

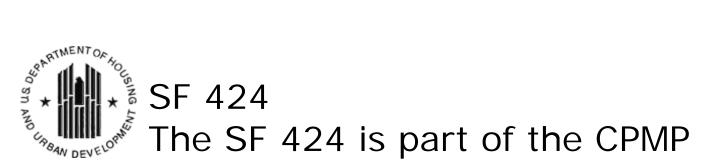
# DRAFT ACTION PLAN NON-HOME FUNDS FY 2012-2013

# **CITY OF SAN LEANDRO**

# ALAMEDA COUNTY HOME CONSORTIUM

Draft Considered by Council on March 5, 2012

30-Day Public Comment Period: March 16 – April 16, 2012



Annual Action Plan. SF 424 form fields are included in this document. Grantee information is linked from the 1CPMP.xls document of the CPMP tool.

### SF 424

Complete the fillable fields (blue cells) in the table below. The other items are pre-filled with values from the Grantee Information Worksheet.

Date Submitted 05/11/2012	Applicant Identifier MC-06-0017		Type of Su	Ibmission
Date Received by state	State Identifier 800-3859-9	Application	÷ • •	Pre-application
Date Received by HUD	Federal Identifier	Construc	tion	Construction
		Non Con	struction	Non Construction
Applicant Information				
Jurisdiction: City of San Leandr		UOG Code	CA63276 SA	N LEANDRO
Street Address Line 1 835 East	14 <sup>th</sup> Street	Organizatior	al DUNS 83	-012-7416
Street Address Line 2		Organization	al Unit	
City San Leandro	California	Department	Community	Development
ZIP <b>94577</b>	Country U.S.A.	Division	Housing Ser	rvices
Employer Identification Numbe	er (EIN):	County	Alameda	
94-6000421		Program Yea	ar Start Date	07/01/11
Applicant Type:		Specify Oth	er Type if ne	cessary:
Local Government Township Mu	unicipal	Specify Othe	er Type	
Program Funding Catalogue of Federal Domestic A Project(s) (cities, Counties, localit		ptive Title of		an Development
Community Development Block	k Grant	14.218 Entitle	ement Grant	
CDBG Project Titles				ed by CDBG Project(s)
FY 2012-2013 Consolidated Annu	ual Action Plan	City of San L		
CDBG Grant Amount \$560,739			Describe	9
Additional Federal Funds Leveraç \$	ged	Additional St \$	ate Funds Lev	reraged
Locally Leveraged Funds \$		\$	ds Leveraged	
Anticipated Program Income \$0		Other (Descr \$69,192 unal		ce from FY 2011-2012
Total Funds Leveraged for CDBG \$629,931	B-based Project(s)			

Home Investment Partnerships	Program	14.23	39 HOME	
HOME Project Titles		Desc City o	ription of Area of San Leandr	as Affected by HOME Project(s)
HOME Grant Amount \$141,409	\$Additional I		s) Leveraged	
Additional Federal Funds Leverag	ged	Addit \$	ional State Fu	inds Leveraged
Locally Leveraged Funds		Gran <sup>-</sup> \$	tee Funds Lev	veraged
Anticipated Program Income \$			<sup>·</sup> (Describe) 463 Carryove	er from Prior Years
Total Funds Leveraged for HOMI \$911,872	E-based Project(s)			
Housing Opportunities for Peo	ple with AIDS	14.24	1 HOPWA	
HOPWA Project Titles		Desc	ription of Area	as Affected by HOPWA Project(s)
HOPWA Grant Amount \$	Additional H \$	UD Grant(s	) Leveraged	Describe
Additional Federal Funds Leverag	ged	Addit \$	ional State Fu	inds Leveraged
Locally Leveraged Funds		Gran \$	ee Funds Lev	veraged
Anticipated Program Income		Othe	· (Describe)	
Total Funds Leveraged for HOPV	VA-based Project(s)			
Emergency Shelter Grants Pro	gram	14.23	1 ESG	
ESG Project Titles		Desc	ription of Area	as Affected by ESG Project(s)
ESG Grant Amount	Additional HUD Gran	nt(s) Levera	iged [	Describe
Additional Federal Funds Leverage	ged	Addit	ional State Fu	inds Leveraged
Locally Leveraged Funds		Gran \$	tee Funds Lev	veraged
Anticipated Program Income		Othe	(Describe)	
▼ Total Funds Leveraged for ESG-I \$	based Project(s)			
		-		
Congressional Districts of: Fort Applicant Districts 13th P	ney Stark (D-13) roject Districts 13th	Is applica 12372 Pro	ocess?	review by state Executive Order
Is the applicant delinquent on an "Yes" please include an addition		Yes	state EO 12	ation was made available to the 372 process for review on
explaining the situation.	No	No N/A		not covered by EO 12372 s not been selected by the state
Person to be contacted regarding	this application	1		
Chris	Zapata			
City Manager	510-577-3354			510-577-3390
tliao@sanleandro.org /	http://www.sanlea	ndro.ora		Tom Liao - 510/577-6003
shernandez@sanleandro.org				Steve Hernandez - 510/577-6005
Signature of Authorized Represe	ntative			Date Signed

### **Executive Summary** FY 2012-2013 Action Plan

The FY 2012-2013 Action Plan outlines the proposed activities, objectives, and budget for the upcoming fiscal year. The Plan includes information on funding resources for housing and community development activities, a description of activities to be carried out, and other actions that the City will take to address issues such as barriers to affordable housing, anti-poverty strategy, and fair housing.

Based on the FY 2012 budget for the U.S. Department of Housing and Urban Development (HUD) that has been enacted, the City's FY 2012-2013 Community Development Block Grant (CDBG) entitlement grant from HUD is \$560,739, which is a 14.51% reduction from last year's allocation amount. While there will be no CDBG program income, there is \$69,192 unallocated/unspent CDBG funds from FY 2011-2012. Therefore, the total CDBG funds available in FY 2012-2013 is \$629,931.

In preparing the proposed program budget, the following were considered: housing and community development priority needs, Five-Year Strategic Plan objectives for FY 2010-14, and CDBG eligibility criteria. The City is proposing to allocate its available CDBG dollars in the following eligible funding categories: Public Services, Public Facilities, Housing Activities, and General Administration.

For public services the City proposes to fund homeless services and a shelter, homeless prevention services, mental health services, services for special needs population (i.e. meal delivery service for homebound seniors), and landlord/tenant counseling through Eden Council for Hope and Opportunity (ECHO Housing). Objectives and outcomes for each proposed CDBG-funded project can be found in this Action Plan under Exhibit A, "Proposed Projects".

In past years the City has funded public services agencies such as the San Leandro Shelter for Women and Children/Building Futures with Women and Children, Davis Street Family Resource Center, ECHO Housing, Girls, Inc., Shelter Against Violent Environments (SAVE), and SO Meals on Wheels. Past performance for such public services was evaluated and described in the City's final CAPER for FY 2010-2011 submitted to the HUD Regional Office on September 26, 2011. The CAPER evaluating FY 2010-2011 was published for public comment from August 30<sup>th</sup> through September 19<sup>th</sup>, 2011.

The amount allocated for FY 2012-2013 to public services is \$84,110. Table 1 identifies the estimated allocation by project name. However, the total will not exceed \$84,110.

For public facilities, the City must allocate \$207,534 to HUD for principal/interest payments for the City's outstanding \$2.5 million HUD Section 108 loan which was used to construct the new City's senior center. In addition, staff proposes allocating \$55,000 to assist in the implementation of the City's 2010 Updated ADA Transition Plan by funding the completion of architectural modifications designed to make City facilities (including the Main Library, Marina Community Center, City Hall, South Offices, Police Department, Washington Manor Library, and Marina Park) more accessible to persons with disabilities. Staff also proposes allocating \$50,000 to Building Futures with Women & Children (BFWC) who will be undertaking ADA-

related improvements at their undisclosed domestic violence shelter. This funding amount is in addition to the \$50,000 that BFWC already received back in FY 2008 for the same shelter. Furthermore, \$31,319 of CDBG funds will be used for the installation of wheelchair accessible sidewalks and curbs throughout the City to bring them into ADA compliance.

For Housing Activities, staff recommends providing the remaining \$90,000 of CDBG funds to replace the lost Redevelopment Agency Housing Set-Aside funds that historically funded the City's Single-Family Housing Rehabilitation Program, which provided loans and grants for major and minor repairs to low- and very low-income homeowners. The \$90,000 from CDBG reflects a significant cut to the Housing Rehabilitation Program, which was funded in recent years at \$600,000 from Housing Set-Aside. The CDBG funds will enable the program to remain but only as a minor repair grant program.

The City, in addition, is estimated to receive Home Investment Partnership Program (HOME) funds in the amount of \$141,409 from HUD via the Alameda County HOME Consortium. This is a 51% reduction from last year's allocation amount of \$289,894. Alameda County is the lead administrator for HOME funds under the County HOME Consortium. The City will also carry over \$770,463 in HOME funds from previous years. The City proposes to use its HOME funds in FY 2012-2013 for potential acquisition, rehabilitation, and/or new construction of affordable rental housing and for tenant-based rental assistance for low-income households.

## PART I. RESOURCES

This section provides a brief description of the federal, State, local, and private resources available to implement the City's FY 2012-2013 Annual Action Plan.

### FEDERAL

### Community Development Block Grant (CDBG) Funds

As a CDBG entitlement locality, the City of San Leandro directly receives CDBG funds annually from the U.S. Department of Housing and Urban Development (HUD). During FY 2012-2013, the City will receive a grant in the amount of \$560,739. The City will not have any program income, and the City will have \$69,192 in unallocated/unspent CDBG funds.

### HOME Investment Partnership (HOME) Funds

HOME provides flexible funding to states and local governments for affordable housing programs and activities for low-income households. HOME funds can be used to acquire, rehabilitate, and construct affordable housing, as well as to provide tenant-based assistance for income-eligible families. The \$141,409 HOME funds that the City will receive through the Alameda County HOME Consortium reflects a 51% reduction from last year's allocation amount of \$289,894. The City will also carry over \$770,463 in remaining HOME funds from previous years.

### HUD Section 8 Housing Voucher Program

The Housing Authority of Alameda County administers the HUD Section 8 Housing Voucher Program for San Leandro. As of January 2012, there are approximately 1,426 San Leandro households with Section 8 housing certificates and vouchers. The City will support the Housing Authority in its efforts to maintain the current level of vouchers for eligible San Leandrans.

### Low-Income Housing Tax Credits (Federal)

Low-Income Housing Tax Credits are available through a federal allocation to the State government. Developers can apply to the State for an allocation, but it is a highly competitive process. The tax credits are syndicated to investors, typically corporations, in exchange for project equity. Since its creation in 1986, the program has been the largest producer of affordable rental housing in nationwide and the tax credits serve as a substantial financing source for eligible projects.

### Continuum of Care SuperNOFA

As part of the Homeless Continuum of Care Council, the City supports agencies serving the San Leandro homeless population in their application for funding under the annual, comprehensive Notice of Funding Availability (Super NOFA), issued by HUD for supportive housing and Shelter Plus Care programs.

### STATE

### State Housing and Community Development (HCD) Programs

State HCD has a variety of affordable housing programs to assist eligible local governments. Proposition 1C, the State's housing bond which passed November 2006, provides funding for HCD programs. The Governor's Homeless Initiative is an interagency effort to reduce

homelessness. Funding through the Governor's Homeless Initiative assists with the development of permanent supportive housing for persons with severe mental illness who are chronically homeless. This is a joint project of HCD, the California Housing Finance Agency (CalHFA), and the Department of Mental Health (DMH) funded by Proposition 46 funds. The Governor's Initiative provides various types of assistance: deferred payment permanent loans under HCD's MHP; construction, bridge and permanent loans from CalHFA; and limited grant funds for rental assistance from DMH.

### Mental Health Services Act (MHSA)

The Mental Health Services Act (MHSA), passed in November 2004, provides an opportunity for the Department of Mental Health (DMH) to increase funding, personnel, and other resources to support county mental health programs and monitor progress toward statewide goals for children, transition age youth, adults, older adults, and families. The Act addresses a broad continuum of prevention, early intervention, and service needs. DMH contracts with county mental health departments [e.g., the Alameda County Behavioral Health Care Services Department (BHCS)] to develop and manage the implementation of MHSA's provisions. BHCS has been awarding contracts for implementation of services since FY 2006-07.

### Low-Income Housing Tax Credits (State)

State low-income housing tax credits may be awarded when applicable in conjunction with federal low-income housing tax credits to eligible affordable rental housing developments. State low-income housing tax credits provide less equity funding than federal tax credits but still serve as vital financing for affordable rental housing.

### California Housing Finance Agency (CalHFA)

While CalHFA's multi-family programs are temporarily suspended, CalHFA still offers firsttime homebuyer assistance programs that provide first mortgage loans, down payment, and/or closing costs to eligible homebuyers.

### Mortgage Revenue Bonds

Under the Internal Revenue Code, the City can become an issuer of mortgage revenue bonds for the purpose of funding affordable housing development. Under the regulations, at least 20% of the units must be affordable to families at or below 50% of the area median family income (AMI) or 40% of the units affordable to families at or below 60% of the AMI. However, the City can negotiate any amount allowed for rent levels that would be restricted in exchange for issuing the tax-exempt bonds.

### Mortgage Credit Certificates

Alameda County serves as the lead agency for allocation of Mortgage Credit Certificates (MCC), which provide a tax credit to subsidize the mortgage interest rate for qualified first-time homebuyers. The County receives MCC funding through State bonds.

### LOCAL

### Redevelopment Housing Set-Aside Funds

Historically, the Redevelopment Agency of the City of San Leandro (Agency) sets aside 20% of its tax increment revenue to provide affordable housing for low- and moderate-income households. However, the Agency (along with all other redevelopment agencies state-wide) was

eliminated on February 1, 2012 as required by California State Legislation AB1x 26, which the California Legislature adopted, the Governor signed, and the California Supreme Court upheld. The City has opted to become the Agency's "Successor Agency" and to assume the responsibilities, rights, and powers of the successor agency pursuant to Health and Safety Code Section 34177 and other applicable law. The City has also assumed all the rights, powers, assets, duties, and obligations associated with the housing activities of the Agency pursuant to Health and Safety Code Section 34176. The passage of AB1x 26 has severely impaired the City's ability to finance affordable housing activities with the substantial loss of Redevelopment Housing Set-Aside funds.

### City General Funds

Due to the City's current structural deficit, the City does not anticipate using General Funds to fund social service providers for San Leandro residents in FY 2012-2013.

### City Affordable Housing Trust Fund

The City Affordable Housing Trust Fund includes in-lieu fees from the City's Inclusionary Zoning Ordinance from for-sale projects consisting of two (2) to six (6) total units. After allocating the bulk of its Trust Fund (\$65,000) to assist the non-profit affordable housing developer Eden Housing to acquire and rehabilitate Surf Apartments; thus, preserving the affordability restrictions of the 46-unit affordable rental housing property, about \$1,486 remains in the City's Trust Fund.

### PRIVATE

### Inclusionary Zoning Ordinance

The City adopted a Citywide Inclusionary Zoning (IZ) Ordinance in December 2004 that requires developers of new rental or ownership housing to set aside at least 15 % of their project units for low- to moderate-income households. Because of the City's limited affordable housing funding resources, the IZ Ordinance enables the City to have private developers help it meet its affordable housing needs.

### LEVERAGING PLAN

For all housing and community development activities, San Leandro will support applications by other entities to all public and private sources of financing that will improve the activities outlined in the Five-Year Strategic Plan. Federal funds will be leveraged with City local funds.

### MATCHING PLAN

Matching requirements of federal programs, such as HOME, will be satisfied with non-federal sources. The HOME Program requires a 25 percent (25%) match to HOME-assisted projects. Eligible sources of match include the value of waived fees, value of donated land, and cash from non-federal, local funding source.

### PUBLICLY-OWNED LAND

The City may consider purchasing other land, which would be "banked" for a housing project in the near future.

### PART II. ACTIVITIES TO BE UNDERTAKEN

### INTRODUCTION

This section of the Action Plan includes the programs and activities that the City of San Leandro will carry out to implement its FY 2010-2014 Housing and Community Development Strategic Plan, under the HUD Consolidated Plan, during the next fiscal year.

"Table 1: FY 20112-2013 HUD Annual Action Plan: CDBG and HOME Funds" (see page 9) summarizes how and where the City recommends allocating its available CDBG and HOME funds to in order to implement the FY 2012-2013 Action Plan.

Exhibit A, "Proposed Projects," lists each project or activity which will receive CDBG funds in FY 2012-2013.

Exhibit B, "Certifications," are various documentations that HUD mandates grantees to follow.

This section also includes a description of how the City will ensure geographic distribution of its resources, the process by which assistance will be distributed in the case that an activity location is currently unknown (e.g., residential rehabilitation programs), activities benefiting homeless and other special needs populations, and other local or State programs being used to further the City's housing and community development goals.

### **CITIZEN PARTICIPATION**

Notices of a summary and the availability of the Draft FY 2012-2013 Annual Action Plan for a 30- day public comment period was published in a locally circulated newspaper on February 17, 2012. The City Council held a public hearing on March 5, 2012 to receive initial public input on the Draft Action Plan and to begin the 30-day comment from March 16<sup>th</sup> through April 16<sup>th</sup>, 2012. The Draft Action Plan was available for public review and comment at City Hall (City Clerk's office and Community Development Department), the Main Library, and the City website (http://www.sanleandro.org/depts/cd/housing/plans.asp) during the 30-day period.

The Final Action Plan shall be reviewed at the City Council public hearing on April 16, 2012.

### **GEOGRAPHIC DISTRIBUTION**

Most of the activities in the Action Plan meet the needs of the entire City. The income structure of the City is fairly diverse, with few low-income census tract areas. Potential sites that could possibly accommodate affordable housing and homeless facilities are identified in the City's Housing Element. The three (3) Redevelopment Project Areas within San Leandro are as follows, but their existence is in question due to the State's elimination of redevelopment agencies: the Plaza, the Joint Area, and the West San Leandro-MacArthur Boulevard.

	CDBG FUNDS											
	CDBG FORDS				ſ	т	0					
FY12-13 CDBG Grant				\$	ا 560,739		_					
Estimated Program Income (PI)	PI = Example: Payments of principal and interest on loans made with C	DBG funds		Ţ	\$0							
Jnallocated Funds	Carryover from previous years			\$	69,192							
Total available for projects						\$	6					
Project Name	Project Description	National Objective	Activity Eligibility		posed for Y 12-13							
PUBLIC SERVICES		1										
Building Futures with Women & Children - San Leandro Shelter	Provide shelter & support services (counseling, housing placement, parenting classes, & childcare) to homeless families in crisis	Low/Mod Income Clientele	Public service	\$	14,718							
Davis Street Family Resource Center - Basic Needs Program	Provide food, clothing, childcare, job readiness training, medical clinic, and social services for low-income people	Low/Mod Income Clientele	Public service	\$	24,530							
Davis Street Family Resource Center - Community Counseling Program	Provide urgently needed mental health services to low-income people	Low/Mod Income Clientele	Public service	\$	7,008							
ECHO Housing - Rental Assistance Program	Assistance Program low-income tenants Clientele											
ECHO Housing - Landlord Tenant Counseling	Housing - Provide counseling and education to tenants and landlords Low/Mod Income Public and Tenant Counseling											
Girls, Inc Family Strengthening Program	Provide mental health treatment services for pre-delinquent and deliquent children and their families	Low/Mod Income Clientele	Public service	\$	7,008							
Safe Alternative to Violent Environment - COPS Program	Provide prevention and intervention services to domestic violence victims	Low/Mod Income Clientele		\$	7,667							
SOS / Meals on Wheels - Senior Support Services	Provide support services programs for low-income seniors	Low/Mod Income Clientele	Public service	\$	7,667							
Total Amount Available Under 15% Spen	nding Cap (\$84,110)			\$	84,110							
GENERAL ADMINISTRATION & PLANNIN	NG											
General Administration		N/A	General admin		\$112,147							
Total Amount Available Under 20% Spen	nding Cap (\$112,147)			\$	112,147							
PUBLIC FACILITIES & IMPROVEMENTS												
/landatory Section 108 Loan Repayment	Repay Section 108 Loan used to construct new Senior Center in accordance with Repayment Schedule provided by HUD	Low/Mod Income Clientele	Public facility	\$	207,535							
ADA Transition Plan for City Facilities	Complete architectural modifications to City facilities (Main Library, Marina Community Center, City Hall, South Offices, Police Department, Marina Park, & Washington Manor Library) to improve ADA	Low/Mod Income Clientele	Public facility	\$	55,000							
Building Futures with Women & Children (Domestic Violence Shelter)	Provide additional funds for ADA-related improvements at domestic violence shelter	Low/Mod Income Clientele	Public facility	\$	50,000							
City-wide Handicap Accessible Curb Cuts	ADA improvements	Low/Mod Income Clientele	Public facility	\$	31,139							
Total Amount Available for Public Facilit	iee				\$343.674							

#### HOUSING ACTIVITIES

FY12-13 HOME Grant

	Provide Grants for minor home repairs to low- and very low-income homeowners	Low/Mod Income Clientele	Housing	\$	90,000				
Total Amount Available for Housing Activities \$									

Total CDBG Amount Available for Project Expenditures

### HOME FUNDS

629,931

\$

141,409

\$

Carry over from Prior Years				\$ 770	,463	
Total HOME Amount Available for Project	Expenditures					\$ 911,872
Project Name	Project Description	National Objective	Activity Eligibility	Propose FY 12-		
Administration	Administrative expenses as per the cap specified in the regulations	N/A		\$8	,386	
Acquisition/rehabilitation/new construction of rental projects; Tenant-based rental		N/A	24 CRF 92.205	\$ 903	486	
Total		·		\$ 911	,872	

### **ACTIVITY LOCATIONS**

CDBG funds can be used for four (4) general types of projects: housing, capital projects, economic development, and public services. All projects must meet at least one (1) of HUD's national objectives: 1) to benefit low/moderate-income people; 2) to prevent or eliminate slums and blight; and 3) to meet an urgent community development need.

Even if a project is suitable for one of the City's eligible categories, it must also pass the low- and moderate-income benefit test. A project basically meets this standard if at least 51% of the beneficiaries have low-moderate incomes (i.e., incomes at or below 80% of Area Median Income) or if the project benefits an area (e.g., census tracts, service area, neighborhood, etc.) with a majority of low-moderate income people. Funded projects are required to document the income levels of persons and households receiving these services.

The City is permitted to spend up to 15% of its annual CDBG entitlement grant funds, plus previous year's program income, on public services. Some of the previous public service projects the City has funded include emergency shelter services, multi-services (through a community service center), tenant/landlord counseling, mental health services, services for domestic violence victims, and home-delivered meals for homebound seniors.

Through the City's Community Assistance Grant Program (CAP), the City of San Leandro supports community-based non-profit organizations that provide public services to San Leandro residents. There historically have been two (2) sources of funds for CAP: the City's General Fund and CDBG funds. However, the City continues to have a structural deficit, and therefore, no General Funds will be used to fund the CAP program for FY 2012-2013, and as with the past two (2) fiscal years (2010-2012), the CAP will be funded solely with CDBG funds.

The City's Request for Proposals (RFP) process for the CAP program typically occurs every two (2) years, but due to the uncertainty of the substantially reduced CDBG funds, the City did not issue an RFP for the next FY 2012-2014 funding cycle. Instead, the current CAP/CDBG contracts for the CAP-funded agencies have been extended for one (1) year. There will be a 15.283% across-the-board reduction in the funding amount for each CAP agency as a result of the City's reduced CDBG funding. The RFP process will begin again in FY 2013-2014 to provide more time for the City Council and Human Services Commission to re-assess public services priorities.

The City's Human Services Commission (HSC) and City staff re-evaluated these CAP-funded agencies to ensure that they continue to meet the HSC and CDBG evaluation criteria used to assess their eligibility to received CDBG funds. Below is a partial list of these specific criteria

- Project is CDBG-eligible <u>and</u> meets one of the three National Objectives (stated above).
- Project is consistent with the community priorities and goals stated in the Consolidated Plan and/or other City planning documents and needs assessments.
- Prior experience and performance with CDBG-related activities and/or prior experience with other grant programs, and proven record carrying out service projects in the community.
- Financial capacity as indicated by audited financial statements.
- Adequate staffing (staff size, experience, and qualifications).
- Organizational strength (e.g., record-keeping methods, financial systems, data collection).

Housing Services staff have developed a separate RFP for capital improvement projects (CIP) and consider CIP proposals separately from the CAP process. However, the evaluation criteria are similar to those mentioned above.

The City Council then considers and approves the final funding recommendations. Once approval is given, the City enters into contracts with each subrecipient, detailing the Scope of Work and Budget for use of CDBG funds. Although CAP grants for public services have a two-year funding cycle, the CDBG subrecipients are required to enter into an annual grant for the two-year period.

### HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES

### Implementation of EveryOne Home: County-wide Homeless and Special Needs Housing Plan

Activities to address the housing needs of the homeless and extremely low-income persons with serious mental illness and/or those living with HIV/AIDS center on the implementation of the EveryOne Home Plan. Planning efforts began in 2004 as a unique collaboration among community stakeholders, cities, and Alameda County government agencies representing three (3) separate care systems — homeless services, HIV/AIDS services, and mental health services — that share overlapping client populations and a recognition that stable housing is a critical cornerstone to the health and well-being of homeless and at-risk people, and our communities. Since its publication in 2006, the Plan has been adopted by the Alameda County Board of Supervisors and all fourteen (14) cities, and endorsed by numerous community organizations.

Implementation of the EveryOne Home Plan is being spearheaded by a community-based organization of the same name. It is guided by a Leadership Board comprised of jurisdictional appointed members and key community constituencies such as consumers, cities, nonprofits, businesses, and faith-based organizations.

EveryOne Home envisions a system of housing and services in Alameda County that, by 2020, ensures all extremely low-income residents have a safe, supportive, and permanent place to call home with services available to help them stay housed and improve the quality of their lives. EveryOne Home partners are working on five (5) core strategies:

- 1. Prevent homelessness and other housing crises.
- 2. Increase housing opportunities for homeless and extremely low-income households.
- 3. Deliver flexible services to support stability and independence.
- 4. Measure success and report outcomes.
- 5. Develop long-term leadership and build political will.

### EveryOne Home's work for FY 2012-2013 includes:

[This section is currently being revised by Elaine DeColigny, Executive Director of EveryOne Home.]

For more detailed information please refer to Alameda County EveryOne Home at www.everyonehome.org.

### Local Support of EveryOne Home Plan

The City of San Leandro was the first jurisdiction in the HOME Technical Advisory Consortium (HOMETAC) to adopt Alameda County's EveryOne Home Plan. The Human Services Commission (HSC) approved the EveryOne Home Plan on July 26, 2006. The City Council adopted the EveryOne Home Plan on November 20, 2006.

The City continues to work with the experienced and local homeless services nonprofit, Building Futures with Women and Children, to prepare a City Homeless Plan to align with the major goals of the County's EveryOne Home Plan, although objectives will vary according to the City's needs. The City shall obtain community input and City Council approval before finalizing any Homeless Plan. Also, City staff continues to serve on the EveryOne Home Leadership Board.

The City of San Leandro supports homeless and special needs service providers with CDBG funds. During FY 2012-2013, the City will help fund operating costs for programs that provide homeless services. Over the years, the City has continued to support agencies such as the San Leandro Shelter for Women and Children (for homeless and victims of domestic abuse) and Davis Street Family Resource Center (a vital local community social service center) to provide such homeless services. The City will also continue to support services that help prevent homelessness: landlord/tenant counseling, fair housing services, and the Rental Assistance Program (which offers security deposit or delinquent rental payment assistance to eligible households with hardship issues). The City will also support the implementation of the EveryOne Home Plan by providing funds for county-wide administration expenses for Continuum of Care and HMIS.

### **OTHER PROGRAMS**

To implement its housing and community development goals, the City continues to seek out funding opportunities generated from federal, State, and local sources as well as public and private sources.

### HUD Section 108 Loan Guarantee Program

In FY 2012-2013, the City will continue to repay the \$2.5 million HUD Section 108 Loan funds used to complete the construction of the City's new senior center. In accordance with the 20-year repayment schedule provided by HUD, the City will repay HUD \$207,534 in FY 2012-2013.

### Neighborhood Stabilization Program (NSP1)

Signed into law in July 30, 2008 under the Housing and Economic Recovery Act of 2008 (H.R. 3221), this program, was designed to help address the nation-wide foreclosure crisis by providing funds for local governments to purchase vacant and foreclosed properties located throughout the participating jurisdictions. The Livermore NSP1 Consortium [the City of Livermore acting as the lead agency and administrator under a memorandum of understanding (MOU) between all the participating cities (Livermore, San Leandro, Berkeley, Fremont and Union City)] partnered with Hello Housing, formerly Hallmark Community Solutions, to expend the \$2,230,495 NSP1 funds it cumulatively received. The Consortium and Hello Housing successfully purchased, rehabilitated, and sold to income-eligible households a total of nine (9)

single-family residential properties. Two (2) of these houses are located in San Leandro.

### Neighborhood Stabilization Program Round 2 (NSP2)

Alameda County HCD, as lead agency for the Neighborhood Stabilization Program Round 2 Consortium (including the cities of San Leandro, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Pleasanton, Union City, and the Unincorporated County), has received \$11 million of NSP2 funding provided under the American Recovery and Reinvestment Act of 2009. Selected program contractors Hello Housing, formerly Hallmark Community Solutions, and Habitat for Humanity East Bay have a total of nineteen (19) abandoned and/or foreclosed singlefamily residential properties: four (4), including one (1) in San Leandro, have been sold to income-eligible homebuyers, three (3), including one (1) in San Leandro, are currently on the market for sale, and twelve (12) are undergoing rehabilitation. There is a total of 159 multifamily rental units in pre-development stage. Forty-six (46) of these 159 rental units are the units at Surf Apartments previously described on page 7.

### Homelessness Prevention Rapid Re-Housing Program (HPRP)

The City, in coordination with the cities of Alameda and Hayward, Alameda County Housing & Community Development Department (HCD), and service partners Building Futures with Women & Children, who serves as the lead applicant and agency, Abode Services, and Davis Street Family Resource Center, have expended all \$1.5 million in Homeless Prevention and Rapid Re-Housing Program (HPRP) funds it received in 2009 to operate the regional Housing Resource Center (HRC) located at the Davis Street Family Resource Center. Since 2009, the HRC has provided housing stabilization and financial assistance services, which include one-time back rent payments, security deposit payments, moving costs, rental assistance, back utility payments, utility deposits or payment assistance, and motel vouchers, to homeless individuals and families and those at risk of homelessness.

### HUD Economic Development Initiative (EDI) Special Projects Grant

The City's East 14<sup>th</sup> Street Streetscape & Pedestrian Safety Improvements Project, which is improving the eight-block long segment along East 14<sup>th</sup> Street (from 136<sup>th</sup> Avenue to 144<sup>th</sup> Avenue) by installing new landscaped medians, enhanced pedestrian crosswalks, and other related streetscape improvements have recently been completed in 2011. The City has expended \$329,685 of its \$346,500 HUD-EDI funds.

## PART III. OTHER ACTIONS

### **BARRIERS TO AFFORDABLE HOUSING**

### Funding

The lack of available funds for affordable housing activities continues to be a problem for the City. The problem is further exacerbated with the drastic, significant reduction in federal HOME funds and the elimination of redevelopment in California by the State.

### Land Costs

New construction and acquisition/rehabilitation of housing will be impacted by the high cost of land in the Bay Area. The viability and feasibility of future City-assisted affordable housing developments may depend on the reasonableness of the land acquisition costs. The City will conduct financial feasibility analyses on a project-by-project basis to ensure it is not oversubsidizing affordable housing developers for any land purchase. Also, the City will continue to work with owners of existing rental units to provide financing in exchange for affordability covenants.

The high cost of buying a home in the Bay Area has made it difficult for first-time homebuyers to become homeowners. Furthermore, with the elimination of the City's Redevelopment Agency, the City consequently is expecting to eliminate its First-Time Homebuyer Program down payment assistance loan program for low- and moderate-income first-time homebuyers.

### Construction Costs

In addition to high land costs, the rising cost of construction can also negatively affect the development of affordable housing construction and rehabilitation. In addition to undertaking financial feasibility analyses on a project-by-project basis to ensure that the City is not oversubsidizing development costs for affordable housing developers, the City will continue to work with them as well through design, planning, and financing review and recommendations to reduce increased construction costs.

### Local Policies/Regulations

The City approved an Inclusionary Zoning Ordinance in December 2004 that required developers to set aside 15% of their new ownership or rental housing units for low- and moderate-income households. The City will continue to monitor the progress of its inclusionary zoning requirement and assess, if necessary, how it can be improved through coordination with developer and other public input.

### LEAD-BASED PAINT HAZARD REDUCTION

The new Environmental Protection Agency (EPA) rule effective April 22, 2010 requires that contractors be EPA-lead certified prior to beginning work on structures built before 1978. The City, specifically its Building & Safety Services Division, requires contractors, who are working on homes built prior to 1978, to demonstrate that they have satisfied the EPA law prior to providing them the City building permits needed.

Should the City use federal funds, such as HOME funds, for acquisition and/or rehabilitation of apartments for preservation or maintenance as affordable housing, it will inform tenants of lead-

based paint and comply with both the new EPA law on lead and renovation as well as with applicable HUD lead-based paint hazard reduction guidelines and regulations.

### ANTI-POVERTY STRATEGY

Section 220 of the 1992 Housing and Community Development Act requires jurisdictions to describe the goals, programs, and policies that will reduce the number of households with incomes below the poverty level. One strategy for increasing household income is to improve the employment potential of those who are seeking to break from the cycle of poverty. The City's Community Assistance Grant Program (CAP), which is currently funded with CDBG funds, will continue to support non-profit agencies that provide job assistance and related services to low-income members of the community. The Davis Street Family Resource Center (DSFRC), which has received City CDBG funds for public services, provides case management services to address their clients' financial and social struggles, creating service plans for each client/family. Employment support services and workshops include assistance with résumé writing, job search, interview preparation, creating a family budget, and providing clothes for interviews. There are also special career management courses to assist CalWORKs clients in transitioning from welfare to self-sufficiency. Moreover, DSFRC and Building Futures with Women and Children (BFWC) work collaboratively to find long-term affordable housing for homeless families who have students in the school district.

The City's Office of Business Development actively seeks new commercial office and retail developments that may result in new employment opportunities for residents. The CDBG staff will continue to work closely with the City's Office of Business Development staff to develop eligible projects and programs and promote increased economic development and community job creation and retention.

### INSTITUTIONAL STRUCTURE

Public agencies, for-profit and non-profit private organizations all play a part in the provision of affordable housing, social services, capital improvements, and economic development. The City's Housing Services Division has the primary responsibility for implementation of the Consolidated Plan and the Housing Element. The Division works closely with the Office of Business Development in the implementation of affordable housing projects and programs. Non-profit agencies also provide social services to the community each year. The Alameda County Housing and Community Development (HCD) Department is the lead agency in the implementation of the HOME Consortium's Consolidated Plan. HCD also administers the HOME Program for the HOME Consortium members, HUD homeless programs (including the Continuum of Care Council), and the Mortgage Credit Certificate (MCC) Program for homeownership. The City and other cities in the County take part in each of the HCD activities described above.

The City plans to continue funding EveryOne Home's operations, and City staff will continue to serve on its strategic Leadership Board. As already described, the City is committed to implementing the strategies of the EveryOne Home Plan and its objectives of ending homelessness in Alameda County by 2020.

### FAIR HOUSING

Under the CDBG and HOME certifications to HUD, the City certifies that it will "affirmatively further fair housing". The regional *Analysis of Impediments to Fair Housing (AI)* was completed in January 2010 for the Alameda County HOME Consortium (Cities of San Leandro, Alameda, Fremont, Hayward, Livermore, Pleasanton, and Union City). The City will continue to implement its FY 2010-2014 Fair Housing Action Plan, which was updated using the regional AI document, through the aid of ECHO Housing, a regional fair housing counseling agency which provides housing discrimination services to very low- and moderate-income clients.

### PUBLIC HOUSING IMPROVEMENTS AND RESIDENT INITIATIVES

San Leandro is under the jurisdiction of the Alameda County Housing Authority but has no public housing.

### PART IV. COORDINATION EFFORTS

The City of San Leandro will continue to coordinate available CDBG, HOME, and local funds to provide housing programs, public service assistance, capital improvements, and economic development activities for eligible residents and neighborhoods in FY 2012-2013.

### Housing

Housing-related activities will be coordinated between various City divisions, including Planning and Housing Services. The City will also coordinate with Alameda County, County HOME Consortium member cities, and non-profit agencies to address housing needs.

The City will also work with Alameda County to administer HOME funds for acquisition, rehabilitation, and/or new construction of affordable rental housing as well as tenant-based rental assistance. The City will continue to contract for housing services such as fair housing and tenant/landlord counseling. The City staff will continue to work closely with local non-profit agencies, the County, and other HOME Consortium members to identify permanent affordable, emergency and transitional housing needs (along with necessary supportive services) for the homeless and/or persons with special needs. HOME Consortium members have agreed to continue funding the consortium-wide Tenant-Based Rental Assistance (TBRA) for Homeless Families Program, a transitional housing program that provides short-term rental subsidies, job preparation and placements, case management, and other support services to assist homeless families attain permanent housing.

### Public Services

Public Services will be solely supported by the CDBG funds through the City's Community Assistance Grant Program (CAP). Efforts will continue to include the Human Services Commission (HSC) and non-profit agency directors/members to improve and evaluate the needs assessment and funding process. HSC identifies social service needs in the community and recommends to the City Council possible ways to meet those needs. HSC also evaluates and encourages the provision of social services in the City, reviews requests for funds, and makes recommendations for City financial support to social service agencies.

### Public Facilities

CDBG funds are expected to be made available for City-initiated and/or non-profit capital improvement projects. Should funds be available, non-profit improvements will be coordinated within the City's Planning, Building & Safety Services, Engineering & Transportation, Public Works Departments, and the City Council.

### Economic Development

Commercial revitalization efforts will continue through the City's Office of Business Development (OBD) staff. OBD staff work closely with CDBG staff, local business organizations (such as the Chamber of Commerce and Downtown Business Association), surrounding communities, and various other economic development organizations to better address and determine the City's future economic and job needs.

### PART V. MONITORING STANDARDS AND PROCEDURES

The City's CDBG and HOME monitoring procedures include a guidance on providing technical assistance, a monitoring check sheet, and an outline of the steps in the monitoring process, which includes review of monthly requests for reimbursements, quarterly reporting requirements, and on-site monitoring visits. On-site visits are coordinated simultaneously when the Human Services Commissioners also conduct their site visits to assess the agencies' performance under the City's Community Assistance Grant Program (CAP).

# **EXHIBITS**

DRAFT Action Plan – FY 2012-2013 City of San Leandro Page 19

# **EXHIBIT A**

# **PROPOSED PROJECTS**

DRAFT Action Plan – FY 2012-2013 City of San Leandro Page 20

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 Project Name:
 Tenant/Landlord Counseling - ECHO Housing

 Description:
 IDIS Project #: 5
 UOG Code:
 CA63276 SAN LEANDRO

 Respond to tenant/landlord inquiries and complaints and provide counseling to landlords and low-income tenants regarding their legal rights and responsibilities. Also addresses Homelessness Priority Need Objective to maintain and expand activities designed to prevent those currently housed from becoming homeless.

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 Project Name:
 Safe Alternative to Violent Environments

 Description:
 IDIS Project #: 7
 UOG Code:
 CA63276 SAN LEANDRO

 Community Oriented Prevention Services (COPS) Program provide services that prevent the perpetuation of unhealthy intimate relationships and crisis intervention services to domestic violence victims identified in police reports.

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 Project Name:
 Meal Delivery Services to Homebound Seniors - SOS/Meals on Wheels

 Description:
 IDIS Project #:
 8
 UOG Code:
 CA63276 SAN LEANDRO

 Program serves homebound seniors, 60 years of age and older, who are unable to shop for food or prepare meals for themselves.
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 Project Name:
 Section 108 Loan Repayment

 Description:
 IDIS Project #:
 10
 UOG Code:
 CA63276 SAN LEANDRO

 The City received \$2.5 million HUD Section 108 Loan to complete the construction of the senior center.
 With the completion of the facility, the City will now make repayments based on the repayment schedule provided by HUD.
 The City pledges future CDBG funds to repay the \$2.5 million loan over 20 years.

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Project Name: City of San Leandro - Department of Engineering and Transportation IDIS Project #: 11 UOG Code: CA63276 SAN LEANDRO Description: The Departments of Engineering & Transportation and Public Works will complete architectural modifications to City facilities (Main Library, Marina Community Center, City Hall, South Offices, Police Department, Washington Manor Library, and Marina Park) to make them more ADA accessible Location: Priority Need Category City facilities -Public Facilities Select one: Explanation: CDBG funds will be used for make City facilities more accessible Expected Completion Date: for disabled patrons. 6/30/2012 National Objective Codes: LMC Project Primary Purpose: Specific Objectives Improve quality / increase quantity of public improvements for lower income pers Help the Homeless 1 Help Persons with HIV/AIDS -2 Help Persons with Disabilities -Address Public Housing Needs з Accompl. Type: Proposed Accompl. Type: Proposed ccomplishments Underway Underway Project-level Complete Complete Accompl. Type: -Proposed Accompl. Type: -Proposed Underway Underway Complete Complete Proposed Proposed Accompl. Type: Accompl. Type: Underway Underway Complete Complete Proposed Outcome Performance Measure Actual Outcome City facilities are more ADA accessible 10 Removal of Architectural Barriers 570.201(k) Matrix Codes • -Matrix Codes Matrix Codes Matrix Codes -Matrix Codes -Proposed Amt. Proposed Amt. Fund Source: -Fund Source: Actual Amount Actual Amount Year Fund Source: -Proposed Amt. Proposed Amt. Fund Source: Actual Amount Actual Amount Program Proposed Units Proposed Units Accompl. Type: Accompl. Type: Actual Units Actual Units Proposed Units Proposed Units Accompl. Type: -Accompl. Type: -Actual Units Actual Units Proposed Amt. \$130,000 Proposed Amt. -2 CDBG Fund Source: Actual Amount \$130,000 Actual Amount Year Proposed Amt. Proposed Amt. Fund Source: -Fund Source: -Actual Amount Actual Amount Program Proposed Units **Proposed Units** Accompl. Type: 💌 Accompl. Type: -Actual Units Actual Units Proposed Units Proposed Units Accompl. Type: Accompl. Type: Actual Units Actual Units Proposed Amt. \$55,000 Proposed Amt. Fund Source: -Fund Source: -Year 3 Actual Amount Actual Amount Fund Source: -Proposed Amt. Fund Source: -Proposed Amt. Actual Amount Actual Amount Program ' Proposed Units Proposed Units Accompl. Type: 💌 Accompl. Type: -Actual Units Actual Units Accompl. Type: -Proposed Units -Proposed Units Accompl. Type: Actual Units Actual Units Proposed Amt. Proposed Amt. Fund Source: -Fund Source: -4 Year Actual Amount Actual Amount Fund Source: Proposed Amt. Fund Source: Proposed Amt. Actual Amount Actual Amount Program Proposed Units Proposed Units Accompl. Type: -Accompl. Type: -Actual Units Actual Units Proposed Units Proposed Units Accompl. Type: Accompl. Type: Actual Units Actual Units Proposed Amt. Proposed Amt. Fund Source: Fund Source: --LO LO Actual Amount Actual Amount Program Year Proposed Amt. Proposed Amt. Fund Source: Fund Source: Actual Amount Actual Amount Proposed Units **Proposed Units** Accompl. Type: Accompl. Type: Actual Units Actual Units Proposed Units Proposed Units Accompl. Type: -Accompl. Type: 💌 Actual Units Actual Units

Project Name: Domestic Violence Shelter - Building Futures with Women & Children Description: IDIS Project #: 12 UOG Code: CA63276 SAN LEANDRO Facility improvements for domestic violence (DV) shelter to improve access to residents with mobility impairements, including ADA accessibility for downstairs bathroom. BFWC's Sister Me Home Safe House in San Leandro is a 20-bed DV shelter that provides case management & other services to approximately 200 battered spouses annually. Location: Priority Need Category Local address is confidential -Public Facilities for safety of shetler clients. Select one: Explanation: ADA-related improvements will be undertaken at domestic **Expected Completion Date:** violence shelter. 6/30/2013 National Objective Codes: LMC Project Primary Purpose: Specific Objectives Improve quality / increase quantity of public improvements for lower income pers Help the Homeless 1 Help Persons with HIV/AIDS -2 Help Persons with Disabilities -Address Public Housing Needs з Proposed 11 Public Facilities -Proposed Accompl. Type: ccomplishments Underway Underway Project-level Complete Complete Proposed Proposed Accompl. Type: -Accompl. Type: -Underway Underway Complete Complete Proposed Proposed Accompl. Type: Accompl. Type: Underway Underway Complete Complete Proposed Outcome Performance Measure Actual Outcome ADA-improvements at DV ADA-improvements at DV shelter will be completed shelter facility 03 Public Facilities and Improvements (General) 570.201(c) 💌 Matrix Codes -• -Matrix Codes Matrix Codes -Matrix Codes -Matrix Codes Proposed Amt. Proposed Amt. Fund Source: -Fund Source: Actual Amount Actual Amount ogram Year Proposed Amt. Proposed Amt. Fund Source: -Fund Source: Actual Amount Actual Amount Proposed Units Proposed Units Accompl. Type: 💌 Accompl. Type: Actual Units Actual Units

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DRAFT Action Plan – FY 2012-2013 City of San Leandro Page 32 
 Project Name:
 City of San Leandro
 Department of Engineering and Transportation

 Description:
 IDIS Project #:
 13
 UOG Code:
 CA63276 SAN LEANDRO

 The Department of Engineering and Transportation at the City of San Leandro will be making site improvements to sidewalks and curbs throughout the City by making them ADA accessible.

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# EXHIBIT B

# CERTIFICATIONS

DRAFT Action Plan – FY 2012-2013 City of San Leandro Page 35



# CPMP Non-State Grantee Certifications

Many elements of this document may be completed electronically, however a signature must be manually applied and the document must be submitted in paper form to the Field Office.

☐ This certification does not apply.
 ☑ This certification is applicable.

### NON-STATE GOVERNMENT CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

- 1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 2. Establishing an ongoing drug-free awareness program to inform employees about
  - a. The dangers of drug abuse in the workplace;
  - b. The grantee's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
- 4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will
  - a. Abide by the terms of the statement; and
  - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- 5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- 6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted
  - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

(h)....

Signature/Authorized Official	Date
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Chris Zapata	
Name	
City Manager	
Title	
835 East 14 <sup>th</sup> Street	
Address	
San Leandro, CA 94577	
City/State/Zip	
510/577-3354	
Telephone Number	

☐ This certification does not apply.
 ☑ This certification is applicable.

### **Specific CDBG Certifications**

The Entitlement Community certifies that:

**Citizen Participation --** It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan --** Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

**Following a Plan --** It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

Maximum Feasible Priority - With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

Overall Benefit - The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2012, (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

Special Assessments - It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

**Compliance With Anti-discrimination laws --** The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint --** Its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K and R, of title 24;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official	Date
Chris Zapata	
Name	
City Manager	
Title	
835 East 14 <sup>th</sup> Street	
Address	
San Leandro, CA 94577	
City/State/Zip	
510/577-3354	
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This certification does not apply. This certification is applicable.

### OPTIONAL CERTIFICATION CDBG

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBGassisted activities, which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

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Signature/Authorized Official	Date	
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☐ This certification does not apply.
 ☑ This certification is applicable.

### **Specific HOME Certifications**

The HOME participating jurisdiction certifies that:

**Tenant Based Rental Assistance --** If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

**Eligible Activities and Costs --** it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

**Appropriate Financial Assistance --** before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature/Authorized Official	Date
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Name	
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Title	
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510/577-3354	
Telephone Number	

### This certification does not apply. This certification is applicable.

### **HOPWA** Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

**Building --** Any building or structure assisted under that program shall be operated for the purpose specified in the plan:

- 1. For at least 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
- 2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

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## This certification does not apply. This certification is applicable.

### **ESG** Certifications

I, , Chief Executive Officer of the City of San Leandro., certify that the local government will ensure the provision of the matching supplemental funds required by the regulation at 24 *CFR* 576.51. I have attached to this certification a description of the sources and amounts of such supplemental funds.

I further certify that the local government will comply with:

- 1. The requirements of 24 *CFR* 576.53 concerning the continued use of buildings for which Emergency Shelter Grants are used for rehabilitation or conversion of buildings for use as emergency shelters for the homeless; or when funds are used solely for operating costs or essential services.
- 2. The building standards requirement of 24 CFR 576.55.
- 3. The requirements of 24 CFR 576.56, concerning assurances on services and other assistance to the homeless.
- 4. The requirements of 24 *CFR* 576.57, other appropriate provisions of 24 *CFR* Part 576, and other applicable federal laws concerning nondiscrimination and equal opportunity.
- 5. The requirements of 24 *CFR* 576.59(b) concerning the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
- 6. The requirement of 24 *CFR* 576.59 concerning minimizing the displacement of persons as a result of a project assisted with these funds.
- 7. The requirements of 24 CFR Part 24 concerning the Drug Free Workplace Act of 1988.
- 8. The requirements of 24 *CFR* 576.56(a) and 576.65(b) that grantees develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted with ESG funds and that the address or location of any family violence shelter project will not be made public, except with written authorization of the person or persons responsible for the operation of such shelter.
- 9. The requirement that recipients involve themselves, to the maximum extent practicable and where appropriate, homeless individuals and families in policymaking, renovating, maintaining, and operating facilities assisted under the ESG program, and in providing services for occupants of these facilities as provided by 24 *CFR* 76.56.
- 10. The requirements of 24 *CFR* 576.57(e) dealing with the provisions of, and regulations and procedures applicable with respect to the environmental review responsibilities under the National Environmental Policy Act of 1969 and related authorities as specified in 24 *CFR* Part 58.
- 11. The requirements of 24 *CFR* 576.21(a)(4) providing that the funding of homeless prevention activities for families that have received eviction notices or notices of termination of utility services will meet the requirements that: (A) the inability of the family to make the required payments must be the result of a sudden reduction in income; (B) the assistance must be necessary to avoid eviction of the family or termination of the services to the family; (C) there must be a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and (D) the assistance must not supplant funding for preexisting homeless prevention activities from any other source.
- 12. The new requirement of the McKinney-Vento Act (42 USC 11362) to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. I further understand that state and local governments are primarily responsible for the care of these individuals, and that ESG funds are not to be used to assist such persons in place of state and local resources.
- 13. HUD's standards for participation in a local Homeless Management Information System (HMIS) and the collection and reporting of client-level information.

I further certify that the submission of a completed and approved Consolidated Plan with its certifications, which act as the application for an Emergency Shelter Grant, is authorized under state and/or local law, and that the local government possesses legal authority to carry out grant activities in accordance with the applicable laws and

> DRAFT Action Plan – FY 2012-2013 City of San Leandro Page 43

regulations of the U. S. Department of Housing and Urban Development.

Signature/Authorized Official	Date
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This certification does not apply. This certification is applicable.

### APPENDIX TO CERTIFICATIONS

Instructions Concerning Lobbying and Drug-Free Workplace Requirements

#### Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **Drug-Free Workplace Certification**

3. By signing and/or submitting this application or grant agreement, the grantee is providing the certification. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).

4. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 21.

Place Name	Street	City	County	State	Zip
City Hall	835 East 14 <sup>th</sup> Street	San Leandro	Alameda	CA	94577
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Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules: "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through

1308.15); "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including:

- 1. All "direct charge" employees;
- 2. all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and
- a. temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent

contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Note that by signing these certifications, certain documents must completed, in use, and on file for verification. These documents include:

- 1. Analysis of Impediments to Fair Housing
- 2. Citizen Participation Plan
- 3. Anti-displacement and Relocation Plan

Signature/Authorized Official	Date
Chris Zapata	
Name	
City Manager	
Title	
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