

The Sunnyvale Sun

c/o Bay Area News Group
75 E. Santa Clara St , Suite 1100
San Jose, CA 95113

Legal No.

0006729787

2083317

CITY OF SUNNYVALE
CITY OF SUNNYVALE
ACCOUNT PAYABLE DEPT
PO BOX 3707
SUNNYVALE, CA 94088

PROOF OF PUBLICATION

State of California
County of Santa Clara

FILE NO. 2021 Substantial Amendment AP

I am a citizen of the United States. I am over the age of eighteen years and I am not a party to or interested in the above entitled matter. I am the Legal Advertising Clerk of the printer and publisher of the Sunnyvale Sun, a newspaper published in the English language in the City of Sunnyvale, County of Santa Clara, State of California.

I declare that the Sunnyvale Sun is a newspaper of general circulation as defined by the laws of the State of California as determined by court decree dated September 22, 1994, Case Number CV742853. Said decree states that the Sunnyvale Sun is adjudged to be a newspaper of general circulation for the City of Sunnyvale, County of Santa Clara and State of California. Said order has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

02/10/2023

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 28th day of February, 2023.



Public Notice Advertising Clerk

CITY OF SUNNYVALE
NOTICE OF PUBLIC REVIEW PERIOD AND PUBLIC HEARINGS FOR 2021
ACTION PLAN SUBSTANTIAL AMENDMENT

This is to notify the general public and other interested parties that a **public review and comment** period for a Substantial Amendment to the 2021 Annual Action Plan will begin on **February 10, 2023** and end during the City Council meeting on **March 21, 2023**. The draft Substantial Amendment to the Annual Action Plan describes the addition of four new activities to the 2021 Annual Action Plan, using a new, one-time, funding source.

Substantial Amendment to the 2021 Action Plan

Available Funds:

HOME American Rescue Plan (ARP)

The City received an allocation of HOME ARP funds in the amount of \$1,503,133 for Program Year 2021.

Proposed Expansion of the Tenant Based Rental Assistance (TBRA) Program and Supportive Services

The City is proposing to increase its funding allocation for its TBRA program by \$828,133 (rental assistance) and to provide \$375,000 in additional funding for supportive services/case-management to support individuals experiencing homelessness. Additionally, the City will use the balance of funds to support administration and non-profit operations.

PUBLIC REVIEW PERIOD

The Draft Action Plan Amendment is available on the website: <https://www.sunnyvale.ca.gov/homes-streets-and-property/housing> – OR contact the City (email below) to arrange picking up a hard-copy, for review.

Interested parties are encouraged to submit written comments on the proposed Action Plan amendment during the review period, or to comment at the public hearings described below. Written comments should be sent to the City of Sunnyvale, Housing Division, Attn: Leif Christiansen, P.O. Box 3707, Sunnyvale, CA 94088-3707, or by email at lchristiansen@sunnyvale.ca.gov.

PUBLIC HEARINGS

- 1) The Housing and Human Services Commission will discuss the Substantial Amendment on Feb. 22, 7 p.m., via a Telepresence Meeting on the City Web Stream, or: Comcast Channel 15 or AT&T Channel 99.
- 2) City Council will also discuss the Substantial Amendment on March 21, 7 p.m., in the Council Chambers, Sunnyvale City Hall: 456 West Olive Avenue, Sunnyvale, California.

PARA RESIDENTES QUE HABLAN ESPAÑOL: Esta información sobre los Programas de Desarrollo de Comunidad en la Ciudad de Sunnyvale puede ser muy importante para usted. Por favor traduzca esta noticia.

CƯ DÂN NÓI TIẾNG VIỆT: Bản thông báo này cho những người cư ngụ tại thành phố Sunnyvale. Chương trình này có thể liên quan đến quý vị. Xin chú ý đến bản thông báo này.

PARA SA MGA MAMAMAYANG PILIPINO: Ang paalalang ito ay patungkol sa Departamento ng Kaunlaran para sa Pamayanan ng Lungsod ng Sunnyvale. Ito ay maaaring makatulong sa inyo kaya maaari po lamang na ipaabot at ipamahagi sa inyong kasamahan.

此通知是關於 Sunnyvale 的社區發展計劃,可能對您非常重要。請將這信息提供給家人。

इस सूचना पत्र में सिटी ऑफ सनीवेल के आवास और समुदाय विभाग के कार्यक्रमों के बारे में जानकारी है। अगर आप इस बारे में और जानना चाहते हैं तो इस नंबर पर संपर्क करें (408) 730-7250 अथवा किसी हिंदी भाषी से अनुवाद करवाएं।

The City of Sunnyvale does not discriminate on the basis of race, color, religion, national origin, sex (including sexual harassment), handicap, or age in any of its policies, procedures, or practices. This nondiscrimination policy covers admission and access to, or treatment or employment in, the City of Sunnyvale programs and activities.

Special Needs: The session locations are accessible to persons with physical disabilities. Pursuant to the Americans with Disabilities Act, the City of Sunnyvale will make reasonable efforts to accommodate persons with qualified disabilities. Persons who need special accommodations or auxiliary aids or services, such as interpreters for persons who are hearing impaired, a reader, large print or Braille, are requested to contact staff at (408) 730-7451 no less than five days prior to the public hearing so that appropriate arrangements can be made. Individuals using TTY/TDD machines may access the City at (408) 730-7501. If you have inquiries regarding the equal opportunity policies, the filing of grievances, or to request a copy of the City's grievance procedures, please contact the Housing Division at (408) 730-7254 at least five days in advance of the meeting.

SV 6729787; Feb. 10, 2023

HOME-ARP CERTIFICATIONS

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

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

Uniform Relocation Act and 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, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.

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

1. 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;
2. 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
3. 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 and program requirements.

Section 3 --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

HOME-ARP Certification --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program*, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.

DocuSigned by:

40B2D2D6FEDC4D8

Signature of Authorized Official

03/21/2023

Date

City Manager

Title

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

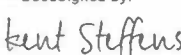
PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL <div style="border: 1px solid black; padding: 5px;"> <small>DocuSigned by:</small>  <small>4082D20BFEDC4D8</small> </div>	TITLE <div style="border: 1px solid black; padding: 5px;">City Manager</div>
APPLICANT ORGANIZATION <div style="border: 1px solid black; padding: 5px;">City of Sunnyvale</div>	DATE SUBMITTED <div style="border: 1px solid black; padding: 5px;">03/21/2023</div>

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

04/28/2021

4. Applicant Identifier:

CA63660 Sunnyvale

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

M-21-MP-06-0222

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

City of Sunnyvale

* b. Employer/Taxpayer Identification Number (EIN/TIN):

94-6000438

* c. UEI:

JKA4VCG53HY1

d. Address:

* Street1:

650 W. Olive Avenue

Street2:

* City:

Sunnyvale

County/Parish:

* State:

CA: California

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

94086-7619

e. Organizational Unit:

Department Name:

Community Development

Division Name:

Housing

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

Mrs.

* First Name:

Jenny

Middle Name:

* Last Name:

Carlioni

Suffix:

Title:

Housing Officer

Organizational Affiliation:

* Telephone Number:

408-730-7465

Fax Number:

408-730-4906

* Email:

jcarlioni@sunnyvale.ca.gov

Application for Federal Assistance SF-424*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

US Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnerships Program

*** 12. Funding Opportunity Number:**

* Title:

HOME Investment Partnerships Program (HOME ARP)

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Using HOME-ARP Funds, the City will Expand its Tenant Based Rental Assistance program, allocate funds to supportive services and non-profit operating/capacity and administration.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:*** a. Applicant * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:* a. Start Date: * b. End Date: **18. Estimated Funding (\$):*** a. Federal * b. Applicant * c. State * d. Local * e. Other * f. Program Income * g. TOTAL *** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:Prefix: * First Name: Middle Name: * Last Name: Suffix: * Title: * Telephone Number: Fax Number: * Email:

* Signature of Authorized Representative:

DocuSigned by:

Kent Steffens

* Date Signed:

40820200FEB6406

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
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16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL <div style="border: 1px solid black; padding: 5px;"> <small>DocuSigned by:</small>  <small>4082D2D8FEDC4D8</small> </div>	TITLE <div style="border: 1px solid black; padding: 5px;">City Manager</div>
APPLICANT ORGANIZATION <div style="border: 1px solid black; padding: 5px;">City of Sunnyvale</div>	DATE SUBMITTED <div style="border: 1px solid black; padding: 5px;">03/21/2023</div>



City of Sunnyvale

Excerpt Meeting Minutes - Draft Housing and Human Services Commission

Wednesday, February 22, 2023

7:00 PM

Online Meeting: City Web Stream

CALL TO ORDER

Chair Stetson called the meeting to order at 7 p.m.

ROLL CALL

Present: 7 - Chair Elinor Stetson
Vice Chair Leesa Riviere
Commissioner Jim Davis
Commissioner Scott Duncan
Commissioner Sue Harrison
Commissioner Ken Hiremath
Commissioner Helen Lei

- 2** 23-0254 Consider Approval of the Draft HOME American Rescue Plan (ARP) Allocation Plan and Draft Substantial Amendment to the 2021 Housing and Urban Development (HUD) Action Plan

Housing Programs Analyst Leif Christiansen provided the staff report and answered questions.

Chair Stetson opened and closed the public hearing at 8:45 p.m. upon confirming that no member of the public wished to speak.

After a short discussion and additional questions of staff, Chair Stetson asked for a motion.

MOTION: Commissioner Hiremath moved and Commissioner Harrison seconded the motion to Recommend to Council Alternative 1: Approve the HOME-ARP Allocation Plan and Substantial Amendment to the 2021 Action Plan as shown in Attachment 3 of the staff report.

The motion carried by the following vote:

Yes: 7 - Chair Stetson
Vice Chair Riviere
Commissioner Davis
Commissioner Duncan
Commissioner Harrison
Commissioner Hiremath
Commissioner Lei

No: 0

City of Sunnyvale HOME-ARP Allocation Plan

Participating Jurisdiction (PJ): City of Sunnyvale **Date:** January 20, 2023

Describe the consultation process including methods used and dates of consultation:

The consultation process was initiated by working with the Santa Clara County's Office of Supportive Housing, and other local jurisdictions, to gather and analyze City specific data related to homelessness. The data was harvested from the County's Coordinated Assessment system (in addition to 2021 Point in Time Count data), and included information, specific to the unhoused population in Sunnyvale, such as: demographics (including household size), veteran and disability status, length of homelessness episodes and existing subpopulations. The raw data offered the City and its partners a snapshot, emphasizing the extent and impacts of the homelessness crisis in the region.

In regard to consultation as it relates to engaging stakeholders – the City attended a local Continuum of Care (CoC) meeting on March 28, 2022. City staff facilitated a presentation on the HOME ARP funds (i.e., background, eligible uses, etc.) – then opened the floor for the CoC Board to provide feedback on how the City can maximize the funding source. In addition to meeting with the CoC, the City released a survey to local stakeholders on December 8, 2022 – then followed up with two stakeholder meetings on January 10th and 11th. The organizations that attended the Consultation meetings serve a broad range of clients as cited in the table below – from individuals with disabilities and the unhoused to veterans and victims of domestic violence. Stakeholders who did not attend the workshops or respond to surveys were contacted directly for phone interviews throughout January 2023.

List the organizations consulted:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Sunnyvale Community Services	Emergency Assistance Network Agency – Services: Unhoused, Veterans, etc.	Survey Respondent and Attended Community Meeting on January 10, 2023 and January 11, 2023.	Cited inadequate supportive services for the unhoused, compared to the need. Additionally, rental assistance/prevention should be a priority given escalations in evictions and affordability.
Downtown Streets Team	Homeless Service Provider	Survey Respondent and Attended Community Meeting on January 10, 2023	Cited inadequate supportive services and linkages to rental assistance programs for clients of the Sunnyvale Shelter.
Project Sentinel	Fair Housing Service Provider	Survey Respondent and Attended Community Meeting on January 10, 2023	Cited concerns around increases in evictions.
Silicon Valley Independent Living Center	Serves Individuals with Disabilities	Survey Respondent and Attended Community Meeting on January 10, 2023	Cited a need to develop permanent housing as a solution – as opposed to funding rental assistance, which is subject to the high-cost rental market.
Santa Clara County Housing Authority	Local Public Housing Agency	City met with SCCCHA Policy Team on January 4, 2023	Cited a need for supportive services for at-risk of homelessness populations to stabilize households who are not defined as chronically homeless (concerns around at-risk populations being deprioritized).
Next Door Solutions to Domestic Violence	Serves Victims of Domestic Violence	Survey Respondent and Attended Community Meeting on January 10, 2023	Cited inadequate supportive services for the unhoused, compared to the need. Additionally, rental assistance/prevention should be a priority given escalations in evictions and affordability.
Continuum of Care – Santa Clara County	Continuum of Care Lead Agency	Attended a CoC meeting on March 28, 2022	Cited inadequate supportive services for formerly homeless who need additional support to achieve higher levels of housing stability.
Bill Wilson Center	Service Provider: Mental Health, Unhoused, Veterans, Transition Aged Youth, etc.	Survey Respondent and Attended Community Meeting on January 10, 2023	Cited rental assistance and supportive services – which would make an impact sooner, when compared to development of PSH.

Summarize feedback received and results of upfront consultation with these entities:

The City consulted with local service-providers that serve a broad range of eligible populations – and a common feedback trend was support for supportive services and rental assistance. As cited in the table – one agency messaged support for the development of Permanent Supportive Housing (PSH) as a more sustainable option for the long-term. However, the majority of agencies, when looking at the total sum of money available were focused on rental assistance and supportive services, while acknowledging PSH is needed, because those efforts can help people sooner, and prevent households from experiencing an episode of homelessness OR housing families currently experiencing homelessness.

Public Participation

In accordance with Section V.B of the Notice (page 13), PJs must provide for and encourage citizen participation in the development of the HOME-ARP allocation plan. Before submission of the plan, PJs must provide residents with reasonable notice and an opportunity to comment on the proposed HOME-ARP allocation plan of **no less than 15 calendar days**. The PJ must follow its adopted requirements for “reasonable notice and an opportunity to comment” for plan amendments in its current citizen participation plan. In addition, PJs must hold **at least one public hearing** during the development of the HOME-ARP allocation plan and prior to submission.

PJs are required to make the following information available to the public:

- The amount of HOME-ARP the PJ will receive, and
- The range of activities the PJ may undertake.

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- ***Date(s) of public notice: 2/10/2023***
- ***Public comment period: start date - 2/10/2023 end date - 3/21/2023***
- ***Date(s) of public hearing: 2/22/2023 and 3/21/2023***

The Public Comment period for the HOME-ARP Allocation Plan began on February 10, 2023 – and concluded on Tuesday, March 21, 2023. A public notice was published in the Sunnyvale Sun on Friday, February 10, 2023. Additionally, the City held two public hearings – the first was the City’s Housing and Human Services Commission (HHSC) Wednesday, February 22, 2023 (virtual) – and the second was the City Council meeting of Tuesday, March 21, 2023 (in-person). The City wanted to provide the public as many opportunities to comment on the HOME-ARP Allocation Plan as possible, and extended its public comment period – and added an additional public hearing.

Describe efforts to broaden public participation:

In addition to extending the public comment period and holding two public hearings – the City issued a survey to the community, and met individually with stakeholders, in addition to the community meetings and public hearings to ensure there was an ongoing open dialogue with community partners. The City held meetings during work hours and during evening hours to accommodate various schedules and needs. The City maintains strong relationships and partnerships with local non-profit and human service agencies and welcomed all feedback surrounding the topic at any time.

Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:

No comments from the public were received.

Summarize any comments or recommendations not accepted and state the reasons why:

No comments from the public were received.

Needs Assessment and Gaps Analysis

In accordance with Section V.C.1 of the Notice (page 14), a PJ must evaluate the size and demographic composition of **all four** of the qualifying populations within its boundaries and assess the unmet needs of each of those populations. If the PJ does not evaluate the needs of one of the qualifying populations, then the PJ has not completed their Needs Assessment and Gaps Analysis. In addition, a PJ must identify any gaps within its current shelter and housing inventory as well as the service delivery system. A PJ should use current data, including point in time count, housing inventory count, or other data available through CoCs, and consultations with service providers to quantify the individuals and families in the qualifying populations and their need for additional housing, shelter, or services.

Describe the size and demographic composition of qualifying populations within the PJ's boundaries:

Homeless as defined in 24 CFR 91.5

On behalf of Sunnyvale, the County of Santa Clara's Office of Supportive Housing provided data based on the most recent Point in Time Count, and information available in the Coordinated Assessment system for the next series of questions. Data identified the City of Sunnyvale has 385 unhoused clients living in areas not meant for human habitation, of which 279 are unsheltered and 106 are sheltered. It should be noted the City saw a 38% decrease in homelessness between the 2019 and 2022 PIT Count.

At Risk of Homelessness as defined in 24 CFR 91.5

According to the Homeless Prevention database, the City currently has 331 households who, without continued support, are at-risk of experiencing an episode of homelessness.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

According to the available data, 8% of homeless Countywide self-reported currently fleeing domestic violence, which estimates approximately 30 individuals.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice

Per available data from the City's 2020-2025 Consolidated Plan (Non-Homeless Special Needs Assessment), the City can estimate the following groups need support:

- Households with severe cost burden (i.e., elderly, disabled, families).
 - The American Community Survey (ACS) estimates 6,905 households (12.3%) pay more than 50% of their income toward housing costs in the City.
 - Cost burden is generally the most common housing problem in the City.

Describe the unmet housing and service needs of qualifying populations:

Homeless as defined in 24 CFR 91.5

The City, and generally, Santa Clara County have a shortfall in shelter beds, case-management capacity and homeless prevention (i.e., rental assistance) resources. For example, Sunnyvale has a total of 175 shelter beds, with an unhoused population of 279. During the consultation process – community stakeholders echoed the need for more shelter beds, stronger case management programs and more rental assistance opportunities.

At Risk of Homelessness as defined in 24 CFR 91.5

The City, and Santa Clara County need more resources to prevent episodes of homelessness – and one mechanism to do so is a shorter-term rental assistance program, like TBRA, that can provide interim support to families who can achieve higher levels of self-sufficiency with adequate support. As described during the consultation process – rental assistance programs need more than just rental assistance and are most successful when coupled with supportive

services. The City has 300+ households that can benefit from an expansion of its rental assistance programs.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice

The City, and generally Santa Clara County, need additional short term (up to one year) to medium term (up to two years) rental assistance and case management opportunities for households fleeing, or attempting to flee domestic violence. During the consultation process, it was echoed that a major benefit to this population would be expanding opportunity for impacted households to transition into a safe housing environment, which would immediately enhance the ability for service-providers to more effectively administer case management assistance.

Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability as defined by HUD in the Notice

Based on the feedback from the consultation process, Sunnyvale needs more housing and case management opportunities for the other populations cited in the HUD notice. For example, several organizations serving clients with disabilities and veterans expressed concern for clients living on fixed incomes who are not currently residing in affordable apartments. The organizations cited something like a shallow subsidy could greatly benefit their clients – and similarly agencies serving older adults echoed that sentiment. Overall, there is a housing affordability crisis in the City, especially for those on fixed incomes – and agencies are most interested in how to assist their clients sooner rather than later, as the need is tremendous.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

The City has 279 unhoused individuals living in areas not meant for human habitation with a shelter capacity of 175 beds. The consultation process brought to light that current clients of the Sunnyvale Shelter could benefit from additional case management to transition out of the shelter system, as many clients have been there for long durations (90+ days) due to insufficient case management opportunities (i.e., housing search, self-sufficiency planning, benefits counseling, linkages to services, etc.). The City and County have invested in outreach services at a higher level than supportive services – therefore there is a large demand for shelter, but not adequate support to move people on from the shelter once they arrive. The consultation process further high-lighted a need for additional shelter beds – and exposed a gap in the system focused on case management services for clients of the shelter.

Under Section IV.4.2.ii.G of the HOME-ARP Notice, a PJ may provide additional characteristics associated with instability and increased risk of homelessness in their HOME-ARP allocation plan. These characteristics will further refine the definition of “other populations” that are “At Greatest Risk of Housing Instability,” as established in the HOME-ARP Notice. If including these characteristics, identify them here:

Not applicable.

Identify priority needs for qualifying populations:

The main priority needs cited during the consultation process were the need for more rental assistance for those at risk of homelessness or currently homeless, and supportive services for individuals enrolled in current rental assistance and shelter programs. There is an increasing challenge of moving individuals from shelter to housing due to inadequacies in case management – and a diminishing supply of rental assistance funds (state rental assistance funding has largely dried up, which is a concern for several agencies). Focusing the HOME-ARP allocation on rental assistance and supportive services, based on consultation, will create opportunities to support eligible populations in a more expedited manner, which is a priority for the community.

Explain how the PJ determined the level of need and gaps in the PJ's shelter and housing inventory and service delivery systems based on the data presented in the plan:

The City worked with the County Office of Supportive Housing to assess data on the state of homelessness in Sunnyvale, including data from the 2022 Point in Time Count, and other existing resources available. The data indicated the scope of the issue, specifically for eligible populations – and this data was shared with service-providers serving eligible populations during the consultation process. Since the City and agencies participating in the consultation process have access to the most recent data, and expertise from the service-providers – the City was able to have constructive discussions on how to maximize the HOME-ARP allocation.

HOME-ARP Activities

Describe the method(s) that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:

The City plans to release a HOME-ARP Request for Proposals (RFP) in December 2023, in alignment with its regular CDBG and HOME entitlement grant process. Based on the community meetings and surveys, the City anticipates receiving multiple applications for eligible HOME-ARP projects/programs. The City will develop the RFP and ranking/scoring criteria – and present the draft documents to the community through its Housing and Human Services Commission public meeting in November 2023. Once the RFP and ranking/scoring criteria are approved – the City will release the RFP, formulate an Evaluation Committee, and award funding to proposals/organizations that most effectively meet the objectives of the HOME-ARP funding. Final funding recommendations will be considered in March 2024 with funds available shortly after.

Describe whether the PJ will administer eligible activities directly:

The City will directly award funding to one or several sub-recipients to facilitate eligible activities, and will be an active participant in the planning, implementation and monitoring of HOME-ARP projects.

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

Not applicable – funds awarded to a sub-recipient will specifically be for programming, and non-profit operating, the City will administer the funds.

In accordance with Section V.C.2. of the Notice (page 4), PJs must indicate the amount of HOME-ARP funding that is planned for each eligible HOME-ARP activity type and demonstrate that any planned funding for nonprofit organization operating assistance, nonprofit capacity building, and administrative costs is within HOME-ARP limits.

Template:

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 375,000		
Acquisition and Development of Non-Congregate Shelters	\$ =		
Tenant Based Rental Assistance (TBRA)	\$ 828,133		
Development of Affordable Rental Housing	\$ =		
Non-Profit Operating	\$ 75,000	4.99 %	5%
Non-Profit Capacity Building	\$ 25,000	1.66 %	5%
Administration and Planning	\$ 200,000	13.31 %	15%
Total HOME ARP Allocation	\$ 1,503,133		

Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:

The City plans to allocate 55% of its HOME-ARP allocation toward TBRA, and 25% toward supportive services – then the balance of 20% will support non-profit operating and administration/planning. The City concluded, based on the consultation process, that rental assistance coupled with a range of supportive services will maximize the use of HOME-ARP funds to serve eligible populations more quickly, while addressing priorities/concerns expressed by service-providers. The City has an existing TBRA program, therefore multiple service-providers serving a variety of eligible populations can potentially support the program by coordinating with the current Administrator. During the Consultation process, several agencies agreed creating a referral system for a rental assistance program that includes multiple partners serving eligible populations could be a benefit to the clients they serve.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

The insufficient supply of shelter beds and affordable housing units compelled the City, after consulting with the local community, to move toward allocating funds to TBRA as it will create an expedited path, when compared to development projects, to serve clients struggling sooner. The City has been operating a TBRA program for nearly 10-years and has a framework in place to expand the program further, and create a referral system that will include a variety of eligible populations. Additionally, the funding for case management will ensure clients at the local shelter and those enrolled in the TBRA program will have access to a robust range of case management services. The City has invested nearly \$40 million in local funds since 2019 toward the development of more affordable and supportive rental units – so the HOME-ARP funds can provide relief to households now as more permanent housing is developed in the long term. In addition, with development costs increasing rapidly for affordable housing, the City's limited HOME ARP allocation can go much further with financing tenant services than constructing new units at this time.

HOME-ARP Production Housing Goals

Template

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

The City anticipates being able to serve up to fifty (50) households with rental assistance and case management services with the HOME-ARP allocation. No units will be produced using HOME ARP funding. This estimate is based on current TBRA enrollment when looking at average rent portions, and length of stay in the program for existing clients, and typical case management expenses and households served.

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:

Not applicable

Preferences

A preference provides a priority for the selection of applicants who fall into a specific Qualifying Population (QP) or category (e.g., elderly or persons with disabilities) within a QP (i.e., subpopulation) to receive assistance. A *preference* permits an eligible applicant that qualifies for a PJ-adopted preference to be selected for HOME-ARP assistance before another eligible applicant that does not qualify for a preference. A *method of prioritization* is the process by which a PJ determines how two or more eligible applicants qualifying for the same or different preferences are selected for HOME-ARP assistance. For example, in a project with eligible QP applicants are selected in chronological order for a HOME-ARP rental project except that eligible QP applicants that qualify for the preference of chronically homeless are selected for occupancy based on length of time they have been homeless before eligible QP applicants who do not qualify for the preference of chronically homeless.

Please note that HUD has also described a method of prioritization in other HUD guidance. Section I.C.4 of Notice CPD-17-01 describes Prioritization in CoC CE as follows:

“Prioritization. In the context of the coordinated entry process, HUD uses the term “Prioritization” to refer to the coordinated entry-specific process by which all persons in need of assistance who use coordinated entry are ranked in order of priority. The coordinated entry prioritization policies are established by the CoC with input from all community stakeholders and must ensure that ESG projects are able to serve clients in accordance with written standards that are established under 24 CFR 576.400(e). In addition, the coordinated entry process must, to the maximum extent feasible, ensure that people with more severe service needs and levels of vulnerability are prioritized for housing and homeless assistance before those with less severe service needs and lower levels of vulnerability. Regardless of how prioritization decisions are implemented, the prioritization process must follow the requirements in Section II.B.3. and Section I.D. of this Notice.”

If a PJ is using a CE that has a method of prioritization described in CPD-17-01, then a PJ has preferences and a method of prioritizing those preferences. These must be described in the HOME-ARP allocation plan in order to comply with the requirements of Section IV.C.2 (page 10) of the HOME-ARP Notice.

In accordance with Section V.C.4 of the Notice (page 15), the HOME-ARP allocation plan must identify whether the PJ intends to give a preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project.

- Preferences cannot violate any applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a).
- The PJ must comply with all applicable nondiscrimination and equal opportunity laws and requirements listed in 24 CFR 5.105(a) and any other applicable fair housing and civil rights laws and requirements when establishing preferences or methods of prioritization.

While PJs are not required to describe specific projects in its HOME-ARP allocation plan to which the preferences will apply, the PJ must describe the planned use of any preferences in its HOME-ARP allocation plan. This requirement also applies if the PJ intends to commit HOME-ARP funds to projects that will utilize preferences or limitations to comply with restrictive eligibility requirements of another project funding source. **If a PJ fails to describe preferences or limitations in its plan, it cannot commit HOME-ARP funds to a project that will implement a preference or limitation until the PJ amends its HOME-ARP allocation plan.** For HOME-ARP rental housing projects, Section VI.B.20.a.iii of the HOME-ARP Notice (page 36) states that owners may only limit eligibility or give a preference to a particular qualifying population or segment of the qualifying population if the limitation or preference is described in the PJ's HOME-ARP allocation plan. Adding a preference or limitation not previously described in the plan requires a substantial amendment and a public comment period in accordance with Section V.C.6 of the Notice (page 16).

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

The City does not intend to implement any preferences for its HOME-ARP projects. Instead, the City plans to serve a broad range of eligible populations by collaborating with agencies on program referrals and placements.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

Not applicable.

Referral Methods

PJs are not required to describe referral methods in the plan. However, if a PJ intends to use a coordinated entry (CE) process for referrals to a HOME-ARP project or activity, the PJ must ensure compliance with Section IV.C.2 of the Notice (page 10).

A PJ may use only the CE for direct referrals to HOME-ARP projects and activities (as opposed to CE and other referral agencies or a waitlist) if the CE expands to accept all HOME-ARP qualifying populations and implements the preferences and prioritization established by the PJ in its HOME-ARP allocation plan. A direct referral is where the CE provides the eligible applicant directly to the PJ, subrecipient, or owner to receive HOME-ARP TBRA, supportive services, admittance to a HOME-ARP rental unit, or occupancy of a NCS unit. In comparison, an indirect referral is where a CE (or other referral source) refers an eligible applicant for placement to a project or activity waitlist. Eligible applicants are then selected for a HOME-ARP project or activity from the waitlist.

The PJ must require a project or activity to use CE along with other referral methods (as provided in Section IV.C.2.ii) or to use only a project/activity waiting list (as provided in Section IV.C.2.iii) if:

1. the CE does not have a sufficient number of qualifying individuals and families to refer to the PJ for the project or activity;
2. the CE does not include all HOME-ARP qualifying populations; or,
3. the CE fails to provide access and implement uniform referral processes in situations where a project's geographic area(s) is broader than the geographic area(s) covered by the CE

If a PJ uses a CE that prioritizes one or more qualifying populations or segments of qualifying populations (e.g., prioritizing assistance or units for chronically homeless individuals first, then prioritizing homeless youth second, followed by any other individuals qualifying as homeless, etc.) then this constitutes the use of preferences and a method of prioritization. To implement a CE with these preferences and priorities, the PJ **must** include the preferences and method of prioritization that the CE will use in the preferences section of their HOME-ARP allocation plan. Use of a CE with embedded preferences or methods of prioritization that are not contained in the PJ's HOME-ARP allocation does not comply with Section IV.C.2 of the Notice (page10).

Identify the referral methods that the PJ intends to use for its HOME-ARP projects and activities. PJ's may use multiple referral methods in its HOME-ARP program. (Optional):

The City plans to implement a direct referral model through a collaboration with service-providers working with a variety of eligible populations within the City. The City does not plan to utilize the County's Coordinated Assessment system.

If the PJ intends to use the coordinated entry (CE) process established by the CoC, describe whether all qualifying populations eligible for a project or activity will be included in the CE process, or the method by which all qualifying populations eligible for the project or activity will be covered. (Optional):

Not applicable.

If the PJ intends to use the CE process established by the CoC, describe the method of prioritization to be used by the CE. (Optional):

Not applicable.

If the PJ intends to use both a CE process established by the CoC and another referral method for a project or activity, describe any method of prioritization between the two referral methods, if any. (Optional):

Not applicable.

Limitations in a HOME-ARP rental housing or NCS project

Limiting eligibility for a HOME-ARP rental housing or NCS project is only permitted under certain circumstances.

- PJs must follow all applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a). This includes, but is not limited to, the Fair Housing Act, Title VI of the Civil Rights Act, section 504 of Rehabilitation Act, HUD's Equal Access Rule, and the Americans with Disabilities Act, as applicable.
- A PJ may not exclude otherwise eligible qualifying populations from its overall HOME-ARP program.
- Within the qualifying populations, participation in a project or activity may be limited to persons with a specific disability only, if necessary, to provide effective housing, aid, benefit, or services that would be as effective as those provided to others in accordance with 24 CFR 8.4(b)(1)(iv). A PJ must describe why such a limitation for a project or activity is necessary in its HOME-ARP allocation plan (based on the needs and gap identified by the PJ in its plan) to meet some greater need and to provide a specific benefit that cannot be provided through the provision of a preference.
- For HOME-ARP rental housing, section VI.B.20.a.iii of the Notice (page 36) states that owners may only limit eligibility to a particular qualifying population or segment of the qualifying population if the limitation is described in the PJ's HOME-ARP allocation plan.
- PJs may limit admission to HOME-ARP rental housing or NCS to households who need the specialized supportive services that are provided in such housing or NCS. However, no otherwise eligible individuals with disabilities or families including an individual with a disability who may benefit from the services provided may be excluded on the grounds that they do not have a particular disability.

Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:

The City does not intend to limit eligibility for its HOME-ARP programs – and intends to serve a broad range of eligible populations.

If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:

Not applicable.

If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation

through the use of HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):

Not applicable.

HOME-ARP Refinancing Guidelines

If the PJ intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds, the PJ must state its HOME-ARP refinancing guidelines in accordance with 24 CFR 92.206(b). The guidelines must describe the conditions under which the PJ will refinance existing debt for a HOME-ARP rental project, including:

- *Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity*
Not applicable.
- *Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.*
Not applicable.
- *State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.*
Not applicable.
- *Specify the required compliance period, whether it is the minimum 15 years or longer.*
Not applicable.
- *State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.*
Not applicable.
- *Other requirements in the PJ's guidelines, if applicable:*
Not applicable.

City of Sunnyvale
Summary - Substantial Amendment to the 2021-2022 Annual Action Plan

Background

The City of Sunnyvale's Annual Action Plan describes the funding strategy for the Community Development Block Grant (CDBG) and HOME Investment Partnership programs each year. The Annual Action Plan is a tool to assist in implementing the City's five-year Consolidated Plan, and each Annual Action Plan is developed through public input, analyses and planning.

The City's Citizen Participation Plan outlines the steps the City will take to encourage its residents to participate in developing each Annual Action Plan, and any substantial amendments to the Annual Action Plan that are proposed. The following change to the 2021-2022 Annual Action Plan justifies a substantial amendment – initiating the public notice requirements described in the City's Citizen Participation Plan.

Need for Substantial Amendment to the 2021-2022 Annual Action Plan

The City received, in response to the COVID-19 pandemic, \$1,503,133 million in **HOME American Rescue Plan (ARP) funds** during Program Year 2021. The additional funds will provide the opportunity for the City to allocate more funding for rental assistance through the City's Tenant Based Rental Assistance (TBRA) program (serve more households), along with provide additional supportive services to individuals/families experiencing or at-risk of homelessness. Since the City is programming new funds not previously cited in the 2021 Action Plan – the City is required to process a substantial amendment to the Program Year 2021 Annual Action Plan.

Proposed Substantial Amendment

The City is proposing the following amendment:

1. The City is proposing to program the \$1,503,133 million HOME-ARP allocation by:
 - a. Adding \$828,133 in rental assistance to its existing TBRA program to serve additional eligible households experiencing, or at-risk of homelessness.
 - b. Allocating \$375,000 toward supportive services for households enrolled in the City's TBRA program, or currently residing at the Sunnyvale Shelter. The supportive services will focus on benefits counseling, housing search/placement, linkages to community resources, etc.
 - c. Allocating \$100,000 to support non-profits operating the TBRA program, and supporting households both enrolled in TBRA, and currently residing at the Sunnyvale Shelter.
 - d. Allocating \$200,000 to administration and planning, related to ensuring ongoing compliance with contract terms, and HUD regulations.

Analysis

This proposal qualifies as a substantial amendment because it meets the criteria described in the City's Citizen Participation Plan:

- To carry out an activity using funds from any program covered by the Consolidated Plan not previously described in the Action Plan.

Public Process

The City provided public notice in the Sunnyvale Sun on February 10, 2023 – and provided opportunity to comment on the substantial amendment for more than a 30-day period. The Housing and Human Services Commission considered the amendment at a public hearing on February 22, 2023. The City Council also considered the amendment at a public hearing on March 21, 2023.

Comments may be submitted to Leif Christiansen by email (lchristiansen@sunnyvale.ca.gov) or by phone: 408-730-7451.

(Process Note: additions/revisions to the 2021-2022 Annual Action Plan are underlined, and red – and deletions have a horizontal line through the center, a strikethrough)

1. On page 17 of the approved Annual Action Plan, amend “Expected Resources – Introduction” as follows: Introduction (AP-15 Expected Resources)

As shown in Table A below, the City will receive \$1,182,126 in 2021 entitlement CDBG funds and \$415,138 in HOME funds. In addition, the City estimates that it will also receive approximately \$50,000 in CDBG program income in FY 2020, to be determined at end of fiscal year, and has approximately \$150,000 in disencumbered funds from prior years. This amount may increase slightly, as additional program income may be received before the end of this fiscal year. In response to the 2020 Coronavirus (COVID-19) Pandemic, the Federal Government approved the American Rescue Plan Act on March 11, 2021, which allocated an additional \$1,503,133 in HOME-ARP funds. In this Action Plan, Sunnyvale is allocating \$1,503,133 in HOME-ARP - which brings the total HOME funding for FY 2021 to \$3,203,076.

2. On page 18 and 19 of the approved Annual Action Plan, amend Table 6 “Resources – Priority Table” as follows:

Program	Source of Funds	Uses of Funds	Amount Available Year 5					Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Estimate Program Income: \$	Prior Year Resource: \$	HOME-ARP \$	Total: \$		
HOME	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	415,138	395,000	889,805	<u>\$1,503,133</u>	<u>1,699,943</u> <u>3,203,076</u>	0	Alleviation of Homelessness; Administration

3. On Page 24 of the approved Annual Action Plan, add the HOME-ARP Projects to Table 8 – “Project Information”:

#	Project Name
<u>1</u>	<u>CDBG Administration and Monitoring</u>
<u>2</u>	<u>Minor Home Improvement Grants/Loans (Home Improvement Program)</u>
<u>3</u>	<u>Food Bank: Refrigerator/Freezer Replacement</u>
<u>4</u>	<u>WorkFirst Sunnyvale CBDO Activity</u>
<u>5</u>	<u>Public Services [5 projects]</u>
<u>6</u>	<u>Fair Housing Services</u>
<u>7</u>	<u>Home Administration and Monitoring</u>
<u>8</u>	<u>CHDO Set-Aside</u>
<u>9</u>	<u>Tenant Based Rental Assistance</u>
<u>10</u>	<u>HOME-ARP – Expand Tenant Based Rental Assistance</u>
<u>11</u>	<u>HOME-ARP - Supportive Services for Homeless and At-Risk</u>
<u>12</u>	<u>HOME-ARP Administration and Planning</u>
<u>13</u>	<u>HOME-ARP Non-Profit Operating and Capacity Building</u>

4. On Page 30 of the approved annual action plan, add the 2 additional HOME-ARP projects to the “Project Summary”:

<u>10</u>	<u>Project Name</u>	<u>HOME-ARP – Expand Tenant Based Rental Assistance</u>
	<u>Target Area</u>	<u>Citywide</u>
	<u>Goals Supported</u>	<u>Alleviation of Homelessness and Other Community Development Efforts</u>
	<u>Needs Addressed</u>	<u>Safety net services for extremely and very low-income residents</u>
	<u>Funding</u>	<u>\$828,133</u>
	<u>Description</u>	<u>To provide funding to administer a rent relief and community assistance (i.e., food, case management) program</u>
	<u>Target Date</u>	<u>6/30/2025</u>
	<u>Estimate the number and type of families that will benefit from the proposed activities</u>	<u>Up to 50 additional extremely and very low-income families will be served annually.</u>
	<u>Location Description</u>	<u>Citywide</u>
	<u>Planned Activities</u>	<u>Assist clients through administering rent payments, in conjunction with case management/basic needs services, to households impacted by COVID-19</u>

11	<u>Project Name</u>	HOME-ARP – Supportive Services for Homeless and At-Risk
	<u>Target Area</u>	Citywide
	<u>Goals Supported</u>	Alleviation of Homelessness and Other Community Development Efforts
	<u>Needs Addressed</u>	Safety net services for extremely and very low-income residents
	<u>Funding</u>	\$375,000
	<u>Description</u>	To provide funding to administer supportive services (i.e., benefits counseling food, intensive case management) to households experiencing, or at-risk of homelessness.
	<u>Target Date</u>	6/30/2025
	<u>Estimate the number and type of families that will benefit from the proposed activities</u>	Up to 200 additional extremely and very low-income families will be served annually.
	<u>Location Description</u>	Citywide
12	<u>Planned Activities</u>	Assist clients with intensive case management and wrap around services to assist households in resolving or preventing episodes of homelessness.
	<u>Project Name</u>	HOME-ARP – Administration and Planning
	<u>Target Area</u>	Citywide
	<u>Goals Supported</u>	Alleviation of Homelessness and Other Community Development Efforts
	<u>Needs Addressed</u>	Safety net services for extremely and very low-income residents
	<u>Funding</u>	\$200,000
	<u>Description</u>	To provide funding for general program planning and administration activities.
	<u>Target Date</u>	6/30/2025
	<u>Estimate the number and type of families that will benefit from the proposed activities</u>	Not Applicable
13	<u>Location Description</u>	Citywide
	<u>Planned Activities</u>	Request for proposals process, contract preparation, monitoring and evaluation
	<u>Project Name</u>	HOME-ARP – Non-Profit Operating and Capacity Building
	<u>Target Area</u>	Citywide
	<u>Goals Supported</u>	Alleviation of Homelessness and Other Community Development Efforts
	<u>Needs Addressed</u>	Safety net services for extremely and very low-income residents
	<u>Funding</u>	\$100,000

<u>Description</u>	<u>To provide funding to non-profit organizations to build capacity to operate an expanded housing assistance and case management program.</u>
<u>Target Date</u>	<u>6/30/2025</u>
<u>Estimate the number and type of families that will benefit from the proposed activities</u>	<u>Not applicable</u>
<u>Location Description</u>	<u>Citywide</u>
<u>Planned Activities</u>	<u>Assist clients with intensive case management and wrap around services to assist households in resolving or preventing episodes of homelessness.</u>