

Fiscal Year 2021 CAPER

Attachment 1: Public Comments and Notices

Public Comments and Staff Responses

Following are the questions and comments received on the Draft Fiscal Year (FY) 2021 CAPER and the responses provided by staff, where warranted. The Draft FY 2021 CAPER was made available for public review from September 3, 2021 and September 17, 2021. During the public review period, the Draft FY 2021 CAPER was posted online for viewing at the City of San Diego's CDBG Program website: (www.sandiego.gov/cdbg). Due to the COVID-19 pandemic, the CAPER was only available through the City's website and the following publications: Daily Transcript, Voice and Viewpoint and El Latino.

The public was provided the opportunity to send comments via email to cdbg@sandiego.gov, and to make public comments at one of the two virtual public meetings: the September 8, 2021 Consolidated Plan Advisory Board Meeting, and the September 20, 2021 City Council Hearing.

September 8, 2021 Consolidated Plan Advisory Board Meeting

Rich Thesing, CPAB Member

Mr. Thesing thanked staff members for the CAPER presentation. He asked whether HUD measured the City of San Diego's performance in using CDBG funding to provide services, and whether the City's performance was compared to other cities.

STAFF RESPONSE: Mr. Leonardo Alarcón, Community Development Project Specialist, responded that HUD does not compare the City of San Diego's performance to other cities. Staff's priority is to ensure that funding is allocated to local organizations and expended in a timely manner. Ms. Angela Nazareno-Clark, HUD Program Manager, added that HUD reaches out to staff directly if there are any issues or concerns regarding the City's performance that staff need to address.

Mr. Thesing asked whether the City of San Diego would be penalized for not expending additional CARES Act funding awarded to the City.

STAFF RESPONSE: Ms. Nazareno-Clark responded that HUD would not penalize the City for not expending additional CARES Act funding. This past year, HUD waived any sanctions for timeliness requirements that entitlement cities typically need to meet by May 15 of every year. We are projected to meet our timeliness even with the additional funds.

Brenda Campbell, CPAB Member

Dr. Campbell asked about the possibility to extend subrecipient organizations' success stories to track clients progress for a year or longer, and to compile data on all clients served. Data collected could improve programs and provide learning opportunities to subrecipients.



Dr. Campbell commented that CDBG funding provides us with an opportunity to include an education strand within all projects. For example, an affordable housing development could have a tutorial center with services provided by educators within the building for youth, college students and adults.

STAFF RESPONSE: Ms. Michele Marano, Community Development Coordinator, responded that many housing developers include case management services, especially within Permanent Supportive Housing (PSH). The City is always trying to collaborate among all our partners. CDBG funding has previously funded a workforce training program with a community college for construction apprenticeships. They were working actively with getting some of their placements in some of the affordable housing construction projects that were ongoing in the San Diego communities.

September 20, 2021 City Council Hearing

Councilmember Joe LaCava, District 1

Councilmember LaCava thanked staff for the presentation and commented that he is grateful to the work of all the nonprofits who receive CDBG funding and doing outreach to the community. Mr. LaCava asked about the difference between the programs that the City administers and the programs that the San Diego Housing Commission (SDHC) administers, and what the percentage split is between the two.

STAFF RESPONSE: Ms. Marano responded that the SDHC administers all ESG funds that are allocated to the City, under an MOU. This averages about \$1 million a year. HOME funds are also administered through the SDHC pursuant to an MOU which range, on average about \$4 to \$5 million a year in entitlement allocations. There was an additional CARES Act Home allocation earlier this year. Regarding CDBG funds, Council Policy (700-02) requires \$1.3 million of Public Service funding to be dedicated to services for homelessness. There is also an existing resolution committing about \$1 million a year for the operation of the Homelessness Response Center for the foreseeable future.

Councilmember LaCava commented that FY 2021 public service programs and Nonprofit Facility Improvement (NPFI) programs seem to be robust despite the challenges of the COVID-19 pandemic. He asked whether most organizations were able to deliver on their commitments.

STAFF RESPONSE: Ms. Marano responded yes, although some contracts were extended for six months with outcomes to be reported in a subsequent CAPER. Overall, many nonprofits met or exceeded their anticipated outcomes.



Council President Pro Tem Stephen Whitburn, District 3

Council President Pro Tem Whitburn expressed appreciation to staff and SDHC, and subrecipient organizations. He highlighted and thanked staff and partners for their work around the resources addressing homelessness including the Day center, overnight shelter, affordable housing, PSH, and rapid rehousing.

Councilmember Monica Montgomery Steppe, District 4

Councilmember Montgomery Steppe asked about why there was no data in table 4 in the CAPER, which identifies the geographic distribution and location of investments.

STAFF RESPONSE: Mr. Alarcón responded that the information to report is not applicable to the City of San Diego because the City does not identify geographic target areas for the distribution of investment, comparable to Neighborhood Revitalization Strategy Areas (NRSAs). In lieu of a specific targeting geographic investment strategy, the City created the Geographic Targeting Initiative (GTAG)that highlighted six high-need areas so projects operating within those areas would receive more points during the application phase. HUD is looking for NRSA data in this table, which is more prescriptive and requires an application to be submitted with the Consolidated Plan. By doing the GTAG initiative, staff has been able to incorporate areas such as the Promise Zone and Opportunity Zone to the application phase.

Councilmember Raul Campillo, District 7

Councilmember Campillo thanked staff for their presentation and work. He recognized projects in District 7 that have been aided by CDBG funding such as the Arc of San Diego, Bayside Community Center, Kitchens for Good, and Access.

Councilmember Vivian Moreno, District 8

Councilmember Moreno commented that the CAPER is a report required by HUD, and the report presented by staff meets HUD requirements. The CAPER is also an opportunity for the City Council and public to reflect on how CDBG, HOME, and ESG programs are progressing towards goals the City set in the Consolidated Plan

Table 1, under the goal for "increase and preserve affordable rental and homeowner housing", shows that in Year 1 and 2 of the Consolidated Plan cycle \$28 million in CDBG funds and \$15 in HOME funds have been expended to construct 147 rental units, rehabilitate 442 units, and assist 74 households in homebuying. Ms. Moreno further commented that given the housing crisis, these numbers are too small. Ms. Moreno stated that there needs to be a focus on focusing federal funding to produce more affordable housing and leverage additional investment from the private sector.

From page 34 of the report, under "action taken to address obstacles to meeting underserved needs", Ms. Moreno quoted "The City is scheduled to receive a substantial



amount of Program Income throughout the FY 20-24 Consolidated Plan period, the City can employ catalytic community investment, putting larger investments toward greater, more impactful projects. For example, with the additional CARES Act funding, the City was able to purchase two hotels for permanent housing with supportive services for individuals formerly experiencing homelessness." Councilmember Moreno said she disagrees with this point because it demonstrates a fundamental misunderstanding of what a catalytic community investment is, which is more than just an impactful investment, but an investment that catalyzed additional investment from the private sector or other levels of government. A true catalytic investment would be concentrated in Southeastern San Diego, San Ysidro, or City Heights and used to fund projects that stimulate additional, needed investment in housing construction.

Councilmember Moreno stated that we should not rely on CDBG and HOME funding to directly solve our affordable housing crisis, instead use funding to catalyze investment from the private sector.

Councilmember Sean Elo-Rivera, District 9

Councilmember Elo-Riviera asked whether staff had any recommendations on how councilmembers can support in achieving Consolidated Plan goals in the remaining years of the Consolidated Plan cycle.

STAFF RESPONSE: Mr. Alarcón responded that the communication between Council Offices and the Consolidated Plan Advisory Board (CPAB) members is critical because CPAB members are representing Council Districts on the Board.

Councilmember Elo-Riviera commented that there may be policies in place that make it challenging to be effective with the funding received. He asked whether staff had any recommendations on how policies could be changed to make the dollars awarded go further.

Christina Bibler, Director of the Economic Development Department, responded that staff would like to set up a meeting offline to discuss some of the limitation of the policies.

Councilmember Elo Riviera asked what the timeline and process will be for working on the next five-year Consolidated Plan.

STAFF RESPONSE: Ms. Marano responded that the process will begin at the end of calendar year 2022 and take place throughout calendar year 2023.

Public Comments

Public comment through webform received from Lori Saldana on September 17, 2021 at 8:46 PM.



Is anyone investigating why so many people who already have housing- but need help to stay housed- are not getting the rental assistance they need? Is this due to a lack of staff and capacity to manage the requests? Is it because people are not making requests for assistance- or are their requests being denied?

On page 8: Only 236 households (24% of goal) received Rental Assistance to stay housed.

STAFF RESPONSE: The 236 households listed in this section benefitted from the ESG-funded Rapid Rehousing program administered by the San Diego Housing Commission on behalf of the City. The Rapid Rehousing program provides households with rental assistance and security deposit assistance. Case management and housing navigation services are also provided to the clients. The percentage is on pace to meeting the 5-year goal.

This lack of assistance is likely leading to more homelessness/displacement. It's always less expensive to keep someone in housing vs find new housing for them. One indication this is the case: 4,116 people needed Overnight Shelter- 51% of the 5-year goal in just 2 years.

16,667 People were helped to gain stable housing after experiencing homelessness or a housing crisis.

STAFF RESPONSE: The 16,667 (8,388 from year 1, and 5,717 from year 2) individuals is a two-year total primarily from the Day Center, which provides resources to meet basic needs and get referrals to services. The number can fluctuate from year to year, depending on what other services and shelters are available at that time. During FY 2020 and FY 2021, COVID-19 related emergency shelters were made available to ensure the safety of the homeless individuals.

This is 166% of the 5-year goal, but only 236 households (24% of goal) received Rental Assistance to stay housed.

STAFF RESPONSE: The naming conventions in the federal database (IDIS) are very specific and are tied to goals outlined in the Annual Action Plan. The outcomes from the initial Emergency Rental Assistance Program are reported under the Public Services Consolidated Plan Goal, where 1,320 individuals were assisted with emergency rent payments during the early stages of the COVID-19 emergency. Additional emergency rental assistance programs are funded with other local, State and federal sources and the programs are ongoing. Outcomes will likely be reported in subsequent years' CAPERs in the narrative sections, as the programs are not CDBG- or ESG-funded.

This lack of assistance is likely leading to more homelessness/displacement. It's always less expensive to keep someone in housing vs find new housing for them. Also- Why have so many units been rehabbed, while so few new units were added?

STAFF RESPONSE: Under the federal regulations, CDBG funds cannot be used (in most cases) to construct new housing units, so the City has allocated CDBG funds to eligible housing



rehabilitation activities. As part of the Notice of Funding Availability (NOFA) released annually, multi-family rehabilitation activities are an eligible category. The new affordable housing units reported in the CAPER are HOME-funded. HOME projects can take more than two years to complete and can be combined with other funding sources. Three rental construction activities were counted (The Beacon, The Nook, San Ysidro Senior Village) for a total of 183 affordable housing units, with 41 of those units being funded by HOME.

On page 6, it states that 367 Rental Units have been Rehabilitated - this is 262% over the goal. This confirms what's becoming obvious to anyone who walks downtown or at our local beaches and parks: There's simply not enough new housing available to meet the needs of San Diegans, and not enough additional units are being built.

We need more emphasis on adding units, and providing Rental Assistance, vs. policing and displacement which is making things worse. People who are displaced from encampments, or cited by the police, are often understandably resistant to stay in shelters. Many may know their chances of getting COVID increase in shelters, according to County Health Department reports.

STAFF RESPONSE: Please see the City of San Diego's Community Action Plan on Homelessness. This is a comprehensive, 10-year roadmap that builds on recent progress, lays out short-term achievable goals and serves as a guide for long-term success. The City Council adopted the plan in October 2019. https://www.sandiego.gov/homeless-services/strategic-plan

Finally, on page 28 of the Draft CAPER, it states: "Supplemental Materials Online-www.sandiego.gov/CDBG/plansreports"

This link is not functional- the website states: "Sorry, the page you're looking for can't be found." Please provide those missing materials.

STAFF RESPONSE: All links will be updated and will be functioning once the final CAPER is submitted to HUD and posted online.

Written Comments

Written comment received from David Oddo on Friday, September 17, 2021at 4:41 PM

Thank you for the opportunity to comment on the City of San Diego's Draft Fiscal Year 2021 Consolidated Annual Performance and Evaluation Report (CAPER.) I believe that the City's response to identified impediments to fair housing choice is inadequate and in need of revision.

My comments concern the Draft CAPER's section 91.520 (a), which reads: "Identify actions taken to overcome the effects of any impediments identified in the jurisdiction's analysis of impediments to fair housing choice." Specifically, the Draft CAPER's "Fair Housing Action



Plan" (Attachment 4: Fair Housing Report) refers to the following impediment: "Hispanics and Blacks continue to be under-represented in the homebuyer market and experienced large disparities in loan approval rates."

Recommended Actions: Coordinate with the San Diego City-County Reinvestment Task Force to receive annual reporting from the Task Force on progress in outreach and education.

This is an inadequate response for the following reasons:

- 1) The mandate of the San Diego City-County Reinvestment Task Force does not include race/ethnicity specific activities. (See San Diego City Council Policy 900-09,"Community Reinvestment." Effective date November 5, 2001.) Rather, the Task Force is the local implementation of the federal Community Reinvestment Act of 1977 (12. U.S.C. section 2901 et. seq.), which encourages regulated financial institutions to help meet the credit needs of their entire community, including low-and-moderate income neighborhoods. The CRA statute does not mention race/ethnicity-specific remedies for Black and/or Hispanic neighborhoods, persons or families.
- 2) In the Reinvestment Task Force's "About Us" section, its mission is described as "Created by the City and County of San Diego, the Reinvestment Task Force monitors local banking practices and recommends lending strategies that benefit low and moderate income residents...The RTF is an outgrowth of the federal Community Reinvestment Act of 1977, which was enacted to reduce discriminatory credit practices, also known as redlining, in low-income neighborhoods." (https://sandiegortf.org/about-us)

For the aforementioned reasons, the City's reliance upon said Task Force as a method of overcoming impediments to fair housing choice for Blacks and Hispanics in the homebuyer market is grossly inadequate.

More importantly, the City's Draft Fiscal Year 2021 CAPER fails to address actual evidence of racially-based mortgage lending discrimination, such as that uncovered in its "Testing Project Report FY 2012-2013." As part of that project, the City's contractor (The Fair Housing Council of San Diego) sent undercover Black and white paired testers to three major lending institutions doing business in the San Diego area. In 60% of these tests (six of ten), discriminatory responses were detected.

To the best of my knowledge, the City of San Diego has not followed up or otherwise pursued a possible remedy to overcome this impediment to fair housing choice. As well, the 2021-2025 San Diego County Regional Analysis of Impediments to Fair Housing Choice (of which the City is a participating member) makes no mention of the aforementioned fair lending audit nor any efforts to overcome this impediment to fair housing choice. Also, the



2021-2025 Al document mentions that the City of San Diego conducted no fair housing testing in the homebuyer market between 2015-2020.

In conclusion, I firmly believe that the City of San Diego needs to rethink its strategy of addressing impediments to fair housing choice. At a minimum, it should amend its "Draft Fiscal Year 2021 Consolidated Annual Performance and Evaluation Report" so that it no longer relies upon the race/ethnicity-neutral San Diego City-County Reinvestment Task Force to solve the City's race/ethnicity-specific (Black and Hispanic-related) impediments to fair housing choice.

STAFF RESPONSE: The information provided in the Fiscal Year (FY) 2021 CAPER for Fair Housing describes the progress made towards addressing the impediments identified in the FY 2021-2025 Analysis of Impediments for the Fair Housing Choice (A.I.) during July 1, 2020 through June 30, 2021. The recommended action of "coordinate with the City-County Reinvestment Task Force to receive annual reporting on progress in outreach and education" is included in the approved A.I. For additional details, please visit: https://www.sandiego.gov/sites/default/files/fhaifinal2020.pdf.

The City of San Diego and the San Diego Regional Alliance for Fair Housing works with the San Diego City-County Reinvestment Task Force to eradicate the Impediments discovered in the Analysis of Impediments for Fair Housing Choice.

The mission of the San Diego City-County Reinvestment Task Force, or RTF, is to foster increased financial inclusion and advance economic justice by advocating for affordable housing, supporting small business growth and equitable economic development, and promoting consumer education, counseling, and fair access to financial services. For more information about the Reinvestment Task Force, please visit: https://sandiegortf.org/.

The FY 2021 CAPER reports only on the activity included in the City's Action Plan and provided by our partners under contract.

The next Analysis of Impediments for Fair Housing Choice will be completed in FY 2025. There will be a robust public participation process and at that point the City can consider recommendations for addressing Fair Housing Choice.

As mentioned in the report, Legal Aid Society of San Diego, Inc. is the City's Fair Housing provider.



Notice of Public Comment Period: Consolidated Annual Performance and Evaluation Report

The Daily Transcript

September 3, 2021

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The CAPER is prepared on an annual basis for submittal to the United States Department of Housing and Urban Development (HUD) and is required as part of the following federal programs: Community Development Block Grant (CDBG): HOME Investment Partnerships Program (HOME); and Emergency Solutions Grants (ESG). The CAPER provides an assessment of the City's (ESG). The CAPER provides an assessment of the City's progress toward meeting its goals and high-priority needs for these federal programs. The CAPER reports on how funds were spent for the reporting period and on the beneficiaries of the community development, social services, and housing activities undertaken.

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El Latino

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NOTICE OF PUBLIC HEARING Draft Fiscal Year 2021 Consolidated Annual Performance and Evaluation Report (CAPER)

Report (CAPER)

NOTICE IS HEREBY GIVEN that the Draft FY 2021 CAPER will be presented to the San Diego City Council at 2:00 p.m. or sometime thereafter on September 20, 2021. The agenda for this virtual meeting 2021. The agenda for this virtual meeting (www.sandiego.gov/city-derk) available. In lieu of in-person attendance, members of the public can participate and provide comment via telephone, Zoom, using in City with the comment via telephone in comment via the provide comment via telephone in comment via telephone. Zoom case in comment via telephone in comment via telephone in comment via telephone in comment via telephone in comment via telephone. Zoom case in comment via telephone in comment via telephone

is available on the City Clerk's website.

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Community Development Division

The <u>Consolidated Plan Advisory Board</u> (CPAB) virtual meeting will occur on <u>Wednesday</u>, <u>September 08</u>, <u>2021 at</u> <u>10:00 a.m</u>. The meeting can be accessed by using this <u>link</u>. The meeting agenda and other supporting materials can be found <u>here</u>, or on our <u>website</u>.

Public Comment:

Members of the public may provide comment on the comment period for Non-agenda Public Comment or Agenda Public Comment during the meeting, following the Public Comment Instructions.

To join the virtual meeting and provide public comment, please use this <u>link</u>.

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Written Comment through Webform:

Public comments for this meeting will be accepted by 4:00 p.m. on March 9, using the Office and Boards and Commissions Public Comment Form, which can be accessed here.

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CONSOLIDATED PLAN ADVISORY BOARD (CPAB) AGENDA

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10:00 A.M. – 11:30 A.M.
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YOUTUBE PUBLIC LINK BELOW

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- 2. Approval of CPAB Virtual Meeting Minutes: August 11, 2021
- 3. Board Member Announcements
- 4. Staff Announcements
- 5. Non-Agenda & Agenda Public Comments: Public comments can be received live, using the "attendee" link, which can be found here. Public comments can also be submitted using the Office of Boards and Commission form, which can be found here. All public comments will need to be submitted by September 07, 2021 by 4:00 p.m. Public comments received will be read aloud by City staff during the virtual meeting. Comments should be able to be read in three (3) minutes.
- 6. Discussion Item(s):
 - a. <u>Draft Fiscal Year (FY) 2021 Consolidated Annual Performance and Evaluation</u> Report (CAPER)

The CAPER is prepared on an annual basis for submittal to the United States Department of Housing and Urban Development (HUD). It is a requirement of the annual funding granted to the City as part of the following federal programs: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); Emergency Solutions Grant (ESG); and CARES Act related funding (CDBG-CV and ESG-CV). The CAPER provides an assessment of the City's progress toward its 5-year goals and how funds were spent during the FY 2021 (July 1, 2020-June 30, 2021) reporting period.

THIS INFORMATION IS AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.

To request an alternative format, or to request a sign language or oral interpreter for the meeting, please contact the Meeting Coordinator in the Economic Development Department at least five (5) working days before the meeting at (619) 236-6700 to ensure availability. Assistive Listening Devices (ALDs) are available for the meeting upon request.

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Community Development

7. Other Items

This Item will be open for CPAB to comment or request future agenda items.

8. Adjournment

Unfinished business shall be tabled and placed on the agenda of the following meeting.

Tentative Future Meeting Dates/Times

Subject to change. CPAB meetings are usually scheduled the second Wednesday of the month.

Check CDBG website at http://www.sandiego.gov/cdbg
for latest information, locations, and special meetings.

Please note, all CPAB meetings will be held virtually for the near future.

- Wednesday, September 08, 2021 at 10 a.m.
- Wednesday, October 13, 2021 at 10 a.m.
- Wednesday, November 10, 2021 at 10 a.m.
- · Wednesday, December 08, 2021 at 10 a.m. (possible adjournment)

Announcements and Updates

Draft FY 2021 CAPER Available for Public Comment

The City of San Diego's <u>Draft FY 2021 Consolidated Annual Performance Report (CAPER)</u> will be available for a <u>15-day public review</u> beginning on **September 3, 2021**. The CAPER outlines the Fiscal Year (FY) 2021 accomplishments and activities of projects and programs funded by the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships Program (HOME), and the Emergency Solutions Grants (ESG) Program.

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in the following publications: Daily Transcript, Voice and Viewpoint and El Latino.

Please direct any inquiries or comments regarding the CAPER in writing to: cdbg@sandiego.gov. Direct comments to the attention of: Draft Consolidated Annual Performance and Evaluation Report (CAPER). **The comment period will close on September 17, 2021 at 5:00 pm.**



NOTICE of 15-Day Public Review

Draft Fiscal Year 2021 Consolidated Annual Performance and Evaluation Report (CAPER)

NOTICE IS HEREBY GIVEN that the FY 2021 CAPER will be available for a 15-day public review beginning on **September 3, 2021**. All referenced documents will be available for review on the City's website (www.sandiego.gov/cdbg). Please direct any inquiries or comments regarding the CAPER in writing to: cdbg@sandiego.gov. Direct comments to the attention of: Draft Consolidated Annual Performance and Evaluation Report (CAPER). **The comment period will close on September 17, 2021 at 5:00 pm.**

The CAPER is prepared on an annual basis for submittal to the United States Department of Housing and Urban Development (HUD) and is required as part of the following federal programs: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); and Emergency Solutions Grants (ESG). The CAPER provides an assessment of the City's progress toward meeting its goals and high-priority needs for these federal programs. The CAPER reports on how funds were spent for the reporting period and on the beneficiaries of the community development, social services, and housing activities undertaken.

As required by the Americans with Disabilities Act (ADA), requests for information to be made available in alternative formats may be made by contacting the City Clerk at cityclerk@sandiego.gov or (619) 533-4000. The City is committed to resolving accessibility requests swiftly in order to maximize accessibility.

Consolidated Plan Advisory Board Vacancies

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nominated by Council Districts 1, 2, and 6.

For more information about the roles and responsibilities of a CPAB member and what requirements are needed, please visit: https://onboard.sandiego.gov/board/3427

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If you are interested in serving on the CPAB, an application may be submitted online and is available

here: https://onboard.sandiego.gov/





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Contact Us:

Email: cdbg@sandiego.gov

Phone: 619-236-6700

Website: https://www.sandiego.gov/cdbg

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