



Legislation Details (With Text)

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**Type:** Action Item    **Status:** Agenda Ready  
**File created:** 5/18/2020    **In control:** City Council  
**On agenda:** 6/11/2020    **Final action:**

**Title:** Actions pertaining to proposed Substantial Amendment 2019-03 to the 2019-2020 Annual Action Plan:  
1. RESOLUTION - Adopting Substantial Amendment 2019-03 to the 2019-2020 Annual Action Plan and COVID-19 Amendments to the Citizen Participation Plan to submit a request to the U.S. Department of Housing and Urban Development (HUD) to program Emergency Solutions Grant-Coronavirus (ESG-CV) and Housing Opportunities for Persons with AIDS-Coronavirus (HOPWA-CV) funds to prevent, prepare for, and respond to the coronavirus (COVID-19) and authorizing the City Manager to sign all necessary implementing documents  
2. Approve a \$1,998,334.50 HEARTH Emergency Solutions Grant (HESG) Agreement with the County of Fresno Department of Social Services for implementation of the joint COVID-19 homelessness response plan  
3. Approve a \$87,020 Housing Opportunities for Persons with AIDS (HOPWA) Agreement with WestCare California for COVID-19 response  
4. \*\*\*RESOLUTION - Adopting the 49th amendment to the Annual Appropriation Resolution No. 2019-133 appropriating \$2,196,100 for COVID-19 related homeless and special needs services through federal entitlement grant programs (Requires 5 affirmative votes) (Subject to Mayor’s veto)

**Sponsors:** Planning and Development Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Subrecipient Agreement with County of Fresno for Joint COVID-19 Response Plan, 3. Subrecipient Agreement with WestCare California for HOPWA COVID-19 response\_Signed, 4. HOPWA-CV Procurement Finding Memorandum, 5. RESOLUTION - 49th Amendment to the AAR No. 2019-133 appropriating \$2,196,100, 6. Summary, 7. Public Draft of COVID-19 Substantial Amendment No. 2019-03 and Amendments to the Citizen Participation Plan, 8. Redline Version of COVID-19 Substantial Amendment No. 2019-03 and Amendments to the Citizen Participation Plan

Date	Ver.	Action By	Action	Result
6/11/2020	1	City Council	continued	Pass

**REPORT TO THE CITY COUNCIL**

**June 11, 2020**

**FROM:** JENNIFER CLARK, Director  
Planning and Development Department

**THROUGH:** THOMAS MORGAN, Housing Manager  
Housing and Community Development Division

KAREN JENKS, Administrative Manager

Housing and Community Development Division

**BY:** EDWARD CHINEVERE, Senior Management Analyst  
Housing and Community Development Division

**SUBJECT**

Actions pertaining to proposed Substantial Amendment 2019-03 to the 2019-2020 Annual Action Plan:

1. RESOLUTION - Adopting Substantial Amendment 2019-03 to the 2019-2020 Annual Action Plan and COVID-19 Amendments to the Citizen Participation Plan to submit a request to the U.S. Department of Housing and Urban Development (HUD) to program Emergency Solutions Grant-Coronavirus (ESG-CV) and Housing Opportunities for Persons with AIDS-Coronavirus (HOPWA-CV) funds to prevent, prepare for, and respond to the coronavirus (COVID-19) and authorizing the City Manager to sign all necessary implementing documents
2. Approve a \$1,998,334.50 HEARTH Emergency Solutions Grant (HESG) Agreement with the County of Fresno Department of Social Services for implementation of the joint COVID-19 homelessness response plan
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**RECOMMENDATION**

Staff recommends the City Council adopt Substantial Amendment 2019-03 to the 2019-2020 Annual Action Plan; and authorize the City Manager to sign all implementing documents and subrecipient agreements required by HUD and continue negotiations with the County of Fresno for the provision of ESG-funded services, as approved to form by the City Attorney.

**EXECUTIVE SUMMARY**

As part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), HUD has allocated additional entitlement funds to the City of Fresno to prevent, prepare for, and respond to the coronavirus (COVID-19) and allow for alternate citizen participation processes in order to expedite the implementation of programs and investments to address the COVID-19 pandemic. The City has prepared Substantial Amendment 2019-03 to program ESG-CV funds of \$2,103,510 for coordination with the County of Fresno and the Fresno Madera Continuum of Care in accordance with City Council action taken on May 14, 2020; and HOPWA-CV funds of \$92,574 to provide COVID-19 related housing services for persons with HIV/AIDS, to be administered by WestCare California (WestCare).

**BACKGROUND**

The City of Fresno (City) is a federal entitlement community that receives an annual allocation of grant funds from the U.S. Department of Housing and Urban Development (HUD) for the following entitlement programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships (HOME)
- Emergency Solutions Grant (ESG)

- Housing Opportunities for Persons with AIDS (HOPWA)

As an entitlement community, the City is required to prepare an Annual Action Plan detailing the uses of entitlement funds to meet its affordable housing and community development goals as outlined in its Consolidated Plan, and to adopt and follow a Citizen Participation Plan in determining the priorities and projects to be included in the Consolidated Plan and Annual Action Plans.

As part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) passed by the U.S. Congress and signed into law by the President on March 27, 2020, HUD has allocated additional entitlement funds to the City to prevent, prepare for, and respond to the coronavirus (COVID-19). In order to expedite the implementation of programs and investments to address the COVID-19 pandemic, HUD has issued guidance to allow for remote citizen participation and shortened public comment periods for entitlement funds used to prevent, prepare for, and respond to COVID-19.

The City is proposing to make a Substantial Amendment to its Program Year 2019 Annual Action Plan to program additional funds allocated by HUD as part of the CARES Act to prevent, prepare for, and respond to COVID-19; and to amend its adopted Citizen Participation Plan to add provisions for citizen participation requirements associated with entitlement funds being programmed or re-programmed to address the COVID-19 pandemic, as well as to clarify requirements when physical locations such as municipal buildings are inaccessible due to federal, state, or local orders.

The Substantial Amendment will program \$2,196,084 allocated to the City by HUD through the CARES Act. The award is determined by HUD according to existing ESG and HOPWA formulas. Under the proposed amendment, the City will program:

- \$2,103,510 in ESG-CV funds to be used in accordance with the memorandum of understanding for a joint funding framework between the City of Fresno, County of Fresno, and Fresno Madera Continuum of Care to align resource to execute the COVID-19 Homeless Response for the prevention and containment of COVID-19 among individuals experiencing homelessness community-wide. The County of Fresno will receive \$1,998,334.50 inclusive of \$1,893,159 for programming and \$105,175.50 for administration of the program. The remaining \$105,175.50 of administrative funding will be used by the City for administration and compliance.
- \$92,574 in HOPWA-CV funds to augment existing housing services for persons living with HIV/AIDS to include operations, rental assistance, supportive services and other necessary actions to prevent, prepare for, and respond to COVID-19. The services will be delivered by WestCare, the current provider of HOPWA services on behalf of the City of Fresno. WestCare will receive \$87,020 for programming and eligible project sponsor administration and the remaining \$5,554 will be used by the City for administration and compliance.

COVID-19 Amendments to the City's adopted Citizen Participation Plan include:

- A 5-day public comment period for COVID-19 Substantial Amendments.
- Required distribution of notices and public review documents through digital channels in the event that public buildings are inaccessible to the Public.
- Required methods of distribution for remote participation instructions in advance of Public Hearings in the event that public buildings are inaccessible to the Public.

### **Citizen Participation**

- May 24, 2020: Public Notice distributed via Fresno Bee

- May 26, 2020: English and Spanish language public notice distributed on social media, through HCDD email distribution list, and City Clerk website
- Week of May 26, 2020: Public notice read in Hmong on KBIF radio
- May 27, 2020: Draft documents published to HCDD website and City Clerk website for 5-day public comment period
- May 27, 2020: Availability of draft documents communicated to HCDD email distribution list
- June 3, 2020: End of 5-day public comment period

The Public Comment period concluded on June 3, 2020 with no public comments received.

### **ENVIRONMENTAL FINDINGS**

This is not a project for purposes of CEQA pursuant to CEQA Guidelines Section 15378 and is exempt for purposes of NEPA pursuant to 24 CFR 58.34.

### **LOCAL PREFERENCE**

Local preference is not applicable.

### **FISCAL IMPACT**

Adoption of Substantial Amendment 2019-03 will allow the City to receive \$2,196,084 of new entitlement funding to prevent, prepare for, and respond to COVID-19.

#### Attachments: Resolution

Subrecipient Agreement with County of Fresno for Coronavirus for joint COVID-19 homeless response plan

Subrecipient Agreement with WestCare California for HOPWA COVID-19 response

HOPWA-CV Procurement Finding Memorandum

RESOLUTION - 49th Amendment to the AAR No. 2019-133 appropriating \$2,196,100

Summary

Public Draft of COVID-19 Substantial Amendment No. 2019-03 and Amendments to the Citizen Participation Plan

Redline Version of COVID-19 Substantial Amendment No. 2019-03 and Amendments to the Citizen Participation Plan