Welcome to the City of Pompano Beach - OHUI CDBG Workshop

March 4, 2021

Office of Housing and Urban Improvement

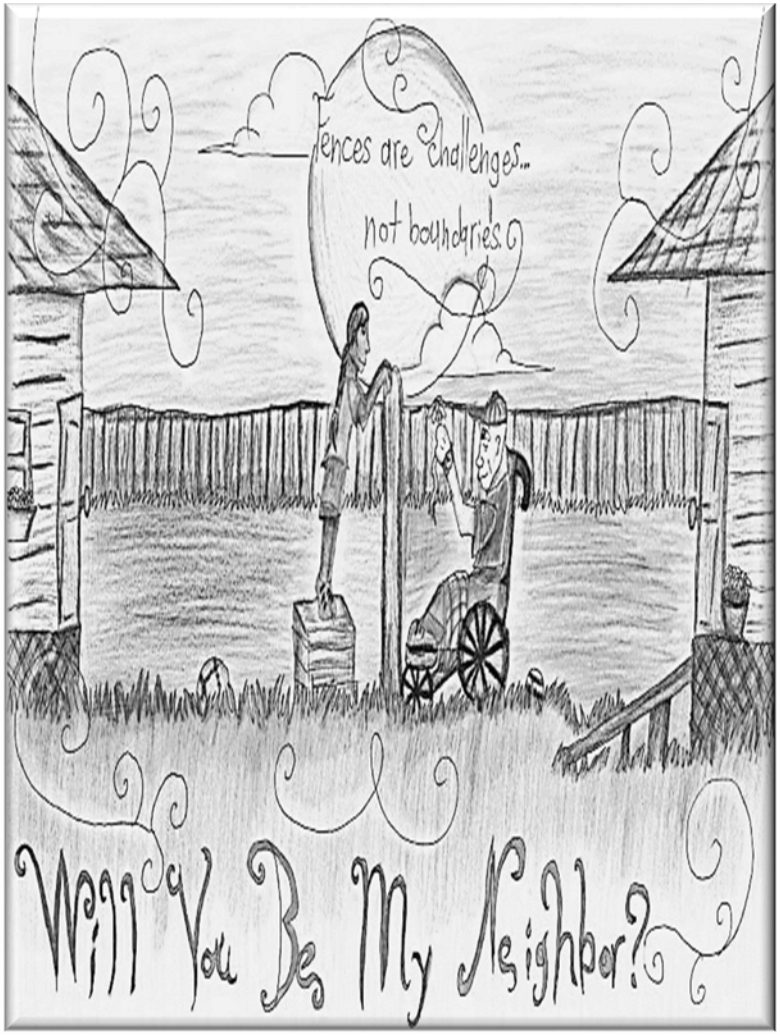
OHUI Staff Introductions

- Miriam Carrillo, OHUI Director
- Alexander Goldstein, Program Compliance Manager
- Muhammad Hashmi, Accountant
- JoAnn Martin-Onesky, Housing Specialist
- Angela Bowen, Housing Specialist
- Maria Claudia Goncalves, CD Specialist – Housing
- Mery Sanchez, Housing Specialist
- Winsome Baker, Office Assistant I
- Alyssa Mueller, Program Intake & Data Entry

Applicant Introductions

- Name
- Agency
- Your Agency and Services

Agenda



- Online application process
- CDBG program overview
- National objectives
- Eligible activities
- Other federal requirements
- Preparing a winning proposal
- Questions & Answers

CDBG Program Overview

What is a Community Development Block Grant?

Federal entitlement program under the Department of Housing and Urban Development (HUD) that provides annual grants on a formal basis to entitlement cities and counties to develop viable urban communities by:

- Providing decent housing
- Providing a suitable living environment
- Expanding economic opportunities

Principally for low-and moderate-income persons

Establishing Legislation

- Authorized under Title I of the **Housing and Community Development Act of 1974**
- Combined a number of existing community development programs into one funding source
- Provided for increased flexibility for local governments
- Regulations located at **24 CFR Part 570**

City of Pompano Beach

- Is an entitlement Community
  - The City of Pompano Beach expects to receive **$1,049,966** in CDBG for FY 2021-2022.
    - Approximately **$157,494** for public services
    - Approximately **$892,471** for other eligible activities including owner occupied rehabilitation administered by OHUI
- 2021-2022 Fiscal year starts October 1 and ends September 30

Consolidated Plan, Action Plan & CAPER

What does this mean to you?

- Funding from HUD is provided according to an adopted plan.
- Projects and activities must meet HUD National Objectives and goals/objectives established in the City's Consolidated Plan.
- Many strings attached.
- HUD Money=HUD Rules.

Three National Objectives

National Objectives

Each eligible activity must meet one of three national objectives:

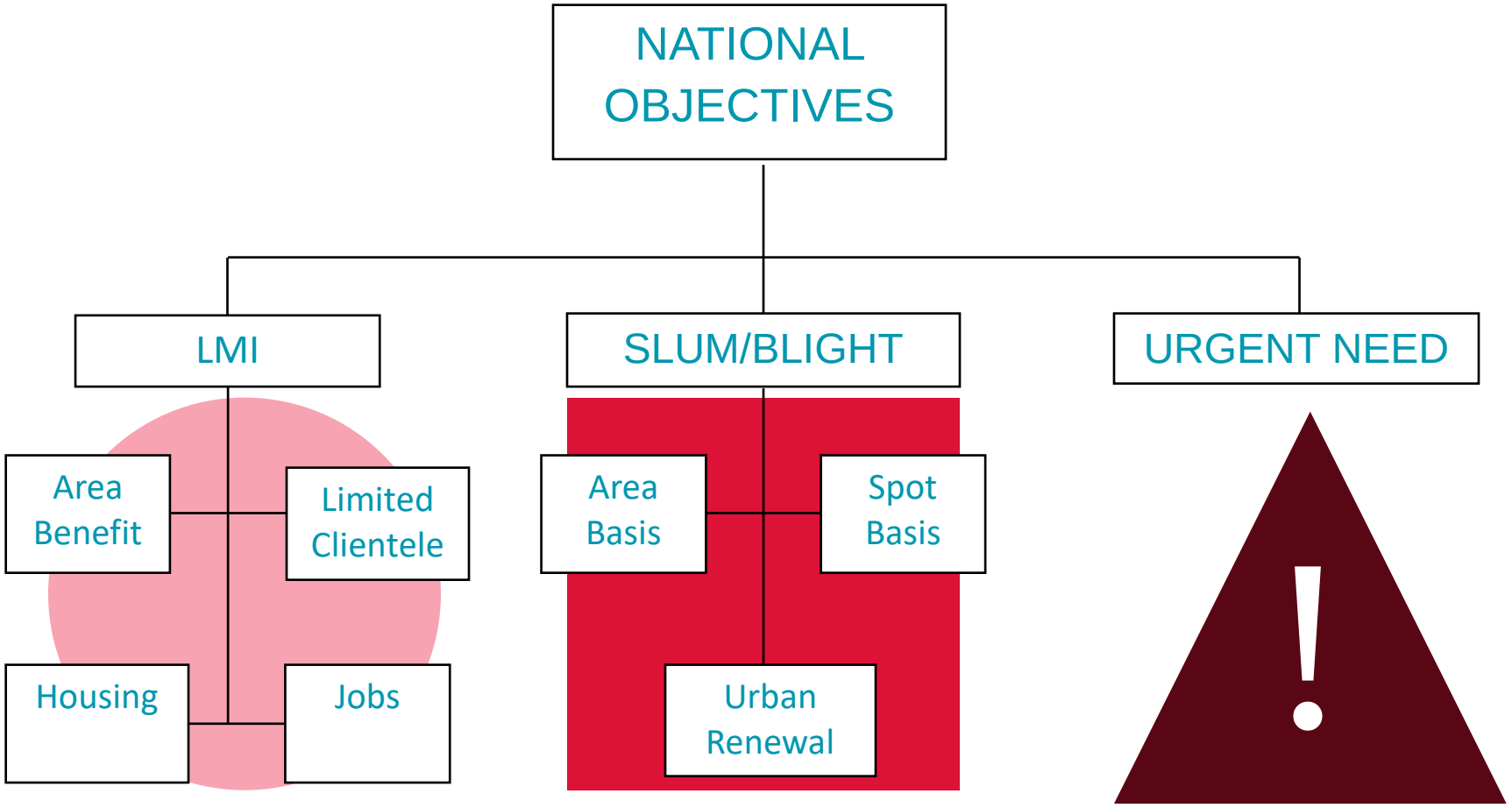
- **Aid in the prevention of slum and blight**
- **Meet an Urgent Need**
- **Benefit low- and moderate- income persons**

Regulations at 24 CFR part 570

https://www.hudexchange.info/resources/documents/CDBG_Guide_National_Objectives_Eligible_Activities.pdf

National Objectives

- Some activities qualify under more than one national objective
- Rule of thumb, **choose the one that is easiest to document**


NATIONAL OBJECTIVES
LMI
SLUM/BLIGHT
URGENT NEED
Area Benefit
Limited Clientele
Housing
Jobs
Area Basis
Spot Basis
Urban Renewal
!

Aid in the Prevention of Slum and Blight

Slum & Blight

- Slum & Blight objective is divided into two categories
  - **Area Basis**; addressing conditions in an entire area
  - **Spot Basis**; addressing conditions with a single structure or location
- Regulations located at **24 CFR §§570.208(b)**

Aid in the Prevention of Slum and Blight

Typical activities designed to address blight on an area basis include these examples, when assistance is designed to address one or more of the specific conditions which originally qualified the area:

- Acquisition and clearance of blighted properties,
- Installation of a park or playground,
- Commercial revitalization through façade improvements, and
- Treatment of toxic materials on property to enable it to be redeveloped for a specific use

Urgent Need

Urgent Need

- Used to address **emergency situations**
- To meet the urgent need test:
  - Existing conditions pose serious and immediate threat to the health/welfare of the community
  - Existing conditions are recent (18 months) or recently became urgent
  - Recipient cannot finance on its own
  - Other funding sources are not available

Urgent Need

Example:

A major catastrophe such as a flood or hurricane that threatens the community's residents with the spread of serious disease. The community's other resources may well be depleted and other Federal programs may not be sufficient to cover all the costs.

Benefit to Low- and Moderate-Income Persons and Households

National Objective: LMI

- There are 4 ways an activity can satisfy the LMI national objective:
  - Area benefit
  - Limited clientele
  - Job creation or retention
  - Housing
- Regulations located at **§570.208(a)(1-4)**

Benefit to Low- and Moderate-Income Persons or Households

Area Benefit:

- Activity must benefit all residents in an area where at least 51% of the residents are Low- and/or Moderate income

- The service area must be clearly delineated by OHUI and must be primarily residential

Benefit to Low- and Moderate-Income Persons or Households

Examples:

- Water and Sewer lines
- Libraries, Neighborhood and Community Centers
- Parks, Street Improvements, and Sidewalks*

* *Primarily CDBG General Capital Improvement Projects*

Ineligible Activities

- Maintenance and repair of public facilities
  - **Exception**: modification for ADA compliance
- Operating costs
  - **Exception**: costs related to CDBG public service activity
- Buildings for general conduct of government
  - **Exception**: modification for ADA compliance
- General government expenses i.e. trash pick-up or equipment purchase
- Political activities

Limited Clientele

Clientele presumed by HUD to be principally low- to moderate- income persons

LMI Limited Clientele

- LMI Limited Clientele activities benefit special populations (senior citizens, homeless shelters, disabled adults)
- Activities must meet one of four requirements
  - Benefit to clientele who are presumed to be principally LMI
  - Requires information that demonstrates 51% of participants are LMI
  - Participation limited to LMI only
  - Nature and location indicate activity's clientele will primarily be LMI persons.

LMI Limited Clientele

- **Limited Clientele Groups Include:**
  - Abused children;
  - Battered spouses;
  - Severely disabled adults;
  - Homeless persons;
  - Illiterate adults;
  - Migrant farm workers;
  - Elderly persons;
  - Persons living with AIDS; and
  - Programs with eligibility requirements that limit the benefits of an activity to LMI persons.

Job Creation

Job Creation & Retention

Activities related to economic opportunity

- Typical activities: business loans, commercial rehabilitation, infrastructure to a business
- In order to meet this criteria, activities must ***create***

  or ***retain*** permanent jobs.

AND

- 51% of the jobs created/retained must be ***available to*** *or* ***held by*** LMI persons
- Jobs are counted on full time equivalent (FTE) basis

Public Services

Eligibility Requirements

To utilize CDBG funds for a public service, the service must be either:

- A new service or
- A quantifiable increase in the level of an existing service

Public Services Cap

- Public Services funds are capped at **15%** of the annual CDBG Allocation for the City of Pompano Beach estimated at **$1,049,966**
  - Approximately **$104,996** this year for public services.
- Certain project/activities may be funded with other funds or be eligible under another area

Eligible Public Service Activities

Activities related to **public services** include but are not limited to:

- Services for childcare, youth development and for seniors
- Health care, including substance abuse counseling and treatment
- Education and training programs
- Public safety and recreation services
- Fair Housing activities
- Services for homeless persons
- Programs for energy conservation

CDBG Eligible Activities

- **Public Service Costs**
  - Labor, supplies, and materials directly related to the provision of eligible services
  - CDBG may pay for operations and maintenance of facility where service occurs
  - Costs must be documented

Ineligible Public Service Activities

- Income Payments
- Political Activities
- Religious Activities
- Beneficiaries who do not meet income limits
- Beneficiaries who are not residents of Pompano Beach

LMI Housing

- Acquisition, rehabilitation, improvements to permanent residential structure
- Owner or renter occupied
- Purchase assistance

LMI Direct Benefit

- Determination of LMI status is based on the Department of Housing and Urban Development Section 8 Annual Income (**24 CFR Part 5**) Limits
- LMI is 80% or less of Area Median Income:
  - 0-30% Extremely Low Income
  - 31-50% Very Low Income
  - 51-80% Low Income
- OHUI is required to report beneficiaries from all 3 categories to HUD

LMI Direct Benefit

- To qualify a Housing project using LMI Direct Benefit, structures must be occupied by LMI households
  - **Income documentation required from homeowner/household**
- Typical activities include homeowner rehab, rental acquisition/rehab, emergency home repair, homebuyer assistance

Eligible Income Levels

Income Level	% of AMI	Annual Household Income	Number of Persons in Household
Very Low	50% or Below	$31,200	1 Person
		$58,850	8 Persons
Low	80% or Below	$49,950	1 Person
		$94,150	8 Persons

2020 Median Family Income (MFI) in Broward County is $74,800

Data is subject to change

Sources and Resources:
U.S. Dept. of Housing and Urban Development
https://www.huduser.gov/portal/datasets/il/il2020/2020summary.odn

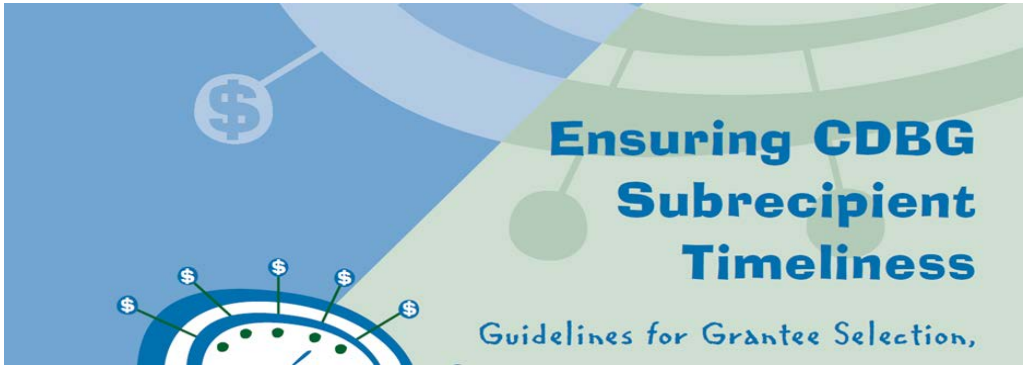
Additional Requirements

Other Eligibility Considerations

- Applicant's Capacity
  - Administrative/Staffing
  - Financial/Accounting
  - Program/Project Management
  - Grant Management Experience
  - Past Performance
  - Recordkeeping/Reporting
  - Commitment to Timeliness
  - On-going Commitment to Compliance
  - Address assistance to individuals with LEP

Timeliness

- HUD Requirements;
- Grantee Responsibilities;
- Subrecipient Responsibilities:
  - Spend all granted funds within 12 months
  - How can un-timeliness be prevented?



https://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12898.pdf

Things to Remember…

- CDBG funds are not your agency's money, it is HUD's money provided to the City.
- These funds can only be used on a reimbursement basis. No payments are made until after approved cost is incurred.
- Prior cost to grant award will not be reimbursed.
- The process you use to obtain service/product is as important as the service/product itself when it comes to determining what is a reimbursable expense.
- Never assume, you can always check before you act.

Important Do's and Don'ts

DO:

- Read the CON PLAN and understand community priorities.
- Read the HUD training manual "playing by the rules".
- Consider cost-benefit and cost effectiveness.
- Consider if your clients are willing to provide personal information for participation.

Important Do's and Don'ts

DO NOT

- Consider CDBG funding as sole source of funding for your project/program.
- Aggregate multiple programs on a single application.
- Underestimate your burdens and overhead cost.
- Exaggerate need or urgency.
- Assume funds will be available in subsequent years for multi-year projects.

Important Program Duties

- Fair Housing
- Section 3 employment
- Conflict of interest
- Record Keeping and Retention
- Financial Management
- Activity Close-Out (reporting beneficiary data)

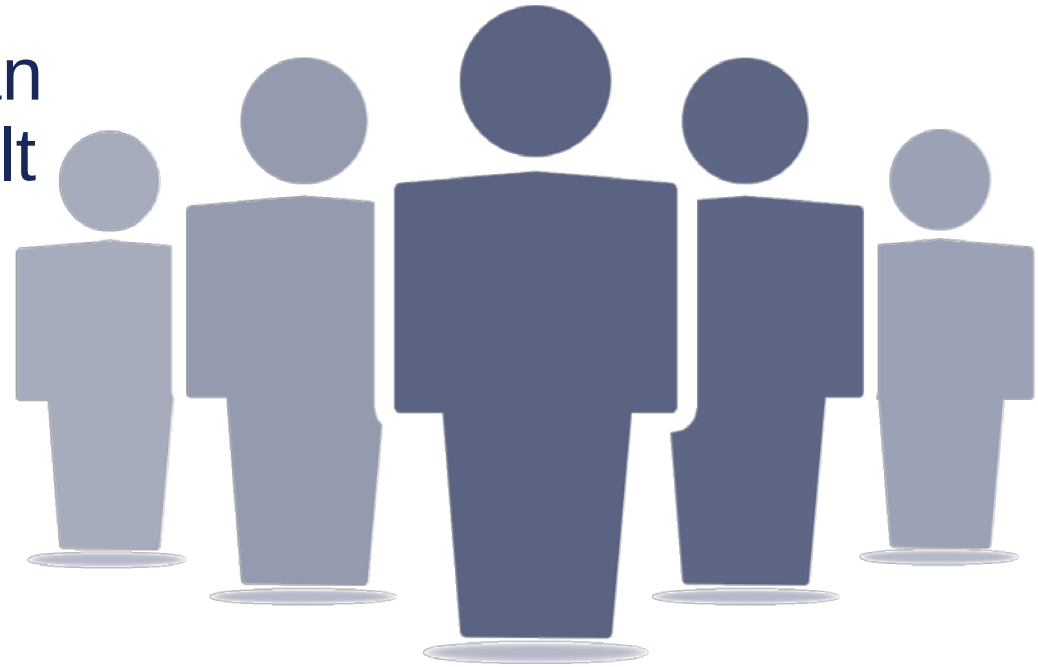
What is Fair Housing?

The right to live anywhere you choose and that you can afford

- Based on the constitutional principles of equal access and due process

Discriminatory Practices

An individual or class of individuals in a specific protected class is treated differently than others when the result of that action denies equal access to a housing opportunity.



Requirements

- Analyze and eliminate discrimination
- Promote fair housing choice
- Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability and/or national origin
- Promote housing that is accessible and usable by all persons, particularly persons with disabilities

Requirements

- Foster compliance with the nondiscrimination provisions of the Fair Housing Act.
- Make reasonable efforts to provide language assistance to ensure meaningful access for Limited English Proficiency (LEP) persons to the recipient's programs and activities.

Additional Protected Classes

Broward County

- Marital status
- Age
- Sexual orientation
- Gender expression
- Pregnancy
- Political affiliation

Fair Housing Suggestions

More Suggestions

- Offer applications to every prospect
- Handle problems and complaints in a timely manner
- Periodically review policies and procedures to allow for changes in federal, state or local laws
- Use affirmative advertising
- Keep good records – 4 years at least

Equal Opportunity: What is Section 3?

- Section 3 is a provision of the HUD Act of 1968
- Goal & Purpose:
  - to ensure that when employment or contracting opportunities are generated that these opportunities will be given to low-income individuals or businesses residing in the community where the project is located

When is Section 3 Triggered

- The grantee receives more than $200,000 in grant funds, and invests any amount of these funds to carry out new construction or rehabilitation activity.
- The PJ/grantee or subrecipient that receives over $200,000.
- A contractor/subcontractor of a project receives a contract for $100,000 or more in grant assistance.

Documentation of Section 3 Resident

- A person seeking the training and employment preference provided by
- Section 3 bears the responsibility of providing evidence (if requested) that
- the person is eligible for the preference
- Acceptable documentation to determine eligibility as a Section 3 resident
- includes:
  - proof of residency in a public housing development;
  - evidence of participation in a HUD Youthbuild program operated in the metropolitan are (or non-metropolitan county) where the Section 3 covered assistance is spent;
  - evidence that the individual resides in the Section 3 area and is a low or very low-income person, as defined in Section 3(b) (2) of the U.S. Housing Act of 1937 (1937 Act)

Conflict of Interest
24 CFR § 570.611

- Conflicts of interest arise when officials or staff stand to benefit--either directly themselves or indirectly through business partners or relatives--from the awarding or contracting of grant funds.

- In general, conflicts of interest occur when one's private interest and public duties overlap, resulting in a real or perceived lack of independence or impartiality.

https://www.hudexchange.info/resources/documents/HUD-Integrity-Bulletin-Conflicts-of-Interest.pdf

Federal Conflict of Interest Law

The law at 24 CFR 570.611 is intended to protect the reputation of the CDBG program from even the appearance of providing special treatment or serving a special interest.

Common situations include:

- Elected officials voting on awarding of funds to organizations where a family member is on the staff or where the elected official is on the subrecipient's board;
- Executive directors of subrecipients entering into contracts with companies they are affiliated with through employment of, or ownership by, themselves or their relatives;
- Grantee officials or staff who have relatives who may benefit from a subrecipient's programmatic activities; and
- Failure to notify the U.S. Department of Housing and Urban Development (HUD) about conflicts of interest, or late and or incomplete requests for exceptions.

Persons Covered

Persons covered include any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds.

ALERT: ***Check State and local laws!***

Procurement

In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply.

Key point – ALL other Conflicts of Interest are NON-PROCUREMENT

No persons who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, ***may obtain a financial interest or benefit*** from a CDBG-assisted activity, or ***have a financial interest in any contract, subcontract, or agreement*** with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either ***for themselves*** or those with ***whom they have business or immediate family ties***, during their ***tenure or for one year thereafter.***

Record Keeping

Establish and Maintain:

- Administrative records
- Financial records, and
- Project/case files

Retain records for four years after annual project activities have been completed under the CDBG regulations

State of Florida requires 5 years

Program Monitoring

The primary mission of monitoring is to ensure that organizations are:

- In compliance with all regulations governing their administrative, financial, and programmatic operations; and
- Achieving their performance objectives within the schedule and budget, as outlined in the MOU or agreement.

Program Monitoring

Provide access to all files & records to:

- OHUI
- HUD
- Comptroller General's Office of the US
- Other authorized governmental agencies

Florida Public Records Law Chapter 119: All records are public records

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119.html

Preparing A Winning Proposal

How Do We Participate?

Submit an online application by Thursday, May 6, 2021 by 3:00 p.m.

Applications for:

- Housing
- Public Facilities and Public Improvements
- Public Service

Scoring of Applications
Maximum of 110 points

- Local Support/Leveraging 30 Points Maximum
- Quality/Cost Effectiveness 30 Points Maximum
- Experience/Community Support 20 Points Maximum
- Prior Spending Experience 20 Points Maximum
- Bonus Points 10 Points Maximum

Local Support/Leveraging
30 Points Maximum

Ability to leverage CDBG funds through matching funding sources from other agencies, grants, private funds or infusion of the organizations own funds evidenced.

Percentage of budget funded with CDBG:

- 100% - 0 points
- 75% – 99% - 5 points
- 50% - 74% - 10 points
- 26% – 49% - 15 points
- 25% or less – 30 points

Quality/Cost Effectiveness
30 Points Maximum

- Design of the program provides maximum benefit for clients to be served. Program or enhancements that do not duplicate an existing service/program/activity.
- Activities that provide a new or quantifiable increase in a general service program, transportation services, and substance abuse services, employment training, youth programs, the elderly, etc. (low/mod or limited clientele benefit)

Experience/Community Support
20 Points Maximum

Ability to manage the project if funded; areas to consider are staff capabilities, other available resources, organizations years of experience, leadership, management history and support letters from community.

Prior Spending Experience
20 Points Maximum

Expended 100% of funds awarded – 20 points

Expended 75% of funds awarded – 15 points

Expended funds in a timely manner – 10 points

Did not spend funds in time awarded – 0 points

First Time Applicant – No project in last fiscal year – 5 points

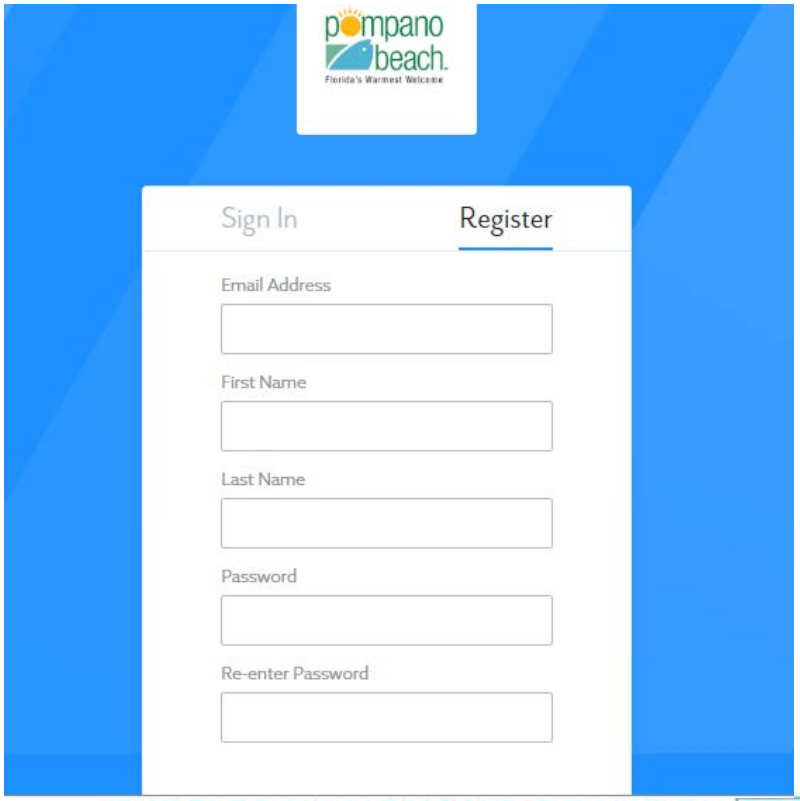
Bonus Points
10 Points Maximum

Uniqueness of project – are there other programs available to the community similar to this project?

Link to access the online application

https://portal.neighborlysoftware.com/copbfl/Participant/Login

Password
Minimum of characters
1 capital letter
1 Number
1 symbol



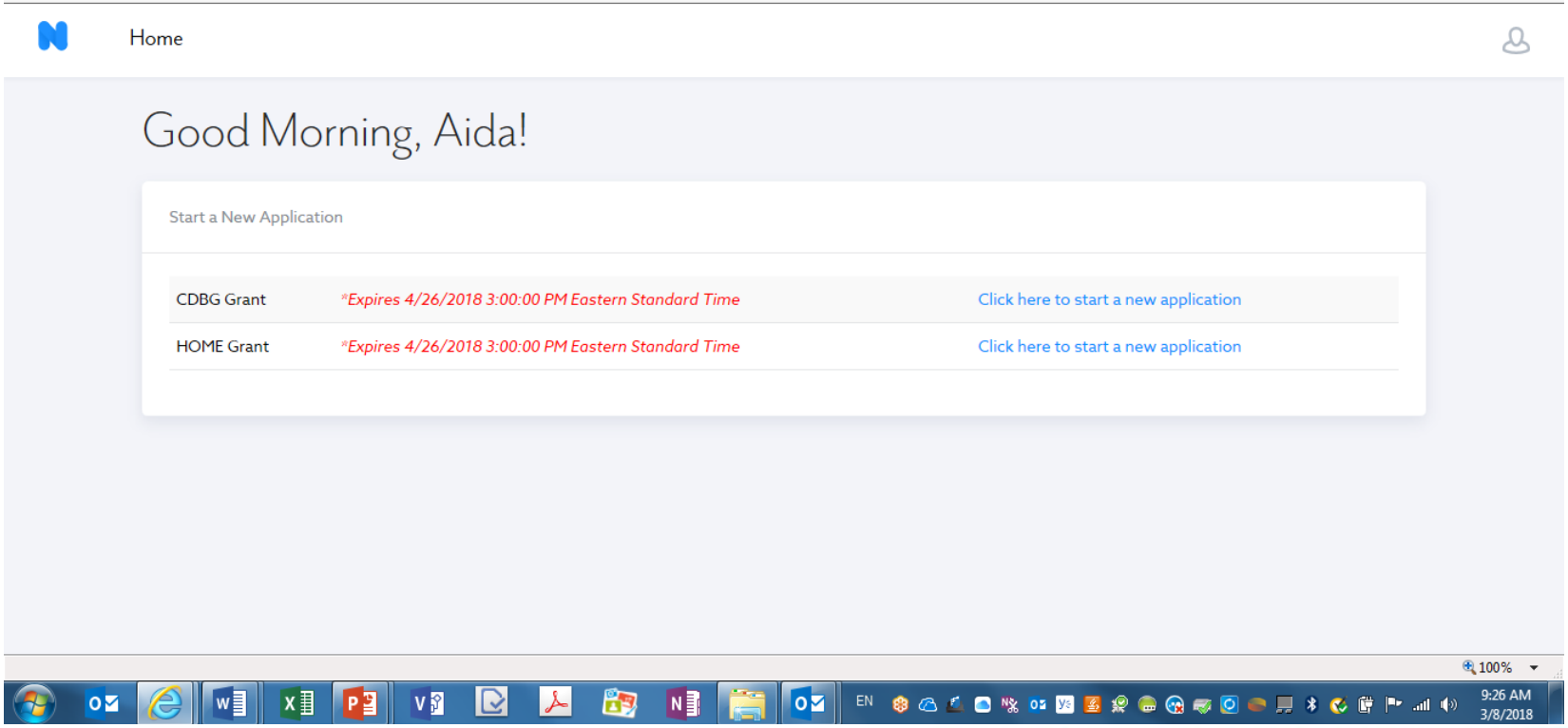
On line application

- You can submit more than 1 application under your user name and password, but you must complete and submit 1 application before you can open a new application.
- You can work on the application and save the data and go back to complete and submit the application at a later time.

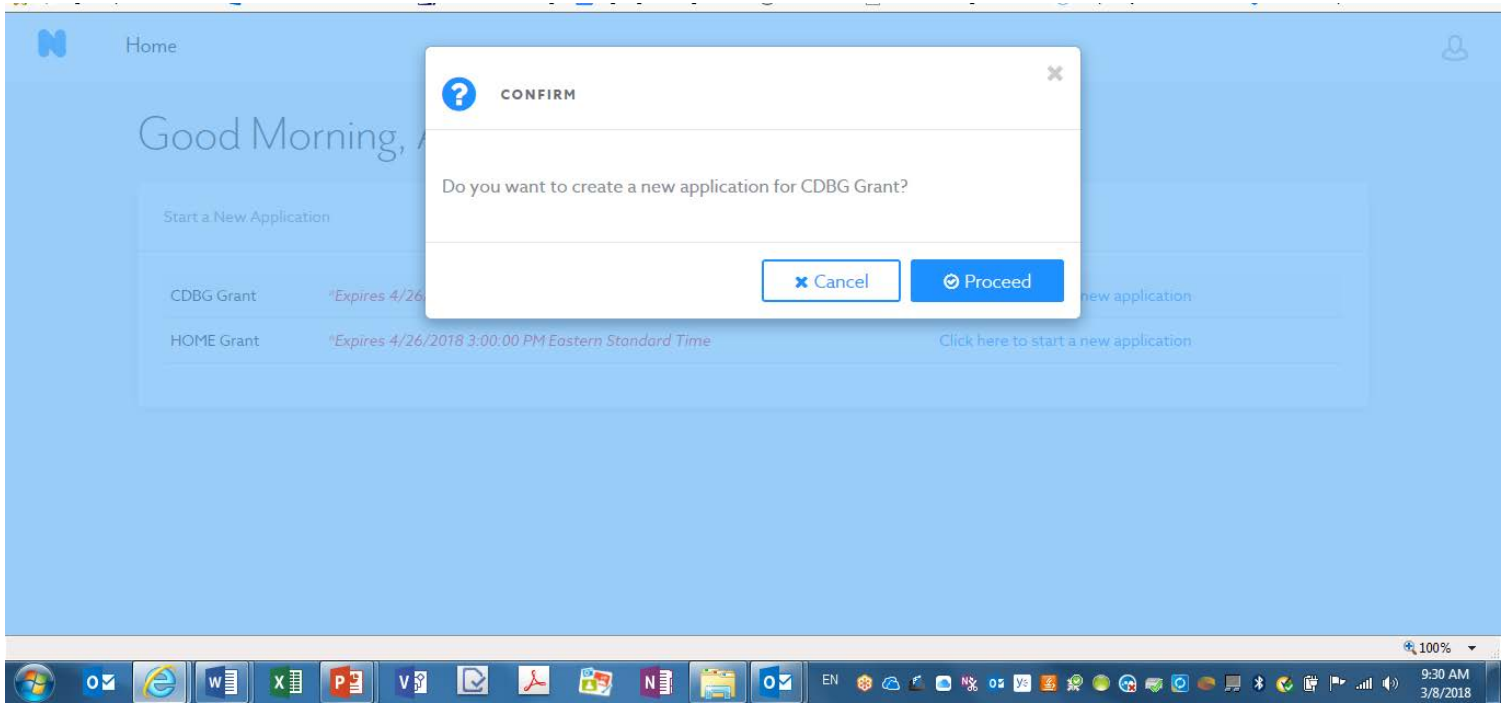
Deadline

- All application must be submitted by 3:00 PM on May 6, 2021.
- After 3:00 pm the application portal will be closed.

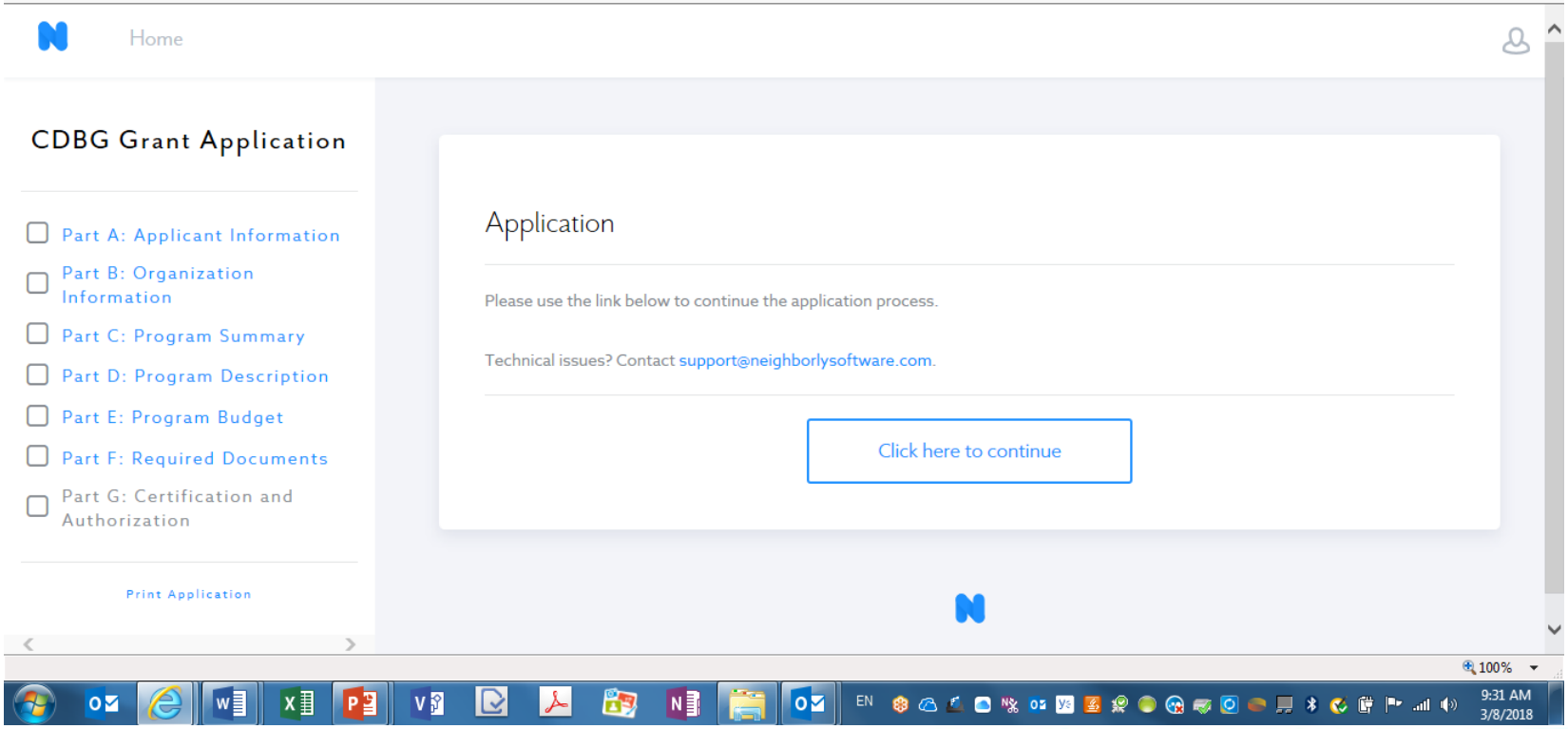
Welcome Screen



Click proceed to start application



The application has several parts



Technical issues?

- If you experience technical issues during the application process please e-mail:

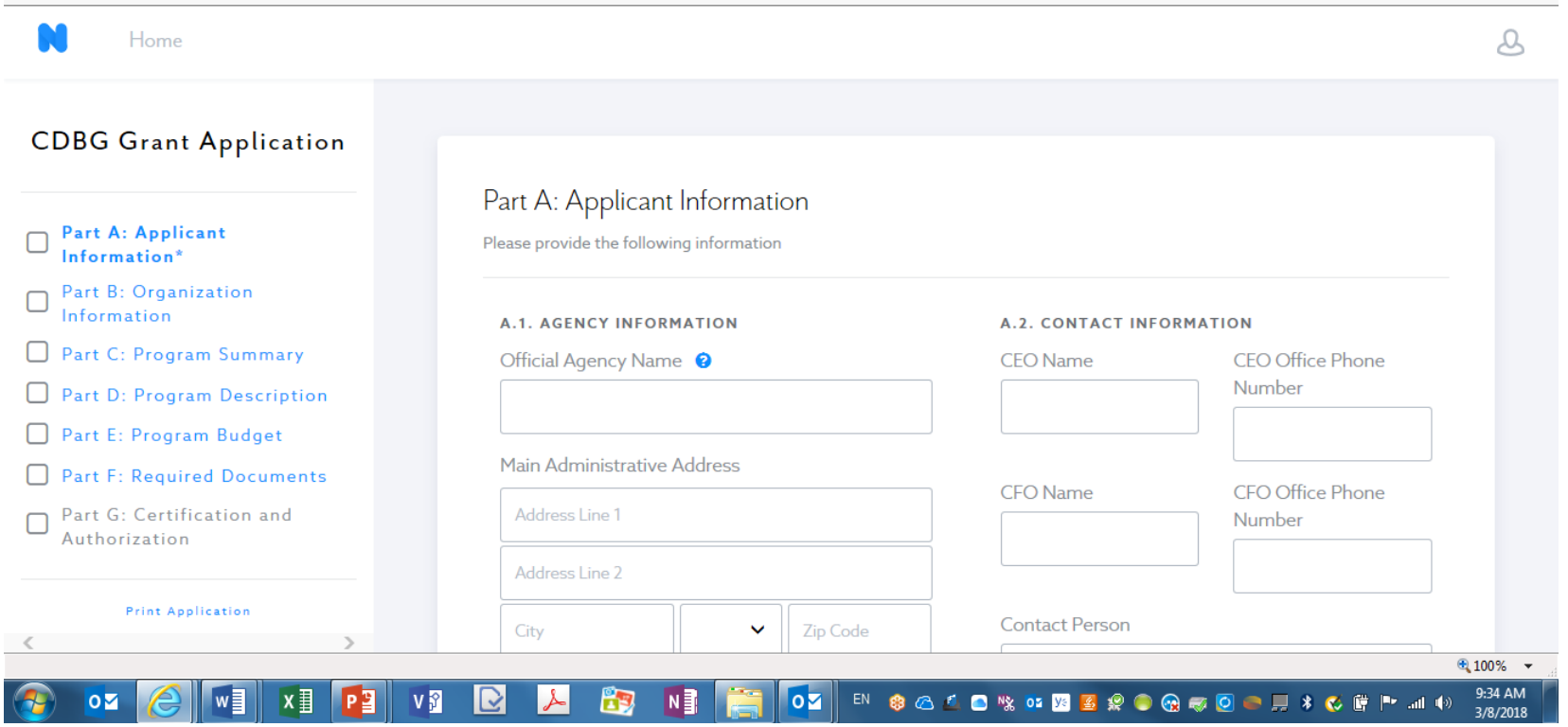
support@neighborlysoftware.com

Part A: Applicant Information

- Federal Identification Number
- Duns number
    - Free to Acquire
    - Call 1-866-705-5711 or go to:

http://fedgov.dnb.com/webform/displayHomePage.do

Part A


Home
CDBG Grant Application
Part A: Applicant Information*
Part B: Organization Information
Part C: Program Summary
Part D: Program Description
Part E: Program Budget
Part F: Required Documents
Part G: Certification and Authorization
Print Application
Part A: Applicant Information
Please provide the following information
A.1. AGENCY INFORMATION
Official Agency Name
Main Administrative Address
Address Line 1
Address Line 2
City
Zip Code
A.2. CONTACT INFORMATION
CEO Name
CEO Office Phone Number
CFO Name
CFO Office Phone Number
Contact Person
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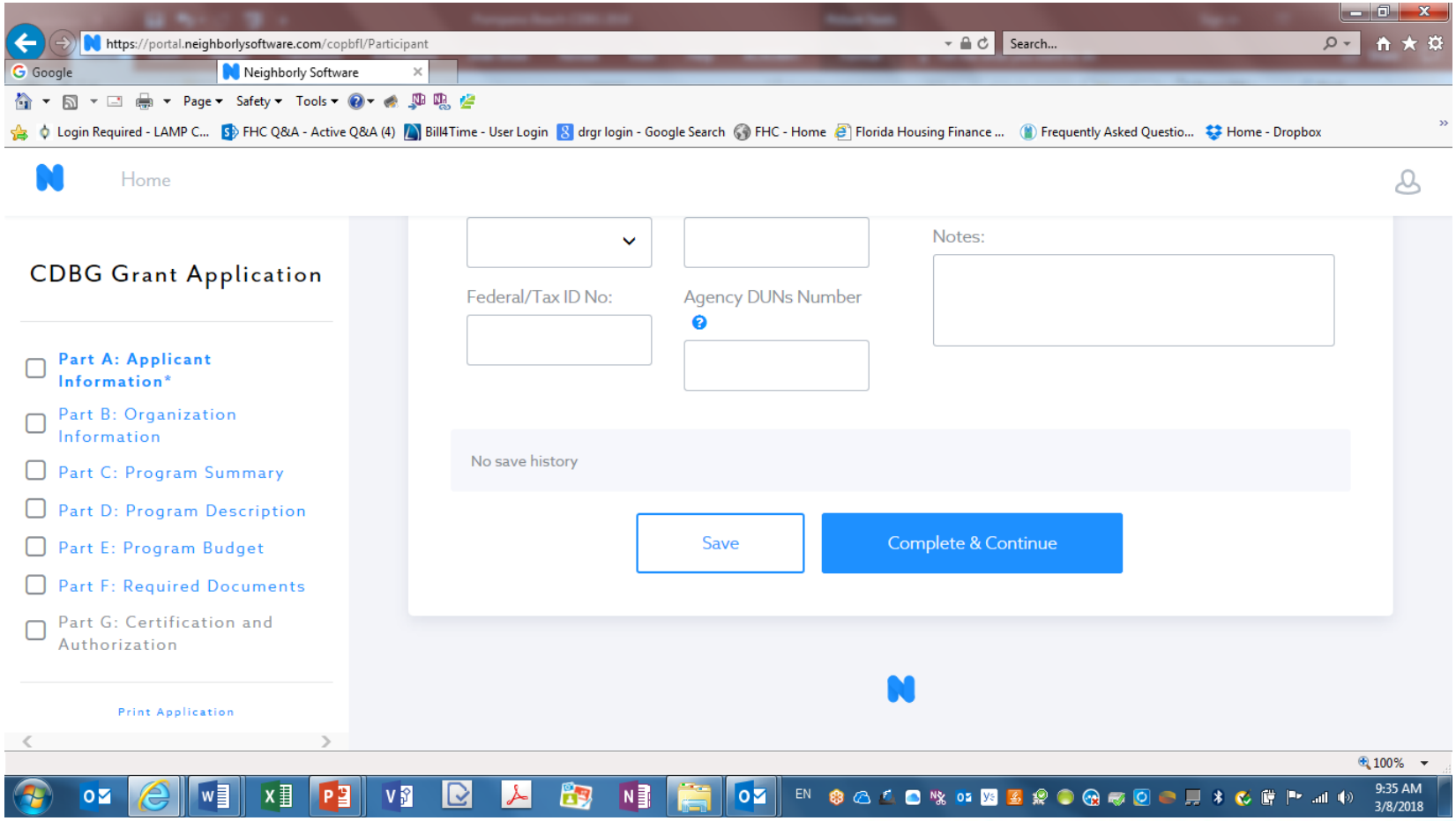
3/8/2018

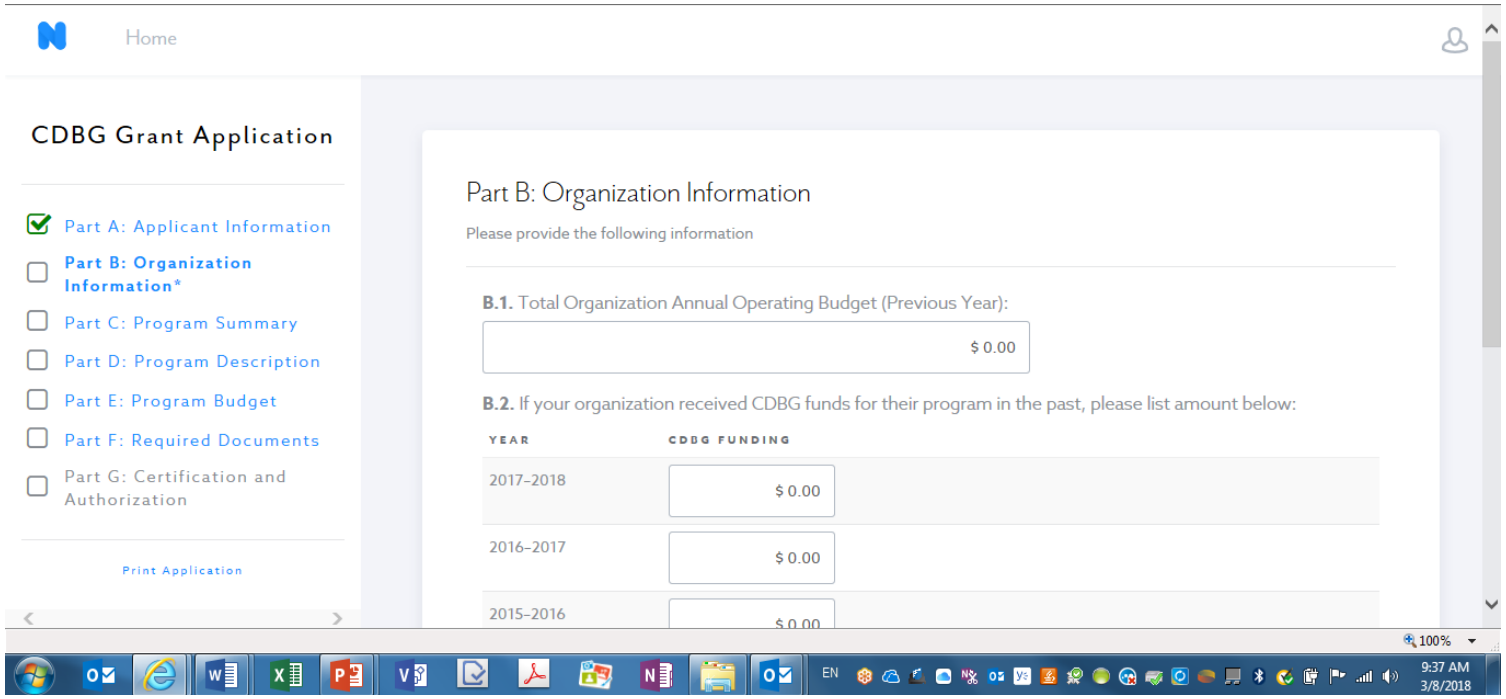
Save or complete and continue



Part B: Organization Information

- Annual Budget
- Any CDBG Grants in prior three (3) years

Part B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Part A: Applicant Information
Part B: Organization Information*
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Part E: Program Budget
Part F: Required Documents
Part G: Certification and Authorization
Print Application
Part B: Organization Information
Please provide the following information
B.1. Total Organization Annual Operating Budget (Previous Year):
$ 0.00
B.2. If your organization received CDBG funds for their program in the past, please list amount below:
YEAR
CDBG FUNDING
2017–2018
$ 0.00
2016–2017
$ 0.00
2015–2016
$ 0.00
100%
9:37 AM
3/8/2018

Part C: Proposed Program Summary

Proposed Program Summary

- Program name
- Funds requested
- National Objective
- Program Category
- Proposed Output
  - (Number to serve)

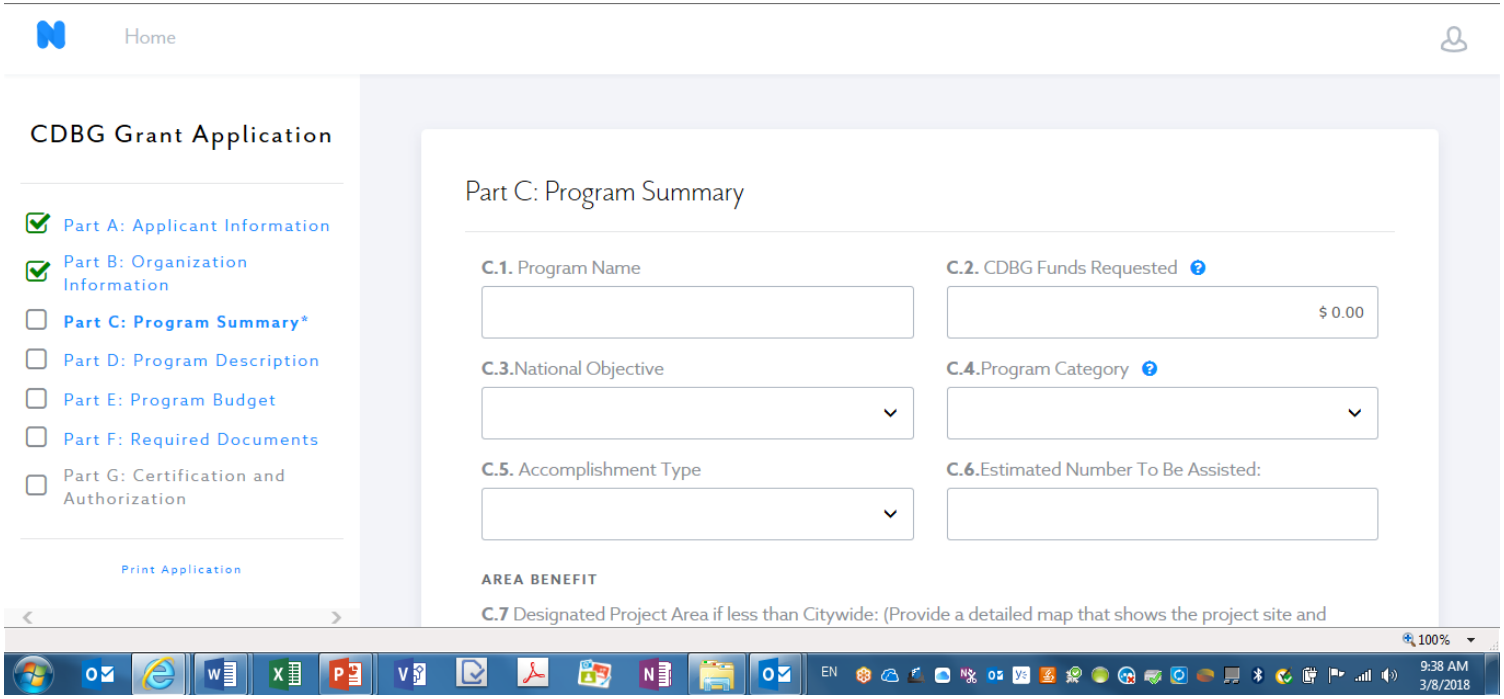
Part C: Proposed Program Summary

- Designated Project Area
  - Narrative Description
  - Area Benefit
  - Limited Clientele Benefit
    - Presumed
    - Low- and moderate- income served

Part C: Proposed Program Summary

- Estimate of Population Served
  - Use most current census data
    www.census.gov
    www.shimberg.ufl.edu
- Fair Housing & Equal Opportunity
  - Affirmative steps to ensure fair housing and equal opportunity
- Narrative Description

Part C


Home
CDBG Grant Application
Part A: Applicant Information
Part B: Organization Information
Part C: Program Summary*
Part D: Program Description
Part E: Program Budget
Part F: Required Documents
Part G: Certification and Authorization
Print Application
Part C: Program Summary
C.1. Program Name
C.2. CDBG Funds Requested
$ 0.00
C.3.National Objective
C.4.Program Category
C.5. Accomplishment Type
C.6.Estimated Number To Be Assisted:
AREA BENEFIT
C.7 Designated Project Area if less than Citywide: (Provide a detailed map that shows the project site and
100%
9:38 AM
3/8/2018

Part D: Program Description

- Overview Narrative
  - WHO (persons served)
  - WHAT (specific activity)
  - WHEN (time frame to complete)
  - WHERE (location/address)

Part D: Program Description

- Describe specifics of activities
  - Staffing
  - Costs
  - Direct Assistance
- Budget breakdown by activity
- Narrative-coordinating with others
- Time table (12 months)
  - Project award to project closeout

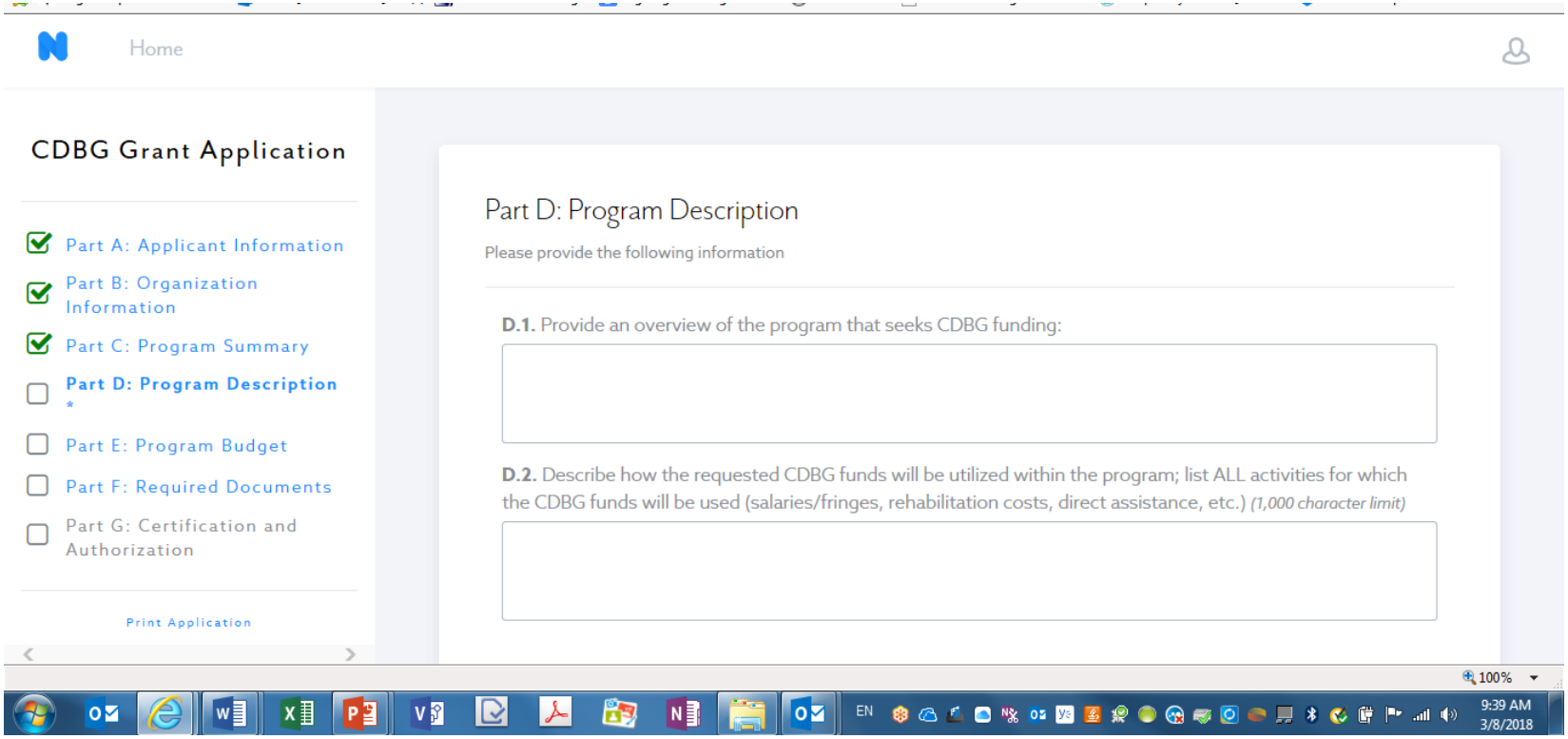
Part D: Program Description

- Checklist of objectives
- Checklist of outcomes
- Narrative - Primary objectives/outcomes
- Narrative - Data to be collected

Part D: Program Description

- Displacement
- Environmental hazards
- Economic development
- Revolving loan program

Part D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CDBG Grant Application
Part A: Applicant Information
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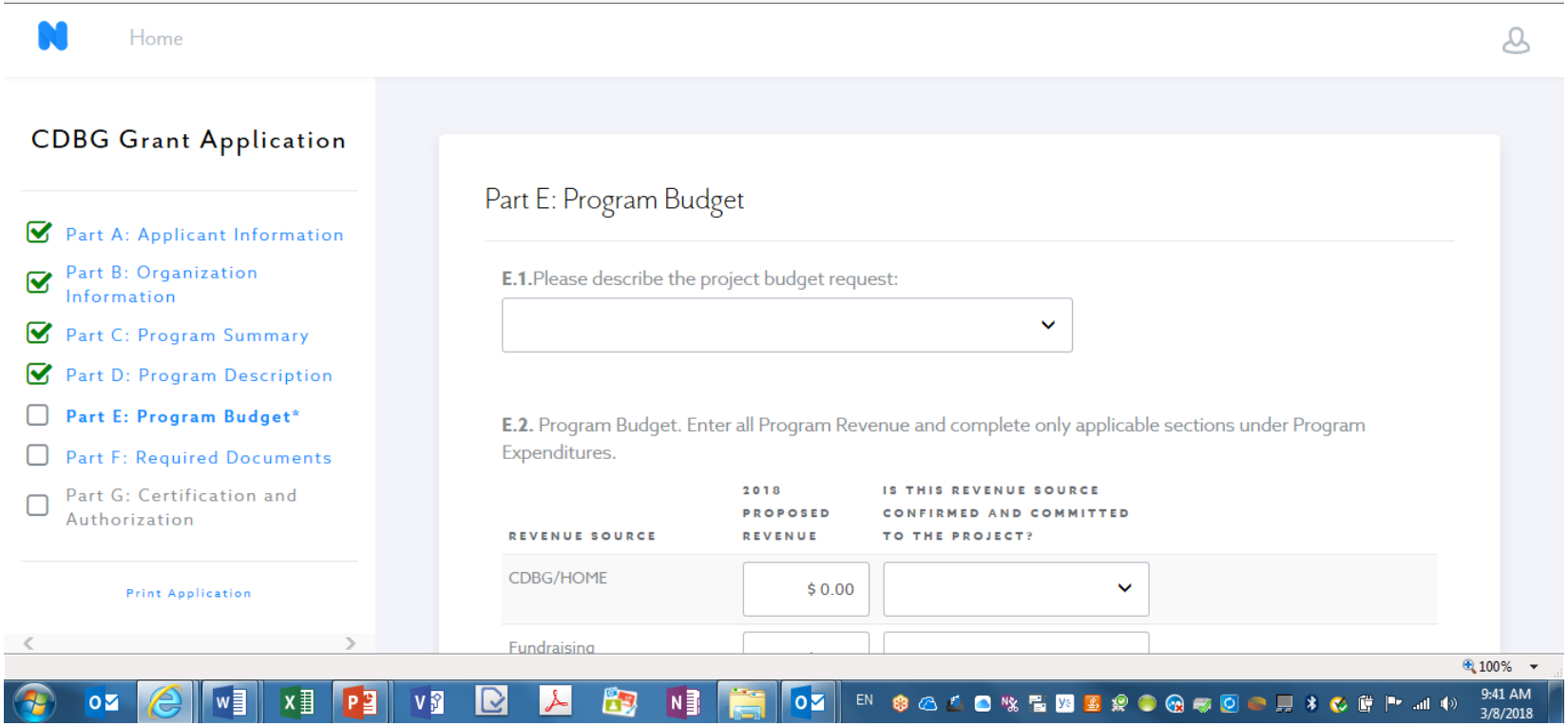
Part C: Program Summary
Part D: Program Description *
Part E: Program Budget
Part F: Required Documents
Part G: Certification and Authorization
Print Application
Part D: Program Description
Please provide the following information
D.1. Provide an overview of the program that seeks CDBG funding:
D.2. Describe how the requested CDBG funds will be utilized within the program; list ALL activities for which the CDBG funds will be used (salaries/fringes, rehabilitation costs, direct assistance, etc.) (1,000 character limit)
100%
9:39 AM
3/8/2018

Part E: Project Budget

- Revenue sources
- Direct project costs
- Other costs

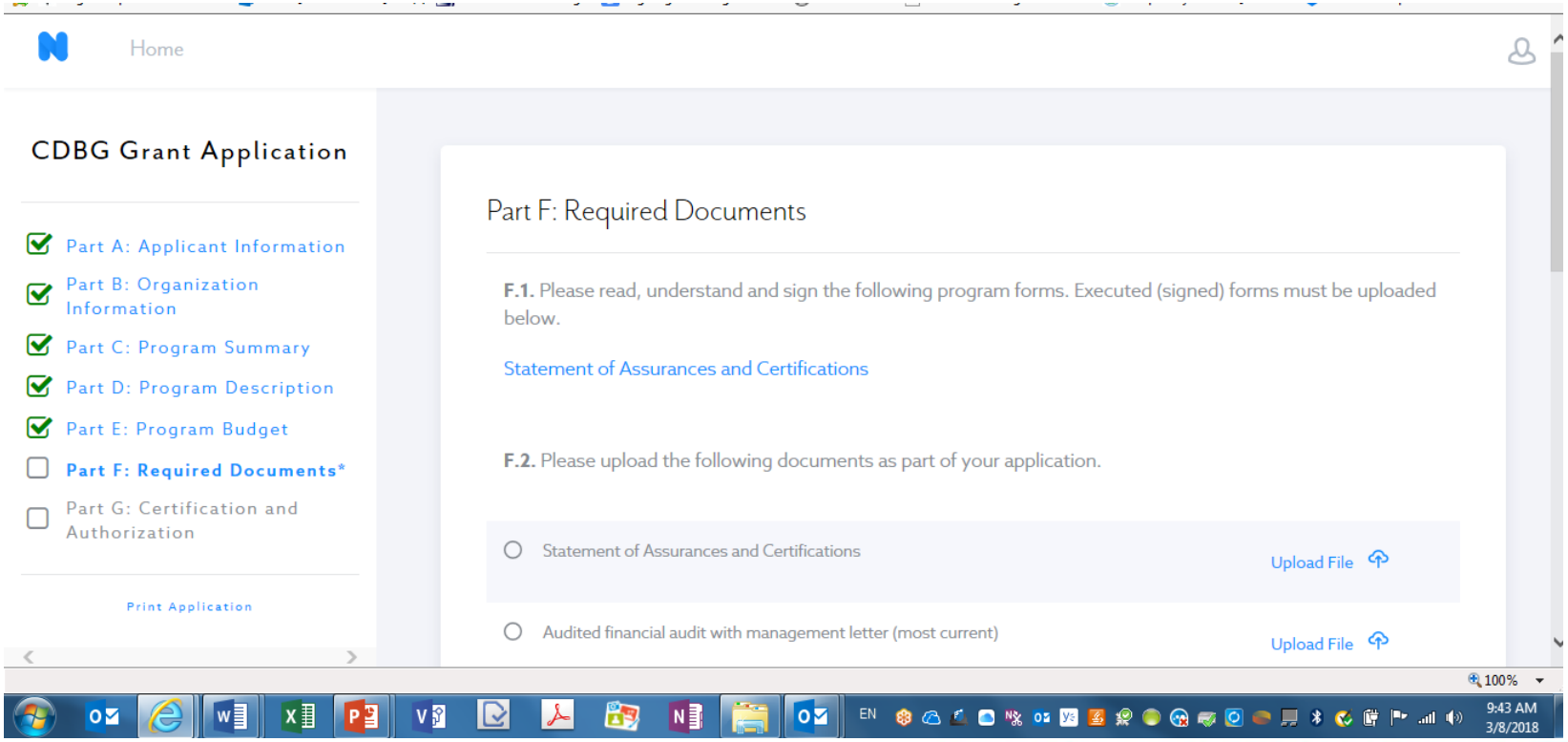
Part E


Home
CDBG Grant Application
Part A: Applicant Information
Part B: Organization Information
Part C: Program Summary
Part D: Program Description
Part E: Program Budget*
Part F: Required Documents
Part G: Certification and Authorization
Print Application
Part E: Program Budget
E.1. Please describe the project budget request:
E.2. Program Budget. Enter all Program Revenue and complete only applicable sections under Program Expenditures.
REVENUE SOURCE
2018 PROPOSED REVENUE
IS THIS REVENUE SOURCE CONFIRMED AND COMMITTED TO THE PROJECT?
CDBG/HOME
$ 0.00
Fundraising
100%
EN
9:41 AM
3/8/2018

Part F: Attachments

- Audited Financial
- Articles of Incorporations & Bylaws
- List of Board
- Current Certification of Good Standing with Secretary of State
- Conflict of Interest Forms
- Organizational Mission Statement
- Scope of work
- Most current Annual Report
- Most current organizational budget
- IRS 501 c 3 determination letter

Part F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Part F: Required Documents*
Part G: Certification and Authorization
Print Application
Part F: Required Documents
F.1. Please read, understand and sign the following program forms. Executed (signed) forms must be uploaded below.
Statement of Assurances and Certifications
F.2. Please upload the following documents as part of your application.
Statement of Assurances and Certifications
Upload File
Audited financial audit with management letter (most current)
Upload File
100%
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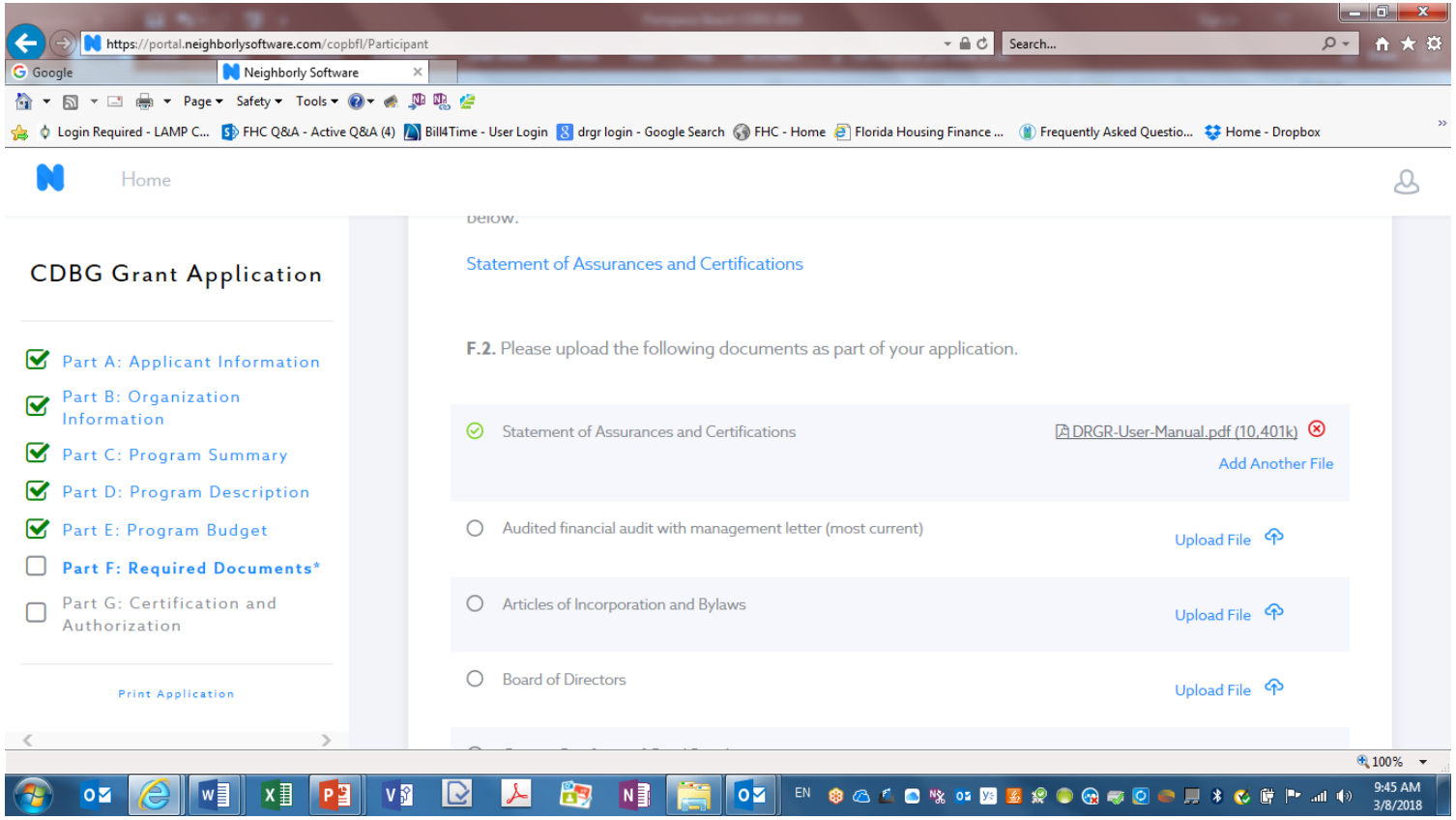
3/8/2018

Upload multiple documents

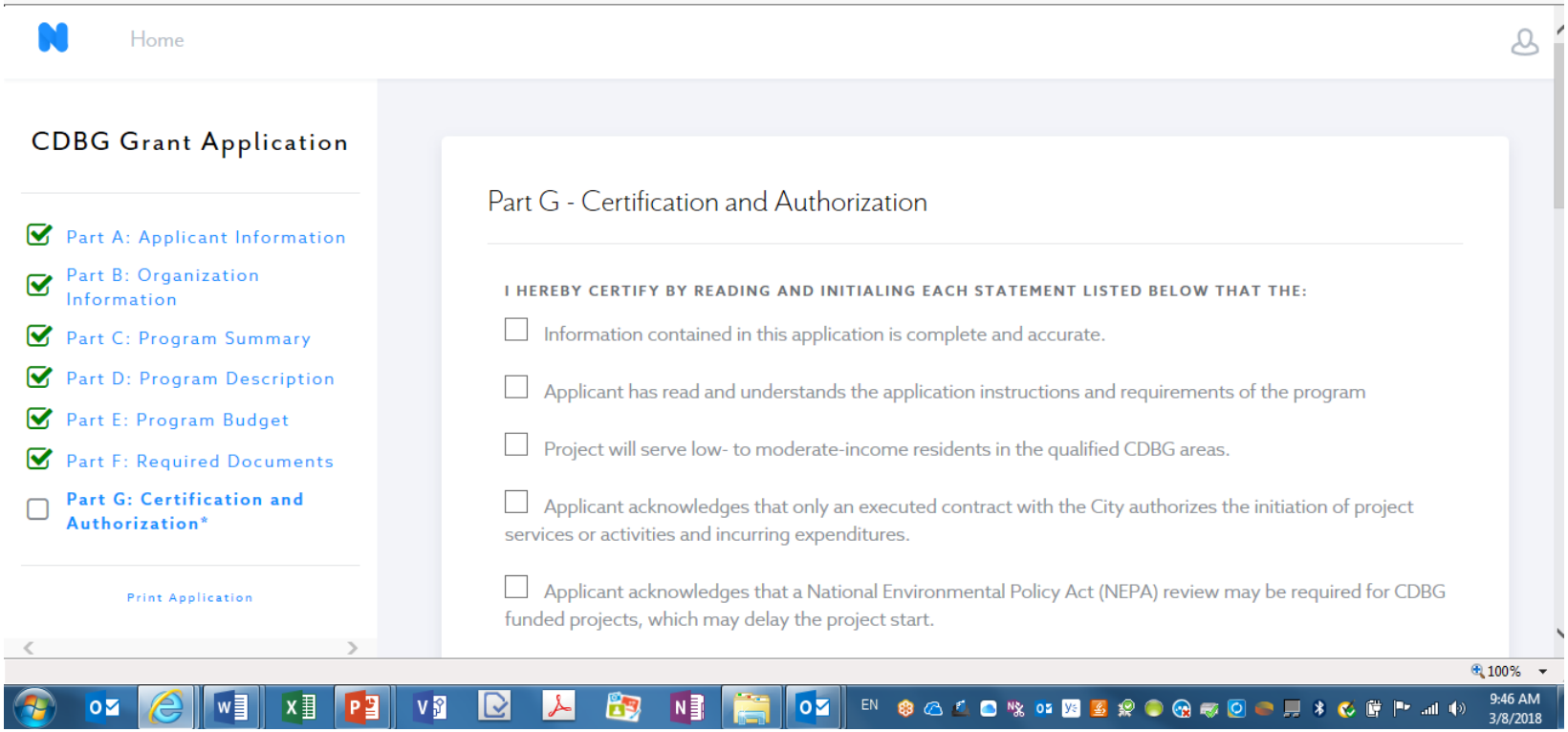


Part G: Certification & Authorization

Review and respond to list

- Check each box which applies to your organization

Part G


Home
CDBG Grant Application
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Part E: Program Budget
Part F: Required Documents
Part G: Certification and Authorization*
Print Application
Part G - Certification and Authorization
I HEREBY CERTIFY BY READING AND INITIALING EACH STATEMENT LISTED BELOW THAT THE:
Information contained in this application is complete and accurate.
Applicant has read and understands the application instructions and requirements of the program
Project will serve low- to moderate-income residents in the qualified CDBG areas.
Applicant acknowledges that only an executed contract with the City authorizes the initiation of project services or activities and incurring expenditures.
Applicant acknowledges that a National Environmental Policy Act (NEPA) review may be required for CDBG funded projects, which may delay the project start.
100%
EN
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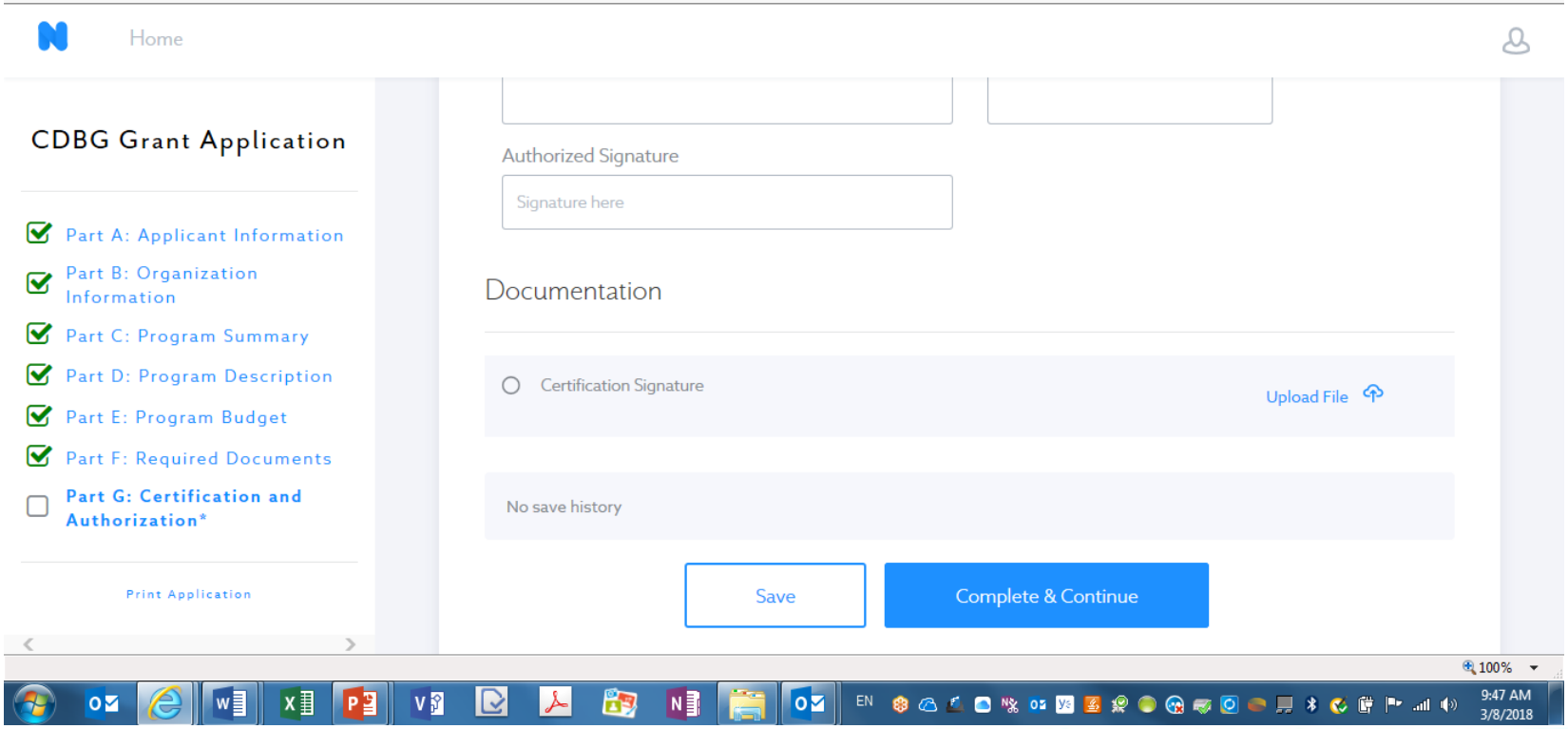
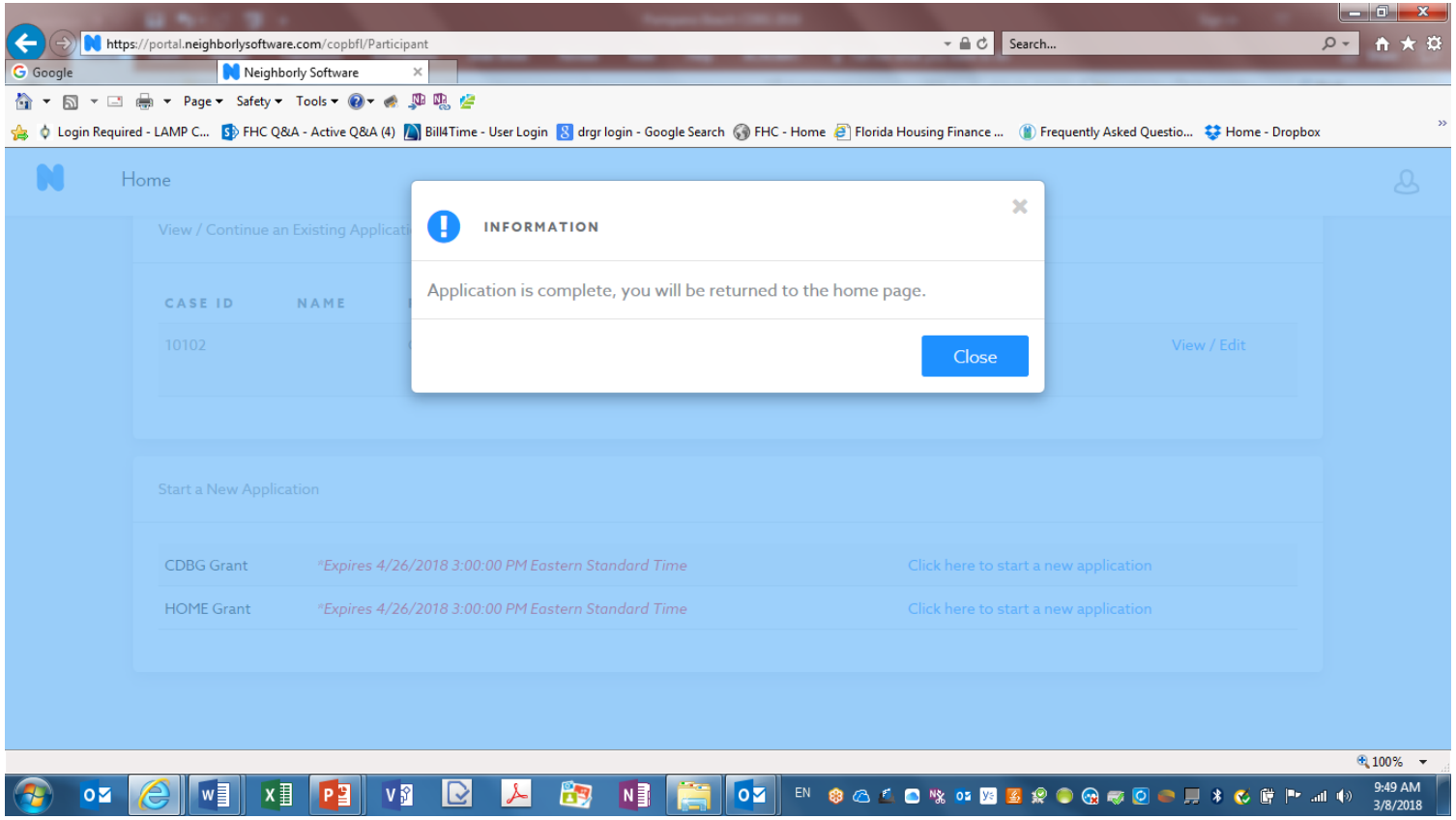
3/8/2018

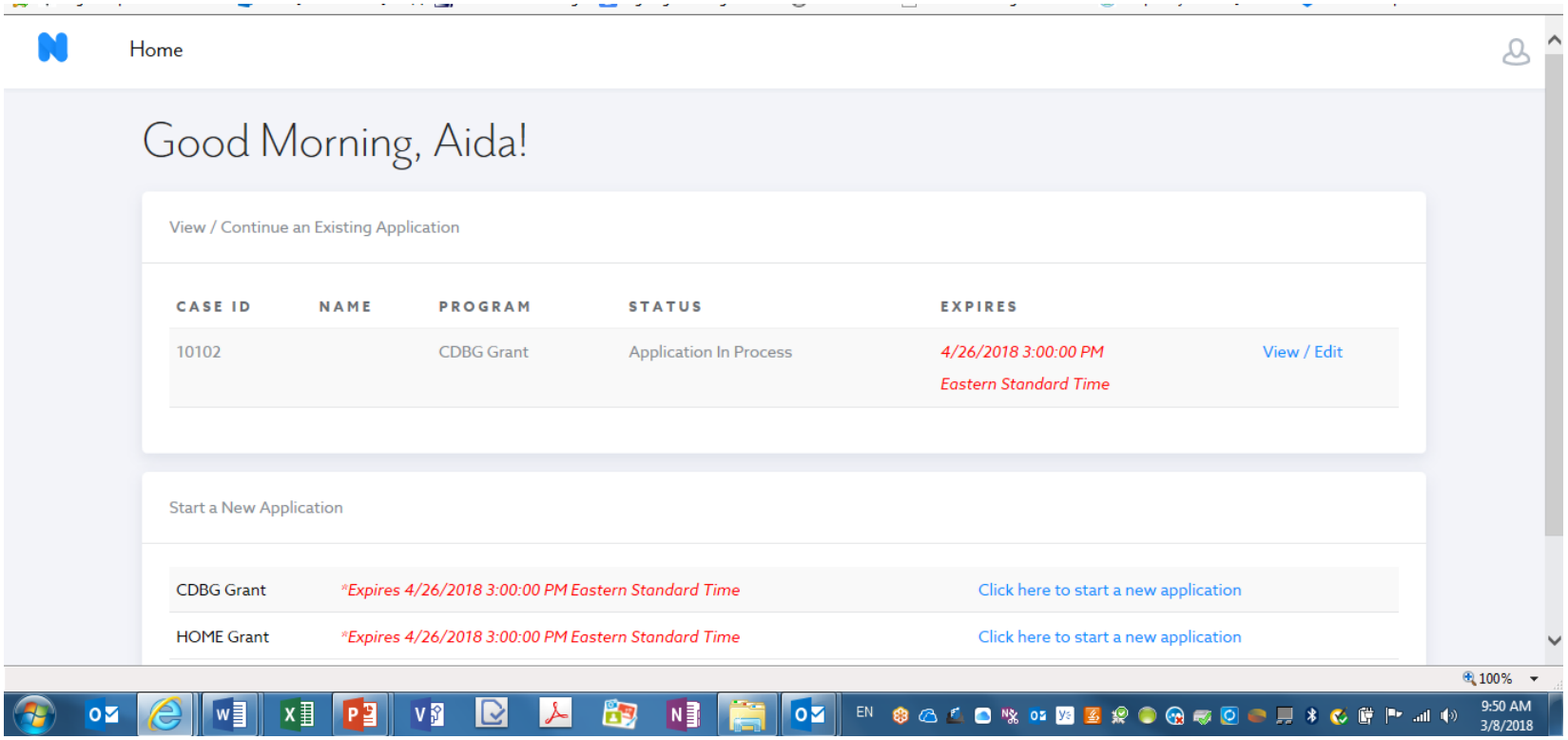
Print, sign and upload page



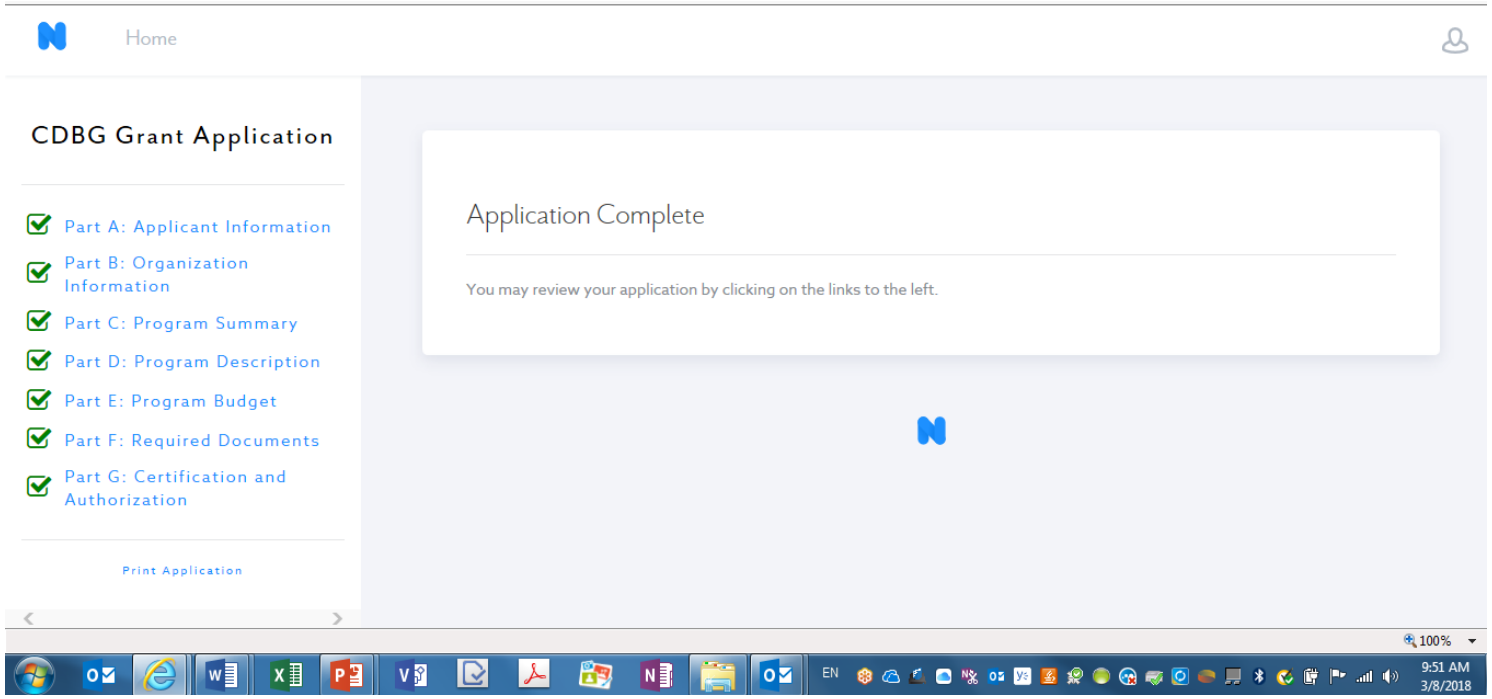
Complete Application



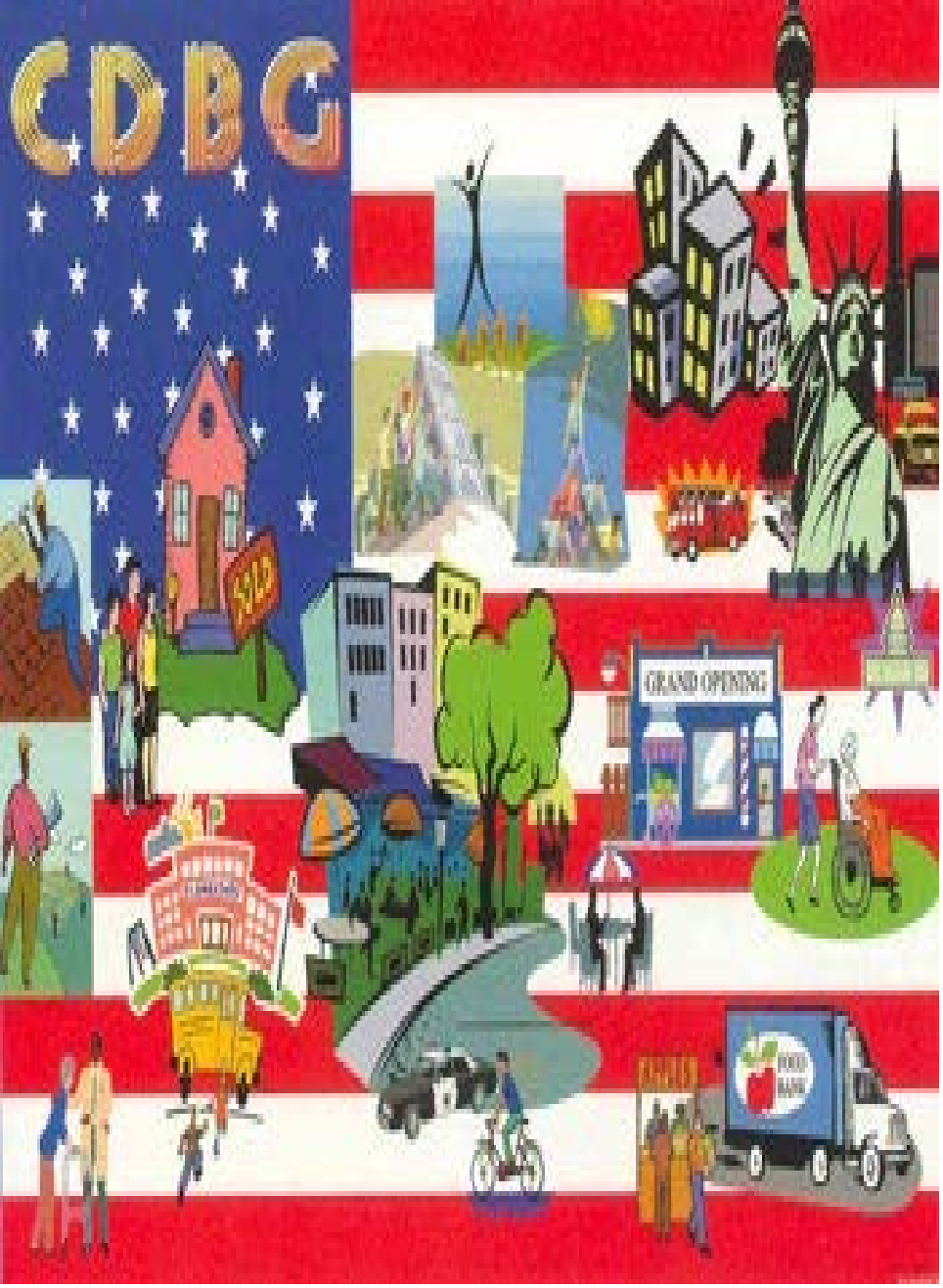
You can view and edit or start a new application



Review Complete Application



Questions and Answers



For Follow-Up

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