

**PLHA Formula - Amendment for years 2020, 2021, 2022, 2023**

Rev. 02/01/24

<b>Eligible Applicant Type:</b>	<b>Entitlement</b>		
<b>Local Government Recipient of PLHA Formula Allocation:</b>			
Cupertino City			
2021 PLHA NOFA Formula Allocation Amount:	2021 NOFA Allowable Local Admin (5%):	Admin requested?	<b>Yes</b>
2022 PLHA NOFA Formula Allocation Amount:	2022 NOFA Allowable Local Admin (5%):	Admin requested?	<b>Yes</b>
2023 PLHA NOFA Formula Allocation Amount:	2023 NOFA Allowable Local Admin (5%):	Admin requested?	<b>Yes</b>

Instructions: If the Local Government Recipient of the PLHA Formula Allocation delegated its PLHA formula allocation to a Local Housing Trust Fund or to another Local Government, the Applicant (for which information is required below) is the Local Housing Trust Fund or administering Local Government. The PLHA award will be made to the Applicant (upon meeting threshold requirements) and the Applicant is responsible for meeting all program requirements throughout the term of the Standard Agreement.

The 302(c)(4) Plan template worksheet requires first choosing one or more of the Eligible Activities listed below. If "Yes" is clicked, the 302(c)(4) Plan worksheet opens a series of questions about what precise activities are planned. Some specific activities, such as providing downpayment assistance to lower-income households for acquisition of an affordable home, could be included under either Activity 2 or 9. Please only choose one of those Activities; don't list the downpayment assistance under both Activities.

If the PLHA funds are used for the same Activity but for different Area Median Income (AMI) level, select the same Activity twice (or more times) and the different AMI level the Activity will serve. Please enter the percentage of funds allocated to the Activity in only the first Activity listing to avoid double counting the funding allocation.


**For each year (2020-2023), allocations must equal 100% annually including the allowable administrative costs of up to 5%.**

**§300 Eligible Applicants**

§300(a) and (b) Eligible Applicants for the Entitlement and Non-Entitlement formula component described in Section §100(b)(1) and (2) are limited to the metropolitan cities and urban counties allocated a grant for the federal fiscal year 2017 pursuant to the federal CDBG formula specified in 42 USC, Section §5306 and Non-entitlement local governments.

Applicant:	County of Santa Clara (Cupertino)								
Address:	150 West Tasman Drive								
City:	San Jose	State:	CA	Zip:	95134	County:	Santa Clara		
Auth Rep Name:	Kelsey Barraza	Title:	HCD Representative II	Auth Rep. Email:	Kelsey.Barraza@hcd.ca.gov		Phone:	916-820-1287	
Address:	2020 W. El Camino Avenue			City:	Sacramento	State:	CA	Zip Code:	95833
Contact Name:	Consuelo Hernandez	Title:	Director, Office of Supportive Housing	Contact Email:	consuelo.hernandez@hhs.sccgov.org		Contact Phone:	408-278-6419	
Address:	150 West Tasman Drive			City:	San Jose	State:	CA	Zip Code:	95134

§300(d) Is Applicant delegated by another Local government to administer on its behalf its formula allocation of program funds? Yes

§300(d) If Applicant answered "Yes" above, has the Applicant attached the legally binding agreement required by §300(c) and (d)?	A sample agreement can be found by double clicking on the icon to the right		Yes
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File Name:	<b>Application and/or Adopting the PLHA Plan (2020-2023 Allocations) Reso</b>	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2020-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.	Yes	Uploaded to HCD?	Yes
File Name:	<b>Gov TIN</b>	Provide a signed Gov't TIN Form		Uploaded to HCD?	Yes
File Name:	<b>Applicant Delegation Agreement</b>	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 19, column AH)		Uploaded to HCD?	Yes

**§301 Eligible Activities**

<b>§301(a) Eligible activities are limited to the following:</b>	<b>Select below:</b>
§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary operating subsidies.	<b>Yes</b>
§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.	
§301(a)(3) Matching portions of funds placed into Local or Regional Housing Trust Funds.	
§301(a)(4) Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.	
§301(a)(5) Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.	
§301(a)(6) Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.	
§301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.	
§301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.	
§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.	
§301(a)(10) Fiscal incentives made by a county to a city within the county to incentivize approval of one or more affordable housing Projects, or matching funds invested by a county in an affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the affordable housing Project.	

**§302(c)(4) Plan**

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**§302(c)(4)(A)** Describe the manner in which allocated funds will be used for eligible activities.

The County of Santa Clara (City of Cupertino) will use the PLHA funds for the eligible activity identified below. The County, as the administering jurisdiction of the PLHA Consortium, has an existing over-the-counter Notice of Funding Availability for multifamily housing rental projects. The program staff will advise the County's Board of Supervisors on the proposed uses of the funds in accordance with the PLHA Plan and Consortium agreement. Funding recommendations made by staff will be taken to the County Board of Supervisors for final approval. The County will enter into agreements with housing developers and monitor their progress against these agreements.

**§302(c)(4)(B)** Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).

The County will prioritize investments of PLHA funds to increase the supply of affordable and supportive housing for households earning up to 60% AMI by including the eligible activity described in Section 301(a)(1) - funding the development of multifamily rental housing projects designed to be affordable to households earning up to 60% of AMI as a source of funds in the County's over-the-counter Supportive Housing Development Notice of Funding Availability. This is an existing process that has yielded the financing of 35 housing development projects and resulted in 3,662 new apartments across the County.

Ninety-five percent (95%) of Years 2-5 (2020-2023) of the City of Cupertino's allocation will be allocated to this activity, as we recognize the growing need for this type of investment within our community.

**§302(c)(4)(C)** Provide a description of how the Plan is consistent with the programs set forth in the Local Government's Housing Element.

The County of Santa Clara (Cupertino's) PLHA Plan is consistent with its Housing Element, including but not limited to the following: 1) Range of Housing Types Encourage the development of a diverse housing stock that provides a range of housing types (including smaller, moderate-cost housing) and affordability levels. Emphasize the provision of housing for lower and moderate-income households, including wage earners who provide essential public services (e.g., school district employees, municipal and public safety employees, etc.); 2) Development of affordable housing Maintain and/or adopt appropriate land use regulations and other development tools to encourage the development of affordable housing; 3) Provision of adequate capacity for new construction needs Designate sufficient land at appropriate densities to accommodate Cupertino's regional housing needs. Allocation of 4,588 units for the 2023-2031 planning period; 4) Housing densities Provide a full range of densities for ownership and rental housing; 5) Lower Fees for Multi-Family Housing Projects Cupertino has development fees that are among the highest in the region. The City will revise its fee structure to lower fees for multi-family housing so that they are in line with the regional average; 6) Incentives for Affordable Housing Development The City will continue to offer a range of incentives to facilitate the development of affordable housing; 7) Extremely Low-Income Housing and Housing for Persons with Special Needs.

**Activities Detail (Activities Detail (Must make a selection on Formula Allocation Application worksheet under Eligible Activities, §301))**

**§301(a)(1)** The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-,very low-, low-, or moderate-income households, including necessary Operating subsidies.

**§302(c)(4)(E)(i)** Provide a detailed and complete description of how allocated funds will be used for each proposed Affordable Rental Housing Activity.

Ninety-five percent (95%) from Years 2-5 (2020-2023) of the City of Cupertino's PLHA funds have been allocated to this Eligible Activity. Rental units affordable to households that earn up to 60% of the Area Median Income, will be prioritized. Funds will be provided for multi-family rental housing in the form of a low-interest, residual receipt, deferred, or other loan to the sponsor of the project, consistent with the County's approved Supportive Housing Development Program Notice of Funding Availability guidelines and PLHA program guidelines. The loan shall be evidenced through a promissory note secured by a Deed of Trust, and a regulatory agreement shall restrict occupancy and rents in accordance with the County's approved underwriting of the project for a term of at least 55 years. Eligible use of funds will include predevelopment activities in support of an entitlement application, architectural and engineering costs, community engagement, and the preparation of any environmental studies related to CEQA and/or NEPA.

Complete the table below for each proposed Affordable Rental Housing Activity to be funded with 2020-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2020	2021	2022	2023											
<b>§302(c)(4)(E)(i)</b> Percentage of Funds Allocated for the Proposed Affordable Rental Housing Activity	95%	95%	95%	95%											
<b>§302(c)(4)(E)(ii)</b> Area Median Income Level Served	60%	60%	60%	60%											<b>TOTAL</b>
<b>§302(c)(4)(E)(ii)</b> Unmet share of the RHNA at the AMI Level <b>Note: complete for years 2020, 2021, 2022 only</b>															0
<b>§302(c)(4)(E)(ii)</b> Projected Number of Households Served															0
<b>§302(c)(4)(E)(iv)</b> Period of Affordability for the Proposed Affordable Rental Housing Activity (55 years required for rental housing projects)	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	

**§302(c)(4)(E)(iii)** A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.

The County staff will work with the housing development community to identify a property currently in the County's housing development pipeline or a new site located in the City of Cupertino. The County anticipates the identification of at least one property by the fall of 2024 and anticipates receiving approval from the Board of Supervisors in the winter of 2024. Following the Board's approval, the County will enter into the necessary agreements for the identified property, with funds being appropriated in a predevelopment agreement by January 2025.

File Name:	Plan Adoption Reso	<b>§302(c)(4)(D)</b> Evidence that the Plan was authorized and adopted by resolution by the Local jurisdiction and that the public had an adequate opportunity to review and comment on its content.	Uploaded to HCD?	Yes
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Total Percentage of Funds Allocated Calculator (2020 - 2023)

2020 Allocation	
Admin	0%
Funds Allocated	95%
<b>Total Percentage of Funds Allocated for 2020</b>	<b>95%</b>

2021 Allocation	
Admin	5%
Funds Allocated	95%
<b>Total Percentage of Funds Allocated for 2021</b>	<b>100%</b>

2022 Allocation	
Admin	5%
Funds Allocated	95%
<b>Total Percentage of Funds Allocated for 2022</b>	<b>100%</b>

2023 Allocation	
Admin	5%
Funds Allocated	95%
<b>Total Percentage of Funds Allocated for 2023</b>	<b>100%</b>