



**COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG)**

City of Milpitas
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Block Grant (CDBG)
2014-2015

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Executive Summary of Milpitas Community Development Block Grant Program (2014-2015)

The City of Milpitas anticipates that it will be receiving approximately **\$395,456** in Community Development Block Grant (CDBG) funds in fiscal year 2014-2015. A total of **\$59,318.40** will be allocated to potentially **12 different public service providers**. These public services include a various programs such as: 1) domestic violence, 2) senior legal aid, 3) supplemental supplies of food, 4) homeless shelter and support services, 5) recreational assistance programs, 6) youth and senior services, 8) long-term care ombudsman services for seniors in care facilities, 9) adult day care services, and 10) fair housing services.

With regards to non-public service activities, Milpitas will allocate a total of **\$257,046.40** to potentially **3 different non-public service providers**, these services will include: 1) funding to replace emergency generator and resident stoves for Terrace Gardens Senior Housing, 2) Milpitas Single-Family and Multi-Family Rehabilitation Program, 3) safety and accessibility repairs for very low income seniors and homeowners and 4) funding for weatherization and energy efficient rehabilitation. In additional, **\$301,521.24** will be allocated from the Revolving Loan Fund for Housing Rehabilitation and Administration (which includes \$1,521.24 of unspent reallocated funds from 2014). The Milpitas City Council approval also included consolidating prior years Housing Rehabilitation Loan Program funds into one project.

With the addition of **\$50,000** of expected Program Income from the Single-Family Rehabilitation Loan Program Milpitas will be spending approximately **\$746,977.24** on public and non-public services (including **Program Administration \$79,091.20** in which \$10,000 will be used for Fair Housing Services).

The 30-day public review period on the Milpitas Action Plan will be March 21 to April 21, 2014. Milpitas Citizens Advisory Committee held a public hearing on the CDBG funding on March 5 2014 and will forward its recommendation to Milpitas City Council. The Milpitas City Council will hold a public hearing on the CDBG funding, Action Plan and Amendment to the Citizen Participation Plan for adoption **on May 6, 2014**.

Community Development Block Grant funds will be provided to all segments of Milpitas population including geographical areas with high minority concentration within the community.

Certification of Discharge Policy

The City of Milpitas will be working with the State of California Department of Corrections and County of Santa Clara Department of Corrections to establish a comprehensive policy and strategy for the housing and placement of offenders in the community. The Discharge Placement Policy seeks to provide direct help and assist for the placement of prisoners released from jails, hospitals, and other facilities in order to prevent homelessness.

NOTE: SINCE THE CAC MEETING ON MARCH 5, 2014, HUD HAS REVISED CDBG ALLOCATION FOR CITY OF MILPITAS FROM \$375,646 TO \$395,456. INCREASE OF \$19,810. (\$2,971.40 INCREASE PS, \$12,876.40 NON-PS, AND \$3,962.20 PROGRAM ADMIN.)

City of Milpitas
Community Development Block Grant (CDBG) Annual Action Plan
(FISCAL YEAR 2014-2015)

Pursuant to the Department of Housing and Urban Development (HUD) funding requirements and in conformance with 24 CFR Part 91-Consolidated Submission for Community Planning and Development Programs, City of Milpitas has prepared and will be adopting its 2014-2015 Action Plan. The Action Plan is submitted annually and describes the eligible programs, projects and activities to be undertaken with funds that are expected to be made available during the Fiscal-Year 2014-2015 and their relationship to the City's priorities for housing, homelessness and community development needs.

In August 2012, City of Milpitas submitted its Five-Year Consolidated Plan (2012-2017) to HUD. The Milpitas Consolidated Plan has been reviewed and approved by HUD. The Consolidated Plan identifies the long-term goals and objectives achieved and consistent with the annual Action Plan Report. Included with the submission of the Action Plan is the Standard Form 424, Proposed Projects and Certifications as required the by Community Development Block Grant (CDBG) Program regulations. The goals and objectives identified in the Milpitas Action Plan are in full compliance with the approved and adopted policies and procedures outlined in the Milpitas CDBG Citizen Participation Plan.

The City of Milpitas General Plan Housing Element (2009-2014) was previously certified by State of California Department of Housing and Community Development (HCD) in September 2010. The updated Housing Element (2014-2022) will be submitted to HCD by December 2014.

Response and Comments on the Milpitas Draft Action Plan

Any comments on the City of Milpitas Draft Action Plan should be sent to the following address before April 15, 2013 (all mail must be postmark by this date):

Felix J. Reliford, Principal Housing Planner
City of Milpitas-Planning and Neighborhood Services
455 E. Calaveras Blvd.
Milpitas, CA 95035
E-mail address: freliford@ci.milpitas.ca.gov
(408) 586-3071

Part I: Resources

Milpitas will to continue to pursue and encourage local non-profit housing and support service agencies to pursue all available public and private funding to achieve the Consolidated Plan goals.

It is expected that funding from a combination of federal, state, and local sources will be used to pursue the majority of the identified public services and housing strategies. Milpitas will also encourage non-profit entities to work with financial institutions and develop plans for leveraging private and public funds to the maximum extent possible considering the specific project involved. Funding resources will be coordinated and leveraged whenever possible to maximize their potential.

Before awarding funds for projects to be carried out by other entities, Milpitas will review the project-financing plan to ensure that all agencies are utilizing all available funding and are leveraging funds to the maximum extent possible. Milpitas will not adhere to any specific matching requirements for use of the City CDBG funds. Milpitas will continue to require organizations to make the maximum effort to match City's funds through other public and private sources on a minimum one to one ratio (whenever possible).

Where this matching standard is not achieved, the non-profit organization will be required to provide a detailed listing of the resources pursued and the reasons and rationale for the lack of matching funds. Milpitas CDBG funds will only be awarded for a project, if Milpitas determines the non-profit entity pursued all available resources for the project and due to the nature of the project, the matching standard could not be achieved.

The following sections identify some of the major resources to be pursued by Milpitas, local non-profits, County of Santa Clara and other eligible resources. Milpitas will continue to encourage local non-profit agencies to pursue all available funding resources, which may be applicable to their particular project. Milpitas will also continue to monitor these programs, projects and activities to promote its housing and community development goals and objectives through active policy development and use of available federal and non-federal funding sources.

Federal Programs

Community Development Block Grant (CDBG) Funds

The CDG Program will provide the largest funding source to provide a variety of support services and housing for low and moderate-income households in Milpitas. City of Milpitas receives its own grant through the CDBG program. It is estimated that Milpitas 2014-2015 CDBG allocation will be \$375,646. It is estimated Milpitas will also receive a substantial amount from the repayment of loans in the amount of approximately \$50,000 in Program Income from Single Family Housing Rehabilitation Loan Program.

In addition, Milpitas will allocate \$300,000 (\$250,000 Single Housing Rehabilitation Loan Program and \$50,000 Housing Rehabilitation Program Administration) from its Program Income-Housing Rehabilitation Revolving Loan Funds. The loans from the rehabilitation program serves as a revolving loan fund that goes back into the program. Also, a total of \$1,521.24 of unspent funds (\$746.62-Jan. 2014 and \$774.60-Feb. 2014) will be re-programmed into the Revolving Loan Program

Therefore, the proposed CDBG Funding allocation for fiscal year 2014-2015 will include the following:

\$375,646 (CDBG Grant Fund FY 2014-2015)
\$50,000 (Estimated Program Income)
\$250,000 (Housing Rehab. Loan Program/Revolving Loan Fund)
\$50,000 (Housing Rehab. Program Admin/Revolving Loan Fund)
\$1,521.24 (Reprogram Unspent Funds from Jan./Feb/ 2014)
\$727,167.24

The total estimated CDBG Funding for FY 2014-2015 would be approximately \$727,167.24

HOME Program

Milpitas may be seeking other financial resources to assist in financing affordable housing projects. This process may include the formation of a consortium with other cities in Santa Clara County (including Cupertino, Gilroy, Palo Alto and County of Santa Clara) Because Milpitas' has never received a direct allocation of HOME funds from HUD, funding will be requested from the State of California under its competitive HOME Investment Program. Milpitas staff has attended several HOME Program seminars and workshops to become familiar with the regulations and requirements of the program. Milpitas along with other cities considering the HOME Consortium has currently established on-going meetings with HUD to work through the logistics of to meet the federal regulations.

Section 8 Rental Assistance Program

This program provides rental assistance payments to private owners who lease their units to assist low-moderate income families. Milpitas will continue to support and encourage the Santa Clara County Housing Authority (SCCHA) efforts to obtain Section 8 vouchers for residents of Milpitas. Milpitas is negotiating with affordable housing developers to obtain their participation in accepting Section 8 vouchers in future affordable housing projects. Currently, a total of **615** Milpitas families have Section 8 vouchers. Another **2,108** families are on the Housing Authority waiting list. It should be noted that when the Housing Authority has opened up their Section 8 Voucher Waiting (again), Milpitas residents will be notified of this housing opportunity with notices on the City's Website and Cable TV.

Section 220 and 221 (Low Income Housing Preservation and Resident Homeownership Act of 1990 - LIHPRHA)

Milpitas has worked with the property owner, Santa Clara County Housing Authority and HUD to maintain long-term affordability for the 171 units at Sunnyhills Apartments. Under the current agreement the units will remain affordable. City of Milpitas will continue to monitor the status of this project to maintain affordable housing opportunities for its residents and to ensure long-term affordability.

Low Income Housing Tax Credit Program (LIHTC)

Milpitas will continue to work with developers to explore financing affordable housing projects with Low Income Housing Tax Credits (LIHTC). Milpitas will work with local housing developers to seek additional funding to close any financing gap for affordable housing projects. Milpitas will also work with local housing developers on pursuing and obtaining 9% and 4 % LIHTC to finance future affordable housing projects. Milpitas will also continue to assist several of the affordable housing developers applying for low-income housing tax credit to financial assist their projects.

Milpitas will continue to work with and support housing developers that are seeking funding from the Low-Income Housing Tax Credit Programs

State Programs

Proposition No. 46

In November 2002, the voters of the State of California approved Proposition No. 46-a \$2.1 billion housing bond allocation for funding (grants, loans, etc.) for various types of affordable housing projects.

Most of the State funding requires that each city or county has its General Plan Housing Element, approved and certified (in full compliance with state housing laws) with the State of California-Department of Housing and Community and Development (HCD). The City of Milpitas Housing Element was approved and certified by HCD in September 2010

The Transit Area Specific Plan is based on the Transit Oriented Development (TOD) planning concepts and designs that are consistent with the City of Milpitas proposed Transit Area Plan which will consist of permitting higher densities within ¼ miles of transit stations, encourage pedestrian-friendly walkable community and include approximately 5,500 new dwelling units and 280,000 square feet of commercial retail (**See Attached Map-Transit Area Plan**).

To date approximately 4,062 new dwelling units has been approved in the Transit Area Specific Plan with an additional 512 dwelling units being considered from future entitlement.

California Housing Finance Agency (CHFA)

Milpitas will continue to explore a series of affordable housing programs offered by the California Housing Finance Agency. This agency was created in 1975 to help meet the State's need to provide affordable housing to low and moderate-income persons and families. CHFA provides below-market interest rate mortgage capital through the sale of tax-exempt notes and bonds. This agency provides below market rate financing for single family and multi-family housing as well as multi-family rehabilitation loans. CHFA has also recently offered funding through their Help Program.

Milpitas has also has its Property Values Resale and Restriction Agreement and Option to Purchase affordable housing documents reviewed and approved in July 2005 by CHFA, which provide an opportunity to leverage Milpitas funds with additional financial resources from this state agency. To date, approximately 74 Milpitas first-time homebuyers have been assisted with the use of CHFA funding.

State Allocated Tax Credits- (Low-Income Housing Tax Credit)

Milpitas will continue to work with and assist developers in applying to the State for allocation of tax credits to finance low-income rental housing developments. The tax credits are syndicated to corporations in exchange for project equity. The tax credit allocation consist of 9% (which is more competitive and based on a point system) and 4% provides an additional funding source for affordable housing. Several Milpitas Housing Developers has request the city's participation in preparation and processing (application entitlement, site control environmental review, etc.) their tax credit applications.

Mortgage Revenue Bonds

Milpitas can apply to the state for authority to issue tax-exempt mortgage revenue bonds for the purpose of funding affordable housing development. Milpitas has authorized tax-exempt mortgage revenue bonds to assist the developer at the proposed Milpitas DeVries Place Senior Housing Project which provided 102 extremely and very low-income housing units.

Local Programs

Milpitas Housing Authority-(Former Milpitas Redevelopment Agency)

Milpitas Housing Authority has allocated approximately **\$60 million** to acquire, construct, and develop affordable housing within the City of Milpitas. To date, Milpitas Housing Authority has assisted in financing **1,050 affordable housing units**.

In October 2013, the Milpitas Housing Authority donated a 5.94 acre parcel (appraised value \$12.4 million) to a senior affordable housing developer for the construction of 389 senior housing units. The project will consist of **48 very low income affordable housing units**

The elimination of redevelopment as a financial tax increment vehicle will substantially impact the ability to provide affordable housing within Milpitas and statewide. The Milpitas Housing Authority will serve as the successor agency to the former redevelopment agency and will perform its duties and responsibilities related to housing activities and programs.

The Milpitas will also consider the use of “**boomerang funds**” (monies receive by cities and counties regarding the dissolution of redevelopment agencies). The County of Santa Clara has agreed to use this funding to assist any cities in the county with matching funds for affordable housing opportunities.

Housing Rehabilitation Loan Program

This program funded from CDBG funds provides low interest rate loans and grants to very low and low-income property owners through the Milpitas Housing and Rehabilitation Loan Program. The Housing Rehabilitation Loan Program provides up to 90% of the home equity value/per household for home improvements and repairs. Annual program income (revolving loan funds) goes back into the program to assist future low and moderate-income property owners. City of Milpitas anticipates approximately \$50,000 in Program Income from the rehabilitation loan program. During the 2014-2015 CDBG fiscal year, Milpitas will be allocating approximately \$300,000 (\$250,000 Single-Family Rehabilitation Loan Program and \$50,000 Housing Rehab. Loan Program Administration) from it Program Income Revolving Loan Fund to support these activities.

Santa Clara County Housing Trust Fund

City of Milpitas has participated and financially supported the Santa Clara County Housing Trust Fund to raise \$20 million to construct a variety of affordable housing types for: 1) first-time homebuyers, 2) multi-family rental apartments and 3) housing and support services for the homeless population.

- **First-Time Homebuyers Program**-creating 2,105 new first-time homebuyers which includes 451 teachers, 227 engineers including 451 teachers, 227 engineers, 118 health care professionals and 623 public employees.
- **Developer Loan Program**-assisting and helped 1,703 families.
- **Homelessness Prevention Program**-assisted 4,268 families and individuals with housing needs.

Since its conception, the Housing Trust has raised approximately \$38+ million and has leveraged this amount to over \$1.32 billion to create 8,076 housing opportunities for families and individuals within Santa Clara County (see Housing Trust of SCC-attachment). To date, a total sixty-three (63) loans in the amount of \$548,450 were approved for Milpitas First-time Homebuyer residents with low-interest rates from the Housing Trust Fund of Santa Clara County.

Second Mortgage Program

Milpitas has adopted a Second Mortgage Program to assist first-time homebuyers with their down payments on several affordable housing projects. The City of Milpitas is also negotiating with several other developers to increase the general affordable housing stock citywide. Future housing projects will include for-sale units for all income levels and additional senior affordable housing projects.

Affordable Housing for MUSD Teachers

Milpitas has worked with Milpitas Unified School District (MUSD) to provide affordable housing units for qualified schoolteachers. A certain percentage of the affordable housing units in selected projects (rental and for-sale) will be allocated for Milpitas Unified School District teachers. The purchase price for these units appears to be affordable for Milpitas Unified School District teacher salaries. Milpitas has provided a presentation and applications to MUSD.

Payment of Development Fees for Affordable Housing Projects

Milpitas has continued to waive or subsidize a portion of development impact fees to support and encourage developers to provide affordable housing. To date, Milpitas Housing has subsidized approximately **\$5.8 million** of development fees to increase the supply of affordable housing throughout the community. The former Milpitas Redevelopment Agency/Housing Authority has paid developers impact fees in support of affordable housing.

Milpitas Mobilehome Park Rent Control Ordinance

Milpitas has 527-mobilehome park units located in three separate parks throughout the city. Since 1992, Milpitas has adopted a Mobilehome Park Rent Control Ordinance, which maintains affordable rents for resident tenants. The Rent Control Ordinance serves as a means to provide affordable housing units.

Private Resources

Private Lending Institutions

Milpitas will continue to encourage private lending institutions to become involved in assisting in the development of low and moderate-income housing. The Community Reinvestment Act (CRA) encourages and assists the institutions they regulate to assist affordable housing projects. Milpitas has negotiated Disposition Development Agreement (DDA) and an Owner Participation Agreement (OPA) with developer to provide financial assistance and to insure long-term affordability of housing units.

The several affordable housing developers will be using private resources and other types of conventional lending to financially assist with their projects.

Geographic Distribution

All of the proposed activities for fiscal year 2014-2015 will be implemented Citywide and will not be targeted to any particular areas of the City. However, minority groups will benefit from CDBG resources from particular programs, services, and housing activities as needed. The specific geographic areas in which Milpitas will provide direct assistance with CDBG funds during the 2014-2015 fiscal year contains high concentrations of minority population including Asians, Hispanics and Blacks.

The rationale for targeting these minority groups for allocating CDBG funds are based on financial, social, and economic needs of several working class neighborhoods. These neighborhoods, such as Sunnyhills, Selwyn, Shirley and Dempsey Road, Temple and Calaveras Blvd., have high concentrations of minority populations. They have and will continue to benefit from the allocation of CDBG funds through the Housing Rehabilitation Loan Program, City of Milpitas Recreation Department Programs, Adult Day Care Services, Health Trust, Milpitas Food Pantry, Milpitas Unified School District-Literacy Program, Next Door Solutions, and Project

Sentinel. Special need populations such as female-headed households, seniors, youth's at-risks, handicapped teens and homeless population are several groups that will receive funding.

According to 2012 Statistical Research Data Milpitas Minority Population consisted of the following:

<u>Ethnic Groups</u>	<u>Total Population</u>	<u>% of Total Population</u>
Black or African American	2,432	3.4%
Asian	42,215	59.0%
Hispanic or Latino (of any race)	8,676	12.1%
White-(Non Minority Population)	17,100	23.9%
American Indian/Alaska Native	352	0.5%
Native Hawaiian/Pacific Islander	777	1.1%
Total:	71, 552	100%

According to the Statistical Research Data, City of Milpitas population **for 2012 is 71,552**. This presents an **increase** from **70,812** (1%) from 2011

Leveraging Plan

For all CDBG programs and activities funded by Milpitas will support applications by other entities for public and private sources of funding. In the case of matching requirements for a funding source, Milpitas will utilize its CDBG funding and other local funds as available and appropriate. To maximize leveraging of its own funds and increase the funds available for housing, Milpitas plans to continue the following activities:

- Support the purchase, rehabilitation and construction of affordable units by non-profit and for-profit housing developers and to provide financial assistance whenever possible.
- Provide support and encourage non-profit, community based housing developers and service providers to low and moderate-income person(s) and households.
- Promote private sector rehabilitation with the CDBG Housing Rehabilitation Program.
- Promote joint development with other governmental or quasi-governmental agencies to implement community development programs.

Milpitas has participated in joint projects such as the Countywide Fair Housing Report, Santa Clara County Housing Trust Fund and Emergency Housing Consortium Shelter, Homeless Runaway Youth Housing and Countywide Fair Housing Task Force projects. City of Milpitas will continue to participate in the “Santa Clara County Fair Housing Month” held on February each year sponsored by the Santa

Clara County Association of Realtors. Milpitas has also participates in the County of Santa Clara Office of Affordable Housing Homeless Survey that was conducted in January 2013. These are just a few examples of how the City of Milpitas has leveraged it funds to address housing needs and other supportive services.

Part II: Activities to be Undertaken

Milpitas has participated in the Community Development Block Grant Program for the past twenty-seven years, and is completing its eighteen year as an entitlement city. It is anticipated that Milpitas will receive \$375,646 from HUD upon the acceptance of this Action Plan and the accompanying certificates for FY 2014-2015. Furthermore, it is anticipated that Milpitas will receive approximately \$50,000 program income from regular scheduled payments made on past housing rehabilitation loans program year and additional \$301,521.24 will be reprogrammed from revolving loan fund and unspent allocation in 2014. The total estimated CDBG funding for FY 2014-2015 would be approximately \$727,167.24.

Homeless and Other Special Needs Activities

For fiscal year 2014-2015 Milpitas has committed a portion of its Community Development Block Grant Program funds to non-profit agencies providing services to the homeless, those at-risk of being homeless and homeless households with children or other special needs. A narrative is provided below of the activities that are aimed at assisting the City's homeless population.

To address emergency shelter and transitional housing needs of homeless individuals and homeless families, Milpitas will continue to:

- Continue to support the **Emergency Housing Consortium**, which will provide food, shelter and supportive services. CDBG funds to the Emergency Housing Consortium (EHC) for providing temporary shelter to estimated **500 nights of supportive shelter to 20 unduplicated homeless Milpitas residents**.
- Milpitas has also provided CDBG funding to EHC for the past 18 years, including the development of a 50-unit shelter (224 beds) for the homeless, former homeless and at risk low-income families.
- **Live Oak Adult Day Services**, which provides adult day care for estimated **8-10** frail, dependent at-risk senior residents in Milpitas day care facilities. Caregiver respite and support services includes, case management, counseling and referrals and socialization opportunities.
- Continue to monitor the risk of the Sunnyhills Apartment Complex being converted to fair market rate units. Milpitas will also work with the property owners, local non-profits, Santa Clara County Housing Authority, and HUD to maintain the complex as affordable shared housing and thus prevented the displacement of the existing residents.
- Fund Project Sentinel, which operates a tenant/landlord mediation program and helped resolve over **195** tenant/landlord disputes, prevented unnecessary evictions of tenants and handled **48** fair housing complaints and investigations. This program also provides tenants with information and referral services on tenant/landlord issues.

In order to help homeless persons, including those with special needs, to make the transition to permanent housing and independent living, the following activities will be carried out:

Milpitas will continue to fund the operation of a variety of support services. These services help individuals with basic necessities until they are able to provide for all of their needs on their own including **Milpitas Food Pantry** (which provides food to over estimated **800-1,000 persons**). These services include providing free bags of food to low-income households, counseling, and information and referral assistance to help individuals find services most suited to their particular needs.

County of Santa Clara Homelessness Task Force

Milpitas continues to participate in the **County of Santa Clara Task Force to End Homelessness in 10-Years**. The Homelessness Task Force was established by Santa Clara County Board of Supervisors, which consists of elected officials, County Departments (Mental Health, Social Services, Alcohol and Drugs, Corrections, Sheriff, and Office of Affordable Housing-including County Homeless Coordinator), Homeless Advocates, Community and Business Leaders and Funders.

The goals of the Homelessness Task Force will be to come up with a comprehensive strategy to address the homeless problem in Santa Clara County over the next 10 years. The consulting firm of Home Base (San Francisco) has been hired to assist the Task Force. Home Base has started to conduct initial surveys of the homeless population within the county. Homeless individuals were employed to help with the count as well as with the survey and people were paid \$5 for completing the survey.

The County has also started several initiatives including the launching of a County Homeless Management Information System, which allows for a single shared database of homeless services, as well as the allocation of more than \$10 million to 14 new affordable housing projects.

Milpitas has participated in the Countywide Homeless Survey conducted by the County Office of Affordable Housing in January 2013. Recently, the County of Santa Clara Countywide.

Collaborative on Affordable Housing and Homeless Issues were awarded \$10 million to provide continuing on-going supportive services and permanent and transitional housing.

Activities to Assist Non-Homeless Persons with Special Needs

Senior Citizens

- Provide funding for Milpitas **Senior Housing Project (Terrace Gardens)** for elevator modernization and cab upgrade. A total of **188** Milpitas senior residents reside in the senior housing project.
- **Senior Adults Legal Assistance** program provides free civil legal services to estimated **30-35** senior citizens within Milpitas.
- Through the funding of **Catholic Charities-Long Term Care Ombudsman Program**, estimated **50-60** seniors will be provided services specific to their needs in order to assist them to remain independent living for as long as possible.
- Milpitas Senior Center provides limited transportation, nutrition program, and a variety of recreational activities for senior citizens. An average of **108** meals is served per day.

- Providing funding for **The Health Trust** for nutritionally balanced home-delivered hot daily meals for estimated **6-8** homebound Milpitas seniors.
- Providing funds for **Rebuilding Together** for safety repairs/accessibility/mobility home improvements for estimated **60-75** Milpitas seniors and very low and low-income residents

Female Headed Households and Victims of Domestic Violence

- **Next Door Solution**-Provides shelter for up to 30 days for battered women and their children who are in immediate danger and have nowhere else to turn. A total of **35-45** Milpitas residents are anticipated to benefit from these services.
- **Milpitas Unified School District Literacy Program**-Provides reading-readiness and modeling of book cuddling with toddlers and infants is modeled for parents. The goal of the program is to provide resources and training for estimated **17--23** families and **25-40** individuals to assure kindergarten readiness and school success. This is accomplished through weekly classes for parents and preschool aged children followed by exchanging of book bags containing four books. Two Family Library nights are held to introduce families to library services

Youths

- **Milpitas Recreation Assistance (RAP) Program**- This program provides subsidizes for low-income children to participate in Milpitas recreation programs at the Milpitas Sport Center. A total of estimated **40-50** Milpitas children will receive assistance.

Other Actions

The most significant obstacle to addressing the underserved needs for fiscal year 2013-2014 is the lack of sufficient federal, state, and local funds to carry out all the necessary programs, activities and projects.

Remove Barriers to Affordable Housing

For fiscal year 2014-2015, Milpitas will continue to work with agencies involved in carrying out affordable housing projects. Milpitas will support and assist through neighborhood and tenant community meetings, flyers, cable TV, and City's website to inform the public about the proposed housing projects and support housing services.

Milpitas will continue to provide CDBG funds to Project Sentinel who provides information and dispute resolution services to Milpitas tenants, mobilehome owners and landlords. Milpitas will continue to monitor its long-term restriction agreements for affordable housing compliance Milpitas will continue to implement its Mobilehome Rent Control Ordinance (1992), which limits the increase in rents that can be charged to tenants. Approximately 70% of tenants in the mobilehome parks are senior citizens.

Milpitas will continue to review its permit-processing procedures to assist in expediting the review and approval of all affordable housing developments. Milpitas has addressed governmental constraints to housing within its updated Housing Element. Milpitas has adopted its General Plan Housing Element, which establishes the five-year housing goals, policies and objectives, and the Midtown Specific Plan, to

assist in developing approximately 5,000 mixed types of housing units to meet the ABAG Regional Fair Share Allocation.

Appropriate densities (up to 60 dwelling units/per acre with ¼ mile of Transit Overlay Districts and 20 to 40 dwelling units per acre in other areas- minimum densities permitted) are including provide multi-family housing for large and extended family households. **The Transit Area Plan is anticipated to accommodate densities that would allow up to an additional 5,500 new dwelling units (excluding the proposed 3,000 units from the Midtown Specific Plan). The Milpitas Planning Commission and City Council have approved both plans.**

The Integral, Harmony, Pace, Citation Homes, Milpitas Station, Lyon Homes, Taylor Morrison projects has been approved which will include over 2,600 new dwelling in the general proximity of the new VTA/BART Milpitas Station.

In September 2010, the Milpitas General Plan Housing Element was certified by the State of California, Department of Housing and Community Development (HCD) and found to be in compliance with the State Housing Laws. The Housing Element is a comprehensive long-term plan to address the housing needs of Milpitas. The document identifies and analyzes the existing, and projected housing needs of the City and states goals, policies, quantified objectives and implementation programs for the preservation, improvement and development of housing.

The updated Housing Element is currently being prepared and will submitted in the fall 2014.

Milpitas continues to streamline its permit processing by expediting the approval process for affordable housing projects. Staff meets with housing developers at an early stage in the development review process to address any potential issues or problems associated with the proposed project. Problems are dealt with at the early stage in the project review to prevent unnecessary and costly delays.

Analysis of Impediments to Fair Housing Report (AI Report)

In May 2011, City of Milpitas updated and adopted its Analysis of Impediments to Fair Housing Report. Milpitas is currently addressing those issues of impediments to fair housing choices that have been identified in the report. The updated Analysis of Impediments to Fair Housing Report examines policies and practices limiting a resident's ability to choose their housing in an environment free from discrimination. The AI report identified a series of recommendations that the City has implemented to reduce discrimination in housing. These recommendations include:

1. **Demographics**-Continue to increase the distribution of fair housing pamphlets and brochures in multiple languages.
2. **Housing Stock**-Continue to carry out plans for high-density development in the Midtown and Transit Specific Plan Areas. Continue to the use of the density bonuses and monitoring the conditions of the City's housing stock.
3. **Land Use and Zoning**
 - a. Maintain awareness of HUD policy and update code if necessary for group homes.
 - b. Continue to monitor the State regulations for group's homes of 7 to 12 persons.
4. **Public Policies and Housing Affordability**-Continue to implement the affordable housing policies outlined in the Milpitas Midtown/Transit Specific Plan, HUD's 5 Year Consolidated Plan and the General Plan Housing Element, which encourages and supports affordable housing.

5. **Advertising**-Continue to regularly monitor the Milpitas Post and San Jose Mercury News for discriminatory real estate advertisements.
6. **Cases of Housing Discrimination**-Increase outreach efforts to all segments of the population and target the City's Asian community
7. **Awareness of Local Fair Housing Services**-Increase the amount of outreach made to housing legal and social services agencies, develop systematic plan to follow up with agencies upon completion of outreach programs, update the City's website to include information about Fair Housing Law, fair housing services and provides links to websites of agencies that investigate fair housing discrimination (i.e. Project Sentinel).

The City of Milpitas continues to take the following actions to address the recommendations in the AI Report:

1. **Demographics**-Milpitas will continue to embrace the cultural diversity of its residents. Milpitas Senior Center offers a variety of different recreational services to senior citizens, which include ethnic celebrations for various cultures, arts and crafts, and special lunches. Previously, Milpitas conducted a community meeting on the Senior Needs Assessment Study. The meeting was conducted in three different languages (Chinese, Vietnamese, etc.) at the Milpitas Senior Center for the benefit of the participants. Milpitas Recreation Division holds several ethnic celebrations and festivals throughout the year to embrace ethnic diversity in the community.

Milpitas offers Thai Chi Chih (reduce stress relaxation exercises), and Shiatsu Massage classes. Milpitas also translates many flyers, brochures, and other forms of outreach and advertising (including fair housing programs and services) in several languages. Milpitas funds a variety of agencies that provides services to different cultural groups such as Asian American Recovery Services, Filipino American Opportunities Development, and Indo American Community Service Center.

As stated above, Milpitas is an ethnically diverse community; with many of its residents foreign born, so English is not their native language. The City will continue to fund and encourage these types of programs and activities among different cultural groups. Milpitas will continue to work with Project Sentinel to increase the distribution of fair housing pamphlets and brochures in multiple languages.

2. **Housing Stock**-Milpitas has worked with housing developers to produce **1410 affordable housing units with long-term affordability restrictions for very low, low and moderate-income households**. Incentives such as waiver or subsidy of development impact fees, density bonus ordinance, use of redevelopment agency funds for grants and loans have been used to encourage developers to construct affordable housing.
3. **Land Use and Zoning**-To date, Milpitas has changed the zoning of over 1,000 acres of land from commercial and industrial to residential and mixed use developments. Milpitas has expedited those applications proposing affordable housing developments during the review process. Milpitas has taken several land use and zoning actions to permit and encourage development of affordable housing including: 1) adoption of a density bonus ordinance to encourage multi-family developments. Milpitas will be amending its Zoning Ordinance to incorporate the new State Law as it pertains to the new density bonus regulations 2) expediting development applications for affordable housing projects, 3) providing CDBG grants to

4. Service Providers for transitional and permanent housing for the homeless, 4) negotiated with private developers on providing affordable housing units in their private development projects, 5) waiving and/or subsidizing development fees to offset the cost to provide affordable housing units, 6) adoption of a Rent Control Ordinance to maintain affordability for 527 mobilehome units, 7) provide informational seminars on affordable housing and 8) allocating redevelopment funds to assist in providing affordable housing units

5. **Zoning Ordinance Amendments**-Milpitas will be amending its Zoning Ordinance pursuant to the certified Housing Element Implementation Plan. The plan requires the approval of zoning amendments to allow homeless shelters, transitional and permanent supportive housing, farm-worker housing and single room occupancies (SRO's) by "right" instead of the conditional use permit process.

6. **Public Policies and Barriers to Affordability**-The Milpitas General Plan Housing Element, Five-Year Consolidated Plan, the Midtown Specific Plan and the Transit Area Plan include specific policies, goals and objectives to support and encourage the development of affordable housing to low and moderate-income households. The Milpitas Redevelopment Agency provides the following housing opportunities as it relates to public policy and barriers to affordability:
 - **City of Milpitas Housing Rehabilitation Program**-Over the past eleven years this program has provided approximately **\$3.6 million** for rehabilitation loans to very low and low-income homeowners.
 - **Emergency Housing Consortium**-CDBG funds provide shelter, housing opportunities and supportive services for homeless individuals, families and youths.
 - **Project Sentinel**-The program investigates housing discrimination and provides fair housing and tenant-landlord mediation services.
 - **Transit Overlay District**-This zoning ordinance overlay district was established to encourage and support high-density residential development within ¼ mile of transit stations (including an additional 5,500 new units).
 - **Section 8 Program**-Milpitas supports, encourages and provides public information to residents that are looking to participate in the Housing Authority of Santa Clara County. Notices will be provided to Milpitas residents when the Section 8 Program Waiting Lists opened to the general public.
 - **Disabled Accessibility**-Milpitas provides developers with an accessibility checklist when constructing new housing units. Funds from Santa Clara County Fair Housing Retrofit Funds will also be used to leverage city funds for ADA compliance. Milpitas also provides funding for Rebuilding Together, which makes ADA home repairs and improvements.
 - **Housing Affordability**-Milpitas will continue to provide financial assistance to housing developments, which provide a certain percentage of their units to low and moderate-income households. The Milpitas Redevelopment Agency will also provide down payment assistance with the Redevelopment Agency 20% Low-Income Housing Set-Aside Funds for first-time homebuyers
 - **Green Building Ordinance**-In summer of 2009, Milpitas adopted standards and procedures to assistance households (included lower-income households) on energy efficiency and making home costs more affordable.
 - **Housing Element Implementation Plan**-The follow-up to the certified Housing Element requires Zoning Ordinance amendments to permit homeless shelters, transitional and permanent and single room occupancy uses by "right".

7. **Advertising**-Milpitas will continue to monitor discrimination in local housing advertisement that may uses unfair models. Milpitas has worked with Project Sentinel to provide fair housing services which includes flyers, brochures (in different languages), educational materials to local newspapers, meeting with local landlords to explain tenant/landlord fair housing rights, etc. Milpitas will also continue to monitor other forms of discrimination relating to people with disabilities, familial status, and families with children and senior citizens.
8. **Cases of Housing Discrimination**-Between July 1, 2008 to June 30, 2012 Project Sentinel conducted 103 investigations that were filed on the basis of housing discrimination in the City of Milpitas. The majority of cases involved discrimination on the basis of handicap/disability and ethnicity. The high percentage of cases filed on the basis of disability could be the result of greater public awareness of housing discrimination. Since both the FHAA and ADA are relatively new legislation; the public is learning about the new policies and gaining knowledge of where to file a compliant.

The majority of these cases investigated were counseled, meaning that no significant evidence of housing discrimination was found. Even though 49% of the cases investigated displayed. Compliance with the Fair Housing Law, the investigation of these cases remain significant, because its shows awareness about fair housing law. There were also a considerable proportion of cases that were referred to either DFEH, an attorney, or obtained some other form of Referral. A referral is usually made when concrete evidence of housing discrimination is uncovered during the investigation. Out of the 13 referrals made, 7 were cases of housing discrimination on the basis of disability and the remaining cases were filed on the basis of ethnicity. Two case settlements were obtained in the monetary amount of \$14,500 with required fair housing training.

As Co-Chairperson of the County of Santa Clara Fair Housing Task Force, Milpitas Staff continues to work with Project Sentinel on the Santa Clara County Fair Housing Retrofit funds available to other cities within the county. These funds were awarded to Project Sentinel during several fair housing legal settlement cases against a developer, which fail to include ADA compliance within their project. The funds will be allocated to cities (matching funds from the cities are being proposed to leverage funds) to provide retrofitting units to comply with ADA requirements.

9. **Awareness of Local Fair Housing Services**-Flyers and brochures on fair housing services are presently available at City Hall. Monitoring of housing service providers includes discussions on their outreach effort and promoting fair housing. Milpitas will update its website to provide additional information about fair housing law and provide links to websites of agencies that investigates fair housing discrimination.

The CDBG cities within Santa Clara County and the County have prepared a Countywide Fair Housing Report to address a variety of fair housing issues. The report identifies causes, impacts, alternative actions and recommendations. Also, the cities and County of Santa Clara have established a Countywide Fair Housing Task Force to address the recommendations in the report.

Enhance Coordination between Public and Private Housing and Social Service Agencies

Milpitas will continue to encourage housing-related organizations to work together, collaborate and share their expertise with one another, especially those agencies that provide and manage housing, and social services.

Program Specific Requirements Funds Expected to be Available

CDBG

2014-2015 Entitlement Grant	\$375,646
Program Income FY 2014-2015 (*)	\$50,000
Unused Revolving Loan Funds (**)	<u>\$301,521.24</u>
Total:	\$727,167.24

*Estimated Program Income from the Single Family Housing Rehabilitation Program
(**) Including Unused Revolving Loan Funds and Reprogrammed Funds

Evaluate and Reduce Lead-Based Paint Hazards

The City of Milpitas will continue to enhance public sector efforts to inform private property-owners about the hazard of lead based paint. Risk assessment and hazard reduction can be more easily accomplished while performing other major repair work (i.e. rehabilitation repairs and improvements). The major obstacle to most mandated programs continues to be cost. Milpitas will continue to work with representatives from the city and county, housing organizations, public health agencies, children's advocacy groups, tenant and property owner's organizations and private physicians to address this matter. The continuing goals are to identify and inform property-owners of public and private resources available to reduce or abate lead based paint.

Because of the age of the Milpitas housing stock (approximately 60% of the units within Milpitas were built after 1970), Milpitas' housing stock is relatively new and contains very little lead base hazardous material. The City of Milpitas will continue to work with the County of Santa Clara Environmental Health Department, as additional funding becomes available, in the design and implementation of programs related to the detection, abatement, prevention and education of the incidence of lead based paint in the housing stock.

Presently, Milpitas along with several other CDBG cities in Santa Clara County are working with HUD to establish adequate capacity to comply with the Lead-Based Paint Rule (24 CFR Part 35). This task includes identifying trained, licensed, and certified personnel to conduct lead-based paint inspections, housing rehabilitation projects that will require inspections and funding sources.

Milpitas has started to negotiate with local contractors and establish a process to address lead based paint in housing units. Milpitas has allocated CDBG Housing Rehabilitation Administration to implement its Lead-Based Paint Program to conduct environmental testing for lead based paint prior to performing the required single-family rehabilitation home repairs and improvements. **Over the past several years, a total of 6 single-family homes were inspected for lead-based paint. Based on the initial inspections, no lead-based paint has been found in any Milpitas homes that have been inspected.**

Milpitas has also received from the County of Santa Clara a copy of their "hot zones" map which overlays three different indicators: (1) housing built before 1950, (2) poverty and (3) children under the age of six (based on census tracts) to identify areas where the risk of lead poisoning is the highest. Nearly all of the reported cases of lead poisoning in the county came from the "hot zones".

Reduce the Number of Poverty Level Families

Milpitas will continue to support a variety of other support services used by low-income households to make ends meet. The main goal shall be to prevent very low-income persons, especially, those earning 30% or less of median income from becoming homeless. The long-term goal is to provide more affordable housing options and economic opportunities so this group is not forced to pay most of their available income for housing with little left over for other needs (child care, transportation, food, health care, etc.). For fiscal year 2013-2014 Milpitas will continue to support agencies such as Second Harvest Food Bank, Milpitas Food Pantry, and Milpitas Nutritional Program (**\$94,500**) for senior citizens. An average of (108) senior meals is served daily at the Milpitas New Senior Center.

Rebuilding Together will provide housing service for estimated 60-75 Milpitas residents to correct health and safety hazards, enhance accessibility for disabled people, and improve energy efficiency to make housing cost more affordable for seniors on fixed-incomes.

Milpitas also obtains Quarterly Statistical Data of Public Families from the County of Santa Clara to monitor and track the number of Milpitas residents that are involved with Cal WORKS, other social services and public assistance demographics to determine the greatest need for CDBG funds. Several key categories such as Cal Works and Medi-Cal caseloads have been slightly reduced from the past year for Milpitas residents. A total of 497 Cal WORKS cases (2.9%) of the total in Santa Clara County are Milpitas households

Develop Institutional Structure

Milpitas will continue to work with and support non-profit organizations, which provide programs and services to low and moderate-income households. Milpitas will also continue to work with private industries, in particular financial and development groups, to encourage the development of affordable housing opportunities in Milpitas.

PART III: STRATEGIC PLAN-FY 2014-2015

Milpitas will continue to encourage local housing social service providers to pursue all available public and private funding to achieve the goals identified in the Action Plan. It is anticipated that funding from a combination of federal, state and local resources will be used to pursue a majority of the identified strategies. Funding resources will be coordinated and leveraged whenever possible to maximize their potential. Milpitas plans to use available programs, services, and special initiative resources in a coordinated and integrated manner to achieve its affordable and supportive housing goals, as well as an expansion of support activities and programs related to assisting low-income families and individuals.

Summary

The following is a summary of Milpitas priorities and plans to be pursued over the next year of the Action Plan. It was derived from the overall analysis of needs, market and inventory conditions as described in the Action Plan. These plans take into consideration the following factors revealed in the analysis of Milpitas Redevelopment Agency Housing Affordability, Availability and Adequacy:

- In 2012 and 2010, Milpitas Consolidated Plan and Housing Element has been approved and certified by HUD and State of California, Department of Housing and Community Development.

- Milpitas Draft Regional Fair-Share Housing Allocation (2014-2022) from ABAG is 3,276 units which consist of the following:

Milpitas Regional Housing Needs Allocation (RHNA) 2014-2022

	Very Low	Low	Moderate	Above Mod	Total
City of Milpitas	1000	568	563	1,145	3,276
Percentage Distribution	30.5%	17.3%	17.2%	35%	100.0%

Source: Association of Bay Area Governments (ABAG)

To date, Milpitas has met approximately 58% of its previous very low, low and moderate-income housing needs. A total of 154% of its above moderate-income housing needs have been met.

- Between 2000 and 2013 Milpitas population increased 8% in comparison to 95 for Santa Clara County. Milpitas households increased 13% in comparison to 8% for the County (BAE-Milpitas Housing Element 2013)
- The median income in Santa Clara County is \$105,500, which is one of the highest area median income in the United States (State of CA-HCD)
- Milpitas average household size is 3.47 and people per household is 3.41, both continue to be the highest in comparison to Santa Clara County 2.96 and 2.73 (U.S. Census)
- City of Milpitas percentage of total population in poverty was 5.8% (744 households) (U.S. Census)
- By 2020, City of Milpitas will increase the number of residential dwelling units by 20% (BAE-Milpitas Housing Element 2013)
- Milpitas median age increased from 33.4 years in 2000 to 37.1 years in 2013 (U.S. Census)
- Milpitas households have relatively high income. Median household income is roughly \$94,000 in comparison to \$87,000 Countywide. Approximately 47% of Milpitas households earn over \$100,000, whereas 12% earn less than \$25,000 (BAE-Milpitas Housing Element 2013)
- If Milpitas is going to achieve its Regional Housing Needs Allocation (RHNA) goals, a total of 410+ housing units will be required to be built over the next 8 years (2014-2022) (BAE-Milpitas Housing Element 2013)
- In 2013, approximately 67% of Milpitas Residents own their homes in comparison to 70% in 2000. (BAE-Milpitas Housing Element 2013)
- In 2007 median price home in Milpitas was \$640,000, but fell to \$400,000 in 2009 (housing recession). In 2013, median sale price was \$580,000 which represents a 31% increase since 2009. (BAE-Milpitas Housing Element 2013)
- The average rents (\$1,933) in Milpitas is lower than most cities in Santa Clara County however, occupancy rates (98%) is similar to other cities in the county. (BAE-Milpitas Housing Element 2013)
- Approximately 83% of Milpitas extremely low-income residents experience housing costs burden, 91% very low-income, 63% low-income, 43% moderate-income and 5% above moderate-income. In total, 44% of all Milpitas Residents experience housing cost burden. (BAE-Milpitas Housing Element 2013)

- Milpitas has completed the Transit Area Specific Plan that will accommodate approximately 5,500 new dwelling units, in which is anticipated that 20% of these units (1,100 units) will be affordable to low and moderate-income households.
- Milpitas has 19,889 occupied housing units (11,671-owner-occupied and 6,431 renter-occupied-2010 CA-DOF)
- Milpitas housing vacancy rate was 3.14% as identified in the CA-DOF 2012)

Milpitas must direct its Federal, State and local resources to housing programs and activities that directly benefit very low and low-income households. In-fill development and accessory units will be encouraged. More attention will be directed to the needs of extremely low-income individuals and households. Milpitas will continue to explore innovative resources to aid in development of affordable housing and support services to benefit lower income households.

Priority Analysis and Strategy Development

This section reviews the fiscal year 2013-2014 Milpitas plans and priorities to be pursued over the next year and how they relate to the Consolidated Plan (July 1, 2012-June 30, 2017) in addressing the needs identified in the Housing and Homeless Needs Assessment.

The Consolidated Plan Priority Needs Summary rates the Milpitas priorities. Those activities not anticipated to be a priority would be provided no assistance. The rationale behind the general priorities established for allocating Federal, State and local resources within the City is based upon review of Milpitas needs which shows that extremely low income renters, senior citizens and other special needs groups have the most difficulty finding affordable housing, employment, and other support services.

The Consolidated Plan Priority Needs Summary shows the “high” priority will be given to providing assistance to very low and low-income households and to homeless individuals and families and other persons of special needs, as well as activities aimed at preventing homelessness.

A “Medium” Priority is given to assisting low-income households in a wide variety of housing and support services.

A “Low” Priority is given to those groups currently small in number or least in need of assistance. However, should additional funding become available, the City will implement programs and activities as appropriate.

Strategy 1: Continue to provide funding to non-profit agencies and organizations, which serve the very low and low-income Milpitas residents and the homeless

Milpitas will continue to provide funding to those non-profit agencies and organizations, which provide housing and other support services to very low and low-income households. Agencies and organizations such as Alum Rock Counseling Center, Catholic Charities, Emergency Housing Consortium, Milpitas Food Pantry, and Senior Adult Legal Services, which are funded through the City of Milpitas Community Development Block Grant Program, will be encouraged to provide services to low-income households in Milpitas, especially, those households with special needs for affordable housing and support services.

Strategy 2: Rehabilitation of substandard units will be encouraged and financial assistance will be provided whenever possible

The Milpitas Housing Rehabilitation Loan Program is funded by CDBG. The program will continue to assist low-income households. Rehabilitation will also include energy efficient methods for single and multi-family units

Milpitas is exploring apartment rehabilitation and has identified several multi-family projects, in need of improvements and repairs. Milpitas will explore other types of funding sources (i.e. Home, Section 108, etc.) to finance the apartment rehabilitation program. Milpitas' Code Enforcement Section and Building Division will continue to abate substandard housing conditions in affected units. The Code Enforcement Section will continue to respond to citizen complaints regarding housing code problems and Project Sentinel will continue to provide mediation and negotiate tenant and landlord disagreements.

Strategy 3: Conservation of Existing Affordable Housing Stock

Milpitas will continue to encourage the conservation of the rental housing stock because rental units are the most affordable housing for lower income households. Milpitas will assist local non-profits with regulatory and technical issues as well as to help identify potential funding resources.

The Santa Clara County Housing Authority (SCCHA) administers the Section 8 Program. Milpitas will continue to work with the Housing Authority to maintain the existing Section 8 subsidy levels and to encourage additional subsidies for Milpitas residents whenever possible. As previously mentioned, Milpitas is exploring the development of an apartment rehabilitation program.

A total of 615 Milpitas residents have vouchers and are living in Section 8 units. Another 1,892 residents are on the waiting lists.

Milpitas will maintain its existing Mobilehome Rent Control Ordinance to ensure the continued affordability to the 527-mobilehome units. Approximately 70% of the tenants at the mobilehome parks are low-income senior citizens. Milpitas will also assist, as feasible, a local non-profit or tenant organization in the buyout or conversion to tenant ownership if such a proposal is presented Milpitas Neighborhood Beautification Ordinance (NBO) has also established program guidelines and award programs for maintaining and improving the general housing stock in individual neighborhoods.

Strategy 4: Participation by the Private Sector in Development of Affordable Housing

Through alternative financing programs in the public and private sectors, whenever possible, Milpitas will encourage developers (non-profit and for-profit) to leverage their funding to the furthest extent possible. Several non-profit and for-profit developers have expressed interest in working with the City to develop a Senior Housing Project. Milpitas has provided \$1.1 million in funding for the Santa Clara County Housing Trust Fund to raise \$30+ million (with the goal to leverage this funding to \$1.3 billion) to assist 5,000 families in affordable housing. This allocation would provide approximately 3,000 affordable rental apartments, support 800 first-time homebuyers with down payment assistance, and serve more than 1,000 homeless individuals and families through housing and support services. A large portion of the funding has been provided from several major high-tech corporations in Silicon Valley such as Intel, Applied Materials, and Cisco Systems.

Milpitas has worked with and will continue to work with developers on their approved and proposed residential development projects. As stated by the City's affordable housing policy, it is anticipated that 20% of all the residential units in the projects will be designated as affordable housing for very low, low

and moderate-income households. It is estimated that the private sector will invest over \$285 million into the residential development projects in Milpitas over the next 5 years.

Housing Bond Advisory Committee

Milpitas participates in the County of Santa Clara Housing Bond Advisory Committee which established a permanent funding pool for affordable housing projects within Santa Clara County.

County of Santa Clara-Office of Affordable Housing

County of Santa Clara has established an Office of Affordable Housing. This agency will be working with the local jurisdictions to address the affordable housing needs countywide. The City of Milpitas will be an active participant in the Office of Affordable Housing.

Strategy 5: Provision of Equal Housing Opportunities

Milpitas will continue to provide financial support to programs that provide fair housing and counseling services to Milpitas residents including Project Sentinel and other similar programs. Milpitas has prepared and continues to implement its Analysis to Impediments to Fair Housing Report, which identifies potential barriers to obtaining fair housing. The Cities within Santa Clara County and the County have prepared a countywide Supportive Housing Initiative Report to assist in addressing several issues including constraints to affordable housing and removing housing barriers. Milpitas will continue to work with Project Sentinel to address fair-housing issues and participate in tenant-landlord resolutions with regards to housing discrimination.

As previously stated Milpitas updated its Analysis of Impediments to Fair Housing Choice Report which identifies and provides a strategy to address potential housing impediments to fair housing choices.

Strategy 6: Other Processes and Procedures to be reviewed that Prohibit or Negatively Impact Affordable Housing Opportunities

In-Fill Development

Milpitas will continue to review in-fill development sites to determine their appropriateness for multi-family developments. However, the amount of land available for in-fill development has been reduced over the number of years to accommodate various types of development, including affordable housing projects. The Midtown Specific Plan has assisted on developing in-fill development parcels of land that can accommodate future housing developments. Milpitas applied for the Infill Infrastructure Grant from State Department of Housing and Community Development and is waiting to here the results of the application review.

Provision of Sufficient Land Zoned for Multi-Family Units

Over the past several years, Milpitas has identified approximately 1,000 acres of land that has been rezoned for housing sites. Milpitas has updating and revising its General Plan Housing Element as required by State of California Housing Element Law. The Housing Element has identified appropriate housing sites to provide general plan amendments and underline zoning changes to increase the density on parcels of land to accommodate future high-density multi-family developments. In February 2010, State of California, Department of Housing and Community Development found the Milpitas General

Plan Housing Element in compliance with state housing laws. **Also, Milpitas Midtown Specific Plan proposes land use alternatives to 1,000 acres of land, which would accommodate a variety of housing types in the range from approximately 3,000 housing units. The Transit Area Specific Plan would permit densities for an additional 5,500 units.**

Density Bonus Ordinance

Milpitas will continue to implement the Density Bonus Ordinance, which allows a developer to obtain concessions and incentives (financial and reduction of development standards) for developing very low, low income, and senior citizens housing projects. The units must remain affordable for at least thirty 30 years pursuant to deed restrictions. Milpitas has granted financial concessions in the form of reduction in park-in-lieu, building and plan checking fees. Milpitas has also granted reductions in development standards (required parking, setbacks, park dedication, etc.) to accommodate affordable housing developments.

Milpitas has amended its Zoning Ordinance to incorporate the new State Density Bonus provisions with allow housing developers flexibility in providing affordable housing units.

Milpitas Affordable Housing Policy

Milpitas affordable housing policies state that each residential developer should provide 20% affordable housing (very low, low and moderate-income) in their projects. The actual level of affordability is negotiated on a project-by-project basis. City Staff requires the level of affordability by reviewing the Association of Bay Area Governments-Regional Housing Determination Needs (2014-2022) and requires each developer to provide it fair-share of affordable units in the project.

Based on the level of financial assistance (and city housing needs) provided to the developer (including grants, loans, grants and loans combination, payment of developer impact fees, first-time homebuyer down payment assistance, etc.), City Staff determines the appropriate level of affordable housing required in each project.

Payment of Development Fees

The Milpitas City Council will continue to consider requests to waive or subsidize City fees for developer to assist in reducing the cost to developers that develop affordable housing units. These fees include building and fire permits, plan checking, parkland dedication, water and sewer, school impact and traffic mitigation fees controlled by the City, and cost of entitlement applications. The wavier of developer impact fee are tied the number of affordable housing units within each individual projects. Milpitas has subsidized approximately **\$5.6 million in developer impact fees to financially assistance affordable housing projects.**

Homeless Facility Sites

The City will be amending its Zoning Ordinance to “permit by right” the provisions of emergency housing facilities and transitional housing facilities in specific zoning categories (i.e. residential, commercial, and industrial). Pursuant to the certified Housing Element, Milpitas will be preparing Zoning Ordinance Amendments to permit homeless shelters, transitional, permanent, and single room occupancy units

Procedural Reforms

Milpitas will continue to review its development procedures and recommend appropriate changes to facilitate the construction of affordable housing units. All internal governmental constraints to expedite approval of affordable housing projects will be reviewed and addressed in a timely manner. Milpitas is currently implementing “**Road Map to Service Improvements**”, to review and enhance customer service.

Modification to Development Standards

Milpitas will continue to review its development standards and recommend modifications to development standards, which pose an unnecessary impediment to the construction of affordable housing units. Development standards (i.e. parking, setbacks, height, private and public open space, etc.) have been reduced on several affordable housing projects to limit the unnecessary burden or financial costs to support the project.

Institutional Structure

Milpitas will continue to implement financing affordable housing and supportive housing strategies through the Building, Planning, and Neighborhood Services Divisions. The development process has been reviewed to become streamlined to expedite and promote “fast-tracking” of affordable housing projects.

Milpitas will continue to work with other cities and the County of Santa Clara to address the issues of homelessness and other regional issues. Several collaborative efforts involved all of the cities and the County of Santa Clara such as the Second Harvest Food Bank and Catholic Charities. Milpitas has participated (data and funding) in the Countywide Homeless Survey. The majority of housing strategies will be accomplished by supporting non-profit organizations providing Programs and services to low and very low-income households. Milpitas will also work with private for-profit industry, in particular financial and development groups, to encourage the development and affordable housing opportunities in the City.

Overcoming Gaps

There are a number of gaps in program and service delivery. There is a need to improve coordination of services on a Citywide and Countywide basis and increase funding available to provide adequate services. The CDBG entitlement cities and County of Santa Clara staff continue meeting to discuss data, resources and other ways to coordinate requests for information to both the public and private countywide agencies. These meetings have been beneficial to help better understand the County and the non-profit social service structure. HUD also continues to meet with this group of cities and the County to clarify issues and assist in our planning process and efforts.

Monitoring of CDBG Subrecipients

Milpitas continues to monitor the activities and programs of its Subrecipients that receive CDBG funding. Monitoring visits are scheduled in advance by staff to meet and address the following issues:

- Meet and discuss with Subrecipients their annual goals and objectives.

- Review their financial reports and supplemental documentation to insure that the CDBG funds are being used and allocate appropriately.
- Conduct CDBG Workshops to assist new CDBG Subrecipients on the program regulations, requirements, and other technical assistance.
- Identify areas of improvement to increase the level of communications between the City and its Subrecipients.
- Assist Subrecipients on obtaining additional funds and new resources to carryout programs and services.

It is anticipated that these actions stated above would be useful to further the overall goals and objectives identified throughout the Milpitas 2013-2014 Action Plan and the Five-Year Consolidated Plan.

Performance Measurements

The City of Milpitas 2013-2014 Action Plan has incorporated performance measurements associated with the programs and activities that are funded during the next fiscal year. The performance measurements is a program management tool to establish the organizational process for gathering information to determine the status and level of programs and activities being funded in order to meet the established goals and objectives.

The Performance Measurements objectives are identified in three (3) categories:

- Creating Suitable Living Environments
- Providing Decent Affordable Housing
- Creating Economic Opportunities

Based on the selected performance measurement objectives stated above, the appropriate outcomes are identified below to best reflect the desired outcomes achieved through the funding of CDBG the programs and activities in the Action Plan:

- Availability/Accessibility
- Affordability
- Sustainability

The Outcomes and Objectives Codes are identified in Table 3A (Summary of Specific Annual Outcomes) and the Description of Projects attached to the Action Plan:

	Availability/Accessibility	Affordability	Sustainability
Decent Housing	DH-1	DH-2	DH-3
Suitable Living Environ.	SL-1	SL-2	SL-3
Economic Opportunity	E0-1	E0-2	E0-3

In conclusion, the performance measurements used to determine the outcome of programs and activities funded through the Action Plan will allow the residents of Milpitas, decision-makers, HUD and other

interested parties obtain a better understanding on the program results that directly and indirectly impact and benefit the residents within the community.

Citizens Participation Process

On April 15, 2014, City of Milpitas held a public hearing on the adoption of the Milpitas 2014-2015 Action Plan to obtain public comments prior to the final adoption and submittal to HUD.

Public notices of the meeting were placed in the Milpitas Post for the required 30-day review period (March 14 to April 14, 2014) prior to the hearing date letters were sent out to over **14** Public Service and Housing Providers to comment on the Draft Action Plan. Attached is a list of Public Service and Housing Providers that received letters.

Since the Performance Measurements identified above does not warrant substantial or significant change to the Action Plan as outlined in the City of Milpitas Community Development Block

Grant Citizen Participation Process, the information has been submitted and incorporated into the document and does not constitute an amendment to the Action Plan. The performance measurements are identified as new Federal Government/HUD reporting requirements as part of the compliance with the CDBG Program regulations.

The goals and objectives identified in the Draft and Final Action Plan are in full compliance with the local policies and procedures adopted in the Milpitas Citizen Participation Plan. The following actions and schedule allowed maximum citizen participation in the review of the Milpitas 2013-2014 Action Plan.

January 3, 2014 and February 7, 2014

Advertise Request for Community Development Block Grant proposals in the Milpitas Post Newspapers (Twice: January 3 and 17, 2014). Notices were also included in the City's Cable TV and Web Site. Public notices were available during the entire 30-day application acceptance period (January 3, 2014-February 7, 2014).

January 3, 2014 to February 7, 2014

CDBG application period opened for 30 days to receive applications.

February 21, 2014

Advertised for Community Advisory Committee (CAC) meeting to review CDBG application proposals (Meeting Date: March 5, 2014).

March 14, 2014 to April 14, 2014

Advertised for 30 days to provide the general public the opportunity to review and comment on the Draft Action Plan. Also, copies of the plan were sent to Service and Housing Providers and other interested parties. Copies were available in the Milpitas Public Library, City Hall Information Desk and Public Information public counter at City Hall.

April 4, 2014

Advertised for City Council review of CDBG Funding Proposals and adoption of Draft Action Plan (City Council Meeting: April 15, 2014).

April 15, 2014

Milpitas City Council held a public hearing to obtain input and comments on the Draft Action Plan and Adopts Final Action Plan and CDBG Funding for FY 2014-2015

May 15, 2014

Submit Final Action Plan to HUD.

August 29, 2014 to September 15, 2014

Public review and comments Period Starts for Consolidated Annual Performance and Evaluation Report (CAPER) for FY 2013-2014.

September 16, 2014

Milpitas City Council holds public hearing to obtain input and comments on the Draft CAPER Report.

September 26, 2014

Submit Consolidated Annual Performance and Evaluation Report (CAPER) to HUD.

CITY OF MILPITAS



COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG/CDBG-R)

DRAFT CITIZEN PARTICIPATION PLAN (Revised: March 2014)

CHAPTER 8

CITY OF MILPITAS/COMMUNITY DEVELOPMENT BLOCK GRANT CITIZEN PARTICIPATION PLAN

(Note: New Text Italic)

Introduction

Pursuant to Section 24 CFR 91.05 of the final rule for submission of the Consolidated Plan requires the Department of Housing and Urban Development requires that each jurisdiction receiving federal Community Development Block Grant (CDBG) funds adopt a citizen participant plan which outlines the jurisdiction's policies and procedures for local residents to participate in the development of the Consolidated Plan and the Annual Performance Report. The Citizen Participation Plan is required to be adopted by the City of Milpitas to receive CDBG funds and must be incorporated into noticing requirements as set forth by Section 24 CFR Part 91.105.

The City of Milpitas Planning and Neighborhood Preservation Division is responsible for the preparation, noticing and implementing the Citizen Participation Plan. The City of Milpitas encourages and welcomes public comments in the preparation and implementation of the plan. Copies of the Citizen Participation Plan are available in the Planning and Neighborhood Services Department at the public counter at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street. Public comments can also be sent to:

Felix Reliford, Principal Housing Planner
City of Milpitas-City Hall
455 E. Calaveras Blvd.
Milpitas, CA 95030
(408) 586-3071

or

E-Mail at: FRELIFORD@CI.MILPITAS.CA.GOV

City of Milpitas Citizens Participation Plan-Community Outreach and Background Information

The purpose and intent of the Citizens Participation Plan is to encourage public participation in the review on the various Community Development Block Grant (CDBG) documents including the Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER) and Consolidated Plan and amendments. Local residents, service providers, and other interested parties are encouraged to participate in the development, implementation, and performance assessment to identification the City's housing priorities and needs and non-community development (public services) needs for very low, low and moderate income households. Citizen participation would also include the development and reassessment of the City's five-year strategic plan as outlined in the Consolidated Plan to meet the needs and the annual Action Plan to implement the strategic plan. All residents are invited and encouraged to assist the City in meeting its performance goals and objectives.

Citizen Participation Plan Community Outreach- City of Milpitas will take the following steps to encourage community participation in assessing community needs, funding, reviewing public documents, notice of public hearings and meetings for all related information and documentation for the Community Development Block Grant Program.

- *Appropriate public hearings and meeting notice will be advertise in Milpitas Post, City's Website. Milpitas Public Library and Milpitas City Hall*
- *City Staff will provide language interpreters for individuals that are not proficient in the English language . An interpreter for can be requested in advance of any CDBG public or community meeting by calling (408) 586-3071.*
- *City Staff will meet with groups, agencies and organizations representing minority populations, areas of concentration of minorities and special need populations to addresses their social and economic needs as CDBG funds will allow.*
- *CDBG Documents (Action Plan, CAPER, Consolidated Plan, etc.) will be made available to the greatest extent possible to minority populations and special needs populations*
- *Milpitas will continue to make available the TDD phone number for disabled persons*
- *Any substantial amendments to any CDBG documents, Milpitas to the greatest extent possible notify all interested parties*

Definition of Low and Moderate Income Neighborhood- *The definition of low and moderate income neighborhood must meet the primary objective of the CDBG program*

- *Decent Housing*
- *A Suitable Living Environment, and*
- *Economic Opportunity*

Furthermore, must be eligible CDBG Activity meeting at least of National Objectives:

- *Benefit to low and moderate income persons (at least 51% served are LMI)*
- *Aid in the Prevention of Slum and Blight*
- *Urgent Need*

Specific geographic areas in which Milpitas provides direct assistance with CDBG contains high concentration of minority populations including Asian, Hispanics and Black households. The rationale for targeting these areas for allocating CDBG funds based on financial, social and economic needs of several working class neighborhoods.

Estimate Amount that will Benefit Persons of Low and Moderate Income-*Based on the geographically location, concentration of minorities and the most recent census data, approximately 100% of the CDBG funding will be allocated to low and moderate-income households and clientele.*

Jurisdiction Plans to minimize Displacement of Persons and Assistance Available- Milpitas will take every precaution to minimize the displacement of persons and provide assistance as available. Any CDBG activity has will cause displacement, City Staff will work with the tenant(s) with relocation plans, regarding site, locations, costs, moving expenses, etc.

Notice of Application Solicitation and Public Hearing for CDBG Funding

- 1) At least 30 days prior to the deadline to submit applications for eligible CDBG non-housing community development activities and housing activities, the City will publish in the local newspaper of general circulation, a Notice of Solicitation for CDBG Applications and the proposed use of funds by local residents, groups, organizations and service providers. The notice will include the estimated funds that will be made available by HUD during the fiscal year and the types of activities to be undertaken. The notice shall also include when and where applications can be obtained, the deadline for application submittal, and a City contact person to obtain additional information regarding the CDBG application submittal process.
- 2) All notices along with applications will be mailed to all current CDBG subrecipients, and former applicants who were previous denied funding in the past fiscal year. Notices will also be mailed any other applicants or a person, which has requested CDBG applications for the current fiscal year. A letter will be included with the notices to offer any technical assistance by the City to applicants explaining the CDBG regulations and process, responding to questions, and assisting on completing the application for funding.
- 3) The City will also provide this information on the City's Web Site and local Cable Television to provide additional outreach efforts to local Milpitas residents, groups and organizations. Notices will also be made available in the Milpitas Public Library and other public buildings throughout the City.
- 4) Prior to the start of the funding cycle for CDBG funds, the City will make itself available to assist any applicant on the processing of their CDBG application (inform the general public about the CDBG application process, explain any new federal regulations about the program, and answer any questions the public may have regarding the CDBG Program, etc.).
- 5) The Milpitas Citizens Advisory Commission (CAC) and City Council will hold at least one advertised public hearing on the CDBG funding during each fiscal year. Notice of the public hearing will made available in the following matter:
 - a) Least 14 days prior to the established public hearing date, the City will publish a public hearing notice in the local newspaper of general circulation indicating the time, place and date of the public hearing to be held, the purpose of the public hearing and how and where persons interested in the public hearing can obtain more information about this matter. A City contact person and the City's TDD phone number will be included in the public hearing notice.

- b) A copy of the public hearing notice will also be sent by mail to all grant applicants and other persons who have indicated a previous interest in the CDBG public hearing process. All notices will be sent at least 14 days prior to the established meeting date.
 - c) The public hearing notice will be posted on the City Public Bulletin Board in front of City Hall to allow maximum visibility by local residents. The notice will be posted at least 14 days prior to the meeting.
- 6) The City will provide this information (applications and notices) in print form and will work in the future provide this information on disks.

The Annual Action Plan and Consolidated Plan-Citizen Participation Process

The City of Milpitas Annual Action Plan *and Five (5) Year Consolidated Plan* describes the eligible programs, projects and activities to be undertaken with Community Development Block Grant funds expected to be made available during the program year *and overall a five year period of time* and their relationship to the priority housing, homeless and community development needs.

Prior to the City of Milpitas City Council adoption of the Annual Action Plan *and Consolidated Plan* for the expenditure of Community Development Block Grant funds, the City will make available to local residents, service providers, and other interested parties information pertaining to the estimated amount of CDBG funds the City will receive from HUD, the types of programs, projects and activities that will be undertaken during the fiscal year with the funds, notice of application solicitation to encourage local residents, organizations, groups and service providers to apply for funding and the required public review period to comment on the Draft Action Plan *and Consolidated Plan*. This information will be made available to the general public in the following matter:

Notice of Public Hearing for Action Plan and Consolidated Plan

The Milpitas City Council will hold at least one advertised public hearing prior to the adoption of the final Action Plan *and Consolidated Plan*. The purpose and intent of the public hearing will be to encourage public input and comments prior to the City Council taking action on the final Action Plan *and Consolidated Plan*. Substantial comments received during the public hearing will be considered prior to preparing the final document. The public hearing will be held during the evening to encourage the maximum citizen participation in the public review process. Every outreach effort (advertising, public notices, letters, etc.) will be made to include low-income residents and disable persons to attend the meeting during the funding process. Notice of the public hearing will be made available in the following matter:

- 1) At least 14 days prior to the established public hearing date, the City will publish a public hearing notice in the local newspaper of general circulation indicating the time, place and date of the public hearing to be held, the purpose of the public hearing and how and where persons interested in the public hearing can obtain more information about this matter. A City contact person and the City's TDD phone number will be included in the public hearing notice.

- 2) A copy of the public hearing notice will also be sent by mail to all grant applicants and other persons who have indicated a previous interest in the CDBG public hearing process. All notices will be sent at least 14 days prior to the established meeting date.
- 3) The public hearing notice will be posted on the City Public Bulletin Board in front of City Hall to allow maximum visibility by local residents. The notice will be posted at least 14 days prior to the meeting.

Public Comments on Draft Action Plan and Consolidated Plan

Upon completion of the Draft Action Plan *and Consolidated Plan*, City of Milpitas will publish a summary of the plan in the local newspaper of general circulation. The notice will be published at least 30 days prior to the public hearing for the adoption of the final plan by the City Council. The notice will include information regarding when and where the public can review and/or obtain copies of the draft plan and where comments may be submitted in response to the plan. This notice will also include the City's TDD number.

Local residents, groups, organizations, service providers and other interested parties will be given at least 30 days to review and comment on the Draft Action Plan *and Consolidated Plan*. The plan will be made available to the public at the City of Milpitas Community Development Department at 455 E. Calaveras Blvd. at the public counter, Milpitas Public Library, 160 N. Main Street. The City of Milpitas will also take the necessary steps to accommodate requests to provide the plan to persons with physical disabilities.

The City will review and consider all citizens and service providers' oral and written comments regarding the Draft Action Plan *and Consolidated Plan* prior to the final preparation of the document. A summary of the comments received during the 30-day comment period, their disposition will be attached to the final plan.

Consolidated Annual Performance and Evaluation Report (CAPER)

As required by the Department of Housing and Urban Development, the City of Milpitas is required to prepare the Consolidated Annual Performance and Evaluation Report (CAPER) to identify those programs, projects, and activities that have been undertaken during the previous fiscal years. The CAPER is due 90 days after the end of each grant year.

CAPER-Citizen Participation Process

At least 15 days prior to the submittal of the Consolidated Annual Performance and Evaluation Report (CAPER) to HUD, the City will publish Notice of Preparation of the Draft CAPER in a local newspaper of general circulation. The notice will include the time period the draft report covers during the previous year and when and where the report can will be available for public review and comments. The notice will also indicate the deadline to submit comments on the report and where comments should be sent.

At least 14 days period to the submittal of the final CAPERS to HUD, a copy of the notice will be posted in the Milpitas Public Bulletin Board in front of City Hall for public review and at the Milpitas Public Library.

Public Comments on the CAPER

Upon completion of the Draft CAPER, City of Milpitas will publish a summary of the plan in the local newspaper of general circulation. The notice will be published at least 15 days prior to the public hearing for the adoption of the final plan by the City Council. The notice will include information regarding when and where the public can review and/or obtain copies of the draft plan and where comments may be submitted in response to the plan. This notice will also include the City's TDD number.

Local residents, groups, organizations, service providers and other interested parties will be given at least 15 days to review and comment on the Draft CAPER. The plan will be made available to the public at the City of Milpitas Community Development Department at 455 E. Calaveras Blvd. at the public counter, Milpitas Public Library, 160 N. Main

Street. The City of Milpitas will also take the necessary steps to accommodate requests to provide the plan to persons with physical disabilities. The City will review and consider all citizens and service providers' oral and written comments regarding the Draft CAPER to the final preparation of the document. A summary of the comments received during the 30-day comment period, their disposition will be attached to the final plan.

The Consolidated Plan

The Consolidated Plan is a five (5) year comprehensive planning document that identifies a jurisdiction's overall needs for affordable and supportive housing as well as non-housing community development needs and outlines a strategy for the use of available resources to meet the one year Action Plan and CAPER which reviews the progress made in meeting the goals and objectives of the prior year Action Plan.

The Consolidated Plan-Amendments/Citizen Participation Process

Minor Amendments

Any minor amendments to the Consolidated Plan will be made administratively and will be incorporated into the City's CAPER at the end of end program year. Minor amendments shall be one that maintains the integrity of the plan and does not include any substantial change policy or in funding priorities while still maintaining flexibility in meeting the goals and objectives.

Substantial Amendments

Any substantial amendment to the Consolidated Plan will only be incorporated into the document after a public notice has been provided to local residents, organizations, groups, service providers and other interested parties at least 30 days to review and comments. Substantial changes shall be one that; 1) changes in the allocation priorities or a change in the method of distribution of funds, 2) carry out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Action Plan, and 3) change the purpose, scope, location or beneficiaries of any activity, 4) *any change in use from one eligible activity to another eligible activity*. Any amendment above shall be determined to be substantial if it totals 10% or more of the city grant allocation. Minor adjustments in funding levels for public

services, housing activities and administration due to differences in actual versus anticipated program income should not be considered substantial.

Notice of Public Hearing for Amendments to Consolidated Plan

The Milpitas City Council will hold at least one advertised public hearing at least 30 days prior to any proposed amendments to the Consolidated Plan. The purpose and intent of the public hearing will be to encourage public review and comments prior to the City Council taking action on the final amendment. Substantial comments received during the public hearing will be considered prior to the preparing the final document. The public hearing will be held during the evening to encourage the maximum citizen participation in the public review process. Every outreach effort (advertising, public notices, letters, etc.) will be made to include low-income residents and disable persons to attend the meeting during the decision-making process. Notice of the public hearing will be made available in the following matter:

- 1) At least 14 days prior to the established public hearing date, the City will publish a public hearing notice in the local newspaper of general circulation indicating the time, place and date of the public hearing to be held. The purpose of the public hearing and how and where persons interested in the public hearing can obtain more information about this matter. A City contact person and the City's TDD phone number will be included in the public hearing notice.
- 2) A copy of the public hearing notice will also be sent by mail to all grant applicants and other persons who have indicated a previous interest in the CDBG public hearing process. All notices will be sent at least 14 days prior to the established meeting date.
- 3) The public hearing notice will be posted on the City Public Bulletin Board in front of City Hall to allow maximum visibility to local residents. The notice will be posted at least 14 days prior to the meeting.

Comments on Amendments to the Consolidated Plan

Upon completion of any substantial amendment(s) to the Consolidated Plan, City of Milpitas will publish a summary of the plan in the local newspaper of general circulation. The notice will be publish at least 30 days prior to the public hearing for the adoption of the final plan by the City Council. The notice will include information regarding when and where the public can review and/or obtain copies of the draft plan and where comments may be submitted in response to the plan. This notice will also include the City's TDD number. Local residents, groups, organizations, service providers and other interested parties will be given at least 30 days to review and comment on the Draft Consolidated Plan. The plan will be made available to the public at the City of Milpitas Community Development Department at 455 E. Calaveras Blvd. at the public counter, Milpitas Public Library, 160 N. Main Street. The City of Milpitas will also take the necessary steps to accommodate requests to provide the plan to persons with physical disabilities.

The City of Milpitas will review and consider all citizens and service providers' oral and written comments regarding the Draft Consolidated Plan prior to the final preparation of

the document. A summary of the comments received during the 30 day comment period, their disposition will be attached to the final plan.

Amendments to the Citizens Participation Plan

Local residents, organizations, groups, service providers and other interested persons will be provided an opportunity to comment on any substantial amendment to the Citizens Participation Plan. Minor amendments to the Citizen Participation Plan, which comply with HUD minimum standards will not be deemed substantial and will be incorporated administratively. However, any amendment deemed substantial shall be made available for public review and comments in the following manner:

- 1) At least 14 days prior to the established public hearing date, the City will publish a public hearing notice in the local newspaper of general circulation to consider an Amendment to the Citizen Participation Plan. The notice will indicate the time, place and date of the public hearing to be held and the purpose of the public hearing and how and where persons interested in the public hearing can obtain more information about this matter. A City contact person and the City's TDD phone number will be included in the public hearing notice.
- 2) A copy of the public hearing notice will also be sent by mail to all grant applicants and other persons who have indicated a previous interest in the CDBG public hearing process. All notices will be sent at least 14 days prior to the established meeting date.
- 3) The public hearing notice will be posted on the City Public Bulletin Board in front of City Hall to allow maximum visibility to local residents. The notice will be posted at least 14 days prior to the meeting.
- 4) The City of Milpitas will review and consider all citizens and service providers oral and written comments regarding the Amendments to the Citizen Participation Plan prior to the final preparation of the document. A summary of the comments received during the 30-day comment period, their disposition will be attached to the amended plan.

Access to Public Records

The City of Milpitas will make available a copy of the Consolidated Plan, including the Needs Assessment, Strategic Plan, Action Plan, and CAPER for the past years the City of Milpitas has participated in the CDBG Program for public review during the business hours of 8:00 a.m. to 5:00 p.m. at City Hall, Community Development Department at 455 E. Calaveras Blvd., Milpitas CA 95035. This site is accessible to disable persons.

Citizen Complaints

Any complaints received from citizens relating to the Action Plan, CAPER, Amendments to the Consolidated Plan or Citizen Participation Plan shall be on filed in writing with the City of Milpitas Planning and Neighborhood Services Department, City of Milpitas at 455 E. Calaveras Blvd., Milpitas, CA 95035. Complaints shall address the nature of the complaint, and any desired outcome or resolution to the problem. All complaints should include a return address in which the City of Milpitas will respond to compliant with 15 working days from receipt of the complaint. When the proposed outcome or resolution is

not accepted by the City of Milpitas an explanation for not accepting the proposed resolution will be provided.

Citizen Participation Plan Amendment for CDBG-R

Pursuant to the Community Development Block Grant Program funding under the American Recovery Reinvestment Act of 2009 (ARRA), the City of Milpitas CDBG Citizen Participation Plan has been amended to comply with ARRA. The amendments includes the following:

- Submittal to HUD of the amended Action Plan to reflect CDBG-R activities, programs and services to be provided with ARRA 2009 funding.
- Submittal of Standard Federal Form SF-424, and signed certifications.
- Public Notice of CDBG-R funding with a 7 day citizens comment period (*)
- Providing equal access to information about funding activities, including non-English speaking persons and persons with disabilities.
- Providing public notice of amendments in public places (Milpitas City Hall, Milpitas Public Library, and City's Website).

(*) Note: HUD has waived the normal required 30 day review and comment period on the Action Plan. To expedite the process and to ensure that CDBG-R grant are awarded in a timely manner, while preserving a reasonable citizen participation process, HUD has shorted the minimum time for citizen comments to 7 calendar days. Attached is a copy of the City of Milpitas CDBG-R ARRA 2009 public notice provided for public review and comments.

Introduction- Limited English Proficiency

Pursuant to 65 FR 50121 of Executive Order 13166 requires every Federal agency that provides financial assistance to non-Federal entities must publish guidance on how their recipients can provide meaningful access to Limited English Proficiency (LEP) persons and this comply with Title VI regulations forbidding funding recipients from restricting an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid or other benefits under the program or from utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin or have the effect of defeating or substantially impairing accomplishments of the objectives of the program as respects individuals of a particular race, color or national origin.

The City of Milpitas Housing Division, which administers the Community Development Block Grant (CDBG) Program, is responsible for the preparation, noticing and implementing the Limited English Proficiency Plan. The City of Milpitas encourages and welcomes public comments in the preparation and implementation of the Plan. Copies of the draft Limited English Proficiency Plan are available in the City of Milpitas City Hall at the public information counter at 455 E. Calaveras Blvd. and at the Milpitas Public Library at 40 North Milpitas Blvd. Public comments can also be sent to:

Felix J. Reliford, Principal Housing Planner
455 E. Calaveras Blvd.
Milpitas, CA 95035
(408) 586-3071

or

freliford@ci.milpitas.ca.gov

City of Milpitas Limited English Proficiency Plan

The purpose and the intent of the Limited English Proficiency Plan is to encourage public participation in the review, allocation and funding in various Community Development Block Grant (CDBG) documents including the Action Plan, Consolidated Annual Performance Evaluation Report (CAPER) and Five-Year Consolidated Plan and amendments. Local residents, service providers and other interested parties are encouraged to participate in the development, implementation and performance assessment to identify the City's housing priorities, and needs and non-community

Development (public services) needs for very low, low, and moderate income households. Citizen participation would also include the development and reassessment of the City's five-year strategic plan as outlined in the Consolidated Plan to meet the needs and annual Action Plan to implement the strategic plan. All residents are invited and encourage assisting the City in meeting its performance goals and objectives.

The following Community Development Block Grant documents will be addressed in the Limited English Proficiency Plan:

- 1) The Annual Action Plan*
- 2) The Consolidated Annual Performance Evaluation Report (CAPER)*
- 3) The Five-Year Consolidated Plan*
- 4) Citizen Participation Plan*
- 5) Any Substantial Amendments to the Plans/Report stated above.*

What is the Limited English Proficiency Plan

The Limited English Proficiency Plan addresses individuals who do not speak English as their primary language and have a limited ability to read, write, speak or understanding English. The individuals, many who are very low and low-income persons can be limited in English proficient or "LEP" are entitled to language assistance with respect to a particular type of service, benefit or encounter through the allocation of Community Development Block Grant funds.

Language for LEP individuals can be a barrier to accessing important benefits or services. The Federal Government funds a variety of programs through CDBG that can be made accessible to otherwise eligible LEP persons. The Federal Government is committed to improving the accessibility of these programs and activities to eligible LEP persons.

How is Limited English Proficiency Determined

Recipients of Community Development Block Grant funds are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. The following four factors must be consider in the preparation of the Limited English Proficiency Plan:

- 1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;*
- 2) The frequency with which LEP individuals come in contact with the program;*
- 3) The nature and importance of the program activity or service provided by the program to people lives; and*
- 4) The resources available to the grantee/recipient and costs.*

The intent of the guidelines stated above is to suggest a balance between ensuring meaningful access by LEP persons to critical services, while not imposing undue burdens on small business, small local governments or small nonprofits.

After analyzing the four guidelines stated above, a recipient may conclude that different languages assistance measures are sufficient for different types of programs or activities in which it engages

Identifying LEP Individuals Who Need Language

The first two factors require an assessment of the number or proportion of LEP individuals eligible to served or encountered and the frequency of encounters. The City of Milpitas 2010 Census population consists of the following demographics:

<u>Race</u>	<u>Number</u>	<u>Percentage of Population</u>
<i>White</i>	<i>13,725</i>	<i>20.5%</i>
<i>Black or African American</i>	<i>1,969</i>	<i>2.9%</i>
<i>American Indian/Alaska Native</i>	<i>309</i>	<i>0.5%</i>
<i>Asian</i>	<i>41,536</i>	<i>62.2%</i>
<i>Native Hawaiian/Other Pacific Is.</i>	<i>346</i>	<i>0.5%</i>
<i>Hispanic or Latino (of any race)</i>	<i>11,240</i>	<i>16.8%</i>

As illustrated from the demographic population chart stated above the Milpitas is a very diverse community with dozens of languages, which are spoken. Because of its large Average household size of 3.38 and average family size 3.70, many households in Milpitas consist of extended family and second and third generation living within the same household. The 2000 Census has identified 51,487 or 77.1% of the total population over the age of 18 years and over.

The 2010 Census further states the following based on population 5 years and over

<u>Language</u>	<u>Number</u>	<u>Percentage of Population</u>
English only	21,890	35.1%
Language other than English	40,465	64.9%
Speak English less than very well	17,289	27.7%
Spanish	6,279	10.1%
Speak English less than very well	2,294	3.7%
Other Indo-European language	5,952	9.1%
Speak English less than very well	1,138	1.8%
Asian and Pacific Island languages	28,191	45.2%
Speak English less than very well	13,764	22.1%

Given the City of Milpitas diversity and ethnicity among its population, it would be extremely difficult to prepare a plan that would include the dozens of languages that are spoken within the city. The proposed LEP will attempt to address as many languages as time and financial resources will allow.