

# **ATTACHMENT 1:**

## **PUBLIC COMMENTS & PROOF OF PUBLICATION**



**THE CITY OF SAN DIEGO**

## **FY 2015 CAPER**

### **Public Comments**

Following are the questions and comments received on the Draft Fiscal Year 2015 CAPER and the responses provided by staff, where warranted. The Draft FY 2015 CAPER was made available for public review from September 3 through September 17, 2015.

During the public review period, the Draft Fiscal Year 2015 CAPER was posted online for viewing at the City of San Diego's CDBG Program website: <http://www.sandiego.gov/cdbg>

During the public review period, hard copies were made available for viewing at the following locations:

- **City Clerk's Office** (202 'C' Street, 2nd Floor, San Diego, CA 92101)
- **CDBG Program Office** (1200 Third Avenue, 14th Floor, San Diego, CA 92101)
- **Central Library** (330 Park Blvd., San Diego, CA 92101)
- **Malcolm X Library** (5148 Market Street, San Diego, CA 92114)
- **San Ysidro Branch Library** (101 West San Ysidro Boulevard, San Diego, CA 92173)
- **Logan Heights Branch Library** (567 South 28th Street, San Diego, CA 92113)
- **City Heights/Weingart Branch Library** (3795 Fairmount Avenue, San Diego, CA 92105)
- **Linda Vista Branch Library** (2160 Ulric Street, San Diego, CA 92111)
- **Jacobs Center for Neighborhood Innovation** (404 Euclid Avenue, San Diego, CA 92114)
- **Bayside Community Center** (2202 Comstock Street, San Diego, CA 92111)

The public was provided the opportunity to send comments via U.S. Mail or hand-deliver to: **City of San Diego/Action Plan Comments | 1200 Third Avenue, Suite 1400 | San Diego, CA 92101** or via email to: [cdbg@sandiego.gov](mailto:cdbg@sandiego.gov).

## **ORAL COMMENTS**

Following are the oral comments provided by members of the public, the City Council and the Consolidated Plan Advisory Board (CPAB) during the public hearings for the Draft FY 2015 CAPER. Where warranted, the response from staff follows the comment.

### **September 9, 2015 – Consolidated Plan Advisory Board Meeting**

#### **Maruta Gardner, CPAB Member**

- Ms. Gardner thanked staff for the work on completing the FY 15 CAPER.

#### **Richard Thesing, CPAB Member**

- Mr. Thesing appreciated how the report has become easier to understand and thanked staff for all of their work.

#### **Vicki Granowitz, CPAB Chair**

- Ms. Granowitz noted that the CAPER addressed the Geographic Targeting Initiative and thanked staff for their hard work in completing the report.

### **SEPTEMBER 22, 2015 – CITY COUNCIL HEARING**

#### **Councilmember Todd Gloria**

- Thanked and gave credit to the CPAB and staff for their work.
- Stated that he would like to see more collaboration between the non-profit agencies that provide similar services.
- Asked a clarifying question regarding the actual amount of people served in the public services category; specifically with meal delivery service.

*Staff response:*

*Staff stated the numbers were correct as listed on the illustration (809). Two agencies provided the service; Mama's Kitchen and Angel's Depot.*

**Councilmember David Alvarez**

- Thanked the staff and CPAB for their hard work in correcting issues from previous years.

**Council President Sherri Lightner**

- Thanked the CPAB for their dedication and commitment to the public by serving on the board. Ms. Lightner also thanked staff for all their hard work.

**Richard Thesing, CPAB member (Submitted a speaker's slip in favor)**

- The City Clerk noted that Mr. Thesing submitted a speaker slip in favor but stated in the slip that he did not wish to speak.

**Vicki Granowitz, CPAB Chair (Submitted a speaker's slip in favor)**

- The City Clerk noted that Ms. Granowitz submitted a speaker slip in favor but stated in the slip that she did not wish to speak.

**Robert McNamara, (Submitted a speaker's slip in favor)**

- The City Clerk noted that Mr. McNamara submitted a speaker slip in favor but stated in the slip that he did not wish to speak.

**Martha Welch (Submitted a speaker's slip in opposition)**

- Ms. Welch questioned the fact that she did not find any information on HUD funding of housing during FY 2015.

**Kathryn Rhodes (Submitted a speaker's slip in opposition)**

*Please note Ms. Rhodes submitted a comment at the August 12 CPAB meeting, which was before the official public comment period began. Ms. Rhodes requested at the City Council hearing that her comment from the CPAB meeting be included in the FY 15 CAPER along with her attachment that she provided (on the next page).*

- Ms. Rhodes distributed the following handout at the August 9 CPAB meeting explaining how some of the former redevelopment funds are available for affordable housing and homeless services.

August 7, 2015 Successor Agency (SA) and LMIHAF Redevelopment Property Tax Trust Fund (RPTTF) + LMIHAF & Non-Housing DDR Payments								
	ROPS and Dates	RPTTF Property Tax Increment Former RDA	Tax Sharing Pass-Through Payments	ROPS RPTTF Enforceable Obligations	Civic SD Administration 3% Allowable	RPTTF Residual Distributions	Other Mics Fees	DDR Payment & RDA Bonds Defeasement
FY-2012	ROPS-1 Jan-June 2012 + True-Up	93,057,788	0	3,298,968	0	89,644,451	114,369	0
FY-2013	ROPS-2 July-Dec 2012 ROPS-3 Jan-June 2013 LMIHAF DDR 05/17-29/2013	144,050,326	65,131,168	-39,741,613	1,241,841	47,889,534	3,350,168	HOUSING DDR \$13,303,998
FY-2014	ROPS-4 July-Dec 2013 ROPS 13-14A ROPS-5 Jan-June 2014 ROPS 13-14B Non-Housing DDR 12/03/2013	182,233,717	50,937,225	72,990,734	2,095,326	221,248,496	2,301,053	NON-Housing DDR 167,339,117
FY-2015	ROPS-6 July-Dec 2014 ROPS 14-15A ROPS-7 Jan-June 2015 ROPS-14-15B	186,006,339	52,173,612	62,188,634	2,922,525	66,306,439	2,415,129	RDA BONDS DEFEASEMENT \$24,780,091
FY-2016	ROPS-8 July-Dec 2015 ROPS 15-16A	114,440,899	32,342,576	48,207,196	1,870,821	30,883,754	1,136,552	0
4 Years	<b>TOTALS</b>	<b>719,789,069</b>	<b>200,584,581</b>	<b>226,427,145</b>	<b>8,130,513*</b>	<b>455,972,674</b>	<b>9,317,271</b>	<b>Total Loss</b> <b>\$386,949,570</b>
					+ LMIHAF	GOAL ZERO		

\*\$8,130,513 TOTAL ADMINISTRATION COSTS = \$6,792,814 (3% ROPS RPTTF Enforceable Obligations (EA) @ \$226,427,145) + \$1,337,699 LMIHAF Administration Costs.

**\$362,169,479 Net Loss of RPTTF = \$455,972,674 RPTTF Residual Distribution - \$93,803,195 General Fund Residual Distribution City San Diego**

**\$386,949,570 Total Opportunity Lost = \$362,169,479 Net Loss of RPTTF + \$24,780,091 RDA Bond Defeasement. No new RPTTF Revenue.**

**DUE DILLIGENCE PAYMENTS TOTAL \$180,643,115.**  
 \$ 13,303,998 Housing LMIHAF DDR. [May 17-29, 2013]  
 \$167,339,117 Non-Housing DDR [December 3, 2013]

**BOND DEFEASEMENTS TOTAL \$24,780,091**  
 \$11,905,560 in LMIHAF Cash [December 17, 2014 and January 20, 2015],  
 \$7,699,531 in Successor Agency (SA) Cash [April 13, 2015], and  
 \$5,175,000 in Downtown Parking Revenue Cash [November 21, 2014].

20120716 ROPS-1 Jan-June 2012 RPTTF Allocation Distribution Report True-Up 11-2001 to 01-2012  
 20120601 ROPS-2 July-Dec 2012 RPTTF Allocation Distribution Report  
 20130102 ROPS-3 Jan-June 2013 RPTTF Allocation Distribution Report  
 20130603 ROPS-4 July-Dec 2013 ROPS 13-14A RPTTF Allocation Distribution Report  
 20140102 ROPS-5 Jan-June 2014 ROPS 13-14B RPTTF Allocation Distribution Report  
 20140602 ROPS-6 July-Dec 2014 ROPS 14-15A RPTTF Allocation Distribution Report  
 20150102 ROPS-7 Jan-June 2015 ROPS-14-15B RPTTF Allocation Distribution Report  
 20150601 ROPS-8 July-Dec 2015 ROPS 15-16A RPTTF Allocation Distribution Report

## Written Comments

Ms. Leah Healy, representing Urban Corps, noted that the location of the Urban Corps Facility Improvement on the Community Facilities and Infrastructure map was incorrect.

*Staff response: The correction was made to the map and will be included in the final FY 15 CAPER.*

## Kathryn Rhodes

*Please note that Ms. Rhodes resubmitted a previous public comment dated April 28, 2015. The staff response below is from the FY16 Annual Action Plan. Ms. Rhodes attachments can be found at the end of Attachment 1.*

Ms. Katheryn Rhodes and Mr. Conrad Hartsell, MD, submitted a letter via email dated April 28, 2015, addressed to the City of San Diego and the Housing Authority which contained 6 statements/questions as well as supporting documentation. The 6 highlighted statements under which the authors introduced subsequent statements and questions in said letter are copied below and staff responses follow. The complete letter is incorporated at the end of said statements and responses.

**Question 1: Lack of FY-2016 Budget for the Successor Housing Entity's LMIHAF (LMIH Asset Fund –added for clarity) controlled by Civic San Diego staff in Fund No. 200706.**

*Staff response (as noted above under the April 28, 2015 – City Council Hearing heading):*

*LOW-MODERATE INCOME HOUSING (LMIH): This fund was established to account for affordable housing assets transferred from the Successor Agency to the Successor Housing Entity, which is the City, as required by California Health and Safety Code Section 34176(d), due to the dissolution of the Redevelopment Agency. This fund will also account for any future revenues generated from the housing assets. The latest action taken by the City in relation to the LMIH is described below.*

*On April 6, 2015, the City Council, acting on behalf of the City as housing successor to the former Redevelopment Agency, adopted a resolution authorizing and directing the City Comptroller to transfer unencumbered housing funds in the estimated range of \$12.25-\$12.61 million to the Successor Agency, as required by the California Department of Finance (DOF). For further details inclusive of the Staff Report, please refer to items 202a and 202b of the City Council Agenda for the meeting of April 6, 2015, available at <http://dockets.sandiego.gov/sirepub/pubmtgframe.aspx?meetid=2633&doctype=Agenda>).*

*Please note that [Civic San Diego](#) manages the LMIH funds on behalf of the Successor Housing Entity as its consultant and working with the City's Comptroller's Office.*

*Please direct further questions to Civic San Diego. Senior staff members are the primary points of contact for department activities. For contact information, see <http://civicsd.com/about-us/senior-staff.html>.*

**Question 2: Homeless Emergency Shelter Crisis and Suspension of CEQA and Conditional Use Permit (CUP) Requirements from Government Code 8698 regarding Homeless Issues.**

*Staff response:*

As stated in Chapter 5 of the [Analysis of Impediments](#), the City of San Diego has begun a process to update and amend its Land Development Code to address emergency shelter and supportive housing zoning. The public input process for the code update will begin in the latter half of 2015 and throughout 2016. The amendment process is anticipated to reach conclusion during the 2016 calendar year.

It is also worth noting that on April 15, 2015, the San Diego Housing Commission released an informational report called "Housing First San Diego – the San Diego Housing Commission's Homelessness Action Plan" to the City of San Diego's Public Safety and Livable Neighborhoods Committee. A copy of the report can be found here:

[http://docs.sandiego.gov/councilcomm\\_agendas\\_attach/2015/psln\\_150415\\_4.pdf](http://docs.sandiego.gov/councilcomm_agendas_attach/2015/psln_150415_4.pdf)

Hard copies of the Housing First San Diego – the San Diego Housing Commission's Homelessness Action Plan are available for review during business hours in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101 and at the Office of the San Diego City Clerk, 202 C Street, San Diego, CA 92101. Complete docket materials are available on the San Diego Housing Commission's website at [www.sdhc.org](http://www.sdhc.org).

Specific questions related to the Homelessness Action Plan may be directed to the San Diego Housing Commission.

**Question 3: HUD's Interest in the Successor Agency (SA) to the former Redevelopment Agency (RDA) and the Successor Housing Entity's LMIHAF to Minimize HUD's Risk.**

Staff response:

Refer to specifics in response to Question 1 above. Please direct further questions about the LMIH Assets Fund (LMIHAF) to Civic San Diego. Senior staff members are the primary points of contact for department activities and their current status. For contact information, see <http://civicsd.com/about-us/senior-staff.html>.

**Question 4: Federal HUD HEARTH Goals of Eliminating Homelessness of Veterans and Chronic Homeless by December 31, 2015 [247 days], and Ending All Homeless including Families and Children by 2020.**

The San Diego Housing Commission released on April 15, 2015 an informational report called "Housing First San Diego – the San Diego Housing Commission's Homelessness Action Plan" to

*the City of San Diego's Public Safety and Livable Neighborhoods Committee. A copy of the report can be found here:*

*[http://docs.sandiego.gov/councilcomm\\_agendas\\_attach/2015/psln\\_150415\\_4.pdf](http://docs.sandiego.gov/councilcomm_agendas_attach/2015/psln_150415_4.pdf)*

*Hard copies of the Housing First San Diego – the San Diego Housing Commission's Homelessness Action Plan are available for review during business hours in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101 and at the Office of the San Diego City Clerk, 202 C Street, San Diego, CA 92101. Complete docket materials are available on the San Diego Housing Commission's website at [www.sdhc.org](http://www.sdhc.org).*

*Specific questions related to the Homelessness Action Plan may be directed to the San Diego Housing Commission.*

**Question 5: Housing Element of the City of San Diego's General Plan Reporting requirements on SANDAG's Regional Housing Need Assessment (RHNA).**

*Staff response:*

*The 2014 Annual Housing Element Progress Report will be released to the public by June 1, 2015. It will be posted online at:*

*<http://www.sandiego.gov/planning/genplan/documents/index.shtml>.*

*The Progress Report will include information containing the number of units permitted/built for each of the RHNA categories for each year of this current cycle, as well as a total number of units.*

*Please direct further question about the City General Plan to:*

*Planning Department  
1222 First Avenue, MS 413  
San Diego, CA 92101  
Phone: (619) 235-5200  
Email: [planning@sandiego.gov](mailto:planning@sandiego.gov)*

**Question 6: San Diego Housing Commission (SDHC) FY 2016 Homeless Annual Action Plan (AAP).**

*As noted above, the San Diego Housing Commission released on April 15, 2015 an informational report called "Housing First San Diego – the San Diego Housing Commission's Homelessness*

*Action Plan” to the City of San Diego’s Public Safety and Livable Neighborhoods Committee. A copy of the report can be found here:*

*[http://docs.sandiego.gov/councilcomm\\_agendas\\_attach/2015/psln\\_150415\\_4.pdf](http://docs.sandiego.gov/councilcomm_agendas_attach/2015/psln_150415_4.pdf)*

*Hard copies of the Housing First San Diego – the San Diego Housing Commission’s Homelessness Action Plan are available for review during business hours in the main lobby of the San Diego Housing Commission offices at 1122 Broadway, San Diego, CA 92101 and at the Office of the San Diego City Clerk, 202 C Street, San Diego, CA 92101. Complete docket materials are available on the San Diego Housing Commission’s website at [www.sdhc.org](http://www.sdhc.org).*

*Specific questions related to the plan and actions to address homeless and their status may be directed to the San Diego Housing Commission.*

## **Public Notices**

In accordance with the Citizen Participation Plan in the 2015-2019 Consolidated Plan, the City published notices in the following newspapers:

- San Diego Daily Transcript
- San Diego Voice and Viewpoint
- El Latino

The first set of notices ran the week of August 24 notifying the public of the start of the Public Comment period of September 3 through September 17, 2015. The public was also notified of the first public hearing to submit a public comment at the September 9, 2015 Consolidated Plan Advisory Board (CPAB) meeting. The second notices ran the week of September 14 notifying the public of the second public hearing at City Council on September 22, 2015.

# San Diego Daily Transcript

## August 24, 2015

### NOTICE OF PUBLIC HEARING & PUBLIC REVIEW

#### CITY OF SAN DIEGO DRAFT FISCAL YEAR 2015 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

NOTICE IS HEREBY GIVEN that on September 25, 2015, the City of San Diego will submit the Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year (FY) 2015 to the United States Department of Housing and Urban Development (HUD).

The CAPER is an annual report that assesses of the City's progress toward meeting its goals and high priority needs for the following federal programs: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); Emergency Solutions Grants (ESG); and Housing Opportunities for Persons with AIDS (HOPWA).

The CAPER details activities that received funding and accomplishments achieved in the reporting period starting July 1, 2014 to June 30, 2015 for community development, social services, and housing activities funded.

The Draft FY 2015 CAPER will be available for a 15-day public comment period starting on September 3, 2015 and conclude on September 17, 2015. The CAPER will be available for public review at the CDBG Program office (1200 Third Avenue, Suite 1400, San Diego, CA 92101), the CDBG Program's website (<http://www.sandiego.gov/cdbg>), the San Diego Housing Commission's website (<http://www.sdhc.org>), at the following select City libraries (Central, Malcolm X, San Ysidro, Logan Heights, and City Heights/Weingart), the Bayside Community Center, and the Jacobs Center for Neighborhood Innovation.

Written comments may be submitted during this period to the CDBG Program office by mail (1200 Third Avenue, Suite 1400, San Diego, CA 92101) or via e mail ([CDBG@sandiego.gov](mailto:CDBG@sandiego.gov)).

A public hearing will be held at the Consolidated Plan Advisory Board at **9:00 a.m.** in the City Concourse (202 'C' Street, San Diego, CA 92101- North Terrace Rooms 207-208) on September 9, 2015. Public comments will be taken at this meeting and the agenda for this meeting will be posted on the CDBG Program's website (<http://www.sandiego.gov/cdbg>) on September 4, 2015. An additional public hearing will be held before the City Council at a future date that will be noticed.

To request this information in an alternative format, or to arrange for a sign language or oral interpreter for the meeting, please call the City Clerk's office at least five (5) working days prior to the meetings at (619) 533-4000 (voice) or (619) 236-7012 (TDD/TTY).  
Pub Aug 24 -00132787

# San Diego Voice & Viewpoint

August 27, 2015

## LEGAL NOTICES

### WANTED Part Time Graphic Artist

### EMPLOYMENT OPPORTUNITY

Newspaper layout experience preferred but not necessary. Community paper has opening for Mondays and Tuesdays. Send resume to [news@sdvoices.info](mailto:news@sdvoices.info)

### WANTED Freelance Journalist

A freelance journalist is wanted for specific assignments. Must have own digital camera equipment and transportation.

### NEWSPAPER DISTRIBUTORS NEEDED

Weekly pay. Local San Diego route. Please call Deniece at (619) 266-2233.

### NEWSPAPER STAND REPAIR PERSON NEEDED

Please call Deniece at (619) 266-2233

## NOTICE TO PUBLIC

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## LEGAL NOTICES

website (<http://www.sdhe.org>), at the following select City Libraries (Central, Malcolm S., San Ysidro, Logan Heights, and City Heights/Weingart), the Bayside Community Center, and the Jacobs Center for Neighborhood Innovation.

Written comments may be submitted during this period to the CDBG Program office by mail (1200 Third Avenue, Suite 1400, San Diego, CA 92101) or via e-mail ([CDBG@sanidiego.gov](mailto:CDBG@sanidiego.gov)).

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San Diego Housing Commission  
1122 Broadway, Suite 300  
San Diego, California 92101  
Contact: David Tomaino at (619) 578-7337 or [davidt@sdhe.org](mailto:davidt@sdhe.org)

# El Latino

August 27, 2015

## AVISO DE AUDIENCIA PUBLICA Y DISPONIBILIDAD DEL REPORTE PRELIMINAR AL PUBLICO

### CIUDAD DE SAN DIEGO

#### REPORTE PRELIMINAR DEL AÑO FISCAL 2015 REPORTE DE LA EVALUACION ANUAL DEL PLAN CONSOLIDADO (CAPER)

SE NOTIFICA que el 25 de Septiembre de 2015, la Ciudad de San Diego someterá el Reporte de la Evaluación Anual del Plan Consolidado (CAPER por sus siglas en inglés) del Año Fiscal 2015 al Departamento de Vivienda y Desarrollo Urbano (HUD).

El CAPER es el reporte que evalúa el progreso de la Ciudad de San Diego hacia el cumplimiento de sus objetivos y prioridades con respecto a los siguientes programas federales: Fondos para el Desarrollo de la Comunidad (CDBG); Fondos de Inversión para la Vivienda (HOME); Fondos de Emergencia para la Vivienda (ESG); y Fondos de Vivienda para Personas con VIH/SIDA (HOPWA).

El CAPER detalla los proyectos que recibieron fondos y los logros alcanzados durante el periodo de Julio 1, 2014 a Junio 30, 2015 en el campo de desarrollo comunitario, servicios sociales y vivienda.

El CAPER preliminar del Año Fiscal 2015 estará disponible para recibir comentarios del público durante un periodo de 15 días, empezando el 3 de Septiembre, 2015 y concluyendo el 17 de Septiembre, 2015. El CAPER estará a la disposición del público en la oficina del programa de CDBG (1200 Third Avenue, Ste 1400, San Diego, CA 92101), en la página de internet del programa de CDBG (<http://www.sandiego.gov/cdbg>), en la página de internet de la Comisión de Vivienda de San Diego (<http://sdhc.org>), en las siguientes bibliotecas públicas (Central, Malcolm X, San Ysidro, Logan Heights y City Heights/Weingart), en el Centro Comunitario Bayside y en el Centro para la Innovación Comunitaria Jacobs (Jacobs Center for Neighborhood Innovation).

Los comentarios por escrito podrán enviarse por correo durante éste periodo a la oficina del programa de CDBG (1200 Third Avenue, Suite 1400, San Diego, CA 92101) o por correo electrónico a (CDBG@sandiego.gov).

La audiencia pública se llevará a cabo durante la junta de la Comisión Consejera del Plan Consolidado el 10 de Septiembre a las 9 a.m. en el City Concourse (202 "C" Street, San Diego, CA 92101 - North Terrace Rooms 207-208). Los comentarios del público serán recibidos durante ésta junta. La orden del día estará disponible el 4 de Septiembre, 2015 en la página de internet del programa de CDBG (<http://www.sandiego.gov/cdbg>). Una audiencia más se llevará a cabo antes de la junta del Consejo Municipal, dicha fecha será anunciada próximamente.

Para solicitar ésta información en otro formato, o para solicitar un intérprete oral o de señas para la junta, llame por favor a la oficina del Secretario de la Ciudad (City Clerk's Office) con 5 días laborales de anticipación al (619)533-4000 (voz) o (619)236-7012 (TDD/TTY).

# San Diego Daily Transcript

*September 14, 2015*

SD# 2794189

## NOTICE OF PUBLIC HEARING & PUBLIC REVIEW

**CITY OF SAN DIEGO  
DRAFT FISCAL YEAR 2015**  
Consolidated Annual Performance and  
Evaluation Report (CAPER)

NOTICE IS HEREBY GIVEN that the City of San Diego will hold a public hearing on September 22, 2015 at 2:00 p.m. or sometime thereafter to receive comments on the Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year (FY) 2015.

The CAPER is an annual report that assesses of the City's progress toward meeting its goals and high priority needs for the following federal programs: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); Emergency Solutions Grants (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). The CAPER details activities that received funding and accomplishments achieved in the reporting period starting July 1, 2014 to June 30, 2015 for community development, social services, and housing activities funded. A brief report on the CAPER will be presented to the San Diego City Council in the City Administration Building (202 C Street, San Diego, CA 92101-Council Chambers on the 12<sup>th</sup> floor). The agenda and time for this meeting will be posted on the CDBG website [www.sandiego.gov/cdbg](http://www.sandiego.gov/cdbg) and on the City Clerk's Office website at [www.sandiego.gov/city-clerk](http://www.sandiego.gov/city-clerk)

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9/14, 9/15, 9/16, 9/17, 9/18, 9/21, 9/22, 9/23, 9/24, 9/25, 9/28, 9/29, 9/30, 10/1, 10/2/15

SD-2794189#

# San Diego Voice & Viewpoint

*September 17, 2015*

## NOTICE OF PUBLIC HEARING & PUBLIC REVIEW

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The CAPER is an annual report that assesses of the City's progress toward meeting its goals and high priority needs for the following federal programs: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); Emergency Solutions Grants (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). The CAPER details activities that received funding and accomplishments achieved in the reporting period starting July 1, 2014 to June 30, 2015 for community development, social services, and housing activities funded. A brief report on the CAPER will be presented to the San Diego City Council in the City Administration Building (202 C Street, San Diego, CA 92101-Council Chambers on the 12<sup>th</sup> floor). The agenda and time for this meeting will be posted on the CDBG website [www.sandiego.gov/cdbg](http://www.sandiego.gov/cdbg) and on the City Clerk's Office website at [www.sandiego.gov/city-clerk](http://www.sandiego.gov/city-clerk)

The Draft FY 2015 CAPER is available for public review at the CDBG Program office (1200 Third Avenue, Suite 1400, San Diego, CA 92101), the CDBG Program's website (<http://www.sandiego.gov/cdbg>), the San Diego Housing Commission's website (<http://www.sdhc.org>), at the following select City libraries (Central, Malcolm X, San Ysidro, Logan Heights, and City Heights/Weingart), the Bayside Community Center, and the Jacobs Center for Neighborhood Innovation. The public comment period began on September 3 and ends September 17.

Written comments may be submitted during this period to the CDBG Program office by mail (1200 Third Avenue, Suite 1400, San Diego, CA 92101) or via e-mail ([CDBG@sandiego.gov](mailto:CDBG@sandiego.gov)).

To request this information in an alternative format, or to arrange for a sign language or oral interpreter for the meeting, please call the City Clerk's office at least five (5) working days prior to the meetings at (619) 533-4000 (voice) or (619) 236-7012 (TDD/TTY).

# El Latino

*September 18, 2015*

## AVISO DE AUDIENCIA PUBLICA Y DISPONIBILIDAD DEL REPORTE PRELIMINAR AL PUBLICO

### CIUDAD DE SAN DIEGO

#### REPORTE PRELIMINAR DEL AÑO FISCAL 2015 REPORTE DE LA EVALUACION ANUAL DEL PLAN CONSOLIDADO (CAPER) por sus siglas en ingles

SE NOTIFICA que la Ciudad de San Diego llevará a cabo una audiencia publica el día 22 de Septiembre, 2015 desde las 2:00 p.m. en adelante para recibir comentarios acerca del Reporte Preliminar del Año Fiscal 2015 de la Evaluación Anual del Plan Consolidado (CAPER) por sus siglas en inglés.

El CAPER es el reporte que evalúa el progreso de la Ciudad de San Diego hacia el cumplimiento de sus objetivos y prioridades con respecto a los siguientes programas federales: Fondos para el Desarrollo de la Comunidad (CDBG); Fondos de Inversión para la Vivienda (HOME); Fondos de Emergencia para la Vivienda (ESG); y Fondos de Vivienda para Personas con VIH/SIDA (HOPWA).

El CAPER detalla los proyectos que recibieron fondos y los logros alcanzados durante el periodo de Julio 1, 2014 a Junio 30, 2015 en el campo de desarrollo comunitario, servicios sociales y vivienda. Un breve reporte sera presentado ante el Ayuntamiento de la Ciudad de San Diego en el Edificio de la Administración (CAB) por sus siglas en inglés (202 C Street, San Diego, CA 92101-Council Chambers, 12<sup>th</sup> floor). La orden del día estará disponible en la página de internet del programa de CDBG (<http://www.sandiego.gov/cdbg>) y en la página de internet de la Oficina del Secretario de la Ciudad (City Clerk's Office) [www.sandiego.gov/city-clerk](http://www.sandiego.gov/city-clerk)

El CAPER preliminar del Año Fiscal 2015 estará a la disposición del público en la oficina del programa de CDBG (1200 Third Avenue, Ste 1400, San Diego, CA 92101), en la página de internet del programa de CDBG (<http://www.sandiego.gov/cdbg>), en la página de internet de la Comisión de Vivienda de San Diego (<http://sdhc.org>), en las siguientes bibliotecas públicas: (Central, Malcolm X, San Ysidro, Logan Heights y City Heights/Weingart), en el Centro Comunitario Bayside y en el Centro para la Inovación Comunitaria Jacobs (Jacobs Center for Neighborhood Innovation). El periodo de comentarios del público comenzó el 3 de Septiembre y termina el 17 de Septiembre.

Los comentarios por escrito podrán enviarse por correo durante éste periodo a la oficina del programa de CDBG (1200 Third Avenue, Suite 1400, San Diego, CA 92101) o por correo electrónico a ([CDBG@sandiego.gov](mailto:CDBG@sandiego.gov)).

Para solicitar ésta información en otro formato, o para solicitar un intérprete oral o de señas para la junta, llame por favor a la Oficina del Secretario de la Ciudad (City Clerk's Office) con 5 días laborales de anticipación al (619)533-4000 (voz) o (619)236-7012 (TDD/TTY).

September 22, 2015

City of San Diego, and San Diego Housing Authority (SDHA)  
202 C Street  
San Diego, California 92101

Subject: City Council and SDHA Meeting of September 22, 2015.  
Item 332 FY-2015 Affordable Housing Fund Annual Report <http://tinyurl.com/20150922>  
Item 337 FY-2015 HUD CAPER Consolidated Annual Performance and  
Evaluation Report <http://tinyurl.com/20150922a>  
HA-1 Emergency Shelter Matching Grant Funding. <http://tinyurl.com/20150922b>  
<http://dockets.sandiego.gov/sirepub/pubmtgframe.aspx?meetid=2808&doctype=Agenda>  
Video Start Times: 4 Hours 14-16, 19-22, 41-44 Minutes; 4 H 59 Min - 5 Hours 2 Minutes.  
[http://granicus.sandiego.gov/MediaPlayer.php?view\\_id=3&clip\\_id=6507](http://granicus.sandiego.gov/MediaPlayer.php?view_id=3&clip_id=6507)

Dear City of San Diego and the SDHA:

Please do not approve today's Agenda Items 332, 337, and HA-1 based upon a failure to include the following issues:

- Ongoing 5-year old concerns that have never been addressed in writing. Specifically written answers to my attached letter dated April 28, 2015 for Agenda Items 331, 332, 333, and HA-1. <http://tinyurl.com/2015042>  
Including the SDHC Homeless Shelter and Service Programs, City of San Diego HUD-Mandated FY-2016 Consolidated Plan (CP) and Annual Action Plan (AAP), and FY-2016 HUD Impediments to Fair Housing Choice.
- \$228 million in HUD OIG Audit Debt plus Accrued Interest to HUD CDBG Program Income. Today Governor Brown signed SB-107 allowing RDA Debts without proper documentation to be paid including @ \$30 million in extra Civic San Diego and City Attorney Administration Costs <http://www.sandiegouniontribune.com/news/2015/sep/22/community-development-loan-state-sb107/>  
<http://tinyurl.com/20100621> <http://tinyurl.com/20100621a> <http://tinyurl.com/20100621b>
- Missing discussion on \$277 million in Assets in the Successor Housing Entity's Low Moderate Income Housing Asset Fund (LMIHAF) as an Other Governmental, Special Revenue Fund within the City of San Diego. Including new FY-2014 Revenue totaling \$27,379,000 with no plans to use new Cash. September 28, 2015. Deadline to Encumber or Transfer the Successor Housing Entity's Low Moderate Income Housing As Fund (LMIHAF) from Civic San Diego to the Housing Trust Fund under the San Diego Housing Commissio (SDHC). Revised \$332,684,464 from original \$292,851,855 in Successor Housing Entity LMIHAF Assets as June 30, 2012. <http://tinyurl.com/20150206a> <http://tinyurl.com/20150211a> <http://tinyurl.com/20150428g>
- Unaccounted 1995-2010 Unencumbered Housing Bond Proceeds, Cash Reserves, and Other Funds Accounts of the LMIHAF and Successor Agency (SA).
- \$171.9 million in County of San Diego Mental Health Service Act (MHSA) funding available to provide Housing for the Mentally Ill within City Limits <http://tinyurl.com/20150822a>

<http://www.sandiegouniontribune.com/news/2015/aug/22/county-amasses-mental-health-funds-amid-need/>

Regards,

Katheryn Rhodes [Rhodes@laplayaheritage.com](mailto:Rhodes@laplayaheritage.com) 619-523-4350 371 San Fernando Street SD 92106

August 7, 2015 Successor Agency (SA) and LMIHAF Redevelopment Property Tax Trust Fund (RPTTF) + LMIHAF & Non-Housing DDR Payments

	ROPS and Dates	RPTTF Property Tax Increment Former RDA	Tax Sharing Pass-Through Payments	ROPS RPTTF Enforceable Obligations	Civic SD Administration 3% Allowable	RPTTF Residual Distributions	Other Mics Fees	DDR Payment & RDA Bonds Defeasement
FY-2012	ROPS-1_Jan-June_2012 + True-Up	93,057,788	0	3,298,968	0	89,644,451	114,369	0
FY-2013	ROPS-2_July-Dec_2012 ROPS-3_Jan-June_2013 LMIHAF DDR 05/17-29/2013	144,050,326	65,131,168	39,741,613	1,241,841	47,889,534	3,350,168	HOUSING DDR \$13,303,998
FY-2014	ROPS-4_July-Dec_2013_ROPS_13-14A ROPS-5_Jan-June_2014_ROPS_13-14B Non-Housing DDR 12/03/2013	182,233,717	50,937,225	72,990,734	2,095,326	221,248,496	2,301,053	NON-Housing DDR 167,339,117
FY-2015	ROPS-6_July-Dec_2014_ROPS_14-15A ROPS-7_Jan-June_2015_ROPS-14-15B	186,006,339	52,173,612	62,188,634	2,922,525	66,306,439	2,415,129	RDA BONDS DEFEASEMNT \$24,780,091
FY-2016	ROPS-8_July-Dec_2015_ROPS_15-16A	114,440,899	32,342,576	48,207,196	1,870,821	30,883,754	1,136,552	0
<b>4 Years</b>	<b>TOTALS</b>	<b>719,789,069</b>	<b>200,584,581</b>	<b>226,427,145</b>	<b>8,130,513*</b>	<b>455,972,674</b>	<b>9,317,271</b>	<b>Total Loss</b> <b>\$386,949,570</b>
					+ LMIHAF	GOAL ZERO		

\*\$8,130,513 TOTAL ADMINISTRATION COSTS = \$6,792,814 (3% ROPS RPTTF Enforceable Obligations (EA) @ \$226,427,145) + \$1,337,699 LMIHAF Administration Costs.

**\$362,169,479 Net Loss of RPTTF** = \$455,972,674 RPTTF Residual Distribution - **\$93,803,195 General Fund Residual Distribution City San Diego**

**\$386,949,570 Total Opportunity Lost** = \$362,169,479 Net Loss of RPTTF + \$24,780,091 RDA Bond Defeasement. No new RPTTF Revenue.

**DUE DILLIGENCE PAYMENTS TOTAL \$180,643,115.**

\$ 13,303,998 Housing LMIHAF DDR. [May 17-29, 2013]

\$167,339,117 Non-Housing DDR [December 3, 2013]

**BOND DEFEASEMENTS TOTAL \$24,780,091**

\$11,905,560 in LMIHAF Cash [December 17, 2014 and January 20, 2015],

\$7,699,531 in Successor Agency (SA) Cash [April 13, 2015], and

\$5,175,000 in Downtown Parking Revenue Cash [November 21, 2014].

20120716\_ROPS-1\_Jan-June\_2012\_RPTTF\_Allocation\_Distribution\_Report\_True-Up\_11-2001\_to\_01-2012

20120601\_ROPS-2\_July-Dec\_2012\_RPTTF\_Allocation\_Distribution\_Report

20130102\_ROPS-3\_Jan-June\_2013\_RPTTF\_Allocation\_Distribution\_Report

20130603\_ROPS-4\_July-Dec\_2013\_ROPS\_13-14A\_RPTTF\_Allocation\_Distribution\_Report

20140102\_ROPS-5\_Jan-June\_2014\_ROPS\_13-14B\_RPTTF\_Allocation\_Distribution\_Report

20140602\_ROPS-6\_July-Dec\_2014\_ROPS\_14-15A\_RPTTF\_Allocation\_Distribution\_Report

20150102\_ROPS-7\_Jan-June\_2015\_ROPS-14-15B\_RPTTF\_Allocation\_Distribution\_Report

20150601\_ROPS-8\_July-Dec\_2015\_ROPS\_15-16A\_RPTTF\_Allocation\_Distribution\_Report

August 7, 2015 Successor Agency (SA) & LMIHAF Redevelopment Property Tax Trust Fund (RPTTF) Residual Distribution Taxing Agencies General Fu

	<b>ROPS and Dates</b>	<b>RPTTF Residual Distributions</b>	<b>City of San Diego</b>	<b>County of San Diego</b>	<b>K12 + San Diego Unified School District*</b>	<b>San Diego Community College**</b>	<b>COE - County Office of Education</b>	<b>All Other Taxing Agencies Special Districts ***</b>	<b>Supplemental Education Revenue Augment Fund (E)</b>
FY-2012	ROPS-1_Jan-June_2012 + True-Up	89,644,451	\$18,711,526	\$23,370,688	\$38,646,758	\$5,590,562	\$1,432,479	\$1,892,437	
FY-2013	ROPS-2_July-Dec_2012 ROPS-3_Jan-June_2013 LMIHAF DDR 05/17-29/2013	47,889,534	\$10,078,208	\$12,460,080	\$20,878,235	\$3,012,533	\$763,023	\$697,455	
FY-2014	ROPS-4_July-Dec_2013_ROPS_13-14A ROPS-5_Jan-June_2014_ROPS_13-14B Non-Housing DDR 12/03/2013	221,248,496	\$46,390,360	\$57,624,399	\$98,281,755	\$14,117,356	\$3,528,459	\$1,306,168	
FY-2015	ROPS-6_July-Dec_2014_ROPS_14-15A ROPS-7_Jan-June_2015_ROPS-14-15B	66,306,439	\$13,177,320	\$9,337,186	\$31,003,602	\$4,456,305	\$1,116,765	\$518,849	\$6,69
FY-2016	ROPS-8_July-Dec_2015_ROPS_15-16A	30,883,754	\$5,445,783	\$4,642,649	\$13,877,872	\$1,988,803	\$494,028	\$48,130	\$4,38
<b>4 Years</b>	<b>TOTALS to General Funds (GF)</b>	<b>455,972,674</b>	<b>\$93,803,195</b>	<b>\$107,435,002</b>	<b>\$202,688,222</b>	<b>\$29,165,559</b>	<b>\$7,334,754</b>	<b>\$4,463,040</b>	<b>\$11,08</b>
		GOAL ZERO							

\*Other Taxing Agencies Special Districts include Grossmont Healthcare Districts and the San Diego County Water Authority (SDCWA).

\*\* K-12 Schools Include San Diego Unified, San Ysidro, Grossmont Union High, Sweetwater Union High, and Lemon Grove School Districts.

\*\*\* Community Colleges include San Diego and Grossmont-Cuyamaca Districts, and Southwestern College

The Goal for RPTTF Residual Distributions to the Taxing Agencies is always Zero. Due to the DOF pre-approved \$1.67 Billion in Successor Agency/LMIHAF Outstanding Debt as Enforceable Obligation, CIP Infrastructure Projects, Bond Debt, and Bank Line of Credit Debt.

The Department of Finance (DOF) staff can only Ministerially approved ROPS Enforceable Obligations with proper Legal Paperwork by Deadline of 10/01/2011. June 21, 2010 HUD OIG Audit Debt of \$228 million = \$78 million Repayment Agreement + erase \$144 million + \$6 NTC debt

During Meet and Confer, Civic San Diego could have substituted paying off 51 different Debts totaling \$401,148,000 in 1999 to 2010 Redevelopment Agency (RDA) Housing and Non-Housing Bond Debt and Open Bank Lines of Credits (FY-2014 CAFR and ROPS).

Since the December 2, 2013 Department of Finance (DOF) Finding of Completion (FOC), Civic San Diego could used acknowledged \$123 million in Unencumbered Bond Proceeds, and unknown amounts of hidden Reserve Accounts, and Other Revenue Accounts by adding new Line Items for Infrastructure CIP projects to ROPS during the required Meet and Confer meeting with DOF and Civic San Diego. Or adjusting Debt Payments.

**\$362,169,479 Net Loss of RPTTF = \$455,972,674 RPTTF Residual Distribution - \$93,803,195 General Fund Residual Distribution City San Diego**

Recommendations: Move the Successor Housing Entity \$277 million LMIHAF Fund Balance Assets from Civic San Diego's control to the SDHC. Move the \$277 million LMIHAF Fund into the Affordable Housing Fund (AHF), and/or Housing Trust Fund (HTF) in accordance Council Policy. 1992 City Council Policy Affordable Housing Fund included RDA 20% Housing Set-Aside Tax Increment (TI) and 1% Hotel TOT \$17.52 Million. Change the April 28, 2015-Revised Municipal Code to match Council Policy by adding Successor LMIHAF and 1% City Council TOT as Revenue to AFH HTF instead of adding to Extra Equity and the General Fund Reserves.

City of San Diego and Housing Authority (HA)  
202 C Street  
San Diego, California 92101

Subject: San Diego City Council Hearing of Tuesday April 28, 2015. Items 331, 332, and 333.  
**Item 331 HA-1** SDHC Homeless Shelter and Service Programs First Amendment to 2014 MOU <http://tinyurl.com/20150428a>  
**Item 332** – FY-2016 HUD Consolidated Plan (CP) and Annual Action Plan (AAP) <http://tinyurl.com/20150428b>  
**Item 333** – FY-2016 HUD Impediments to Fair Housing Choice. <http://tinyurl.com/20150428c>

Dear City Council and Housing Authority (HA):

Please do not approved today's Agenda Items 331 HA-1, 332, and 333 until changes are made to the documents to include the missing FY-2016 Budget issues for Infrastructure, Capital Improvement Projects (CIP) and Affordable Housing projects managed by Civic San Diego staff funded by the Successor Housing Entity's Low Moderate Income Housing Asset Fund (LMIHAF) and the Successor Agency (SA) Revenues and Expenses. FY-2016 Budgets for the LMIHAF and the Successor Agency (SA) Projects do not exist, and have never existed since the end of Redevelopment in FY-2011. For Fiscal Year FY-2016, Civic San Diego only has an Administrative Budget for the upcoming actions of the Successor Agency (SA) and the Low Moderate Income Housing Asset Fund (LMIHAF), not for projects funding with assets and new ongoing revenue. For Item 332 please change the Title of the Annual Action Plan to the "Consolidated Plant (CP) and Annual Action Plan (AAP)."

Since 2009, we have given feedback and questions to be answered by staff for the annual HUD CAPERs, Consolidated Plans (CP), Annual Action Plans (AAP), and Impediments to Fair Housing Choice that have never been addressed. HUD Guidelines requires all outstanding questions to be answered, including coordination with the private Civic San Diego for the LMIHAF and Successor Agency (SA) funded Projects and Expenditures.

**1. Lack of FY-2016 Budget for the Successor Housing Entity's LMIHAF controlled by Civic San Diego staff in Fund No. 200706.**

**Questions:** What specific projects for Housing and Urban Development (HUD) will be funding using the \$277 million in LMIHAF assets, including \$28 million in Cash Balances identified in the FY-2014 Comprehensive Annual Financial Report (CAFR)? A detailed list of specific projects and funding allocations for each proposed project does not exist. How much money has been collected in new LMIHAF Revenue so far in FY-2015? How much money has been Expended in the LMIHAF so far in FY-2015? How much Revenue is expected in the LMIHAF for FY-2016? What is the expected Cash Beginning Balance for the LMIHAF for the FY-2016 Budget? How much Negative Arbitrage costs have been accumulated since 2010 on Successor Housing Entity's Housing Bonds? What is the amount of any LMIHAF excess surplus, the amount of time that the successor housing entity has had excess surplus, and the housing successor's plan for eliminating the excess surplus? Did Civic San Diego lose \$11.9 million of LMIHAF Cash due to a failure to spend money in a timely manner? What are Civic San Diego plans to spend all Reserve and Other Funds Accounts so additional LMIHAF will not be lost in subsequent ROPS?

Since the Neil Good Day Center (NGDC) structure was built using former Redevelopment Agency (RDA) 20% Set-Aside Tax Increment (TI) funding, why is the NGDC not identified as an Asset of the LMIHAF, with the requirement to keep the building in working order? How much money from the LMIHAF is available for the \$1.5 million in needed upgrade to the NGDC? When will the money for the NGDC be available from the LMIHAF?

If the SDHC is in charge of Homeless services, why is the LMIHAF being controlled by Civic San Diego staff instead of SDHC staff? Why are there two duplicate Administrations for Affordable Housing and Homeless issues with Civic San Diego and the SDHC? Is this a Best Practice or just Politics? Should the \$277 million in LMIHAF assets controlled by Civic San Diego staff be moved to the Housing Trust Fund (HTF) controlled by the SDHC for immediate use for the homeless?

References: [http://www.sandiego.gov/planning/genplan/pdf/sb\\_341\\_lmihaf\\_report\\_for\\_fy14.pdf](http://www.sandiego.gov/planning/genplan/pdf/sb_341_lmihaf_report_for_fy14.pdf)  
<http://tinyurl.com/20150406b>

Through existing City Council Policies, Budgets are not needed for Funds Balances with no Employees. However based on unknown criteria, some, but not all, CIP Fund Balances with no Employees are included in the FY-2016 Budget. Both the SA and LMIHAF have Zero Employees, therefore no FY-2016 Budgets for Projects, no Quarterly Monitoring Report, no Accountability, zero Debt Management analysis, and no list of Capital Improvement Projects (CIP) or Affordable Housing sites that will be built using Existing Reserve and Other Funds Accounts with Unknown Untapped Balances. In addition, Civic San Diego staff has documented that all outstanding issues involving the Successor Agency and the Recognized Obligation Payment Schedule (ROPS) will be finalized by the State DOF sometime this year before December 31, 2015. Therefore, all ongoing SA and LMIHAF issues should be addressed.

Negative Arbitrage Debt costs are also created by Hoarding pre-2010 Housing Bond Proceeds and Cash Reserves. While refusing to spend money on projects, and stated the SA and the LMIHAF are broke. With no mention of the \$27 million in new LMIHAF Revenue as documented in the FY-2014 Comprehensive Annual Financial Report (CAFR).

The LMIHAF and the Successor Agency (SA) are both Restricted Funds that have no Employees. Therefore through a city-created loophole, the annual Budget, Monitoring, and Debt Management reports have failed to include the LMIHAF and Successor Agency Revenues and Expenses FY-2011. The lack of Budgets, Monitoring Reports, and Debt Management analysis has resulted in Redevelopment Property Tax Trust Fund (RPPTTF) Residual Distributions to the Taxing Agency. With the City of San Diego's General Fund receiving 17.5 cents on the dollar instead of building the required Affordable Housing.

For example see Page 84 of the IBA Report No. 15-16 FY-2016 Proposed Budget Review dated April 27, 2015, for IBA comments on the Downtown Fire Station No. 2 Bayside, which should include money from the Successor Agency (SA) through ROPS Line Items 245-246, 297-298, 401-402, 586-589, and 612-614.

*"The IBA recently learned that Civic San Diego's updated total project cost for the Bayside Fire Station is \$19.9 million. We have concerns that funding identified for construction of the Bayside Fire Station in the FY 2016 Proposed Budget will not fully support the total project cost and that additional funding of up to \$6.9 million will be necessary in FY 2016 or FY2017. We recommend that the City Council request further clarification from the Executive Branch on its plans to fund construction of the Bayside Fire Station."*

This same lack of a FY-2016 Budget for the Successor Agency for Fire Station No. 2 Bayside, may also potentially put downtown's East Village Green park in limbo. Successor Agency funding for East Village Green is included in ROPS Line Item 208-211, 261, 266, 272, 278, 285-286, 290, 305, and 573-574, but is missing from all Budget documents.

Civic San Diego staff, routinely bypasses their Board of Directors, and gives the City Council the impression the issue of losing \$11.9 million in Cash was vetted and there are no solutions. And it is the Department of Finance's (DOF) fault. On April 6, 2015 Item 202, Civic San Diego transferred \$11.9 million to the County to get back 17.5 cents on the dollar to the City's General Fund. Fifty (50%) Percent of the LMIHAF is for the Homeless and Extremely Low Income population.

Health and Safety Code Section 34176.1 (f) required a FY-2014 LMIHAF Financial Audit in accordance with Health and Safety Code requirement including information on: homeless prevention and rapid rehousing services; the value of loans and grants receivable; A description of any transfers made in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service; and the amount of any excess surplus, the amount of time that the successor agency has had excess surplus, and the housing successor's plan for eliminating the excess surplus.

Please see the attached Appendix D for Excerpts from the incomplete SB-341 Annual Report on the Low-Moderate Housing Fund for FY-2014. As shown on Appendix Page D-2 the outstanding questions for Excess Surplus will not be analyzed until FY-2018. This is unacceptable. This report should be modified and all LMIHAF audit questions answered including Completion dates and specific funding allocations.

According to online Civic San Diego documents for the NTC Homeless Agreement, the process to Use existing LMIHAF immediately in FY-2015 and FY-2016 includes the following:

*The Council makes the following Findings of Benefit regarding the proposed use of low and moderate income tax increment from the Successor Housing Entity to the former Redevelopment Agency for the Project: a. The use of low and moderate income housing funds LMIHAF will improve the supply of very low income housing within the City of San Diego, which pursuant to California Health and Safety Code Section 33334.6(a) is a direct benefit to the project area in accomplishing the project area's objectives whether or not the project provides for housing within the project area. b. The Successor Housing Entity will benefit from the funding of this Project as a partial fulfillment of the Homeless Assistance Agreement. Approving the Grant Agreement, including all attachments and exhibits thereto; Authorizing the Mayor, or designee, to execute the Grant Agreement, and take all necessary actions and execute all necessary documents to carry out the Grant Agreement; Authorizing the Chief Financial Officer, as delegated, to appropriate and expend an amount not to exceed \$xxx for the Grant pursuant to the Grant Agreement from Fund No. 200706 per Item xxx.*

## **2. Homeless Emergency Shelter Crisis and Suspension of CEQA and Conditional Use Permit (CUP) Requirements from Government Code 8698 regarding Homeless Issues.**

**Questions:** In order to remove Impediments to Fair Housing Choice, why is the City of San Diego still requiring Conditional Use Permits (CUPs) for the new Saint Vincent de Paul (SVDP) Day Center, Connections Housing, and the Rescue Mission? When the issue of Homeless Emergency Shelter and Services is Ministerial with the Shelter Crisis announcement, why are Discretionary CUPs through CEQA still required by staff? Does the Homeless Emergency Shelter Crisis get rid of the need for CUPs? When will the City start allowing Homeless Emergency Shelter and Transitional Housing Ministerial by right in areas identified in Figures 1 and 2 of the Housing Element of the General Plan? What is the City Attorney's legal opinion on the matter?

In 2013, the City of San Diego voted to declare a Homeless Emergency Shelter Crisis Citywide. See Appendix A for Government Code Section 8698.1, which states in part:

*“Upon a declaration of a shelter crisis, the following provisions shall apply during the period of the emergency. (a) The political subdivision shall be immune from liability for ordinary negligence in the provision of emergency housing... (b) The provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis.”*

The lack of following Government Code 8698 is a Major Impediment to Fair Housing Choice. We recommend that the City make it well known that CUPs are not required for Homeless issues during the Homeless Emergency Shelter Crisis declaration period.

## **3. HUD's Interest in the Successor Agency (SA) to the former Redevelopment Agency (RDA) and the Successor Housing Entity's LMIHAF to Minimize HUD's Risk.**

**Questions:** Did the Department of Finance (DOF) not allow the Repayment of \$228 million in HUD Office of Inspector General (OIG) Audit Debt Repayment to Community Development Block Program Income from Item 203 of the City Council hearing of June 21, 2010 due to lack of proper legally binding and enforceable paperwork? Did the DOF determine that Civic San Diego-controlled Successor Agency to the former RDA Agreements were either missing, unsigned, incomplete, and Unexecuted? Since the \$78 million phase 1 Repayment Agreement has been violated, will the City create a new Repayment Agreement for the Full \$228 million in HUD OIG Audit Debt that will be acceptable to DOF staff?

References: <http://tinyurl.com/20100621a> <http://tinyurl.com/20100621> <http://tinyurl.com/20140728a>  
<https://www.hudoig.gov/sites/default/files/documents/2014-LA-0001.pdf>

See Appendix B for excerpts from the February 28, 2014 HUD OIG Audit Report Number: 2014-LA-0001 that confirms that HUD has a vested interest in all issues related to the Successor Agency to the former RDA and the LMIHAF.

**4. Federal HUD HEARTH Goals of Eliminating Homelessness of Veterans and Chronic Homeless by December 31, 2015 [247 days], and Ending All Homeless including Families and Children by 2020.**

**Questions:** Where is the Plan, and what are the identified Financing and funding requirements for the 2010 City of San Diego Five-Year Plan to end Homelessness amongst Veteran and Chronic Homeless by 2015, and the Ten-Year Plan to ending all Homeless within the City of San Diego? How many Housing Units for Homeless San Diegans are required to meet HUD HEARTH Act goals? How many Housing units for the Homeless have been constructed since 2010? Why are the January 2015 San Diego Regional Taskforce on the Homeless Point-in-Time (PIT) numbers not included in the Consolidated Plan (CP) and Annual Action Plan (AAP)? When will the \$28 million in LMIHAF Cash identified in the FY-2014 CAFR be available, and what projects are planned in FY-2016? Why has the Unsheltered Homeless population in San Diego increase +12%, and the Downtown San Diego homeless increased 25.8%? Does the City consider the dramatic increase in the Homeless population a failure of existing Policy? There are still 631 Unsheltered Homeless Veterans in San Diego County; how many Unsheltered Veterans exist within City Limits and what is the plan to House them in the next 247 days? How many Chronically Homeless San Diegans exist in City limits and what is the plan to house them? Why has the City failed to enforce the 1992 Agreement for Cooperation between the City and County for Tax Sharing payments for the six vulnerable populations including children, seniors, mentally ill, drug and alcohol, returning felons, and general welfare of the Homeless? Since 1992, how much money in RDA and SA Tax Sharing allocations has been collected by the County? How much cash in Tax Sharing Payments have been used for the 6 identified vulnerable populations? Where is the required annual plans from Civic San Diego for use of 40% of the County’s Tax Sharing Payments?

See Appendix C for excerpts from the San Diego RTFH January 2015 Point-in-Time (PIT). Page 45 of the FY-2016 Annual Action Plan (AAP) states that the Plan Goals include ending chronic homelessness in five years, and all homeless within ten years. However the AAP fails to mention that the HEARTH goals started in 2010, and there is only 247 days left to house all the Unsheltered Veterans and Chronically Homeless individuals. To prevent misinterpretation of the HEARTH Act, Page 45 of the AAP should be change to reflect the actual upcoming deadlines to stop confusion and confirm that the five-year plan to end Chronic and Veterans Homeless in San Diego ends on December 31, 2015.

**Table 1 - San Diego Regional Task Force on the Homeless (RTFHSD)  
January 2015 PIT results for the City of San Diego.**

City of SD	Sheltered				Unsheltered				Total	% of Total
	ES	SH	TH	Total	Indiv	V*	H*	Total		
2015	889	43	1,841	2,773	1,372	543	248	2,765	5,538	64.9%
2014				2,731				2,468	5,199	61.1%

**5. Housing Element of the City of San Diego's General Plan Reporting requirements on SANDAG's Regional Housing Need Assessment (RHNA).**

**Questions:** What is the status of the City of San Diego compliance with the Housing Element RHNA goals? Does the Calendar Year CY-2014 RHNA General Plan Progress Report exist? What projects were completed in CY-2014? What projects have or will be completed in CY-2015? What are the City's plans to meet the Extremely Low, Very Low, Low, and Moderate RHNA goals?

References: <http://www.sandiego.gov/planning/genplan/documents/index.shtml>  
<http://www.sandiego.gov/planning/pdf/2012/heu1handout120309.pdf>  
<http://www.sandiego.gov/planning/genplan/heu/pdf/agenda/2012/wkshop120726.pdf>

The latest SANDAG and City's Regional Housing Needs Assessment (RHNA) for the 11 year period from January 1, 2010 to December 31, 2020 and the City's Housing Element of our General Plan requires the City of San Diego to build 88,096 housing units over 11 years or an average of 8,009 Housing Units per year. The breakdown is shown below:

- Very Low Income: Total 21,997 or 2,000 Average Housing Units per year.
- Low Income: Total 16,703 or 1,518 Average Housing Units per year.
- Moderate Income: Total 15,462 or 1,406 Average Housing Units per year.
- Above Moderate Income: 33,954 or 3,087 Average Housing Units per year.

The Housing Element of the City's General Plan Progress Reports is only available for CY-2009 to CY-2013. CY-2014 RHNA goals have not been documented. Therefore only 3 years (CY-2011 to CY-2013) of the 11 year (CY-2011 to CY-2020) of evidence exists online. The results are as follows:

A Total of 16,192 Actual Housing Units were built over 3 Year (CY-2011 to CY-2013).

Very Low Income: Total 754 Actual of 5,999 RHNA Goal = 12.6%.

Low Income: Total 996 Actual of 4,555 RHNA Goal = 22%.

Moderate Income: Total 0 Actual of 4,217 RHNA Goal = 0%

Above Moderate Income 14,442 Actual of 9,260 RHNA Goal = 156%

**6. San Diego Housing Commission (SDHC) FY-2016 Homeless Annual Action Plan (AAP).**

**Questions:** Is the cost range for construction of new Affordable Housing Apartment Units varying from \$304,000 to \$331,000 per unit excessive and/or sustainable? How many flexible HUD HOME-funded Tenant Base Rental Assistance (TBRA) Homeless Vouchers have been issued per year by the SDHC since HUD added flexibility to the TBRA program in 2013, specifically to meet the goal of ending Veterans and Chronic Homeless by the 2015 deadline? What is the holdup to using HUD HOME TBRA immediately? Does the City of San Diego acknowledge the net loss of 350 Seasonal Emergency Shelter Beds through closing down of the two Winter Shelter with the replacement for year-round Interim Housing through SVDP's Paul Mirabel Center (PMC)?

References: <http://tinyurl.com/20140818>

The FY-2016 SDHC Homeless Action Plan documents new Affordable Housing projects Completed and Acquired this year, and ongoing annual Homeless Housing Vouchers allocations and are summarized in the following Table.

**Table 2 – SDHC FY-2016 Homeless Action Plan Summary.**

<b>PROJECT NAME:</b>	<b>Project Type</b>	<b>Total Costs</b>	<b>Affordable Units</b>	<b>Per Unit Cost</b>
Imperial Apartments at 1435 Imperial Avenue, East Village, Downtown San Diego	New Construction	\$20.52 million	62	\$331,000
Celadon at Ninth and Broadway East Village, Downtown San Diego	New Construction	\$76 million	250	\$304,000
Village North Senior Garden Apartments 7720 Belden Street - Clairemont Mesa	Apartment Acquisition	\$14,775,000	120	\$123,125
Hotel Churchill SRO Rehab and Renovation, 827 C Street, Downtown San Diego	Rehab and Renovation	\$20,596,409	72	\$286,861
2010-2013 HUD Sponsored-Base Rental Housing Vouchers Connections and SVDP	HUD Rental Vouchers	\$3,026,698	401	\$7,548 Rental Assistance
HUD Project-Based Housing Vouchers Celadon (76); Alpha Square (76); Atmosphere (51); Churchill (72); Other (67)	HUD Rental Vouchers	\$3,381,696	342	\$9,888 Rental Assistance
HUD Veterans Affairs Supported Housing (VASH) Vouchers since 2008	HUD VASH Vouchers	\$7,264,776	842	\$8,628 Rental Assistance
SDHC Affordable Rental Housing Vouchers for Homeless San Diegans	SDHC Vouchers	\$348,000	25	\$13,920 Rental Assistance

There are many immediate Homeless and Neighborhood Infrastructure funding solutions within the City of San Diego related to HUD's new 2013 HOME funded Tenant-Based Rental Assistance (TBRA) Voucher program, the Reinstatement of HUD OIG Audit Successor Agency (SA) Long-Term Debt subsequent to the December 2, 2013 Finding of Completion (FOC) from the Department of Finance (DOF); upholding the Successor Agency's 2000 NTC Site Purchase Cooperation Agreement; the June 21, 2010 acknowledgement of \$228 million HUD OIG Audit Debt for Program Income to the local CDBG program; and New Market Tax Credits (NMTC). New Effective 02/18/2014 - H&S 34191.4 allows for Reinstatement of Debts previously denied by the DOF after the December 2, 2013 FOC.

The TBRA Vouchers are a brand new form of Federal HUD HOME Housing Vouchers for Homeless through the San Diego Housing Commission (SDHC). Since the inception of TBRA HOME funding, the County of San Diego Consortium has issued over 375 TBRA Housing Vouchers, mainly for graduating 18-year old Foster Youths and Family Reunification programs. In contrast, the City of San Diego has issued Zero (0) TBRA Housing Vouchers in the same 18-month period. The HUD HOME TBRA program has not been implemented in the City of San Diego as intended to meet the Federal HUD goals of ending Veterans and Chronic Homeless by the December 31, 2015 deadline.

If you have any questions regarding our ongoing and outstanding concerns, please do not hesitate to contact us.

Regards,

Katheryn Rhodes and Conrad Hartsell MD  
 371 San Fernando Street, San Diego, California 92106  
 619-523-4350 rhodes@laplayaheritage.com

Katheryn Rhodes

rhodes@laplayaheritage.com 619-523-4350 Notes on Shelter Crisis meaning.

ADDITIONAL INFO ON SHELTER CRISIS AND GOVERNMENT CODE.

[http://www.huffingtonpost.com/2012/02/09/californias-homeless-crisis\\_n\\_1243223.html](http://www.huffingtonpost.com/2012/02/09/californias-homeless-crisis_n_1243223.html)

[http://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=GOV&division=1.&title=2.&part=&chapter=7.8.&article=](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=1.&title=2.&part=&chapter=7.8.&article=)

## GOVERNMENT CODE - GOV

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** (*Title 2 enacted by Stats. 1943, Ch. 134.*)

**DIVISION 1. GENERAL [8000 - 8899.24]** (*Division 1 enacted by Stats. 1943, Ch. 134.*)

**CHAPTER 7.8. Shelter Crisis [8698 - 8698.2]** (*Chapter 7.8 added by Stats. 1987, Ch. 1116, Sec. 2.*)

### **8698.**

For purposes of this chapter, the following definitions shall apply:

- (a) "Political subdivision" includes the state, any city, city and county, county, special district, or school district or public agency authorized by law.
- (b) "Governing body" means the following:
  - (1) The Governor for the state.
  - (2) The legislative body for a city or city and county.
  - (3) The board of supervisors for a county.
  - (4) The governing board or board of trustees for a district or other public agency.
  - (5) An official designated by ordinance or resolution adopted by a governing body, as defined in paragraph (2), (3), or (4).
- (c) "Public facility" means any facility of a political subdivision including parks, schools, and vacant or underutilized facilities which are owned, operated, leased, or maintained, or any combination thereof, by the political subdivision through money derived by taxation or assessment.
- (d) "Declaration of a shelter crisis" means the duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.

*(Amended by Stats. 1988, Ch. 748, Sec. 1.)*

### **8698.1.**

Upon a declaration of a shelter crisis, the following provisions shall apply during the period of the emergency.

- (a) The political subdivision shall be immune from liability for ordinary negligence in the provision of emergency housing pursuant to Section 8698.2. This limitation of liability shall apply only to conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing. This section does not limit liability for grossly negligent, reckless, or intentional conduct which causes injury.
- (b) The provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Political subdivisions may, in place of such standards, enact municipal health and safety standards to be operative during the housing emergency consistent with ensuring minimal public health and safety. The provisions of this section apply only to additional public facilities open to the homeless pursuant to this chapter.

*(Added by Stats. 1987, Ch. 1116, Sec. 2. Effective September 25, 1987.)*

**8698.2.**

(a) (1) The governing body may declare a shelter crisis, and may take such action as is necessary to carry out the provisions of this chapter, upon a finding by that governing body that a significant number of persons within the jurisdiction of the governing body are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons.

(2) For purposes of this chapter, the governing body of the state, in making a declaration of a shelter crisis pursuant to paragraph (1), may limit that declaration to any geographical portion of the state.

(b) Upon a declaration of a shelter crisis pursuant to subdivision (a), the political subdivision may allow persons unable to obtain housing to occupy designated public facilities during the duration of the state of emergency.

*(Added by Stats. 1987, Ch. 1116, Sec. 2. Effective September 25, 1987.)*

Get on the SDHC Docket to discuss the powers of the Emergency Shelter Crisis Resolution that Ministerially takes out the need for Conditional Use Permit (CUP) Approval and CEQA issues. Have the City Attorney and Neighborhood Code Compliance (NCC) Officers confirm State laws that are impediments to Fair Housing for Homeless Emergency Shelters Citywide. Look into Caltrans land for Small Homes for Veterans.

Move the LMIHAF to the Housing Trust Fund (HTF) controlled by the SDHC. Have the SDHC confirm that Civic San Diego lost \$11.9 million of the \$28 million of the Successor Housing Entity's Low Moderate Income Housing Asset Fund (LMIHAF) Cash Revenue in the Fiscal Year FY-2014 CAFR

NGDC was a prototype for a Homeless Day Center in every City Council District. CalTrans land can be used for the Homeless through the process set up by Christine Kehoe.

Have the SDHC confirm that the remaining \$16.6 million in LMIHAF Cash Revenue will be lost unless a plan to spend the money is created immediately.

The currently Civic San Diego's Affordability Housing Master Plan (AHMP) plans to DO NOTHING until a FY-2017 NOFA, for funding Affordable Housing projects in FY-2018. Thus losing the existing \$16.6 million in cash revenue plus another other revenue from now until FY-2018. Up to @ \$30 million by Default.

Have Mayor Faulconer and the SDHC put the Hancock Center in his FY-2016 Budget due before the June 30, 2015 deadline. Get tHomeless Funding Proposal onto the San Diego Housing Commission upcoming budget.

The issues with the Non-Tent Interim Housing and Day Center are part of the Budget. \$1.5 million cost documented in full assessment to Neil Good Day Center NGDC Retrofit. Mosaic church and parking lot turns into Day Center after CUP. Not required. 29 Years for Tents.

Hancock Center. State of Emergency Shelter Crisis.

Did not Monitor the City-Grantee, CPD-funded assets Transferred by the former RDA to minimize HUD's Risk. HUD OIG requested agreements... but some were missing... some were unsigned or incomplete... unable to provide us executed agreements.



Issue Date: February 28, 2014

Audit Report Number: 2014-LA-0001

## Appendix B - Page 1 of 2.

<https://www.hudoig.gov/sites/default/files/documents/2014-LA-0001.pdf>

TO: Yolanda Chavez, Deputy Assistant Secretary for Grant Programs, DG

FROM: //SIGNED//  
Tanya E. Schulze, Regional Inspector General for Audit, Los Angeles Region,  
9DGA

SUBJECT: CPD Did Not Monitor Grantees' CPD-Funded Assets Transferred by Former  
Redevelopment Agencies To Minimize HUD's Risk

Attached is the U.S. Department of Housing and Urban Development (HUD), Office of Inspector General's (OIG) final results of our review of the Office of Community Planning and Development's (CPD) monitoring of CPD-funded assets transferred by former redevelopment agencies.

HUD Handbook 2000.06, REV-4, sets specific timeframes for management decisions on recommended corrective actions. For each recommendation without a management decision, please respond and provide status reports in accordance with the HUD Handbook. Please furnish us copies of any correspondence or directives issued because of the audit.

The Inspector General Act, Title 5 United States Code, section 8M, requires that OIG post its publicly available reports on the OIG Web site. Accordingly, this report will be posted at <http://www.hudoig.gov>.

If you have any questions or comments about this report, please do not hesitate to call me at 213-534-2471.

Specifically how HUD's Community Planning and Development Interests includes all issues and revenue for Affordable Housing derived from State of California REDEVELOPMENT AGENCY, SUCCESSOR AGENCY, LOW MODERATE INCOME HOUSING ASSET FUND (LMIHAF), and HUD OIG 2010 Audit Debt Repayment Agreement to CDBG Program Income.

<http://www.sandiego.gov/cdbg/pdf/caperfy10.pdf>

Losing \$228 Million in HUD OIG Audit debt to CDBG Program Income. The money should be moved to RCCC.



**CPD Did Not Monitor Grantees' CPD-Funded Assets Transferred by Former Redevelopment Agencies To Minimize HUD's Risk**

\$99 million Total = \$38 San Francisco + \$61 Los Angeles LA

## Highlights

Audit Report 2014-LA-0001

### What We Audited and Why

We audited the U.S. Department of Housing and Urban Development's (HUD) San Francisco and Los Angeles Offices of Community Planning and Development's (CPD) monitoring of CPD-funded assets transferred by former redevelopment agencies due to concerns that CPD-funded assets may be lost during the State of California's statewide mandated closure of redevelopment agencies. Our objective was to determine whether the San Francisco and Los Angeles CPD field offices monitored grantees' CPD-funded assets transferred by former redevelopment agencies to minimize HUD's risk.

### What We Found

The San Francisco and Los Angeles CPD field offices did not monitor grantees' CPD-funded assets transferred by former redevelopment agencies to minimize HUD's risk. Further, the CPD offices did not record and maintain accurate and complete lists of grantees' CPD-funded assets or track CPD-funded assets managed by the grantees' former redevelopment agencies during the State's mandated shutdown of the agencies. Therefore, there was no assurance that CPD had a complete and accurate account of CPD-funded assets. As a result, more than \$99 million in CPD funds used to acquire assets by the defunct redevelopment agencies is at risk of being transferred to entities that may not continue to meet HUD's CPD program objectives.

HUD OIG Audited HUD-LA and HUD-SF staff failures related to RDA wind down.

### What We Recommend

We recommend that HUD (1) develop policies and procedures that allow for more proactive monitoring of grantees' CPD funding and assets, (2) establish a formal listing of assets funded through CPD, and (3) require its grantees to provide adequate documentation supporting the grantees' binding and enforceable rights to CPD-funded assets as required in HUD regulations and requirements.

Audit of the Successor Housing Entity's Low Moderate Income Housing Asset Fund (LMIHAF) has been past due since December 31, 2014. Instead Calendar Year Housing Element Report format was misused and misunderstood by General Plan staff.  
<http://tinyurl.com/20140630h>  
Both LMIHAF Audit and Housing Element Report Outstanding.

Requires adequate documentation supporting the City-Grantee' Binding and Enforceable Rights to CPD-funded assets, as required in HUD regulations and requirements.

Specifically how HUD's Community Planning and Development Interests includes all issues and revenue for Affordable Housing derived from State of California REDEVELOPMENT AGENCY, SUCCESSOR AGENCY, LOW MODERATE INCOME HOUSING ASSET FUND (LMIHAF), and HUD OIG 2010 Audit Debt Repayment Agreement to CDBG Program Income. Losing \$228 Million in HUD OIG Audit debt to CDBG Program Income. The money should be moved to RCCC.

# Estimates of Homelessness

## City of San Diego

Appendix C - Page 1 of 4.

City of San Diego Point-in-Time Counts			
	2014	2015	% Change
Unsheltered	2,468	2,765	+12.0%
Sheltered	2,731	2,773	+1.5%
Total Homeless	5,199	5,538	+6.5%

# Estimates of Unsheltered Homeless

Civic San Diego is still Hoarding \$27 million  
Cash in LMIHAF FY-2014 Revenue.  
50% belongs to Homeless and Extremely Low.

## Downtown Footprint

Appendix C - Page 2 of 4.

Downtown  
Civic San Diego.

Census Tract

PITC Tract	2014 Totals	2015 Totals	% Change
46.00	72	2	-97.2%
47.00	75	88	+17.3%
51.00	141	314	+122.7%
52.00	132	126	-4.5%
53.00	140	151	+7.9%
54.00	32	85	+165.6%
56.00	36	30	-16.7%
58.00	34	37	+8.8%
<b>Total</b>	<b>662</b>	<b>833</b>	<b>+25.8%</b>

\*Totals: Individuals, vehicles and hand-built structures. Vehicle multiplier = 1.83 and HBS multiplier = 1.61

# Local Questions: Veterans

Appendix C - Page 3 of 4.

				% of Unsheltered Veterans	Number of Veterans
<b>Total Estimated Homeless Veterans</b>				--	<b>1381</b>
Sheltered Veterans				--	750
<b>Unsheltered Veterans</b>				--	<b>631</b>
	Year Entered Military Service	1964-1975 (Vietnam)		31.1%	196
		1976-1990 (Post-Vietnam)		48.3%	305
	Receive VA medical services			44.8%	283
	Nature of Discharge	Honorable		60.7%	383
		General		13.2%	83
		Other Than Honorable		9.0%	57
		Dishonorable		4.1%	26
		Uncharacterized		0.6%	4

Great news.

# Estimates of Veteran Homelessness Regional Trends – San Diego County

Appendix C - Page 4 of 4.

## San Diego Region Point-in-Time Counts

	% Change '14-'15	% Change '12-'15
<b>Unsheltered</b>	+22.1%	<b>-31.6%</b>
Sheltered	-5.1%	-9.7%
<b>Total Homeless</b>	+5.7%	<b>-21.2%</b>



THE CITY OF SAN DIEGO

Appendix D - Page 1 of 2.

<http://www.sandiego.gov/planning/genplan/documents/index.shtml>  
[http://www.sandiego.gov/planning/genplan/pdf/sb\\_341\\_lmihaf\\_report\\_for\\_fy14.pdf](http://www.sandiego.gov/planning/genplan/pdf/sb_341_lmihaf_report_for_fy14.pdf)  
Housing Element Reporting Requirements. Still need for Calendar Year CY-2014.  
The required LMIHAF Audit is a different document and separate from the General Fund reporting requirements.

# City of San Diego

## SENATE BILL 341 ANNUAL REPORT

### Low-Moderate Housing Fund

For the year ended June 30, 2014

Health and Safety Code Section 34176.1 (f) required a FY-2014 LMIHAF Financial Audit in accordance with Health and Safety Code requirement including information on: homeless prevention and rapid rehousing services; the value of loans and grants receivable; A description of any transfers made in the previous fiscal year and, if still unencumbered, in earlier fiscal years and a description of and status update on any project for which transferred funds have been or will be expended if that project has not yet been placed in service; and the amount of any excess surplus, the amount of time that the successor agency has had excess surplus, and the housing successor's plan for eliminating the excess surplus.

The following provides the Housing Successor's Senior Housing Test for the 10 year period of July 1, 2004 to June 30, 2014:

Senior Housing Test	FY04/05 to FY 13/14
# of Assisted Senior Rental Units	463
# of Total Assisted Rental Units	2915
Senior Housing Percentage	16%

Source: Civic San Diego

According to the FY-2014 CAFR \$28,583,000 in Unencumbered Housing Fund Cash Balance including new LMIHAF Cash Revenue from FY-2014 CAFR totaling \$27,379,000.

**XI. EXCESS SURPLUS TEST**

Excess Surplus is defined in Code section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.

The first meaningful calculation for this total cannot be performed until the close of the fifth fiscal year. Once four years of deposits have been established, at the close of the fifth year (Fiscal Year 2016-2017), the Housing Successor will have to perform a true excess surplus calculation, comparing the unencumbered fund balance to the prior four years of deposits. As the general purpose of the excess surplus calculation is to ensure that money is expended for low-income purposes, the best action for the LMIHAF is to use the next three years to encumber or expend money currently on deposit.

**FY-2014 CAFR Pages 228-231**

Table 1 - Combining Balance Sheet. Special Revenue. Other Governmental Funds. Unbudgeted Housing Successor Entity's LMIHAF

<b>ASSETS</b>	
CASH and INVESTMENTS	28,583,000
Receivables:	
Notes Receivables	214,560,000
Accrued Interest Receivables	35,000
Land Held for Resale	32,212,000
Prepaid Items	2,614,000
<b>TOTAL ASSETS</b>	<b>278,004,000</b>
<b>LIABILITIES</b>	
Accounts Payable	671,000
Unearned Revenue	90,000
Sundry Trust Liabilities	104,000
<b>TOTAL LIABILITIES</b>	<b>865,000</b>
<b>TOTAL RESTRICTED FUND BALANCES</b>	<b>277,139,000</b>

Table 2 - Combining Statement Revenues, Expenditures, & Changes in Fund Balances for Special Revenue Housing Successor Entity's UnBudgeted LMIHAF

<b>SPECIAL REVENUES</b>	
Revenue from Use of Money Property	6,041,000
Other Revenues	15,341,000
<b>TOTAL SPECIAL REVENUES</b>	<b>21,382,000</b>
<b>EXPENDITURES</b>	
Current:	
TOTAL EXPENDITURES Current Neighborhood Services w/Civic San Diego	\$1,895,000
<b>EXCESS OF REVENUES OVER EXPENDITURES</b>	<b>19,487,000</b>
<b>OTHER FINANCING SOURCES (USES)</b>	
Proceeds from the Sale of Capital Assets	5,997,000
<b>TOTAL OTHER FINANCING SOURCES (USES)</b>	<b>5,997,000</b>
<b>NET CHANGE IN FUND BALANCES</b>	<b>25,484,000</b>
<b>TOTAL LIABILITIES, DEFERRED INFLOW, AND FUND BALANCES</b>	
	278,004,000
Fund Balances at Beginning of Year, as Restated 07/01/2013	251,655,000
<b>FUND BALANCES AT END OF YEAR 06/30/2014</b>	<b>277,139,000</b>

<http://www.calguard.ca.gov/FE/PublishingImages/Pages/Area-Coordinator/COR-MAP-5AREA-2013.pdf>  
California Military Department. Armory buildings in El Cajon, Escondido, and Vista Armories.  
447 N. Pierce Street, El Cajon, CA; 305 E Mission Ave, Escondido, CA 92025; cannot find Vista.  
Winter Emergency Shelters October 15 to April 15 each year. All Homeless, not only Veterans.  
Many other California Cities/Counties including Los Angeles, Venice, Orange County use Armories for Homeless.

be paid in advance of the term covered in order to reduce the administrative costs associated with the payment of the monthly rental fee.

Any lease executed pursuant to this section shall also provide for the cost of administering the lease. The administrative fee shall not exceed three hundred dollars (\$300) per year, unless the director and the affected state agency determine that, because of complications in the lease agreement, a higher administrative fee is required.

(b) The Legislature finds and declares that the lease of real property pursuant to this section serves a public purpose.

(c) For purposes of this section, "qualified nonprofit organizations" include only those organizations which can demonstrate the ability to pay liability insurance and other costs of maintaining the leased property incurred in providing services for the **homeless**.

*(Added by Stats. 1987, Ch. 1222, Sec. 3.)*

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=15301.&highlight=true&keyword=homeless](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=15301.&highlight=true&keyword=homeless)

## **GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** *(Title 2 enacted by Stats. 1943, Ch. 134.)*

**DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986]** *(Division 3 added by Stats. 1945, Ch. 111.)*

**PART 6.6. ASSISTANCE TO HOMELESS PERSONS [15301 - 15301.6]** *(Part 6.6 added by Stats. 1986, Ch. 1484, Sec. 1.)*

**CHAPTER 2. Emergency Shelter Program [15301 - 15301.6]** *(Chapter 2 added by Stats. 1994, Ch. 1195, Sec. 1.)*

### **15301.**

(a) The El Centro and Calexico armories in Imperial County; the Culver City, Glendale, Inglewood, Long Beach 7th Street, Pomona, Sylmar, and West Los Angeles Federal Avenue armories in Los Angeles County; the San Rafael armory in Marin County; the Merced armory in Merced County; the Fullerton and Santa Ana armories in Orange County; the Roseville armory in Placer County; the Corona, Indio, and Riverside armories in Riverside County; the El Cajon, Escondido, and Vista armories in San Diego County; the San Mateo armory in San Mateo County; the Santa Barbara and Santa Maria armories in Santa Barbara County; the Gilroy, San Jose Hedding Street, and Sunnyvale armories in Santa Clara County; the Santa Cruz and Watsonville armories in Santa Cruz County; the Redding armory in Shasta County; the Petaluma and Santa Rosa armories in Sonoma County; and the Oxnard and Ventura armories in Ventura County, shall be made available to these counties or any city in these counties for the purpose of providing temporary shelter for **homeless** persons during the period from October 15 through April 15 each year.

Other Armories in San Diego County are also available, such as 3171 Armstrong by Mesa College

(b) The Adjutant General may, in his or her sole discretion, use alternate armories as may be necessary to meet the operational needs of the Military Department. Additionally, any county or city, including those not listed in subdivision (a), may use any armory within its jurisdiction subject to the approval of the Adjutant General.

(c) Subject to appropriation in the annual Budget Act, the Adjutant General may increase or decrease the number of days of operation among all of the armories funded in any year to best meet cold weather demands as they develop. The Adjutant General shall periodically report to the counties authorized to receive

funds on the ongoing availability of remaining funded shelter days.  
(Amended by Stats. 2000, Ch. 958, Sec. 1. Effective January 1, 2001.)

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=15301.3.&highlight=true&keyword=homeless](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=15301.3.&highlight=true&keyword=homeless)

## **GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** (Title 2 enacted by Stats. 1943, Ch. 134.)

**DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15986]** (Division 3 added by Stats. 1945, Ch. 111.)

**PART 6.6. ASSISTANCE TO HOMELESS PERSONS [15301 - 15301.6]** (Part 6.6 added by Stats. 1986, Ch. 1484, Sec. 1.)

**CHAPTER 2. Emergency Shelter Program [15301 - 15301.6]** (Chapter 2 added by Stats. 1994, Ch. 1195, Sec. 1.)

### **15301.3.**

Any county or city authorized in Section 15301 electing to use a state armory or armories for the purpose of this chapter, in consultation with the Community Advisory Committee appointed pursuant to Section 438 of the Military and Veterans Code or, if no committee has been appointed, in consultation with the Adjutant General, shall obtain a license from the Military Department with the following requirements:

- (a) The county or city obtaining a license shall be solely responsible for measures and costs required to comply with state and local health and safety codes during the license periods.
- (b) The county or city obtaining a license shall be responsible for all legal liabilities during the license periods and the state shall be held harmless in each case.
- (c) Except as provided in the annual Budget Act, the county or city obtaining a license shall be responsible for all costs of providing shelter in the state armory or armories to **homeless** persons during the license periods, including, but not limited to, all costs for minor emergency repairs, including, but not limited to, plumbing and electrical work, and shall reimburse the Military Department for all costs of providing armories for shelter operations including, but not limited to, utilities, building maintenance and repair, administrative costs, and for National Guardsman for the security of military equipment and property.
- (d) The county or city obtaining a license shall be solely responsible for alternative housing arrangements, including relocation measures and transportation, for **homeless** persons housed in state armories during the license periods, upon notification from the Military Department that the armory or armories shall be required for military activities or emergency purposes as announced by the Governor. The Military Department or the Governor shall determine the evacuation deadline.
- (e) The county or city obtaining a license shall be responsible for providing uniformed security personnel from one hour before the shelter opens until one hour after lights out. The county or city shall also ensure that officers from the local law enforcement agency with jurisdiction over the armory will conduct periodic visits to the armory on each night of operation.
- (f) The county or city obtaining a license shall be responsible for providing janitorial service from a licensed contractor or qualified civil service employees in order to meet state health and sanitation standards for restrooms and shower facilities.  
(Amended by Stats. 2000, Ch. 958, Sec. 2. Effective January 1, 2001.)

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=15301.6.&highlight=true&keyword=homeless](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=15301.6.&highlight=true&keyword=homeless)

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**CHAPTER 2. Emergency Shelter Program [15301 - 15301.6]** *(Chapter 2 added by Stats. 1994, Ch. 1195, Sec. 1.)*

San Diego Regional Task Force on the Homeless RTFHSD is the established local shelter advisory committee

**15301.6.**

(a) Each county that obtains a license under Section 15301.3 shall establish a local shelter advisory committee, which shall have all of the following responsibilities:

- (1) To address issues related to shelter operation, including, but not limited to, sanitation and security issues.
- (2) To ensure that the shelter maintains a “good neighbor policy.”
- (3) To assist in finding long-term solutions for providing housing for the **homeless** to reduce the degree to which state armories are utilized as sites for housing **homeless** persons.

(b) The county shall select the advisory committee, which shall include representatives from the county and cities within the county in which armories are utilized, local government planning departments, the California National Guard, **homeless** service providers, local peace officers, representatives of affected community organizations, and advocates for **homeless** persons. **Counties may utilize existing homeless task forces, including**, but not limited to, a task force for purposes of the Federal Emergency Management Agency (FEMA), if the membership of the task force has representatives that meet all of the requirements of this subdivision.

*(Amended by Stats. 2000, Ch. 958, Sec. 3. Effective January 1, 2001.)*

[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=30025.&highlight=true&keyword=homeless](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=30025.&highlight=true&keyword=homeless)

**GOVERNMENT CODE - GOV**

**TITLE 3. GOVERNMENT OF COUNTIES [23000 - 33205]** *(Title 3 added by Stats. 1947, Ch. 424.)*

**DIVISION 3. FINANCIAL PROVISIONS [29000 - 30608]** *(Division 3 added by Stats. 1947, Ch. 424.)*

**CHAPTER 6.3. Local Revenue Fund 2011 [30025 - 30029.12]** *(Chapter 6.3 added by Stats. 2011, Ch. 40, Sec. 3.)*

**30025.**

(a) The Local Revenue Fund 2011 is hereby created in the State Treasury and shall receive all revenues, less refunds, derived from the taxes described in Sections 6051.15 and 6201.15; revenues as may be allocated to the fund pursuant to Sections 11001.5 and 11005 of the Revenue and Taxation Code; and other moneys that may be specifically appropriated to the fund.

(b) (1) (A) The Trial Court Security Account, the Local Community Corrections Account, the Local Law Enforcement Services Account, the Mental Health Account, the District Attorney and Public Defender Account, the Juvenile Justice Account, the Health and Human Services Account, the Reserve Account, and the Undistributed Account are hereby created within the Local Revenue Fund 2011.