



Empowering Diversity by Creating Opportunities

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November 28, 2014

Mayor Jose Esteves and Members of the Milpitas City Council
c/o Hang L. Huynh, City of Milpitas Planning & Neighborhood Services Department
455 East Calaveras Blvd.
Milpitas, CA 95035

RE: *Community Development Block Grant (CDBG) funding priorities for the City of Milpitas*

Dear Mayor Esteves and Honorable Council Members:

We urge the Milpitas City Council to continue making Home Repair/Rehabilitation and Affordable Housing the City of Milpitas' top Non-Public Service CDBG funding priorities. We also encourage the Council to enshrine its commitment to sustainable homeownership in the City of Milpitas by broadening its current Public Service priorities.

From its inception 43 years ago, ASIAN, Inc.'s mission has been to empower disadvantaged minority communities, especially low- to moderate-income populations, by removing dependencies, strengthening self-determination and creating access to asset building opportunities, especially by means of responsible and sustained homeownership. ASIAN, Inc. has responded to the challenges our clients face by:

- emphasizing the development and use of the core skills and behaviors necessary for active attainment of material civil rights, including financial literacy, institutional savings and long-term financial planning;
- developing and expanding opportunities for first-time homebuyers; and to prevent foreclosure, ensure sustainable homeownership and to transition real-estate owned (REO) properties to qualified first-time homebuyers;
- delivering core services in small business technical assistance, including contract procurement and certifications to promote job growth and community economic development on a broad scale; and
- providing safe, well-maintained affordable housing for low- and moderate-income residents.

In all cases, ASIAN, Inc. promotes self-sufficiency as the means to community development and social progress.

From our two Silicon Valley offices, our multilingual (Cantonese-, Mandarin-, Tagalog- and Vietnamese- language) staff has been proud to assist the people of Milpitas in meeting their asset building and preservation goals. ASIAN, Inc. is U.S. Department of Housing and Urban Development-certified Local Housing Counseling Agency that has assisted over 1,000 clients in foreclosure prevention counseling, educated over 15,000 low- to moderate-income (LMI) and limited English proficient (LEP) clients seeking to become first-time homeowners, and rehabilitated (resulting in a 35% increase in cumulative value) and resold 44 REO homes worth over \$10 million to qualified LMI families.

We applaud the work the City of Milpitas for its successful community revitalization efforts to date. We look forward to continue working with you to make safe, housing opportunities available and accessible to LMI families.

Sincerely,

Michael A. Chan
President

cc: City of Milpitas Community Advisory Commission

NORTH COUNTY
(650) 969-8656

SOUTH COUNTY
(408) 847-7252



SALA
Senior Adults Legal Assistance

CENTRAL OFFICE
160 EAST VIRGINIA ST.
SUITE 260
SAN JOSE, CA 95112
(408) 295-5991
FAX: (408) 295-7401

December 9, 2014

Honorable Mayor Esteves and Milpitas City Council
City of Milpitas
455 Calaveras Boulevard
Milpitas, CA 95035

RE: Comments on CDBG Funding Priorities and Needs for December 16 City Council Meeting

Dear Mayor Esteves and Council Members,

We thank you for the invitation to submit these comments for the above referenced funding priorities hearing before the Milpitas City Council on December 16, 2014. In past years Senior Services have been ranked as the #1 priority under the Public Service priority for the Milpitas CDBG program. We understand that the City of Milpitas is considering changes to the current policy, and in particular to the possible ranking of **Senior Services**.

We hope that after it review and deliberations the City Council will confirm that Senior Services continue to be a high priority for Milpitas especially in light of the fact that this is the fastest growing segment of the population.. In the past the CDBG staff and the City of Milpitas have also recognized Legal Assistance as a priority need for Milpitas seniors, in particular for Milpitas seniors that are low income and at-risk, and the City has provided CDBG funding to meet this need through Senior Adults Legal Assistance (SALA).

Because Legal Assistance provides support to seniors across numerous fields of human service, the need for this service tends to be under-reported and under-ranked when funders conduct set priorities. For that reason, the rest of our comments are limited to the need for Legal Assistance by elders. This limited focus should not be construed as our position regarding the relative merits of any other public service or housing needs in Milpitas, nor should this be construed as an indication that we believe that they are not important needs or priorities as well.

THE NEED FOR LEGAL ASSISTANCE FOR SENIORS

A. Documentation of Need from Local Needs Assessments

Needs reports prepared by Council on Aging Silicon Valley (now known as Sourcewise) and by the County of Santa Clara provide documentation of the critical need for accessible and affordable legal services for local elders, in particular for those seniors that are low income or at risk (SALA's target population), to keep them independent and to prevent their abuse, conservatorship, or premature institutionalization. Specifically, the Council on Aging (COA) Area Plan on Aging 2009-2012 notes that legal assistance is a priority need *"to help older persons to obtain services and benefits including protective services for financial abuse, competence and conservatorship"*. COA's Area Plan on Aging 2012-16 affirms that legal services are a priority service and notes such services *"are crucial in helping keep seniors in their homes"* and *"are absolutely vital to those in need of them."*

Unmet Civil Legal Needs of Indigent Residents of Santa Clara County, a report prepared for the Santa Clara County Board of Supervisors in August 2001, confirms the findings of the COA and notes: *“legal representation and counsel can be essential to the elderly and their families in gaining access to health, income, and social services.”* A Community for Life, the ten year strategic plan on aging completed by the County of Santa Clara and City of San Jose in February 2005, identifies the availability of legal assistance at senior centers as a *“key service need”*. In fact, this needs assessment states that when asked which programs and activities they would like senior centers to offer, legal services was one of three services that was identified by more than one half of the older adults that participated in the telephone survey that was conducted in conjunction with this report.

Most recently, the report entitled Santa Clara County Seniors' Agenda: A Quality of Life Assessment, prepared for the Board of Supervisors in April 2012, identified legal assistance and elder abuse prevention as key service/safety net needs locally, noting SALA *“is the only non-profit elder law office in the county focused on the legal needs of seniors”* and that SALA's target population includes *“seniors who are most likely at risk for abuse, exploitation, and institutionalization”*.

The Senior's Agenda report further states that one of the big challenges to providing free legal services to seniors are the drastic reductions in funding that have taken place and increased over the last several years, noting that two major consequences of reduced funding are an increase in the waiting lists and a decrease in the number of clients to be served. Significantly, waiting times for SALA appointments at many of our community based sites at senior centers average a minimum of 2 months, with numerous sites currently booking SALA appointments into 2015.

The need for legal services, as well as other supportive services for seniors, will continue to grow along with the older population's growth. United Way's recent Community Impact Report notes that the older population is expected increase from 11% to nearly 27% of the County's population by 2040. It also states that *“the growing number of older adults will undoubtedly require an increase in human services delivered to this population.”*

Based upon the sources cited above, we believe there is sufficient documentation that Legal Assistance continues to be a need that is critical to the lives and well being of elders in Milpitas, particularly those that are at-risk and/or low-income. We also believe this documentation supports the conclusion that Legal Assistance is a key access service for this population and their families or caregivers. The above-referenced needs reports could also support the interpretation that Legal Assistance is the most critical of access services for older adults because, as the provider of "last resort," Legal Assistance is necessary to enforce elders' rights to services and public benefit entitlements after preliminary access has been denied. These needs reports also identify the critical linkage between Legal Assistance and Protective Services (including prevention of elder abuse and conservatorship), yet another factor that should support the ranking of Legal Assistance as a critical service need of Milpitas elders.

B. Documentation of Need from SALA

SALA is the only agency in Santa Clara County designated by Sourcewise (formerly Council on Aging) to provide free legal services exclusively to elders under the Older Americans Act. SALA is also the only provider of free legal services with a physical presence in Milpitas, making our services accessible locally to Milpitas seniors. Specifically, SALA currently provides services twice monthly in Milpitas at the Barbara Lee Senior Center. SALA also make home visits to Milpitas seniors that are homebound or living in nursing homes.

Consistent with the mandate of the Older Americans Act, SALA targets our legal services to elders countywide and in Milpitas who have low incomes, are frail, or are at-risk of abuse, isolation or

institutionalization. Due to their low-income status, many of SALA's target clients are underserved because they struggle to provide for their basic needs (food, medical, housing, transportation) and cannot pay a private attorney \$500 an hour. Our target clientele is also at higher risk (in Greater Social Need) due to the characteristics (age 75/+ or disabled) many exhibit that are cited below.

Statistics for SALA clients from Milpitas provide support for the assessment that Legal Assistance is critical to the lives and well being of the most vulnerable and at-risk elders in Milpitas. Specifically, for 2013-14 SALA provided free legal services to more than 40 unduplicated Milpitas residents age 60 or older. Most had characteristics that put them in great economic need or at some level of being "at risk" of abuse, isolation, conservatorship, or premature institutionalization as noted below:

- **52%** were **extremely low income** (incomes at or below 30% of the county median)
- An additional **16%** were **very low income** (incomes at or below 50% of the county median).
- **55%** were **age 75 or older** (placing them at higher risk according to the Older Americans Act)
- **46%** were **disabled** (placing them at higher risk according to the Older Americans Act).

The critical role that SALA plays in the lives of elders is also illustrated by the types of legal problems for which they request our assistance. These requests address a broad spectrum of issues including (1) **legal planning for incapacity/end stages of life** to maintain independence and prevent conservatorship, (2) **housing** and **public benefits** (e.g. Social Security, SSI, Medicare, Medi-Cal) to meet their basic needs, and (3) **prevention of elder abuse**.

We note that **legal planning for incapacity** or later stages in life is a great concern for the Milpitas residents we serve, as well as for our clients countywide. This advance planning assists seniors to appoint caregivers of their choice to step in and manage their health care and personal care, as well as their financial matters, when they can no longer do so enabling them to age in place for as long as possible and to avoid court ordered conservatorships. This planning is also helpful to their family or caregivers because they can legally step in and manage our clients' affairs when our clients lack capacity to do so without having to petition the court to appoint them as a conservator.

While legal planning for the future is an ongoing client concern, a significant percentage of the clients we see are in crisis. These include seniors whose **basic needs** (housing, public benefits, medical or nursing care) are in jeopardy or who are victims of **elder abuse/domestic violence**. Last year client matters related to **basic needs** (Housing, Public Benefits, Nursing Home/Residential Care) comprised **37%** of the requests for assistance in countywide and **elder abuse** made up another **11%** of these matters.

The low income status for the Milpitas clients served by SALA last year, as well as the low income status for our clients countywide, indicates economic security and difficulty making ends meet is also an issue for many, so not surprisingly **debt collection** or assistance with **consumer/finance** matters comprised **10%** of the countywide requests for SALA's assistance last year.

We close this section by noting that the increasing need for Legal Assistance for seniors over the past decade has created a demand that far exceeds the existing service levels of SALA, the sole provider of such services locally. Moreover, funding for SALA's services has not keep up with the demand, creating waiting times for an appointment with SALA at many of our 20+ appointment locations that now average one to two months. The Santa Clara County Senior Agenda report notes that this will only get worse: *"The coming "age wave" will increase the demand for these [legal] services and currently service providers are fighting for their own survival while attempting to advocate for seniors"*.

SUMMARY

We believe that we have demonstrated that Legal Assistance continues to be a need that is critical to the lives and well being of elders in Milpitas, particularly those that are low income or at risk. The importance of Legal Assistance in the area of Incapacity/End of Life Planning and Elder Abuse is also documented, as is the role of Legal Assistance as a "safety net" service and key access service to ensure elders' adequate income, housing, basic necessities, safety, and independence.

In closing, we hope that the Senior Services and in particular the need for Legal Assistance for Milpitas seniors will continue to be identified as a priority need and a priority for funding through the CDBG program for the City of Milpitas.

We thank you again for the opportunity to submit these comments.

Respectfully submitted,



Georgia Bacil
Directing Attorney



APPOINTMENT LOCATIONS/LUGARES PARA CITAS

PALO ALTO

Avenidas Senior Center
450 Bryant
Palo Alto, CA 94301
650-289-5400

Stevenson House
455 E. Charleston Road
Palo Alto, CA 94306
650-494-1944

MOUNTAIN VIEW

Mountain View Senior Center
266 Escuela Ave.
Mountain View, CA 94040
650-903-6330

SUNNYVALE

Sunnyvale Community Services
725 Kifer Road
Sunnyvale, CA 94086
408-738-4321

SANTA CLARA

Santa Clara Senior Center
1303 Fremont Street
Santa Clara, CA 95050
408-615-3170

MILPITAS

Barbara Lee Senior Center
40 N. Milpitas Blvd.
Milpitas, CA 95035
408-586-3400

BERRYESSA

Berryessa Community Center
3050 Berryessa Rd.
San Jose, CA. 95132
408-251-6392

CUPERTINO

Cupertino Senior Center
21251 Stevens Creek Blvd.
Cupertino, CA 95014
408-777-3150

WEST SAN JOSE

Cypress Senior Center
403 South Cypress Avenue
San Jose, CA 95117
408-244-1353

DOWNTOWN SAN JOSE

John XXIII
195 East San Fernando
San Jose, CA 95112
408-282-8600

Roosevelt Community Center

901 E. Santa Clara Street
San Jose, CA 95116
408-794-7555

WASHINGTON AND

TULLY/SENIOR

Alma Center
136 West Alma Ave
San Jose, CA 95110
408-275-1315

Se habla español aquí.

Seven Trees Community Center

3590 Cas Drive
San Jose, CA 95111
408-794-1690

EAST SAN JOSE

Eastside Senior Center
2150 Alum Rock Avenue
San Jose, CA 95116
408-251-0215

Se habla español aquí.

Mayfair Community Center*

2039 Kammerer Ave.
San Jose, CA 95116
408-794-1060

CAMPBELL

Campbell Adult Center
1 W. Campbell Avenue, C-33
Campbell, CA 95008
408-866-2146

WEST VALLEY

Saratoga Senior Center
19566 Allendale Avenue
Saratoga, CA 95070
408-868-1257

WILLOW GLEN/CAMBRIAN

Willows Senior Center
2175 Lincoln Ave.
San Jose, CA 95125
408-448-6400

CAMDEN

Camden Community Center
3369 Union Avenue
San Jose, CA 95124
408-559-8553

ALMADEN

Almaden Community Center
6445 Camden Ave.
San Jose, CA 95120
(408) 268-1133

EVERGREEN

Evergreen Community Center
4860 San Felipe Rd.
San Jose, CA. 95135
408-270-2220

SOUTH SAN JOSE

Southside Center
5585 Cottle Road
San Jose, CA 95123
408-629-3435

MORGAN HILL

CRC Senior Center
171 W. Edmundson Avenue
Morgan Hill, CA 95037
408-782-1284

GILROY

Gilroy Senior Center
7371 Hanna St.
Gilroy, CA 95020
408-846-0414

*For more information, call SALA at 408-295-5991 or 650-969-8656 (North County) or 408-847-7252 (South County).
Para más información, llame a SALA al 408-295-5991 o 650-969-8656 (Condado Norte) o 408-847-7252 (Condado Sur).*

* No appointments available until further notice. Citas no son disponibles hasta aviso nuevo.

July / Julio 2014



December 9, 2014

Honorable Mayor and Milpitas City Council
City of Milpitas
455 Calaveras Boulevard
Milpitas, CA 95035

RE: ASC Comments for City of Milpitas CDBG Funding and Priorities for 2015-2016

Dear Mayor Esteves and Members of the City Council.

In response to your notice requesting public comments for the hearing on December 16 for the City of Milpitas' CDBG funding and priorities, the Aging Services Collaborative of Santa Clara County (ASC) respectfully submits its priorities and recommendations for services that support the ability of older adults (persons age 60 or older) to live safely and independently in the community.

Services supporting the needs of senior adults are currently identified as the number one priority for CDBG funding for the City of Milpitas and ASC urges that CDBG priorities continue to serve the needs of older adults and the disabled for FY 2015-16. A loss of these funds could lead to some or all of the current CDBG funded services for these individuals being reduced or completely lost to the Milpitas community.

In your review and deliberations on CDBG funding and priorities at the December 16 public hearing, the ASC urges the City of Milpitas to:

- **identify senior services as a priority to keep pace with the growth this older adult population;**
- **preserve, sustain, and expand supportive human services for seniors and disabled individuals currently funded by CDBG Public Services dollars;**
- **reinvest in and expand essential human and social services/programs through CDBG for seniors and disabled individuals to assist these individuals to age in place and to live safely, independently with dignity and with choice.**

The Aging Services Collaborative of Santa Clara County (ASC) is a consortium of over 150 organizations and individuals working together to provide leadership and build community-wide capacity to support, maintain, and promote the well-being of older adults and their caregivers in Santa Clara County.

ASC members are committed to making Santa Clara County a livable community for all of us as we age. This means the inclusion of services and support systems that are coordinated and easily accessible to enable older adults to maintain their optimum health, to live independently and to lead productive and satisfying lives. Planning for a growing older population is a priority for the ASC,

particularly to meet the changing needs of the frail, disabled and homebound. Every sector of the community is affected by the dramatic changes in our population demographic. Public agencies, community based organizations and elected officials must examine how prepared are their institutions and infrastructure to respond to this shift and plan accordingly.

CDBG Public Services funding through the City of Milpitas totaling more than \$20,000 currently supports a range of supportive services for older and disabled individuals because services to these populations are identified as priorities in your current CON Plan. These services include adult day care (\$5,000), legal services for seniors (\$5,000), Long Term Care Ombudsman (\$5,000), and meals on wheels (\$5,000).

Members of ASC are concerned that CDBG funding for services supporting the needs of older adults has not kept pace with the fastest growing segment of our population. In Milpitas CDBG funding for senior services has remained relatively static with most programs receiving \$5,000 year after year. Reducing minimum Public Service grants to less than \$5,000 would also be moving in a direction opposite to that of the growing population these services support.

We thank you for including these recommendations as part of the public input process for Milpitas CDBG funding and priorities for 2015-16.

Sincerely,

ASC Co Chairs

Susan Fent, LCSW
Division Director of Community Living Services, Santa Clara County
Institute on Aging

Amy Andonian
CEO
Avenidas

cc: Felix Reliford
Milpitas Housing Division