



CITY OF NEWPORT BEACH

Annual Action Plan

FY 2022-2023

FINAL

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Executive Summary

AP-05 Executive Summary – 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Newport Beach has prepared the 2020-2024 Consolidated Plan as a requirement to receive Federal Community Development Block Grant (CDBG) funds. The Consolidated Plan provides the U.S. Department of Housing and Urban Development (HUD) with a comprehensive assessment of the City's housing and community development needs and outlines the City's priorities, objectives, and strategies for the investment of CDBG funds to address these needs over the next five years, beginning July 1, 2020, and ending June 30, 2024.

The City receives CDBG funds from HUD on a formula basis each year, and in turn, awards grants to nonprofit, for-profit or public organizations for programs and projects in furtherance of this Plan. The CDBG program generally provide for a range of eligible activities for the benefit of low- and moderate-income Newport Beach residents, as discussed below.

The 2022-2023 Action Plan is the third of five annual plans implementing the 2020-2024 Consolidated Plan Strategic Plan goals for the investment of annual allocations of CDBG funds from HUD. The Action Plan identifies available resources, annual goals, projects, and activities for the period beginning July 1, 2022, and ending June 30, 2023.

Community Development Block Grant (CDBG)

The Housing and Community Development Act of 1974 created the CDBG Program with three primary objectives against which HUD evaluates the Consolidated Plan and the City's performance under the Plan. Those primary objectives are decent housing, suitable living environments, and expanded economic opportunities for low- and moderate-income persons. The CDBG regulations require that each activity meet one of the following national objectives:

- Benefit low- and moderate-income persons;
- Aid in the prevention or elimination of slums and blight; or
- Meet other community development needs having a particular urgency (usually the result of a natural disaster).

For the 2022-2023 program year, the City will receive \$405,104 of CDBG funds from HUD. In the event that the actual amount of CDBG funding received from HUD is higher or lower than anticipated, the City will adjust the funding amounts for each activity proportionally and in compliance with regulatory requirements for funding allocations to certain types of CDBG activities.

2022-2023 CDBG Public Service Activities

Age Well Senior Services: Home Delivered Meals	\$30,000
Families Forward: Housing Program	\$16,000
Newport Beach: City Motel Voucher Program	\$14,765
<hr/>	
Subtotal:	\$60,765

2022-2023 CDBG Capital Activities

Section 108 Loan Repayment	\$210,548
Homeless Shelter	\$52,771
<hr/>	
Subtotal:	\$263,319

2022-2023 Program Administration Activities

CDBG Program Administration	\$69,020
Fair Housing Foundation: Fair Housing Services	\$12,000
<hr/>	
Subtotal:	\$81,020

2022-2023 Total: \$405,104

2. Summarize the objectives and outcomes identified in the Plan

The priority needs and goals identified in the Plan needs assessment were identified based on analysis of information including the results of the City's 2020-2024 Consolidated Plan Needs Assessment Survey and housing and community development data elements required by HUD in the online Consolidated Plan system (the eCon Planning Suite) from the 2011-2015 American Community Survey (ACS) 5-Year Estimates and the Comprehensive Housing Affordability Strategy (CHAS) covering the same time period. Additional sources of information used to identify needs and establish priorities were obtained through consultation with local nonprofit agencies involved in the development of affordable housing and the delivery of public services to children, families, elderly persons and persons with special needs throughout the community.

In consideration of community input and available data, the six (6) priority needs listed below are established as part of this Plan:

- Ensure equal access to housing opportunities
- Provide public services for low- and moderate-income residents
- Improve public facilities and infrastructure
- Address material barriers to accessibility
- Economic development
- Prevent and eliminate homelessness

Consistent with HUD’s national goals for the CDBG program to provide decent housing opportunities, maintain a suitable living environment and expand economic opportunities for low- and moderate-income residents, the priority needs listed above will be addressed over the next five years through the implementation of CDBG funded activities aligned with the following six measurable Strategic Plan goals:

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Program Administration	2020	2024	Program Administration	Citywide	All	CDBG: \$312,830	N/A
2	Fair Housing Services	2020	2024	Affordable Housing	Citywide	Ensure equal access to housing opportunities	CDBG: \$60,000	Other: 625 Persons Assisted
3	Public Services	2020	2024	Non-Housing Community Development	Citywide	Provide public services for low- and moderate-income residents	CDBG: \$150,000	Public service activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
4	Homeless Services	2020	2024	Homeless	Citywide	Prevent and eliminate homelessness	CDBG: \$125,000	Public service activities other than Low/Moderate Income Housing Benefit: 120 Persons Assisted

5	Public Facilities and Infrastructure Improvements	2020	2024	Non-Housing Community Development	Citywide	Improve public facilities and infrastructure Address material barriers to accessibility	CDBG: \$1,046,859	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1 public facility over five years 6,621 Persons Assisted
6	Economic Development Assistance	2020	2024	Non-Housing Community Development	Citywide	Economic Development	CDBG: \$370,977	Economic activities: 15 Businesses Assisted

3. Evaluation of past performance

The City is currently implementing the activities included in the 2021-2022 Action Plan. As of this writing, all activities are underway.

The investment of HUD resources during the 2021-2022 program year was a catalyst for positive change in the community. Together with other federal, state and local investments, HUD resources allowed the City and its partners to accomplish the following goals:

- 1) Provide fair housing services to residents.
- 2) Provide homeless prevention and assistance services to residents.
- 3) Provide public services such as home delivered meals to senior residents and addressing elder abuse and neglect for senior residents.
- 4) Provide special needs services such as for community domestic violence for residents and substance abuse and recovery services for residents.
- 5) Provide for Section 108 Debt Service and Public Facilities improvements.

4. Summary of Citizen Participation Process and consultation process

Subsequent to the enactment of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, HUD revised the Consolidated Plan regulations at 24 CFR Part 91 to emphasize the importance of citizen participation and consultation in the development of the Consolidated Plan. HUD strengthened the consultation process with requirements for consultation with the CoC, Public Housing Authorities (PHA), business leaders, civic leaders and public or private agencies that address housing, health, social service, victim services, employment, or education needs of low-income individuals and families, homeless individuals and families, youth and/or other persons with special needs. Together with the analytic capabilities of the eCon Plan Suite, these requirements created the conditions necessary to implement a collaborative, data-driven and place-based planning process that includes a robust level of citizen participation and consultation.

In accordance with the City's Citizen Participation Plan, residents and stakeholders were able to participate in the development of the 2022-2024 Consolidated Plan through surveys, community meetings and public hearings. Efforts were made to encourage participation by low- and moderate-income persons, particularly those living in areas where HUD funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods. Efforts were made to encourage the participation of minorities and non-English-speaking persons, as well as persons with disabilities. The consultation process included representatives of the CoC, PHA, and other specified groups who completed surveys, provided local data and assisted the City to ensure practical coordination of strategies to maximize impact and to avoid duplication of effort.

2022-2023 Action Plan

In the development of the Action Plan, the City solicited applications from eligible subrecipients including non-profit organizations and public agencies for fair housing services and a variety of public service activities. The draft Action Plan was available for public review and comment from March 26, 2022, to

April 26, 2022. A public hearing to receive comments on the draft 2022-2023 Annual Action Plan was held before the Newport Beach City Council on April 26, 2022.

5. Summary of public comments

The City received one public comment during the Public Hearing meeting held April 26, 2022, from resident Jim Mosher. The comments are that:

- Using \$30,000 on delivery of meals to homebound seniors is a very worthy use of the federal CDBG money.
- Staff report may reflect typo on percentage of homebound senior citizens

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments and views received by the City in the development and approval of Action Plan were accepted and taken into consideration.

7. Summary

The 2022-2023 Action Plan addresses five of the six Strategic Plan Goals from the 2020-2024 Consolidated Plan by allocating \$405,104 of CDBG funds to projects and activities to be implemented from July 1, 2022, to June 30, 2023.

The Process

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Action Plan and those responsible for administration of each grant program and funding source.

Table 2 – Responsible Agencies

Agency Role	Name	Department/Agency
CDBG Administrator	Newport Beach	Community Development Department

Narrative

The Planning Division of the City of Newport Beach Community Development Department is the lead agency responsible for the administration of the CDBG program.

Annual Action Plan Public Contact Information

City of Newport Beach
Community Development Department, Planning Division
100 Civic Center Drive
Newport Beach, CA 92660
949-644-3309

2022-2023 Action Plan

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

For program year 2022-2023, the City anticipates receiving \$405,104 of Community Development Block Grant (CDBG) funds from HUD. The City anticipates the availability of approximately \$2.07 million of CDBG resources during the five-year period beginning July 1, 2020 and ending June 30, 2025.

Table 56 - Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 3				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Admin and Planning Economic Development Housing Public Improvements Public Services	\$405,104	\$0	\$47,229	\$452,333	\$810,208	The City assumes it will receive \$405,104 each year during the rest of this ConsolidatedPlan cycle.

Explain how federal funds will leverage those additional resources (private, state, and local funds), including a description of how matching requirements will be satisfied

Depending on the financing structure of a given activity, it may be advantageous for the City to use CDBG funds to leverage appropriate state, local, and private resources, including but not limited to those listed below.

State Resources

- State Low-Income Housing Tax Credit Program
- Building Equity and Growth in Neighborhoods Program (BEGIN)
- CalHome Program
- Multifamily Housing Program (MHP)
- Housing Related Parks Grant
- CalHFA Single and Multi-Family Program
- Mental Health Service Act (MHSA) Funding

Local Resources

- Orange County Housing & Finance Agency (OCHFA) Funding
- Southern California Home Financing Authority (SCHFA) Funding
- Orange County Continuum of Care Program
- Orange County Housing Authority (OCHA) Programs

Private Resources

- Federal Home Loan Bank Affordable Housing Program (AHP)
- Community Reinvestment Act Programs
- United Way Funding
- Private Contributions
- Public-Private Partnerships

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Newport Beach will comply with new State requirements under AB1486 and AB1255 to inventory and support developers to access and utilize surplus municipal and state land for the construction of affordable housing. If such sites are identified, the City will consider the use of CDBG or other resources to assist with site preparation. At the point of developing this Action Plan, the City does not have any publicly owned land that can be used to support the development of affordable housing within the City of Newport Beach.

Matching Requirements

The City of Newport Beach does not receive HOME Investment Partnerships funds as part of its entitlement allocation. The amount of matching is therefore not applicable for the 2022-2023 Annual Action Plan.

Discussion

Assuming continued level funding of the CDBG programs, the City expects to utilize approximately \$2.07 million of CDBG funds during the five-year period beginning July 1, 2020 and ending June 30, 2025 to achieve the goals of the Strategic Plan.

AP-20 Annual Goals and Objectives

Goals Summary Information

Table 57 - Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Program Administration	2022	2023	Program Administration	Citywide	All	CDBG: \$69,020	N/A
2	Fair Housing Services	2022	2023	Affordable Housing	Citywide	Ensure equal access to housing opportunities	CDBG: \$12,000	Other: 125 Persons Assisted
3	Public Services	2022	2023	Non-Housing Community Development	Citywide	Provide public services for low- and moderate-income residents	CDBG: \$30,000	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted
4	Homeless Services	2022	2023	Homeless	Citywide	Prevent and eliminate homelessness	CDBG: \$30,765	Homelessness Prevention: 25 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	Public Facilities and Infrastructure Improvements	2022	2023	Non-Housing Community Development	Citywide	Improve public facilities and infrastructure Address material barriers to accessibility	CDBG: \$263,319	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: Other: I (Section 108 Loan) Modification to Shelter: I
6	Economic Development Assistance	2022	2023	Non-Housing Community Development	Citywide	Economic Development	CDBG: \$0	Economic activities: 0 Businesses Assisted

Goal Descriptions

Table 58 – Goal Description

1	Goal Name	Program Administration
	Goal Description	Efficient and cost-effective implementation of CDBG program.
2	Goal Name	Fair Housing Services
	Goal Description	Affirmatively further fair housing choice through the provision of fair housing education, counseling, anti-discrimination, and landlord-tenant mediation services. The CDBG Administration activity funding for five years is also represented under this goal.
3	Goal Name	Public Services
	Goal Description	Provide public services for low- and moderate-income residents including senior citizens, families and youth including but not limited to those concerned with food, essential services, transportation, health, recreation, and employment.
4	Goal Name	Homeless Services
	Goal Description	Provide funding to community-based organizations who offer critical services for homeless and other special needs populations as determined via a competitive application.
5	Goal Name	Public Facilities and Infrastructure Improvements
	Goal Description	Based on need and available resources and results of the 2020-2024 Consolidated Plan Needs Assessment Survey, the improvement of public facilities and infrastructure owned and operated by the City of Newport Beach is rated as a high priority need for CDBG funds. In addition, Section 108 Loan Repayment and Shelter improvements are included under this goal.
6	Goal Name	Economic Development Assistance
	Goal Description	Provide technical assistance and additional support to small and micro businesses in the City of Newport Beach to provide job support and fulfill economic needs of low- and moderate-income residents.

AP-35 Projects – 91.220(d)

Introduction

To address the high priority needs identified in the Strategic Plan, the City of Newport Beach will invest CDBG funds in projects that develop provide fair housing services, provide services to low- and moderate-income residents, prevent homelessness and strengthen economic opportunities. Together, these projects will address the needs of low- and moderate-income Newport Beach residents.

The Fair Housing Services project will provide fair housing assistance to an estimated 125 moderate-income people, the Public Services project will provide assistance to an estimated 100 presumed low-income elderly people, the Homeless Services project will provide services to an estimated 25 presumed low-income people.

Table 59 - Project Information

#	Project Name
1	Program Administration
2	Fair Housing Services
3	Public Services
4	Homeless Services
5	Public Facilities and Infrastructure Improvements

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Based on the Strategic Plan, the City is allocating a majority of its non-administrative CDBG funds for program years 2020-2024 to projects and activities that benefit low- and moderate-income people throughout the City.

The primary obstacles to meeting the underserved needs of low- and moderate-income people include lack of funding from federal, state, and other local sources and the high cost of housing that is not affordable to low-income residents. To address these obstacles, the City is investing CDBG funds through the 2022-2023 Action Plan in projects that provide public services to low- and moderate-income people and projects that prevent homelessness for the low- and moderate-income residents of Newport Beach.

AP-38 Project Summary

Project Summary Information

1	Project Name	Program Administration
	Target Area	Citywide
	Goals Supported	All
	Needs Addressed	All
	Funding	CDBG: \$69,020
	Description	Effective and cost-efficient implementation of the CDBG program.
	Target Date	6/30/23
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Citywide
	Planned Activities	Program Administration
2	Project Name	Fair Housing Services
	Target Area	Citywide
	Goals Supported	Fair Housing Services
	Needs Addressed	Ensure equal access to housing opportunities
	Funding	CDBG: \$12,000
	Description	Affirmatively further fair housing choice through the provision of fair housing education, counseling, anti-discrimination and landlord-tenant mediation services.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 125 people will benefit from the proposed activity.
	Location Description	Citywide
	Planned Activities	Fair Housing Services: (125 people)

3	Project Name	Public Services
	Target Area	Citywide
	Goals Supported	Public Services
	Needs Addressed	Provide public services for low- and moderate-income residents
	Funding	CDBG: \$30,000
	Description	Provide public services for low- and moderate-income residents.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	100 people
	Location Description	Citywide.
	Planned Activities	Age Well Senior Services will provide Meals on Wheel to approximately 100 seniors.
4	Project Name	Homeless Services
	Target Area	Citywide
	Goals Supported	Homeless Services
	Needs Addressed	Prevent and eliminate homelessness
	Funding	CDBG: \$30,765
	Description	Provide funding to community-based organizations who offer critical services for homeless and other special needs populations as determined via a competitive application.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	25 people
	Location Description	Citywide

	Planned Activities	City Motel Voucher Program (10 people) \$14,765 Families Forward: (15 people) \$16,000
5	Project Name	Public Facilities and Infrastructure Improvements
	Target Area	Citywide
	Goals Supported	Public Facilities and Infrastructure Improvements
	Needs Addressed	Address material barriers to accessibility and improve public facilities and infrastructure
	Funding	CDBG: \$263,319
	Description	Section 108 Debt Service and Modifications to Shelter.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Other: 1 Modifications to Shelter: 1
	Location Description	Citywide
	Planned Activities	Section 108 Loan Repayment - \$210,548 Shelter - \$52,771

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Based on evaluation of CPD Maps data, there are no areas within the City exhibiting a greater level of need for affordable housing or services for low- and moderate-income residents and there were no areas of the City containing minority concentrations; therefore, no geographic priorities were established within the Consolidated Plan and allocation priorities will be driven by citywide need. All CDBG funds will be directed toward activities benefitting low- and moderate-income residents citywide.

The only exception to this approach would be for CDBG projects that are qualified on a low- and moderate-income area basis where a specific proportion of the residents within the service area must be low- and moderate-income residents.

Geographic Area

Table 60 - Geographic Priority Areas

	Target Area	Descriptions
I	Citywide	Newport Beach will allocate resources across the City based on need and eligibility

Rationale for the priorities for allocating investments geographically

The City's investments in Fair Housing Services, Public Services and Homelessness Prevention Services projects are based on a citywide geography because individuals in need of these services may live anywhere within the jurisdiction—particularly services for seniors and homeless individuals.

Discussion

Based on the Strategic Plan, the City is allocating 100 percent of its non-administrative CDBG funds for program year 2022-2023 to projects and activities that benefit low- and moderate-income people.

AP-55 Affordable Housing – 91.220(g)

Introduction

The City of Newport Beach will look at using non-CDBG local, state, and federal funding sources to develop new housing units. Preservation of the physical and functional integrity of existing housing units occupied by low- and moderate-income households is a cost-effective way to invest limited non-CDBG resources to retain existing housing units that are already affordable to low- and moderate-income households in the community. Additionally, rehabilitation will assist in resolving housing problems that residents face throughout Newport Beach. Addressing substandard housing conditions through housing preservation activities ensures that all economic segments of the community have the opportunity to live in decent housing that meets local standards.

Expand the Supply of Affordable Housing

Based on evaluation of 2011-2015 ACS and CHAS data, there is a need for additional rental housing units affordable for households earning less than 50 percent of AMI. Of the households earning 0-80 percent of AMI, 8,943 are cost burdened households — meaning households paying more than 30 percent of their income for housing. Additionally, 6,614 of the cost burdened households are considered severely cost burdened households — meaning that they pay more than 50 percent of their income for housing. Of the 4,410 severely cost burdened households, 3,580 are renters. Of those severely cost burdened renter households, 3,320 households earn less than 50 percent of AMI and are considered the most at risk of becoming homeless. The City will continue to use its Affordable Housing Trust Fund and other available options under the State Density Bonus law to create additional affordable housing. The City is also currently working to update its General Plan Housing Element for the 6th Cycle Regional Housing Needs Assessment (RHNA) allocation, which is 4,845 new housing units. Of that number, 70 percent are required to be affordable to very-low, low- and moderate-income households. In order to accommodate that requirement, the City is exploring new policies to encourage production of affordable housing in the 2021-2029 planning period.

Preserve the Supply of Affordable Housing

As the City's housing stock ages, a growing percentage of housing units may need rehabilitation to allow them to remain safe and habitable. The situation is of particular concern for low- and moderate-income homeowners who are generally not in a financial position to properly maintain their homes.

The age and condition of Newport Beach's housing stock is an important indicator of potential rehabilitation needs. Commonly, housing over 15 years of age will exhibit deficiencies in terms of paint, weatherization, heating / air-conditioning systems, hot water heaters and finish plumbing fixtures. Housing over 30 years of age will typically require some form of major rehabilitation, such as roof replacement, foundation work and plumbing systems. According to CHAS data showing the year that housing units were built categorized by owner and renter tenure:

- 5,680 or 27 percent of the 20,920 owner-occupied housing units built between 15 and 34 years ago (built between 1980 and 1999).

- 11,905 or 57 percent of the 20,920 owner-occupied housing units in Newport Beach were built 34 or more years ago (built prior to 1980).
- 4,745 or 28 percent of the 17,160 renter-occupied housing units in Newport Beach were built between 15 and 34 years ago (built between 1980 and 1999).
- 10,930 or 63 percent of the 17,160 renter-occupied housing units in Newport Beach were built 34 or more years ago (built prior to 1980).

Preservation of the physical and functional integrity of existing housing units occupied by low- and moderate-income households is a cost-effective way to invest limited resources to retain existing housing units that are already affordable to low- and moderate-income households in the community. Addressing substandard housing conditions through housing preservation activities ensures that all economic segments of the community have the opportunity to live in decent housing that meets local standards.

Table 61 - One Year Goals for Affordable Housing by Support Requirements

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 62 - One Year Goals for Affordable Housing by Support Type

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	0

Discussion

The Strategic Plan identifies a high priority need to expand the supply of affordable housing. However, the City will use other funding sources and methods to create affordable housing opportunities such as the Affordable Housing Trust Fund and the State Density Bonus law. As mentioned previously, the City is also exploring new affordable housing policies as part of its Housing Element update that would encourage the production of new affordable units.

AP-60 Public Housing - 91.220(h)

Introduction

The Newport Beach Housing Authority does not administer Section 8 and does not own HUD Public Housing. Newport Beach is within the service area of the Orange County Housing Authority (OCHA) for the purposes of Section 8 and Public Housing. The data presented in the tables below is for Newport Beach and the narrative responses address the needs for the entire county, with specific references to the City of Newport Beach.

Actions planned during the next year to address the needs to public housing.

In the upcoming five years, OCHA's goals are:

- Apply for additional housing assistance funding and programs that may become available.
- Explore the use of Project-Based Housing Choice Vouchers or other housing funds to promote the construction or acquisition activities that will result in additional units or developments that will serve special needs populations.
- Ensure consistent quality of assisted housing services by maintaining high performer status in Section Eight Management Assessment Program (SEMAP) scores.
- Promote Family Self-Sufficiency incentives and homeownership opportunities for Housing Choice Voucher participants in partnership with local programs and related service providers.
- Expand assisted housing choices by conducting outreach efforts to increase the number of property owners and their participation in housing assistance programs.
- Identify and utilize technology to enhance operational effectiveness and efficiency in delivery of housing assistance services.

Actions to encourage public housing residents to become more involved in management and participate in homeownership.

OCHA supports resident councils and actively seeks input from PHA residents on the management and implementation of OCHA policies and procedures.

Housing prices in Orange County are so high that homeownership opportunities are limited for OCHA residents. On a limited basis, OCHA has partnered with Habitat for Humanity to provide two affordable homeownership units, but these types of efforts are limited.

OCHA also manages a Housing Choice Voucher Homeownership Program that it markets to all OCHA program tenants.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable. OCHA is designated as a High Performing PHA.

Discussion

Newport Beach continues to support OCHA in effective administration of its limited affordable housing resources. The City also continues to work with OCHA to include the residents with Section 8 Housing Choice Vouchers in the federally funded programs administered by the City, including any homeownership programs.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City will invest CDBG funds during the 2022-2023 program year to address high priority needs identified in the 2020-2024 Consolidated Plan including preventing homelessness and providing public services to homeless populations.

Homelessness Prevention Services

The Point In Time is a biennial count of people experiencing homelessness on a given night that takes place during the last ten days in January. The count provides vital information that helps the County better understand homelessness in the community and guides the way the County and its partners respond to homelessness in Orange County.

The County of Orange is among several Continuums of Care (CoC) in Southern California that have been approved by the U.S. Department of Housing and Urban Development to reschedule the 2022 Point In Time to the last 10 days of February due to the impacts of COVID-19.

The County of Orange and Orange County Continuum of Care conducted the sheltered count the night of Monday, February 21, 2022, and the unsheltered count starting the morning of Tuesday, February 22 through Thursday, February 24. It is expected to provide the first apples-to-apples comparison with the 2019 count, when the county changed its methodology to do what officials said at the time was a broader, more thorough assessment. In counts prior to 2019, teams only collected data from a few hundred people and extrapolated from that; in the 2019 count, more than 2,200 people filled out the survey. Along with asking people where they most often sleep, the survey asks about health issues people are facing, was there a cause, such as fleeing domestic abuse, that led to their homelessness, and where in Orange County do they spend most of their time.

The results may indicate whether the past few years of work – building emergency shelters and, to a lesser extent, expanding services and adding permanent housing for the homeless – have been a success, a failure or a wash. While the data from the point-in-time count – which includes a 33-question survey for those willing to answer – will take time to process, local governments and nonprofits that provide services and shelter to the county’s homeless population are eager for the information. The 2022 Point In Time Count Full Report is anticipated to be completed in Summer 2022.

According to the results of the most recent data available from the bi-annual Point-In-Time Homeless Count (PIT Count) held on January 22, 2019, on any given night in Newport Beach, approximately 64 people are homeless. To address incidences of homelessness in Newport Beach and to prevent extremely-low income Newport Beach families from becoming homeless, the City places a high priority on programs that work to prevent homelessness or rapidly assist homeless individuals living in the community. To address this need, the City will support CDBG public service activities that help prevent homelessness and that provide a structured path to stable housing for individuals and families who become homeless.

Services for Residents with Special Needs

Analysis of available data and consultation with organizations providing services for special needs populations revealed a need for a range of additional services including, but not limited to, those concerned with domestic violence, human trafficking, mental disabilities, physical disabilities, developmental disabilities, substance abuse/alcoholism and HIV/AIDS that may be addressed by non-profit organizations. Non-profit organizations currently exist to fulfill some of these needs of individuals. Organizations such as Human Options, an Orange County-based non-profit that provides assistance to individuals experiencing domestic violence. Laura's House provides emergency shelter to women and children fleeing domestic violence situations. Radiant Health Centers provides services for those with HIV/AIDS such as free HIV and Hepatitis C testing.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

To reach out to unsheltered homeless persons and assess their individual needs for the purpose of connecting them with available emergency shelter and transitional housing resources, the City of Newport Beach, through its Planning Division will provide information and referrals — primarily to 2-1-1 Orange County. Additionally, to reduce and end homelessness, the City of Newport Beach will provide CDBG public service funds to the following activities:

- Families Forward: Housing Program (15 people)
- Newport Beach Motel Voucher Program (10 people)

Addressing the emergency shelter and transitional housing needs of homeless persons

The City has taken a number of steps to address this very complex issue. City staff and City Net, a contractor that assists with community outreach and case management services, work in collaboration to engage these individuals and connect them with services such as emergency housing, mental and health care, benefits counseling and a variety of other community-based programs and services. It is not uncommon for individuals to be resistant to engagement at first. The more successful interventions are built upon a pattern of consistent engagement and building trust so that the individual will be in a position to accept the assistance that will lead to a lasting solution to their homelessness.

The City has a dedicated, full-time police officer and a homeless coordinator who focus on the issue of homelessness. The Homeless Liaison Officer works closely with the County of Orange Health Care Agency's case management staff and City Net to provide homeless outreach services. The uniqueness of each homeless individual's situation requires an individual approach. Due to the fact that each individual's needs are different, City staff works with the homeless individuals on a case-by-case basis.

It is important to understand that individuals are often resistant to seeing case workers or police officers assigned to work with those experiencing homelessness. Multiple visits may be required before gaining a person's trust in a

way that opens a conversation about solutions. That is why, in addition to the full-time officer, the City has contracted with City Net to provide homeless outreach services. Street outreach services seeks to connect unsheltered homeless individuals with emergency shelter, housing, critical services, healthcare, or urgent, non-facility-based care.

Newport Beach has entered a partnership with the City of Costa Mesa for shelter beds at the Costa Mesa Bridge Shelter, which opened in Spring 2021. In addition to temporary housing, the Bridge Shelter provides case workers who assist homeless individuals with addiction and mental health counseling, job searches, and accessing permanent housing.

Cities and counties are obligated to follow state laws, federal laws and court rulings that define the parameters of what can and cannot be done when addressing the impacts of homelessness. Newport Beach, along with the rest of the cities in Orange County, must follow and comply with those laws and court rulings.

In September 2018, the United States Ninth Circuit Court of Appeals ruled that as long as there is no option for sleeping indoors, the government cannot criminalize individuals experiencing homelessness from sleeping outdoors on public property. As a result, the federal judge overseeing Orange County's homeless issues was asked to block cities from enforcing anti-camping laws if the city does not have an adequate, alternative sleeping location for individuals experiencing homelessness, such as a shelter bed or other housing.

To address the emergency shelter and transitional housing needs of homeless persons, the City supports the Families Forward Housing Program that provides transitional housing, counseling, and case management to families at risk of homelessness. Each year, Families Forward serves approximately 12 additional unduplicated people because of CDBG funding. In addition, the City will support a City-run motel voucher program to assist 10 homeless individuals.

Other organizations in the Continuum of Care (CoC) addressing the emergency shelter and transitional housing needs of homeless persons include City Net, Orange Coast Interfaith Shelter, Orange County Rescue Mission and WISEPlace.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

To address the needs of homeless families, families with children, veterans and their families, the City supports the Families Forward Housing Program, which provides transitional housing, counseling, and case management to families at risk of homelessness. Each year, Families Forward serves approximately 12 unduplicated Newport Beach residents through its transitional housing program. When paired with financial counseling, career coaching and other available case management services, Families Forward makes certain that families are ready to succeed in their transition to permanent housing.

In addition, Trellis International is a local non-profit organization which provides volunteer opportunities for individuals experiencing homelessness or housing insecurity to learn and/or rebuild job skills and a path toward stable employment and housing. Through volunteer projects managed by Trellis' Community Impact Team (CIT), participants develop and refine job skills needed to reenter the job market and remain employed. The projects in Newport Beach may include cleanup of beaches, hiking trails, parking lots, piers and other public areas, graffiti removal, vegetation trimming and removal, and more.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The Orange County CoC Ten Year Plan to End Homelessness included a goal to establish countywide protocols and procedures to prevent people from being discharged from public and private institutions of care into homelessness that will help decrease the number of persons being discharged into homelessness. The CoC is seeking improve coordination among publicly and privately funded institutions of care and local service agencies in the County of Orange in order to decrease the number of persons being discharged into homelessness annually.

City Net is an organization that coordinates outreach among homeless service providers in the county with vulnerable homeless neighbors. City Net collects data for a Homeless Services Dashboard Report with frequent meetings on how to improve public services that enables organizations in Newport Beach to better coordinate their efforts and leverage key synergies.

Preventing and ending homelessness is a HUD priority addressed nationally through coordination of regional strategies carried out locally by government agencies and a wide variety of community-based organizations and faith-based groups. Consistent with this approach, the City of Newport Beach supports the efforts of Orange County Continuum of Care (CoC) and its member organizations that address homelessness throughout Orange County. In alignment with this strategy, the City will use CDBG funds to support local service providers with programs to prevent homelessness and to expand the supply of affordable housing in Newport Beach for low- and moderate-income residents.

Discussion

The City of Newport Beach considers ending and preventing homelessness a high priority and will support CDBG public service activities that help prevent homelessness and that provide a structured path to stable housing for individuals and families who become homeless.

A new mobile crisis intervention program to address mental health issues in the community is up and running in Newport Beach. The Be Well OC Mobile Crisis Response Team is working closely with City's public safety departments to address mental health challenges among the City's homeless population, as well as residents and visitors who may be experiencing a mental health crisis.

Under the Be Well OC program, Newport Beach now has a dedicated two-person team of experienced crisis counselors working 12 hours a day, 7 days a week. The team responds to mental health calls for service to the Police Department's non-emergency or 911 call lines. Individuals may be transported to Be Well OC's local crisis center, or a detox facility or shelter, as needed. The service provides direct mental health intervention and will reduce the need for police and emergency medical services in these cases.

The Be Well OC program supplements and augments the City's current efforts to address homelessness, which include a shelter partnership with the City of Costa Mesa, and the pilot program with Trellis International providing volunteer opportunities for individuals experiencing homelessness to learn and/or rebuild job skills and a path toward stable employment and housing.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

A barrier to affordable housing is a public policy or nongovernmental condition that constrains the development or rehabilitation of affordable housing, such as land use controls, property taxes, state prevailing wage requirements, environmental protection, cost of land and availability of monetary resources. Barriers to affordable housing are distinguished from impediments to fair housing choice in the sense that barriers are lawful and impediments to fair housing choice are usually unlawful.

Based on information gathered during community meetings, the Consolidated Plan Needs Assessment Survey, the 2014-2021 Housing Element and market analysis, the primary barriers to affordable housing in Newport Beach are housing affordability and the lack of monetary resources necessary to develop and sustain affordable housing. The two barriers are related in the sense that demand for affordable housing exceeds the supply and insufficient resources are available to increase the supply of affordable housing to meet demand.

For low- and moderate-income households, finding and maintaining decent affordable housing is difficult due to the high cost of housing in Newport Beach and throughout the region in general. Over 20 percent of the City's 38,075 households experience a cost burden or severe cost burden, meaning that they pay more than 30 or 50 percent of their income for housing, respectively. Consistent with available data, responses to the 2020-2024 Consolidated Plan Needs Assessment Survey indicate a high need for additional affordable housing in Newport Beach.

Actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In the development of the 2021-2029 Housing Element, the City evaluated significant public policies affecting affordable housing. The Housing Element identifies and analyzes the City's existing and projected housing needs. The Housing Element contains a detailed outline and work program of the City's goals, policies, and quantified objectives for the preservation, improvement, and development of housing for a sustainable future. This includes timelines for the City to accomplish each identified action within the Housing Plan.

As is common in many communities, a variety of constraints affect the provisions and opportunities for adequate housing in the City of Newport Beach. Housing constraints consist of both governmental constraints, including but not limited to land use controls, development fees and permitting fees, development standards, building codes and permitting processes; as well as, nongovernmental or market constraints, including but not limited to land costs, construction costs, and availability of finances. Combined, these factors create barriers to availability and affordability of new housing, especially for lower and moderate-income households.

On February 8, 2022, the Newport Beach City Council adopted an update to its Housing Element for the 2021-2029 planning cycle in response to the 6th Cycle Regional Housing Needs Assessment (RHNA) allocation of 4,845 new housing units for Newport Beach. On February 11, 2022, the City submitted the adopted update to the State Department of Housing and Community Development (HCD) for a mandatory 60-day review.

Discussion:

To address housing affordability and the lack of monetary resources for affordable housing, the City's goals, policies, and programs will be aimed at providing additional housing opportunities, removing governmental constraints to affordable housing, improving the condition of existing housing, and providing equal housing opportunities for all residents. These goals, policies, and programs further the City's overall housing policy goal to encourage a more diverse, sustainable, and balanced community through implementation of strategies and programs that will result in economically and socially diversified housing choices that preserve and enhance the special character of Newport Beach.

The City of Newport Beach has identified the following housing goals as part of this Housing Element Update:

Housing Goal #1: Provision of adequate sites to accommodate projected housing unit growth needs identified by the 2021-2029 RHNA.

Housing Goal #2: Quality residential development and the preservation, conservation, and appropriate redevelopment of housing stock.

Housing Goal #3: A variety of housing types, designs, and opportunities for all social and economic segments.

Housing Goal #4: Housing opportunities for as many renter- and owner-occupied households as possible in response to the market demand and RHNA obligations for housing in the City.

Housing Goal #5: Preservation of the City's housing stock for extremely low-, very low-, low-, and moderate-income households.

Housing Goal #6: Housing opportunities for special needs populations.

Housing Goal #7: Equal housing opportunities in the City for all people.

Housing Goal #8: Effective and responsive housing programs and policies.

The goals listed above are described in further detail in the Housing Plan.

As directed by the recently adopted 2021-2029 General Plan Housing Element, the City is developing an inclusionary housing program that would require developers to provide a minimum percentage of lower- and moderate-income dwelling units within new residential developments. The City is considering several policies, regulations, and incentives to help achieve the Regional Housing Needs Assessment (RHNA) allocation of 4,845 new housing units that the City must plan for over the next 8 years. Of the total RHNA, about 71% must be planned to accommodate moderate- and lower-income households.

AP-85 Other Actions – 91.220(k)

Introduction:

In the implementation of the 2022-2023 Annual Action Plan, the City will invest CDBG resources to address obstacles to meeting underserved needs, reduce the number of poverty-level families, develop institutional structure and enhance coordination between public and private social service agencies.

Actions planned to address obstacles to meeting underserved needs

The primary obstacles to meeting the underserved needs of low- and moderate-income people include lack of funding from federal, state, and other local sources, and the high cost of housing that is not affordable to low- income people. To address these obstacles, the City is investing CDBG funds through the 2022-2023 Action Plan in projects that provide assistance to those with special needs, projects that prevent homelessness, and strengthen economic opportunities for low- and moderate-income residents. To address underserved needs, the City is allocating 100 percent of its non-administrative CDBG investments for program year 2022-2023 to projects and activities that benefit low- and moderate-income people or people presumed under HUD regulations to be low- and moderate-income.

Actions planned to foster and maintain affordable housing

In the implementation of the 2022-2023 Annual Action Plan, the City will continue to look at alternate funding sources and programs to preserve and maintain existing affordable housing such as the County's Residential Rehabilitation Program.

Actions planned to reduce lead-based paint hazards

The City of Newport Beach does not currently implement a Residential Rehabilitation Program, however if they are to implement such a program in the future, the City will disseminate brochures provided by the U.S. Environmental Protection Agency to all applicants as part of the transmittal of the program application. Any unit receiving assistance through the program that was built prior to January 1, 1978 will be tested for lead-based paint. If lead-based paint is present, appropriate abatement procedures are implemented as part of the rehabilitation contract consistent with the requirements of 24 CFR Part 35.

Actions planned to reduce the number of poverty-level families

The implementation of activities funded with other non-CDBG federal, state and local resources will support the City's effort in reducing the number of poverty-level families by:

- Supporting activities that expand the supply of housing that is affordable to low- and moderate- income households, including investment of the City's Housing Trust Fund resources and using the State Density Bonus law to incentivize the development of additional affordable housing units;
- Supporting a continuum of housing and public service programs to prevent and eliminate homelessness;
- Supporting housing preservation programs that ensure low income households have a safe, decent and appropriate place to live; and

- Supporting public services through various nonprofits funded by CDBG that serve the community's youth, seniors, families and those with special needs.

In addition to these local efforts, mainstream state and federal resources also contribute to reducing the number of individuals and families in poverty. Federal programs such as the Earned Income Tax Credit and Head Start provide a pathway out of poverty for families who are ready to pursue employment and educational opportunities. Additionally in California, the primary programs that assist families in poverty are CalWORKs, CalFresh (formerly food stamps) and Medi-Cal. Together, these programs provide individuals and families with employment assistance, subsidy for food, medical care, childcare and cash payments to meet basic needs such as housing, nutrition and transportation. Other services are available to assist persons suffering from substance abuse, domestic violence and mental illness.

[Actions planned to develop institutional structure](#)

The institutional delivery system in Newport Beach is high-functioning and collaborative — particularly the relationship between local government and the nonprofit sector comprised of a network of capable community-based organizations that are delivering a full range of services to residents. Organizations such as City Net coordinate housing support groups to increase coordination and leverage key synergies to improve resident outcomes. Affordable housing development and preservation activities will be carried out by the Planning Division of the Community Development Department in partnership with other agencies. Public service activities will be carried out by nonprofit organizations to achieve the Strategic Plan goals. The Planning Division and the Engineering Department will work together with contractors to implement public facility improvement projects.

One of the key ways the City is developing and expanding institutional structure to meet underserved needs is by funding a wide variety of services targeted to seniors, special needs populations and individuals or families at risk of homelessness with CDBG public service grants.

[Actions planned to enhance coordination between public and private housing and social service agencies](#)

To enhance coordination between public and private housing and social service agencies, the City will continue consulting with and inviting the participation of a wide variety of agencies and organizations involved in the delivery of housing and supportive services to low- and moderate-income residents in Newport Beach.

Discussion

In the implementation of the 2020-2024 Consolidated Plan, the City will invest CDBG resources to address obstacles to meeting underserved needs, reduce the number of poverty-level families, develop institutional structure and enhance coordination between public and private social service agencies.

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

In the implementation of programs and activities under the 2022-2023 Annual Action Plan, the City of Newport Beach will follow all HUD regulations concerning the use of program income, forms of investment, overall low-and moderate-income benefit for the CDBG program.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low-and moderate-income. Overall Benefit - A consecutive period of one,two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Discussion:

In the implementation of programs and activities under the 2022-2023 Annual Action Plan, the City of Newport Beach will follow all HUD regulations concerning the use of program income, forms of investment, overall low-and moderate-income benefit for the CDBG program.



2022 - 2023 ANNUAL ACTION PLAN
JULY 1, 2022 THROUGH JUNE 30, 2023

APPENDIX A
Citizen Participation

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Orange**

**I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the action for which the attached notice was published. I am a principal clerk of the Newport Harbor News Press Combined with Daily Pilot, which was adjudged a newspaper of general circulation on June 19, 1952, Cases A24831 for the City of Newport Beach, County of Orange, and State of California. Attached to this Affidavit is a true and complete copy as was printed and published on the following date(s):
Apr 02, 2022**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

**Dated at Fountain Valley, California
on this 5th day of April, 2022.**

Wendy Cooper

[signature]

**10540 Talbert Avenue
Fountain Valley, CA 92708**

Sold To:

City of Newport Beach - CA11072031
100 Civic Center Dr
Newport Beach, CA 92660-3267

Bill To:

City of Newport Beach - CA11072031
100 Civic Center Dr
Newport Beach, CA 92660-3267

LEGAL NOTICE



**NOTICE OF PUBLIC HEARING AND 30-DAY PUBLIC REVIEW
 FOR THE CITY OF NEWPORT BEACH
 2022-2023 DRAFT ACTION PLAN**

NOTICE IS HEREBY GIVEN that on **Tuesday, April 26, 2022, at 4:00 p.m.**, or soon thereafter as the matter shall be heard, a public hearing will be conducted in the City Council Chambers at 100 Civic Center Drive, Newport Beach. The City Council of the City of Newport Beach will receive public comments and consider the following:

2022-2023 Draft Action Plan for the upcoming fiscal year beginning July 1, 2022 and ending June 30, 2023. The Action Plan is a grant application to the U.S. Department of Housing and Urban Development (HUD) for the third of five fiscal years covered by the City's current 2020-2024 Consolidated Plan. The Action Plan will appropriate Community Development Block Grant (CDBG) funding of approximately \$391,662, to specific activities for the 2022-2023 fiscal year to address Strategic Plan goals included in the Five-Year Consolidated Plan.

NOTICE IS HEREBY FURTHER GIVEN that the publication of this notice commences a minimum 30-day public review period as required under Federal Regulation 24 CFR 91.105(b)(2) and the City's Citizen Participation Plan. This public review and comment period begin **March 26, 2022** and run through **April 26, 2022**. The public is invited to submit written comments on the draft document to the Community Development Department no later than 2:00 p.m. on April 26, 2022. Copies of the 2022-2023 Draft Action Plan will be available for public review on the City's website at <http://www.newportbeachca.gov/CDBGreports> and at the following locations:

City Clerk's Office 100 Civic Center Drive Newport Beach, CA, 92660 (949) 644-3005	Community Development Department 100 Civic Center Drive Newport Beach, CA, 926660 (949) 644-3200	Central Library 1000 Avocado Ave Newport Beach, CA 92660 (949) 717-3800
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NOTICE IS HEREBY FURTHER GIVEN that the approval of the 2022-2023 Action Plan categorically exempt pursuant to Section 15301, of the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

ACCESSIBILITY TO MEETINGS AND DOCUMENTS

It is the objective of the City to comply with Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendment Act of 2008, the Fair Housing Act, and the Architectural Barriers Act in all respects. If you require public documents in an accessible format, the City will make reasonable efforts to accommodate your request. If you require a disability-related accommodation to attend or participate in a hearing or meeting, including auxiliary aids or services, please contact the City Clerk's Office at least 72 hours prior to the meeting at (949) 644-3005.

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. The application may be continued to a specific future meeting date, and if such an action occurs additional public notice of the continuance will not be provided. Individuals not able to attend the meeting may contact the City Clerk or access the City's website after the meeting to review the action on this application.

Questions and written comments may be addressed to Lauren Wooding Whitinger, Real Property Administrator at 100 Civic Center Drive, Newport Beach, CA 92660. You may also call Ms. Wooding Whitinger at (949) 644-3236 with any questions concerning this notice.

Leitani I. Brown, MMC
 City Clerk
 City of Newport Beach

**PROOF OF PUBLICATION
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA
County of Orange**

**I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the action for which the attached notice was published. I am a principal clerk of the Newport Harbor News Press Combined with Daily Pilot, which was adjudged a newspaper of general circulation on June 19, 1952, Cases A24831 for the City of Newport Beach, County of Orange, and State of California. Attached to this Affidavit is a true and complete copy as was printed and published on the following date(s):
Jan 15, 2022**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

**Dated at Fountain Valley, California
on this 21st day of January, 2022.**

Wendy Cooper

[signature]

**10540 Talbert Avenue
Fountain Valley, CA 92708**

Sold To:

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100 Civic Center Dr
Newport Beach, CA 92660-3267**

Bill To:

**City of Newport Beach - CA11072031
100 Civic Center Dr
Newport Beach, CA 92660-3267**

LEGAL NOTICE



**City of Newport Beach Notice of Funding Availability (NOFA)
Inviting Applications for the Community Development
Block Grant (CDBG) Program for Fiscal Year 2022-23**

APPLICATIONS DUE FEBRUARY 18, 2022

The Federal Housing and Community Development Act of 1974, as amended, provides Community Development Block Grant (CDBG) funds to the City of Newport Beach for projects that promote the development of viable urban communities by providing decent housing, suitable living environments, and expanded economic opportunities, particularly for low- and moderate-income persons. The City anticipates receiving an allocation of approximately \$391,662 and may use up to 15 percent of the allocation to provide public services.

NOTICE IS HEREBY GIVEN that the City of Newport Beach is currently accepting applications from non-profit organizations requesting funds to provide public services to low- and moderate-income residents. Prioritization will be given to organizations that demonstrate the capacity to implement the program in accordance with the requirements established by the United States Department of Housing and Urban Development (HUD), and whose services will help revitalize neighborhoods, promote economic development, and improve community facilities and services in Newport Beach. Additional information about the City's prior years' strategic plans and performance reports are available for viewing online at: <http://www.newportbeachca.gov/CDBGreports>.

ELIGIBLE APPLICATIONS: Applications must demonstrate that the service to be provided will principally benefit persons of low- and moderate-income (households earning less than 80 percent of Orange County's median income). Examples of eligible services include housing and/or support programs for victims of domestic violence, abused children/youth, the disabled, seniors, or the homeless. Additionally, services addressing unemployment, inadequate healthcare, crime prevention, or substance abuse rehabilitation are eligible. Again, all programs must benefit persons of low- and moderate-incomes. Applications will also be accepted from organizations seeking to provide fair housing and landlord-tenant services in accordance with HUD requirements.

DEADLINE: All interested applicants must complete and submit an application, available at <http://www.newportbeachca.gov/CDBGapplication>. Applications will be accepted until **2:00 p.m. on Friday, February 18, 2022**, at the City of Newport Beach, Community Development Department, located at 100 Civic Center Drive, Newport Beach, CA 92660.

Questions regarding this NOFA should be directed to Priscila Dávila, CDBG Consultant, at (562) 673-3388.



2022 - 2023 ANNUAL ACTION PLAN
JULY 1, 2022 THROUGH JUNE 30, 2023

APPENDIX B

SF-424, SF-424D, CDBG Certifications, and Resolution

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): _____ * Other (Specify): _____
* 3. Date Received: _____	4. Applicant Identifier: _____	
5a. Federal Entity Identifier: CA62454	5b. Federal Award Identifier: B-22-MC-06-0546	
State Use Only:		
6. Date Received by State: _____	7. State Application Identifier: _____	
8. APPLICANT INFORMATION:		
* a. Legal Name: City of Newport Beach		
* b. Employer/Taxpayer Identification Number (EIN/TIN): 95-6000751	* c. UEI: FPFYQSEFJ8M3	
d. Address:		
* Street1: 100 Civic Center Drive	_____	
Street2:	_____	
* City: Newport Beach	_____	
County/Parish:	_____	
* State: CA: California	_____	
Province:	_____	
* Country: USA: UNITED STATES	_____	
* Zip / Postal Code: 92660-3267	_____	
e. Organizational Unit:		
Department Name: Community Development	Division Name: _____	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: Ms.	* First Name: Lauren	_____
Middle Name:	_____	
* Last Name: Wooding Whitlinger	_____	
Suffix:	_____	
Title: Real Property Administrator		
Organizational Affiliation: _____		
* Telephone Number: 949-644-3263	Fax Number: _____	
* Email: lwooding@newportbeachca.gov		

Application for Federal Assistance SF-424

*** 9. Type of Applicant 1: Select Applicant Type:**

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14-218

CFDA Title:

Community Development Block Grant (CDBG) Entitlement Grants

*** 12. Funding Opportunity Number:**

N/A

* Title:

N/A

13. Competition Identification Number:

N/A

Title:

N/A

14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

*** 15. Descriptive Title of Applicant's Project:**

Application for CDBG funds: Administration and funding of eligible programs/activities.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal	<input type="text" value="405,104.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="405,104.00"/>

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

- Yes
- No

If "Yes", provide explanation and attach

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

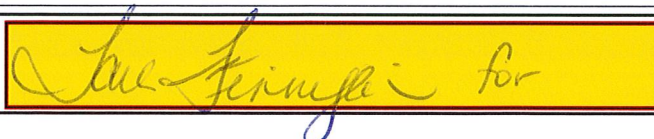
Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative:



* Date Signed:

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE City Manager
APPLICANT ORGANIZATION City of Newport Beach	DATE SUBMITTED 6-24-22

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

[Signature]
Signature of Authorized Official

6/7/2022
Date

City Manager
Title

Attest:
[Signature]
Leilani I. Brown, MMC, City Clerk

Date: 6.8.2022



Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2022-2023 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.



Signature of Authorized Official

6/7/2022
Date

City Manager
Title

Attest:



Leilani I. Brown, MMC, City Clerk

Date: 6.8.2022



OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

[Handwritten Signature]
Signature of Authorized Official

6/7/2022
Date

City Manager
Title

Attest:

Leilani I. Brown
Leilani I. Brown, MMC, City Clerk

Date: 6.8.2022



APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESOLUTION NO. 2022-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING THE 2022-2023 ANNUAL ACTION PLAN FOR ALLOCATION OF THE FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDS FOR FISCAL YEAR 2022-2023

WHEREAS, the City of Newport Beach ("City") participates in the United States Department of Housing and Urban Development's ("HUD") Community Development Block Grant ("CDBG") program;

WHEREAS, HUD requires the City to prepare a Five-Year Consolidated Plan and Citizen Participation Plan outlining the use of CDBG funds, strategic vision for housing and community development in the City, and receipt of community input regarding the expenditure of CDBG funds;

WHEREAS, HUD also requires the City to prepare an Annual Action Plan for the appropriation of the CDBG annual grant and other available grant funds for the fiscal year;

WHEREAS, on May 12, 2020, the City Council adopted Resolution No. 2020-51 approving the current 2020-2024 Consolidated Plan and Citizen Participation Plan;

WHEREAS, the City anticipates receiving approximately \$391,662.00 in grant funds for Fiscal Year 2022-2023;

WHEREAS, on January 15, 2022, in accordance with Section G.1(b) of the Citizen Participation Plan, a Notice of Funding Availability was published in the Daily Pilot newspaper and sent to known non-profit community organizations currently operating within the City requesting proposals to provide public services to low- and moderate-income residents and fair housing services to all residents of the community;

WHEREAS, the City received two (2) proposals to provide public services and two (2) proposals to provide fair housing services;

WHEREAS, in accordance with applicable sections of 24 Code of Federal Regulations (CFR) Part 91, the City prepared a draft 2022-2023 Annual Action Plan that appropriates the anticipated Fiscal Year 2022-2023 grant funding to various programs and projects consistent with the 2020-2024 Consolidated Plan and HUD requirements;

WHEREAS, on March 26, 2022, a public notice was published in the Daily Pilot newspaper that the draft 2022-2023 Annual Action Plan would be available for public review and comment from March 26, 2022 to April 26, 2022; and

WHEREAS, on April 26, 2022, a public hearing was held by the City Council in the Council Chambers located at 100 Civic Center Drive, Newport Beach, California, regarding the draft 2022-2023 Annual Action Plan. A notice of time, place and purpose of the public hearing was given in accordance with California Government Code Section 54950 *et seq.* ("Ralph M. Brown Act") and 24 Code of Federal Regulations Part 91. Evidence, both written and oral, was presented to, and considered by, the City Council at this public hearing.

NOW, THEREFORE, the City Council of the City of Newport Beach resolves as follows:

Section 1: The City Council does hereby approve the 2022-2023 Annual Action Plan attached as Exhibit "A" to this resolution, which is incorporated herein by reference.

Section 2: The City Council authorizes the City Manager, or his/her designee, to: 1) proportionally adjust appropriations to specific programs and projects as necessary to conform with the final 2022-2023 formula grant allocation of CDBG funds from HUD if the appropriation is more or less than \$391,662.00; 2) submit the 2022-2023 Annual Action Plan to HUD; 3) execute the Fiscal Year 2022-2023 CDBG Program Grant Agreement and all related documents on behalf of the City; 4) execute all subrecipient agreements with the nonprofit organizations receiving allocations of CDBG funds in the 2022-2023 Annual Action Plan; and 5) authorize the Community Development Department Director, or his/her designee, to be the official representative of the City, to administer the 2022-2023 Annual Action Plan and to submit required environmental documentation to HUD for CDBG projects.

Section 3: The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

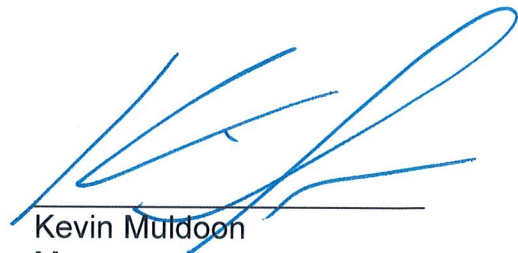
Section 4: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 5: The City Council finds that the development of required plans and allocation of CDBG program funds is exempt from the National Environmental Policy Act of 1969 ("NEPA") under 24 CFR Part 58, Section 58.34 as it is an administrative activity and will not have a physical impact or result in physical changes to the environment.

Section 6: The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

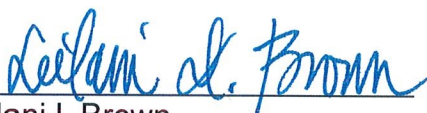
Section 7: This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.

ADOPTED this 26th day of April, 2022.



Kevin Muldoon
Mayor

ATTEST:



Leilani I. Brown
City Clerk



APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney

Attachment(s): Exhibit A – 2022-2023 Annual Action Plan