



## Town Council Agenda Report

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Date: January 28, 2020 Item No. 5

To: Honorable Mayor and Town Council

Subject: AMENDMENT TO THE 2016-2017, 2017-2018, 2018-2019, AND 2019-2020 ACTION PLANS

From: Douglas Robertson, Town Manager

Submitted by: Lori Lamson, Assistant Town Manager  
Housing Department

Budgeted Item:  Yes  No  N/A

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### RECOMMENDED ACTION

It is recommended that the Town Council:

- A. Conduct a public hearing and upon accepting public testimony, adopt Resolution No. 2020-03 including any modifications or amendments thereto;
- B. Approve an Amendment to the Community Development Block Grant (“CDBG”) 2016-2017, 2017-2018, 2018-2019 and 2019-2020 Annual Action Plans (“Action Plans”) by programming \$100,000 to the 2018-2019 Mendel Park Restroom Project, \$10,706 to the 2018-2019 James Woody Park Security Cameras Project, \$150,000 to the 2019-2020 Residential Rehabilitation Program, \$10,000 to the 2019-2020 Code Enforcement Program and \$75,000 to the 2019-2020 James Woody Park Irrigation Replacement Project; and
- C. Authorize the Town Manager to execute and transmit all necessary documents, including the Amendment to the Action Plans, and any additional amendments, to assure the Town’s timely expenditure of CDBG funds.

### BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) requires all entitlement communities receiving CDBG funds to prepare and submit a Consolidated Plan every five years to establish a unified, strategic vision for economic development, housing and community development activities. The Town Council adopted the 2017-2021 Consolidated Plan on June 13, 2017.

The Consolidated Plan is carried out through Annual Action Plans which provide a concise summary of the actions, activities, and the resources that will be used each year to address the priority needs and specific goals identified in the Consolidated Plan. The Town must submit an Annual Action Plan to HUD by no later than May 15<sup>th</sup> of each year of the five-year Consolidated Plan period. The Town of Apple Valley Town Council

adopted and submitted the 2019-2020 Action Plan to HUD by the required deadline date in 2019.

In accordance with the Town's Citizen Participation Plan, an Amendment to a Consolidated Plan and Action Plan is required when a "substantial" change is proposed to funding priorities, elimination or addition of activities not previously identified in the Action Plan, and changes to the goals and objectives. This amendment to the Action Plans is necessary because the Town has identified eight (8) activities that it wishes to cancel and reallocate their respective funds to five (5) existing activities.

## **ANALYSIS**

The following narrative provides activity descriptions and other information for the proposed activities.

### **2018-2019 Mendel Park Restroom Project**

The Mendel Park Restroom Project was initially awarded \$115,000 CDBG funds during the 2018-2019 fiscal year. After having the opportunity to go out to bid, it was determined that this project would require additional funds. For this reason, the Town is proposing to allocate an additional \$100,000 to this project. This project will provide funding for the purchase and installation of a prefabricated Americans with Disabilities Act (ADA) restroom at the park. In addition, the project will allow for the installation of necessary electrical and septic/leeching system per current building standards. Lastly, funds will go towards paying for other professional services including project management, engineering & design and labor compliance. The overall improvement made under this project will increase the safety and experience of residents at the park.

### **2018-2019 James Woody Park Security Cameras Project**

The James Woody Park Security Camera Project was initially awarded \$58,387 CDBG funds during the 2018-2019 fiscal year. After looking at pricing for the different types of security camera systems, it has been determined that this project would require additional funds. For this reason, the Town is proposing to allocate an additional \$10,706 to this project. This project will provide funding for the installation of a security camera system, through force labor, to assist in monitoring daily activity throughout the park. The installation will include hardwire and web-based set-up which will allow for remote monitoring. The overall improvement made under this project will increase the safety and experience of residents at the park.

### **2019-2020 Residential Rehabilitation Program**

The Residential Rehabilitation Program was initially awarded \$118,507 CDBG funds during the 2019-2020 fiscal year. With a waitlist of over 45 households, the demand for housing preservation type programs is very high. For this reason, the Town is proposing to allocate an additional \$150,000 to this program. This program will provide financial assistance to low- and moderate-income single-family owner-occupied households for

the rehabilitation of their homes in an effort to address health and safety concerns as well as code violations. The overall improvements made under this program will increase the safety and livability of residents.

**2019-2020 Code Enforcement**

The Code Enforcement Program was initially awarded \$24,000 CDBG funds during the 2019-2020 fiscal year. With an increase in septic failures and other code deficiencies, the demand for identifying these deficiencies and correcting them under the Residential Rehabilitation Program is very high. For this reason, the Town is proposing to allocate an additional \$10,000 to this program. This program will provide funding for code enforcement services in designated deteriorated service areas where it is determined that the service area is predominantly residential and at least 51% low- and moderate-income. The overall improvement made under this program will increase the safety and livability of residents.

**2019-2020 James Woody Park Irrigation Replacement Project**

The James Woody Park Irrigation Replacement Project was initially awarded \$125,000 CDBG funds out of a proposed funding request of \$200,000 during the 2019-2020 fiscal year. For this reason, the Town is proposing to allocate an additional \$75,000 to provide sufficient funding for project completion. This project will provide funding for the replacement of the park’s deteriorated irrigation system in the northern section of the park near the basketball courts and field one. In addition, funds will go towards paying for other professional services including project management, engineering & design and labor compliance. The overall improvements made under this project will increase the residents experience at the park.

**Table 1: Proposed Activity Budget Modifications and Reprogrammed Activity Budgets**

<b>Program Year/ Activity Title</b>	<b>Existing Budget</b>	<b>New Budget</b>	<b>Difference</b>
<b><i>Cancel Funding/Unprogrammed</i></b>			
16-17 JW Park Gym and Auditorium Floor Resurfacing	\$22,500	\$0	(\$22,500)
17-18 Small Business/Entrepreneur Incubator	\$10,000	\$0	(\$10,000)
17-18 Small Business ADA Rehabilitation	\$15,000	\$0	(\$15,000)
18-19 CDBG Rehabilitation Administration 14H	\$80,000	\$0	(\$80,000)
18-19 VV District Foundation – Public Career Pathway Training	\$13,892	\$0	(\$13,892)

18-19 Small Business/Entrepreneur Incubator	\$10,000	\$0	(\$10,000)
18-19 Manufactured Home – SFR Disposition Program	\$10,000	\$0	(\$10,000)
19-20 Cramer Park Demolition	\$10,000	\$0	(\$10,000)
Prior Year Unprogrammed Funds	\$174,314	\$0	(\$174,314)
<b>Subtotal</b>			<b>(\$345,706)</b>
<b><i>Increase Funding</i></b>			
18-19 Mendel Park Restroom	\$115,000	\$215,000	\$100,000
18-19 JW Park Security Cameras	\$58,387	\$69,093	\$10,706
19-20 Residential Rehabilitation Program	\$118,507	\$268,507	\$150,000
19-20 Code Enforcement	\$24,000	\$34,000	\$10,000
19-20 JW Park Irrigation Replacement	\$125,000	\$200,000	\$75,000
<b>Subtotal</b>			<b>\$345,706</b>

### **FISCAL IMPACT**

All funds impacted by the Amendment have previously been awarded to the Town and budgeted to the activities in Action Plans and Amendments previously adopted by the Town Council. The reprogramming of the \$345,706 will ensure that the Town's CDBG funds are utilized to improve the quality of life for the residents. Town Council's approval of the recommended action adopts the Amendment to the Action Plan thereby allocating those resources into the CDBG budget.

### **ATTACHMENTS**

1. Resolution No. 2020-03
2. Amendment to Action Plan

**RESOLUTION NO. 2020-03**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, APPROVING THE AMENDMENT TO THE 2016-2017, 2017-2018, 2018-2019 AND 2019-2020 ACTION PLANS AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AND TRANSMIT ALL NECESSARY DOCUMENTS TO HUD UPON COMPLETION OF THE PUBLIC REVIEW PERIOD**

**WHEREAS**, the United States Department of Housing and Urban Development (“HUD”) requires the Town to adopt and implement a Five-Year Consolidated Plan for the expenditure of the Town’s annual allocation of Community Development Block Grant (“CDBG”) and HOME Investment Partnerships (“HOME”) funds in support of projects and activities predominantly benefitting low- and moderate-income residents; and

**WHEREAS**, the Town Council adopted the current 2017-2021 Five-Year Consolidated Plan (“Consolidated Plan”) on June 13, 2017; and

**WHEREAS**, the Consolidated Plan contains certain goals and accomplishments to be met during the five-year consolidated planning period through the expenditure of CDBG and HOME funds and other identified funding sources; and

**WHEREAS**, the Consolidated Plan is carried out through Annual Action Plans which provide a concise summary of the actions, activities, and the resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan; and

**WHEREAS**, the Town Council adopted the 2019-2020 Annual Action Plan (“Annual Action Plan”) on May 14, 2019; and

**WHEREAS**, an Amendment to a Consolidated Plan and Annual Action Plan is required when a “substantial” change is proposed as it relates to funding priorities, proposed activities, goals and objectives; and

**WHEREAS**, the Town has identified eight (8) activities that it is proposing to cancel and reallocating their respective funds to five (5) existing activities, thereby triggering an Amendment; and

**WHEREAS**, the Town has developed an Amendment to allocate and additional \$100,000 to the 2018-2019 Mendel Park Restroom Project; and

**WHEREAS**, the Town has developed an Amendment to allocate and additional \$10,706 to the 2018-2019 James Woody Park Security Cameras Project; and

**WHEREAS**, the Town has developed an Amendment to allocate and additional \$150,000 to the 2019-2020 Residential Rehabilitation Program; and

**WHEREAS**, the Town has developed an Amendment to allocate and additional \$10,000 to the 2019-2020 Code Enforcement Program; and

**WHEREAS**, the Town has developed an Amendment to allocate an additional \$75,000 to the 2019-2020 James Woody Park Irrigation Replacement Project; and

**WHEREAS**, the Town is in compliance with its Citizen Participation Plan which requires the Town to conduct a public hearing and a 30-day public review period to receive public input when an Amendment to an Annual Action Plan is proposed.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY AS FOLLOWS:**

**Section 1.** The recitals above are true and correct and are adopted as findings.

**Section 2.** The Town Council approves the Amendment to the Annual Action Plans.

**Section 3.** The Town Manager is hereby authorized to execute all necessary documents and any certifications to execute the Amendment to the Annual Action Plans.

**Section 4.** The Town Council further authorizes the Town Manager to approve any modifications and/or amendments to the Amendment to the Annual Action Plans if required to ensure approval by HUD.

**Section 5.** The Town Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**APPROVED and ADOPTED** by the Town Council of the Town of Apple Valley this 28<sup>th</sup> day of January 2020.

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Scott Nassif, Mayor

ATTEST:

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La Vonda M-Pearson  
Town Clerk



**AMENDMENT**  
**AMENDMENT TO THE 2016-2017, 2017-2018,**  
**2018-2019 ANNUAL ACTION PLANS**

**AMENDMENT TO THE 2016-2017, 2017-2018,  
2018-2019 AND 2019-2020 ANNUAL ACTION PLANS**

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**EXECUTIVE SUMMARY**

The U.S. Department of Housing and Urban Development (HUD) requires all entitlement communities receiving Community Development Block Grant (CDBG) funds, such as the Town of Apple Valley, to prepare and submit a Consolidated Plan every five years to establish a unified, strategic vision for economic development, housing and community development actions. The Consolidated Plan encompasses the analysis of local community needs and coordinates appropriate responses to those needs and priorities. The Apple Valley Town Council adopted the 2017-2021 Five Year Consolidated Plan (“Consolidated Plan”) on June 13, 2017.

The Consolidated Plan is carried out through Annual Action Plans which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified in the Consolidated Plan. The Town must submit an Annual Action Plan to HUD by no later than May 15 of each year during the five-year period (unless otherwise specified by HUD). The Apple Valley Town Council adopted the 2019-2020 Action Plan (“Action Plan”) on May 14, 2019 and submitted the document to HUD before the required deadline date.

Per the Town’s Citizen Participation Plan (CPP), an Amendment to a Consolidated Plan and Action Plan is required when a “substantial” change is proposed to funding priorities, elimination or addition of activities not previously identified in the Action Plan, and changes to the goals and objectives. This amendment to the Action Plans is necessary because the Town has identified eight (8) activities that it wishes to cancel and reallocate their respective funds to five (5) existing activities.

**CITIZEN PARTICIPATION**

A Notice of Public Hearing and 30-day public review period was published in the Daily Press on December 26, 2019, informing the public of the proposed Amendment and inviting comments at the public hearing. On January 28, 2020, the Apple Valley Town Council will be hearing public comments regarding the Amendment. The public review period will begin on Friday, December 27, 2019 and will end on Tuesday, January 28, 2020. Citizens are able to review copies of the Amendment at the Town’s Development Services Building, Apple Valley Branch Public Library and Town Clerk’s Office.

**CHANGES TO THE 2016-2017, 2017-2018, 2018-2019 AND 2019-2020 ANNUAL ACTION PLANS**

The Town is proposing to cancel eight (8) activities in the amount of \$171,392 and programming a total of \$174,314 in unprogrammed funds for a total of \$345,706 to be allocated to the 2018-2019 Mendel Park Restroom Project, 2018-2019 James Woody



Security Camera Project, 2019-2020 Residential Rehabilitation Program, 2019-2020 Code Enforcement and 2019-2020 James Woody Irrigation Replacement Project.

The following Table outlines the activity budgets that are being modified to reprogram funds to the proposed activities described in this Amendment:

**Table 1: Proposed Activity Budget Modifications and Reprogrammed Activity Budgets**

<b>Program Year/ Activity Title</b>	<b>Existing Budget</b>	<b>New Budget</b>	<b>Difference</b>
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19-20 JW Park Irrigation Replacement	\$125,000	\$200,000	\$75,000
<b>Subtotal</b>			<b>\$345,706</b>

**2018-2019 AND 2019-2020 PROPOSED ACTIVITY DETAIL**

The following narrative provides activity descriptions and other information for the proposed activities.

**2018/2019 Mendel Park Restroom Project**

This project will provide funding for the purchase and installation of a prefabricated Americans with Disabilities Act (ADA) restroom at the park. In addition, the project will allow for the installation of necessary electrical and septic/leeching system per current

building standards. Lastly, funds will go towards paying for other professional services including project management, engineering & design and labor compliance. The overall improvement made under this project will increase the safety and experience of residents at the park.

### **2018/2019 James Woody Park Security Cameras Project**

This project will provide funding for the installation of a security camera system, through force labor, to assist in monitoring daily activity throughout the park. The installation will include hardwire and web-based set-up which will allow for remote monitoring. The overall improvement made under this project will increase the safety and experience of residents at the park.

### **2019/2020 Residential Rehabilitation Program**

This program will provide financial assistance to low- and moderate-income single-family owner-occupied households for the rehabilitation of their homes in an effort to address health and safety concerns as well as code violations. The overall improvements made under this program will increase the safety and livability of residents.

### **2019/2020 Code Enforcement**

*(activity accidentally omitted from Public Hearing and 30-day Review Period Notice)*

This program will provide funding for code enforcement services in designated deteriorated service areas where it is determined that the service area is predominantly residential and at least 51% low- and moderate-income. The overall improvement made under this program will increase the safety and livability of residents.

### **2019/2020 James Woody Park Irrigation Replacement Project**

This project will provide funding for the replacement of the park's deteriorated irrigation system in the northern section of the park near the basketball courts and field one. In addition, funds will go towards paying for other professional services including project management, engineering & design and labor compliance. The overall improvements made under this project will increase the residents experience at the park.

### **PUBLIC COMMENTS**

All public comments received during the 30-day public review period or at the public hearing will be incorporated into the overall Amendment submitted to HUD.