

**Substantial Amendment**  
**Amendment to the 2020-2024 Consolidated Plan**  
**Amendment to the 2020-2021 One-Year Action Plan**  
**Amendment for City of Turlock Citizen Participation Plan**

**DRAFT**

**City of Turlock and Turlock/Stanslaus Urban County HOME Consortia**

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The draft substantial amendments to the City of Turlock’s FY 2020-2024 Consolidated Plan which includes the FY 2020-2021 Annual Action Plan and an amendment to the Citizen participation Plan to address changes and the community needs resulting from the COVID-19 pandemic. The City of Turlock, as an entitlement jurisdiction, is required by the U.S. Department of Housing and Urban Development (HUD) to submit a 5-Year Consolidated Plan and Annual Action Plans in order to receive annual federal Community Development Block Grant (CDBG) and HOME Investment Partnership programs (HOME) Consortia funds that the City uses to address community development needs throughout the City and Consortia. The City’s Citizen Participation Plan is critical in ensuring that residents are provided the opportunity to provide input and comment on the Consolidated Plan and Action Plans.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (H.R. 748), which provided \$5 billion to the CDBG program to rapidly respond to the COVID-19 pandemic, was signed into law on March 27, 2020. With the passage of the CARES Act, the City of Turlock was allocated \$386,829 (CDBG-CV1) and \$474,673 (CDBG-CV3) in CDBG Coronavirus, for COVID-19 response activities. To access these CDBG-CV funds, HUD is requiring the City to substantially amend its FY 2020-2024 Consolidated Plan (Con Plan) and its FY2020-2021 Annual Action Plan (Action Plan) as well as its Citizen Participation Plan. The substantial amendments to these documents are provided in details below.

The CARES Act, in order to prevent the spread of COVID-19 and mitigate its health and economic impacts, also provided specific waivers and permitted flexibility in CDBG program requirements that include suspending the 15 percent cap on funding for public services, reducing the public comment period from 30 days to 5 days, and allowing the option of virtual meetings in lieu of in-person public hearings in order to comply with national and local social gathering requirements.

**Citizen Participation**

The public comment period for the draft Substantial Amendments is March 10, 2021 through March 23, 2021. The Substantial Amendments are posted on the City’s website at <https://ci.turlock.ca.us/housingprograms/programplansreports/> to solicit residents’ and other interested parties and opportunity to provide input and comments on the proposed Amendment. A public hearing will be held at the **6:00 pm March 23, 2021 City Council meeting** to further solicit public comments and to review and approve the submission of the draft

Substantial Amendments to HUD. Please see the city website at under “council meetings” for current information about meeting access and public participation or call Administration at (209) 668-5540. Written comments or inquiries may be submitted to Housing Supervisor, by email to: [mramos@turlock.ca.us](mailto:mramos@turlock.ca.us) or at (209) 668-5610 no later than March 23, 2020 at 5:00 p.m.

### **Substantial Amendment to FY 2020-2024 Consolidated Plan**

The FY 2020-2024 Consolidated Plan is substantially amended to allocate CDBG-CV funds to the following eligible activities that prevent and respond to the spread of COVID-19. The following new language are added to the Consolidated Plan:

#### **SP-35 Anticipated Resources**

Updated CDBG-CARES funding to \$861,502 from \$386,829 funds identified as other additional financial resources. Additional funding was allocated to Turlock.

#### **MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)**

##### **Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.**

No longer viewed as a luxury, high speed broadband is often needed for residents to fully engage in an expanding array of education, social, employment, financial, and healthcare services. Internet access throughout the County is relatively high but not universal for all households. The 2018 American Community Survey (ACS) found that 87% of households in Stanislaus County have an internet subscription plan.

Although Stanislaus County and the City of Turlock are served by multiple internet service providers (see below), cost is typically the greatest hurdle that low- and moderate-income households face in accessing internet services. Households without an internet subscription in are far more likely to have incomes under \$75,000, Of all households in Stanislaus County, 13% (22,388) did not have an active internet subscription in 2018 according to ACS data. Those households earning less than \$20,000 annually account for 43% of all households without an internet subscription in Stanislaus County.

##### **Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.**

Competition across Stanislaus County is commensurate with other regions areas across the United States. The primary providers are AT&T, Xfinity Comcast, Spectrum, Hughes Net, and Viasat. Comparing prices of the three largest providers (AT&T, Xfinity, and Spectrum), the average cost for the lowest plan that qualifies as broadband is about

\$45/month. Increased competition and the ability for residents to reasonably switch providers will work to keep prices down.

Given competition among broadband carriers, the primary role of local governments will be to assist in the permitting process for carriers to implement infrastructure plans as carriers roll out 5G and as wired broadband continue to expand.

Stanislaus County at-large is well above the national average considering broadband access and competition. Lack of broadband provider competition leaves room for market rigidity – allowing providers to not offer affordable options for low- or moderate-income families. Ultimately, the lack of market options when considering broadband access disproportionately impacts low- and moderate-income households because they often have few financial resources to spend on what may be deemed non-essentials, such as broadband services. However, Stanislaus County has relatively high broadband coverage with multiple providers. For those households that do struggle for broadband access, all city libraries offer free internet access.

**Percent of Households by Number of Internet Service Providers**

Jurisdiction	No providers	1 or more providers	2 or more providers	3 or more providers
City of Turlock	0.0	100	100	100
Stanislaus County	0.0	100	100	100
California	0.0	100	100	98.0
Nationwide	0.10	99.9	98.7	89.3

Source: FCC Broadband Mapping – [broadbandmap.fcc.gov](http://broadbandmap.fcc.gov)

Broadband Access

**MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)**

**Describe the jurisdiction’s increased natural hazard risks associated with climate change.**

Based on the Regional Hazard Mitigation Plan adopted in July 2018, the following hazards were assessed and reviewed based on their risks in conjunction with climate changes.

**Earthquake Hazard**

The impact of climate change on earthquakes is unclear. There are some articles that claim climate change and drought, resulting from climate change, may increase the likelihood of earthquakes, but there seems to be no consensus within the scientific community.

### **Landslide Hazard**

Climate change may impact storm patterns in California, increasing the probability of more frequent, intense storms with varying duration. Increase in global temperature could affect the snowpack and its ability to hold and store water. Warming temperatures also could increase the occurrence and duration of droughts, which would increase the probability of wildfire, reducing the vegetation that helps to support steep slopes. Tree mortality resulting from drought, pests or any other threat could also pose an increase to landslides. Currently, Stanislaus County is not experiencing tree mortality as severe as other areas of California due to the drought and bark beetle. However, any future loss of trees would reduce the protection of steep slopes and thereby increase the probability for landslide occurrences.

### **Dam Failure Hazard**

An article published by researchers D. E. Rheinheimer and J.H. Viers from the University of California at Davis discusses the effects of climate change on reservoir operations. The article is titled Combined Effects of Reservoir Operations and Climate Warming on the Flow Regime of Hydropower Bypass Reaches of California's Sierra Nevada. This article and others imply that climate change will impact the traditional operation measures and flow regimes used for dams as river conditions and water levels are fluctuating. Climate change may increase drought which lessens the water available or may produce intense sudden storms. Reservoir operators may need to change operations to mitigate the impact of climate change on rivers and the ecosystem. The vulnerable populations could be impacted by a Dam failure. Probability of this is considered very low, but in the event, it is noted that; vulnerable populations are downstream from a potential dam failure. The populations most vulnerable are those that have the least time to evacuate and need assistance. Populations that may need assistance to evacuate include the elderly, disabled and young. The vulnerable population also includes those who may not have adequate warning to evacuation from emergency notification systems. The loss of life is impacted by the amount of early warning time first responders and the public has prior to the incident.

### **Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.**

Based on the Regional Hazard Mitigation Plan adopted in July 2018, an assessment of vulnerability was also done for each potential hazard. Those results are below.

### **Earthquake Hazard**

Structures and populations along the Interstate 5 corridor and within the Diablo Range are most vulnerable to damage. All populations are vulnerable to impacts of any

earthquake. However, the area of the county identified for the most intense shaking is the least populated. The most vulnerable populations are those that live in older homes. The structures in place prior to 1976 are considered most vulnerable due to less strict building codes.

### **Landslide Hazard**

There has been limited development in the Diablo Grande area. Diablo Grande is located seven miles west of I-5. The development was approved by the Board of Supervisors in 1993 for 5,000 residences. As a result of the economic turn down in 2008, build out of the residential area was stalled. There are currently 425 occupied residences and building is projected to continue over the next few years. Aside from the limited development in the Diablo Grande area, there has been no significant change in development in the unincorporated areas impacted by landslide within Stanislaus County since the last LHMP update

### **Dam Failure Hazard**

The catastrophic failure of Don Pedro, New Melones or New Exchequer dams would have severe consequences resulting in injuries, loss of life, limited transportation routes, and decrease in vital utilities. Additionally, because of Stanislaus County's strong agricultural influences, significant downstream property damage and the loss of domestic and farm production animals are a major concern.

Vulnerable populations are downstream from a potential dam failure. The populations most vulnerable are those that have the least time to evacuate and need assistance. Populations that may need assistance to evacuate include the elderly, disabled and young. The vulnerable population also includes those who may not have adequate warning to evacuation from emergency notification systems. The loss of life is impacted by the amount of early warning time first responders and the public has prior to the incident.

### **Increased Risk narrative continued**

### **Flood Hazard**

The impact of climate change may lessen the flood risk in some areas including Stanislaus County. Climate change may increase drought and lessen snowpack in the mountains resulting in less water in the region. Climate change may produce unpredictable weather patterns that results in strong or slow-moving storms that could cause localized flooding. It is anticipated that climate change will cause the sea level to rise. It is unclear how the rising sea level impacts of coastal flooding and coastal erosion may impact inland areas including Stanislaus County.

Emergency officials have received notice of potential flooding before the incident giving first responders time to notify and evacuate residents. The more vulnerable populations are those who are not able to self-evacuate including the elderly, young and those with disabilities. The homeless population is vulnerable in a flood incident and may need expanded notification and relocation efforts. Law enforcement and fire departments

have coordinated the notification of homeless in past incidents. Drivers who ignore warnings of flood are also a population of concern particularly in the west side of the County at Eastin Road and Orestimba Creek. The county maintains crossing guards for this section, but they are sometimes ignored.

### **Wildfire Hazard**

California has experienced a significant drought over the past five years. The drought has stressed all ranges of fuel in the wildland in Stanislaus County producing extreme fire behavior. The areas most affected by the drought would be the river bottom fuels and the fuels in the extreme west and east foothill portions of the County. The risk in Stanislaus County is extremely high, most notably in areas are located west and east of the City limits of Modesto. Air Quality mitigation and emergency protocols are managed by the San Joaquin Air Quality District.

### **Vulnerability to risks narrative continued**

#### **Flood Hazard**

There is no significant development in the unincorporated County impacted by flood since the last plan update. Most development has been infill in cities within the county. Urban development is discouraged in areas with growth-limiting factors such as a high water table, poor soil percolation and flood plains unless measures to mitigate the problems are included as part of the development application.

Development is not allowed in areas that are within the designated floodway.

Development within the 100-year flood boundary shall meet the requirements of Chapter 16.50 Flood Damage Protection of the County Code and within the designated floodway shall obtain Reclamation Board approval. With several rivers traversing the County, flooding is a concern. The County makes information available to landowners in areas subject to flooding and supports the formation of improvement districts including flood control districts to eliminate safety hazards.

#### **Wildfire Hazard**

The majority of areas threatened by potential wildfire losses within Stanislaus County are in the foothills at the far eastern and western edges of Stanislaus County where little population or development presently exist. Exceptions include:

- Pockets of development west of Interstate 5 (Diablo Grande; Fink Road Landfill)
- Frank Raines Regional Park (restrooms, well/pump facilities)
- Radio communications facilities (Mt. Oso)
- Woodward, Turlock Lake and Modesto Reservoir park improvements
- La Grange Regional Park improvements

Wildfires can threaten any improvements, particularly those which are not protected by buffer zones or which are constructed of combustible materials. The highest risk areas are also those with the least density of development, but may include ranches, farmland

and pasture properties and their associated structures and fences. Most of the County's infrastructure facilities are less vulnerable to wildfire due to the materials used in their construction. Wildfires may threaten infrastructure of other utilities, such as power and telecommunications lines.

**Substantial Amendment to FY 2020-2021 Annual Action Plan**

The FY 2020-2021 Annual Action Plan is substantially amended to allocate CDBG-CV funds to the following eligible activities that prevent and respond to the spread of COVID-19. Proposed corrective actions to HOME and CDBG grant and project funding levels and also included. The following new language was added to the Annual Action Plan:

**AP-15 Expected Resources**

Revised funding allocations from HUD and anticipated revenue as follows as anticipated resources:

HOME Previous amount:	\$1,363,238	New amount: \$1,425,743 (increase of \$62,505)
CDBG Previous amount:	\$657,574	New amount: \$657,474 (reduction of \$100)
CDBG Previous amount PI:	\$510,000	New amount: \$1,360,000 (increase of \$850,000)
CDBG-CV Previous amount	\$386,829	New amount: \$861,502 (increase of \$474,673)

**AP-35 Projects**

The following COVID-19-related activities are proposed to be funded with the City’s CDBG-CV funds and other funding revisions.

Project Name	CDBG-CV Program Administration
Goals Supported	Administration
Needs Addressed	Community Emergency Responses
Funding	CDBG-CV: \$ 172,300
Description	Administration (Matrix code: 21A General Program Administration, National Objective: N/A, Regulatory Citation: 570.205)
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	N/A
Location Description	City of Turlock
Project Name	Renter/Homeowner Assistance
Goals Supported	Community Emergency Responses
Needs Addressed	Community Emergency Responses
Funding	CDBG-CV: \$ 689,202
Description	Provide housing stability and prevent families and individuals from losing their homes due to the economic hardship caused by the COVID-19 pandemic.

	<p>This program would provide rent/mortgage/utility assistance to Turlock families for a maximum of six months on a one-time basis to prevent eviction, foreclosure and homelessness to families affected by COVID-19.  (Matrix Code: 05Q Subsistence Payments, National Objective: 24 CFR 570.207(b)(4) and 570.482(c)(2)  Low/Mod Limited Clientele Benefit (LMC).</p>
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	192 individuals/64 households
Project Name	P/S We Care Program-Turlock (CDBG) 2020-2021
Goals Supported	Provide Public Services
Needs Addressed	Public Services
Funding	CDBG: \$ 50,000 (was increased from \$20,000)
Description	The We Care Program serves chronically homeless men over the age of 18. The shelter has the capacity to shelter 49 men a night. The shelter provides a safe and stable environment for individuals who would otherwise be sleeping on the street or in places not meant for human habitation. (Matrix code: 05Z Other Public Services, National Objective: LM, Regulatory Citation: 570.201(e))
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	330 individuals
Location Description	City of Turlock
Project Name	P/S United Samaritan Foundation-Food Box (CDBG) 2020-2021
Goals Supported	Provide Public Services
Needs Addressed	Public Services
Funding	CDBG: \$ 45,000 (was increased from \$20,000)
Description	The food box program provides food assistance to income eligible individuals and families in Turlock who are experiencing food insecurity and lack sufficient quantities of food. Food Boxes are distributed on the last Tuesday and Friday of every month. Homeless individuals are eligible for a food box every month. Each box is filled with ample provisions to feed every person in the family three meals a day for three days. (Matrix code: 05Z Other Public Services, National Objective: LMC, Regulatory Citation: 570.201(e))
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	1,000 people/700 Households
Location Description	City of Turlock
Project Name	First Time Home Buyer Loans (CDBG) 2020-2021
Goals Supported	Increase and Improve Supply of Affordable Housing
Needs Addressed	Affordable Housing

Funding	CDBG: \$ 145,000 (was \$200,000)
Description	Down payment assistance program for first time home buyers. Funds will be provided to income eligible clients for the purchase of their first home. Funds can be used for down payment and or closing costs associated with the loan. (Matrix code: 13B Homeownership Assistance, National Objective: LMH, Regulatory Citation: 570.201(n))
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	4 Households
Location Description	City of Turlock
Project Name	Public Improvement (CDBG) 2020-2021
Goals Supported	Improve Infrastructure and Public facilities
Needs Addressed	Public Infrastructure and Facility Improvement
Funding	CDBG: \$ 400,000 (was increased from \$200,000)
Description	Substantial rehabilitation work and or tear down of existing homeless shelter dining hall. (Matrix code: 03C Homeless Facilities-not operating costs, National Objective: LMC, Regulatory Citation: 570.201(c))
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	1 Facility
Location Description	City of Turlock
Project Name	Affordable Housing Development
Goals Supported	Increase and Improve Supply of Affordable Housing
Needs Addressed	Affordable Housing
Funding	CDBG: \$ 934,900 (was increased from 300,000)
Description	Acquisition and or rehabilitation of real property of affordable housing. Property will be acquired and rehabilitated to meet basic housing standards. Acquisition of this property will help increase and maintain the affordable housing stock in Turlock. (Matrix code: 01 Acquisition of Real Property, National Objective: LMH, Regulatory Citation: 570.201)
Target Date	06/30/21
Estimated the number and type of families that will benefit from the activity	2 Families/Households
Location Description	City of Turlock

The above activities and funding amounts will be revised as needed in the Annual Action Plan.

## **Substantial Amendment to Citizen Participation Plan**

The City's Citizen Participation Plan (CPP) describes the efforts that the City will take to encourage its residents to participate in developing these plans. It also provides requirements for public process when a "substantial amendment" to the Annual Action Plan is proposed.

In response to the urgency of the COVID-19 pandemic the Department of Housing and Urban Development released a series of waivers to streamline the approval process while also providing opportunities for the public to submit comments. The City is amending its Citizen Participation Plan to expedite actions to respond to COVID-19.

The amendment allows for Virtual Meetings and public comment for proposed use of all Department of Housing and Urban Development funds. In-person public hearings are not required. The City of Turlock may meet public hearing requirements with virtual public hearings as detailed below in the proposed new sections.

New sections "M: CARES Act Amendment" and "N: Compliance with HUD and future guidance" with the following language will be added to the City of Turlock current Citizen Participation Plan in order to streamline the funding allocation process and reduce delays in accessing HUD funding during a state of emergency.

### *M. CARES Act Amendment*

*The City of Turlock will receive additional Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD) through the Coronavirus Aid, Relief and Economic Security Act (C.A.R.E.S. Act). The C.A.R.E.S. Act funding is community referred to as CDBG-CV (Coronavirus). The C.A.R.E.S. Act provides flexibility for Entitlement Community to make it easier to use CDBG and CDBG-CV during Program Years 2019 and 2020. The C.A.R.E.S. Act authorizes HUD to grant waivers and alternative requirements. This amendment to the Citizen Participation Plan addresses flexibilities in requirements for Citizen Participation and Public Hearings for 2019 and 2020 CDBG/CDBG-CV funding. The City of Turlock has submitted CDBG and HOME waivers to HUD allowing for the following:*

#### *Citizen Participation*

*The published comment period pertaining to amendments to the Citizen Participation Plan, Consolidated Plan, Annual Action Plan(s) and Substantial Amendment(s), as they relate to CDBG-CV, shall be a minimum of 5 days (instead of the previously noted 30 days). During this time the public will have an opportunity to submit comments orally, in writing, or via*

*electronic methods, as directed in the notice. Comment periods for more than one of the above documents may run concurrently.*

### *Public Hearings*

*Virtual public hearings are allowed under the following circumstances:*

- *National/local health authorities recommend social distancing and limited public gatherings for public health reasons;*
- *Virtual hearings provide reasonable notification and access for citizens in accordance with the City's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses. In person public hearings are not required.*

*A formal notice of the public hearing will be published in at least one local newspaper with general circulation no less than five days prior to the hearing. The same notice will be published to the City of Turlock's website. The notice will also be sent to known stakeholder groups and partner organizations to further publicize via linkage to their respective websites, newsletters, and social media.*

### *N: Compliance with HUD and future guidance*

*The City of Turlock shall comply with all U.S. Department of Housing and Urban Development (HUD) memorandums and notices that transmit citizen participation requirements in the event of a local, state, or national emergency or disaster. In order to secure and access new HUD funding and/or re-allocate existing HUD funding to allow the City to respond to the state of emergency in the most expeditious manner, such HUD memorandums and notices automatically supersede any conflicting provisions of the Citizen Participation Plan, and therefore no formal amendment is required when such emergency memorandums and notices are in effect.*