



San Bernardino County

Legislation Text

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REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

April 7, 2020

FROM

GARY HALLEN, Director, Department of Community Development and Housing

SUBJECT

Proposed 2020-25 Consolidated Plan; Proposed 2020-21 Annual Action Plan; Housing, Community and Economic Development Needs Identification Report; Analysis of Impediments to Fair Housing Choice; and Citizen Participation Plan

RECOMMENDATION(S)

1. Review the Housing, Community, and Economic Development Needs Identification Report, Citizen Participation Plan and Analysis of Impediments to Fair Housing Choice for the County's 2020-25 Consolidated Plan.
2. Conduct a public hearing to:
 - a. Review the proposed 2020-25 Consolidated Plan which governs the Community Development Block Grant, HOME Investment Partnerships Act and the Emergency Solutions Grant programs, including the list of recommended projects that best meet the identified community development needs under the three grants; and,
 - b. Review the 2020-21 Annual Action Plan for the County's application to the U.S. Department of Housing and Urban Development for the \$11,539,958 entitlement grant for the Community Development Block Grant, HOME Investment Partnerships Act and Emergency Solutions Grant programs; and,
 - c. Review the fair housing needs for the 2020-25 Analysis of Impediments to Fair Housing Choice Report; and,
 - d. Obtain citizens' comments on the 2020-25 Consolidated Plan and related documents.
3. Consider any necessary changes to the Proposed 2020-25 Consolidated Plan and 2020-21 Annual Action Plan and direct Community Development and Housing staff to return to the Board on or around April 21, 2020, with the final 2020-25 Consolidated Plan and 2020-21 Annual Action Plan for consideration by the Board of Supervisors prior to submittal to U.S. Department of Housing and Urban Development.

(Presenter: Gary Hallen, Director, 387-4411)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Promote the Countywide Vision.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

The Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), and

Emergency Solutions Grant (ESG) programs will not result in the use of any Discretionary General Funding (Net County Cost). The County's 2020-21 U.S. Department of Housing and Urban Development (HUD) grant entitlement allocation is \$11,539,958; of which \$7,425,716 is for CDBG (which includes the allocation for both the County and cooperating cities), \$3,478,501 for HOME, and \$635,741 for ESG. Anticipated 2020-21 program income is estimated at \$1,116,066, \$106,962 for CDBG and \$1,009,104 for HOME, will not be available for programming until received by the County. Program income is derived from repayment of loans and grant funded activities from prior year HUD Annual Action Plan investments and is not appropriated until funds have been received.

Grant Fund	Estimated Amount	Program Income	Total
CDBG	\$7,425,716	\$106,962	\$7,532,678
HOME	\$3,478,501	\$1,009,104	\$4,487,605
ESG	\$635,741	\$0	\$635,741
Total	\$11,539,958	\$1,116,066	\$12,656,024

BACKGROUND INFORMATION

The County's current Five Year HUD Consolidated Plan (ConPlan), approved and adopted by the Board of Supervisors (Board) on May 5, 2015 (Item No. 20) and expires June 30, 2020, identifies its housing and community development priorities. To continue to be eligible for HUD federal funding, the County must adopt a new Five Year HUD ConPlan. The components of the ConPlan include Community and Economic Development Needs Assessment and Market Analysis, Citizen Participation Plan, Analysis of Impediments to Fair Housing Choice, and the Annual Action Plan (known collectively as "related documents"). The ConPlan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the ConPlan.

The funds are used to develop viable communities by providing decent housing, suitable living environments and expanded economic opportunities, principally for low- and moderate-income persons. CDBG, HOME and ESG are used to fund eligible projects and activities in the unincorporated areas of the County and 13 cooperating cities/town. These cities are Adelanto, Barstow, Big Bear Lake, Colton, Grand Terrace, Highland, Loma Linda, Montclair, Needles, Redlands, Twentynine Palms, Yucaipa, and the Town of Yucca Valley. For the purpose of these grant funds, this area is referred to as the "County Consortium". In addition to the County Consortium, the cities of Chino Hills and Rancho Cucamonga have been approved by HUD to participate in the County's HOME Program Consortium.

Consolidated Plan

The HUD Consolidated Plan identifies the goals proposed to provide decent housing, a suitable living environment, and to expand economic opportunities for low- and moderate-income persons. The purpose of the ConPlan is to identify priority needs, set goals and objectives to address those needs, and develop implementation strategies in support of those goals and objectives. The Annual Action Plan, which is the formal grant application submitted to HUD each year, is predicated upon the strategies and priority needs for using CDBG, HOME and ESG funds over the five year ConPlan period. Since the County's current five-year ConPlan (2015-16 through 2019-20) expires on June 30, 2020, the County must now prepare a new ConPlan to cover the next five fiscal years, 2020-21 through 2024-25.

Following a request for proposals process, the County entered into a contract with WFN Consulting, LLC (WFN) to facilitate the development and submission of the 2020-25 ConPlan and 2020-21 Annual Action Plan. The Needs Identification Report, Citizen Participation Plan, and Analysis of Impediments to Fair Housing Choice are part of the ConPlan development process.

Needs Assessment and Market Analysis

As part of this process, the County and WFN conducted 20 city and community workshops, providing an opportunity for the County's unincorporated area and the County Consortium's residents to attend and provide their comments on the housing, suitable living environment and economic development needs in their community. Surveys were made available at the community meetings and online through the County and participating town/cities' websites.

The Needs Assessment is based on the information gathered from the community workshops and surveys. Although a variety of specific needs were identified, they can be categorized under broad descriptions. Based on the results from the community outreach efforts, it has been reaffirmed that the County should continue to focus its efforts for the following projects or activities:

- Use CDBG money to fund public facilities and public infrastructure projects in unincorporated San Bernardino County.
- Allocate CDBG money to the County Consortium to address local public service, economic development, housing, public facility, and public infrastructure needs.
- Use HOME funds for the construction or rehabilitation of affordable rental housing in unincorporated San Bernardino County and within cities participating in the HOME Consortium.
- Use ESG funds to address homeless needs throughout the County.

The purpose of the Market Analysis is to provide a clear picture of the environment in which the County must administer their programs over the course of the Consolidated Plan and describes significant characteristics of the County's housing market, including supply, conditions and cost of housing. Information for the Market Analysis is primarily generated from HUD Comprehensive Housing Affordability Strategy (CHAS) and American Community Survey (ACS) data.

Analysis of Impediments to Fair Housing Choice (AI)

The County has prepared a new AI in conjunction with the preparation of the 2020-25 ConPlan. The AI is an assessment of laws, ordinances, statutes and administrative policies, as well as local conditions that could affect the location, availability and accessibility of housing. The purpose of this AI is to identify the impediments affecting fair and equal housing opportunities throughout San Bernardino County and provide an overview of the laws, regulations, conditions or other possible obstacles that may affect access to housing and other services throughout the County. The AI has been prepared pursuant to the County's responsibilities as a grantee jurisdiction under the HUD guidelines, specifically the regulatory requirement to affirmatively further fair housing based on the obligation of HUD under Section 808 of the Fair Housing Act.

The AI concluded that there are five broad impediments affecting fair housing in the County of San Bernardino which include the following:

- Uneven access to housing opportunities disproportionately impacts people of color.
- Insufficient affordable housing in areas of high housing opportunities disproportionately impacts protected classes.
- Levels of residential segregation are increasing.
- Community education on Fair Housing is a continuing need.
- People with disabilities have limited housing options.

The following is a partial list of recommended actions/processes to mitigate limitations to Fair Housing Choice:

1. Continue to support activities that address low proficiency performance in schools, adult educational

and employment barriers that limit economic opportunities and neighborhood revitalization in areas of low opportunities that disproportionately impact people of color.

2. Continue to use a variety of affordable housing development strategies to maintain and increase the availability of high-quality, affordable rental and for-sale housing through new construction and rehabilitation.
3. Continue to use federal funds to maintain and increase the availability of high-quality, affordable rentals and housing in racially diverse communities with improved access to opportunities and community amenities.
4. Continue to support fair housing education activities that have reliable channels of communication with communities of color and people with limited English proficiency.
5. For disabled persons, provide additional units of affordable housing near transit services that offer improved access to healthcare, education and employment opportunities.

Citizen Participation Plan (CPP)

The CPP identifies the County's goals and objectives for encouraging citizen participation in the annual HUD grant application process (Annual Action Plan).

Per the CPP, a substantial amendment to the ConPlan is required when:

- A new activity is added
- Changes to the type/location of an activity or the beneficiaries.
- Increase in funding for the specific grants by the amounts listed below:
 - \$500,000 for CDBG
 - \$100,000 for ESG
 - \$1,000,000 for HOME
- Cancellation of an activity which is requested by the subrecipient.
- Funds reprogrammed for the following reasons:
 - Determination by CDH that insufficient funds prevents accomplishments of the activity.
 - Determination by CDH that the project cannot be carried out in a timely or eligible manner.

Typically, substantial amendments can be scheduled twice a year. The proposed CPP meets HUD regulations.

Annual Action Plan

The 2020-21 Annual Action Plan is also the formal grant application to HUD for the allocation of the CDBG, HOME and ESG grants. The proposed list of projects and programs address the County's current affordable housing, homelessness and community development conditions listed in the County's Needs Assessment and is consistent with the strategies and objectives listed in the County's 2020-25 ConPlan.

2020-25 ConPlan and 2020-21 Annual Action Plan Approval Process

On March 5, 2020, drafts of the 2020-25 ConPlan and 2020-21 Annual Action Plan were made available for public review and comment. The Notice of Public Hearing for the plans were published in six newspapers throughout the County. The Notice provided a 30-day public comment period beginning March 5, 2020, and ending at the conclusion of the public hearing on April 7, 2020. Prior to this public hearing, draft copies of the proposed ConPlan, Annual Action Plan, Needs Report, AI and CPP were made available for public review at the County's Department of Community Development and Housing.

Additionally, the proposed ConPlan, Annual Action Plan, Needs Report, AI and CPP were posted on the County's Department of Community Development and Housing website at at <http://sbcountycdha.com/community-development-and-housing-department/>. Copies of the 2020-21 Annual Action Plan, CPP, AI and Needs Report are available at this public hearing for citizen review.

It is recommended that the Board consider any necessary changes to the Proposed 2020-25 ConPlan and 2020-21 Annual Action Plan (Recommendation No. 3). Public comments received regarding the plans will be considered and included in the final 2020-25 Consolidated Plan and 2020-21 Annual Action Plan. On or around April 21, 2020, the Board will be asked to consider approval of the Final 2020-25 Consolidated Plan and the 2020-21 Annual Action Plan and direct CDH to submit a final version of the plans to HUD on or around May 15, 2020.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on March 3, 2020; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on March 20, 2020; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 23, 2020.