



COUNCIL AGENDA: 5/7/24  
FILE: 24-86055  
ITEM: 2.8

# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Rosalynn Hughey

**SUBJECT:** SEE BELOW

**DATE:** April 16, 2024

Approved

Date

4/24/24

**SUBJECT: ACTIONS RELATED TO HOUSING GRANT AGREEMENTS FOR FISCAL YEAR 2023-2024**

## **RECOMMENDATION**

Adopt a resolution authorizing the Director of Housing, Acting Director of Housing, or their designee to negotiate and execute agreements and amendments for the following priorities serving individuals and families using Housing Opportunities for Persons With Acquired Immunodeficiency Syndrome funds approved in the Fiscal Year 2023-2024 Annual Action Plan for services and Measure E funds for legal services for low-income residents in Fiscal Year 2023-2024:

- a) The Health Trust in the amount of \$1,562,639 retroactively from July 1, 2023 to June 30, 2024; and
- b) Law Foundation of Silicon Valley in the amount of \$200,000 retroactively from July 1, 2023 to June 30, 2024.

## **SUMMARY AND OUTCOME**

The delegation of authority to the Director of Housing, Acting Director of Housing, or their designee to negotiate and execute two agreements totaling \$1,762,639 in local and federal funds with two nonprofit partners, as described in this memorandum, will allow the Housing Department to expeditiously provide housing and supportive services to individuals and families living with Acquired Immunodeficiency Syndrome (AIDS) and continue to provide legal services to low-income residents.

## **BACKGROUND**

On April 25, 2023, the City Council approved the Fiscal Year 2023-2024 Annual Action Plan. Upon the City Council's adoption of the final Fiscal Year 2023-2024 Annual Action Plan, the Housing Department submitted the final federally mandated document to the United States Department of Housing and Urban Development on May 15, 2023. The Housing Opportunities for Persons With AIDS (HOPWA) program and the Legal Services program were formally approved in the Fiscal Year 2023-2024 Annual Action Plan.

There was a balance of \$1,562,639 in HOPWA funds available into Fiscal Year 2023-2024. These funds were not previously included in The Health Trust contract. The Housing Department has an agreement with The Health Trust for the Fiscal Year 2023-2024 HOPWA Entitlement allocation. The allocation was approved in the Fiscal Year 2023-2024 Annual Action Plan.

In Fiscal Year 2023-2024, \$200,000 in Community Development Block Grant funding was allocated to the Law Foundation of Silicon Valley's Legal Services Program. An additional \$200,000 was required to operate the program and continue providing legal services for low- and moderate-income participants. Because the City had reached its 15% public service cap, the additional \$200,000 was provided through Measure E funds.

## **ANALYSIS**

City Council approval of the staff recommendation will allow the Housing Department to move forward with providing up to \$1,562,639 in federal funds to serve individuals and families living with AIDS and \$200,000 in local funds for low-income residents requiring legal services.

### ***Remaining HOPWA Funds***

Federal funds are allocated on an annual basis through the United States Department of Housing and Urban Development's entitlement process. If funds are not spent within a designated fiscal year, the funds may be "rolled over" to the following fiscal year. Staff recommends adding \$1,562,639 in funds to the Fiscal Year 2023-2024 contract with The Health Trust to utilize rolled-over funds from prior fiscal years. HOPWA is the only federal program dedicated to addressing the housing needs of low- and moderate-income people living with human immunodeficiency virus (HIV)/AIDS and their families. HOPWA funds may be used for a wide range of housing and social services. In addition to rental assistance, HOPWA funds may also be used for services, including assessment and case management, substance abuse treatment, mental health treatment, nutritional services, job training and placement assistance, and assistance with daily living.

### ***Additional Funding for Legal Services***

The Law Foundation of Silicon Valley provides comprehensive services to combat fair housing violations in the City of San José. This includes education, investigation of complaints, fair

housing tester audits, conciliation of disputes, and legal services. Legal services are provided by a consortium of four nonprofit agencies: Law Foundation of Silicon Valley; Project Sentinel, Inc.; Santa Clara County Asian Law Alliance, Inc.; and Senior Adults Legal Assistance. The Law Foundation of Silicon Valley serves as the lead agency of the consortium. During Fiscal Year 2023-2024, an additional \$200,000 was identified in Measure E funds to augment the existing Law Foundation of Silicon Valley’s contract to continue providing these legal services to the community.

**EVALUATION AND FOLLOW-UP**

The Housing Department will coordinate with the City Attorney's Office and the City Manager's Office to develop and approve all new agreements and amendments to existing agreements to incorporate the recommended changes outlined in this memorandum.

**BUDGET REFERENCE**

The table below identifies the fund and appropriation to fund the contracts recommended as part of this memorandum.

| <b>Fund #</b> | <b>Appn #</b> | <b>Appn. Name</b>  | <b>Total Appn</b> | <b>Amt. for Contract</b> | <b>2023-2024 Adopted Operating Budget Page</b> | <b>Last Budget Action (Date, Ord. No.)</b> |
|---------------|---------------|--|-------------------|--------------------------|--|--|
| 448           | 2653          | HOPWA Grants   | \$1,827,576       | \$1,562,639              | 1040   | 2/13/2024, Ord. No. 31040                  |
| 001           | 221G          | Measure E – Homeless Legal Services, 10% Homeless Prevention Rental Assistance | \$575,000         | \$200,000                | 895  | 6/20/2023, Ord. No. 30933                  |

**COORDINATION**

This memorandum has been coordinated with the City Attorney's Office and the City Manager’s Budget Office.

**PUBLIC OUTREACH**

This memorandum will be posted on the City’s Council Agenda website for the May 7, 2024 City Council meeting.

HONORABLE MAYOR AND CITY COUNCIL

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**Subject: Actions Related to Housing Grant Agreements for Fiscal Year 2023-2024**

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### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

### **CEQA**

Not a Project, File No. PP17-009, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; and File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

### **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

ROSALYNN HUGHEY  
Deputy City Manager and  
Acting Housing Director

The principal author of this memorandum is Stephanie Gutowski. For questions, please contact Stephanie Gutowski, Housing Policy and Planning Administrator, at [stephanie.gutowski@sanjoseca.gov](mailto:stephanie.gutowski@sanjoseca.gov) or (408) 975-4420.