

ST. PETERSBURG CITY COUNCIL
Consent Agenda
Meeting of December 2, 2021

TO: The Honorable Ed Montanari, Chair, and Members of City Council

SUBJECT: A resolution authorizing the Mayor or his designee to accept grant funding in the amount of \$3,036,659 from the U.S. Department of Housing and Urban Development (“HUD”); approving a supplemental appropriation in the amount of \$3,036,659 from the increase in the unappropriated balance of the HOME American Rescue Plan Fund (1116), resulting from these additional grant revenues, to the Housing and Community Development Department, Administration Division (082-1089); to execute all documents necessary for implementation of the grant; and providing an effective date.

EXPLANATION: The American Rescue Plan Act of 2021 appropriated \$5 billion to provide housing, services, and shelter to individuals experiencing homeless and other vulnerable populations, to be allocated by formula to jurisdictions that qualified for HOME Investment Partnerships Program allocation in Fiscal Year 2021. On September 22, 2021, HUD forwarded a Grant Agreement to the City for a total amount of \$3,03,659.00 in HOME American Rescue Plan (“ARP”) funding. Administration is asking for authorization to accept the grant funding and return a signed Agreement to HUD.

Also, in September 2021, HUD published a notice, titled: “Requirements for the Use of Funds in the HOME – American Rescue Plan Program” which the City is encouraged to review to assist in developing its program. In accordance with the Notice, and the HOME American Rescue Plan (“ARP”) Grant Agreement, the City, as a next step, will need to hold workshops, and prepare a plan with strategies for the use and implementation of the grant funds which will then be submitted to City Council for review and approval. After approval by City Council the plan must be submitted to HUD for approval.

The workshops will explain that the Qualifying Populations to be assisted with HOME ARP Funds include the following:

1. Homeless
2. At risk of Homelessness
3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking
4. Other Populations where providing supportive services or assistance would:
 - Prevent the family’s homelessness; or
 - Serve those with the Greatest Risk of Housing Instability

HOME-ARP Funding will also be used to assist Veterans and Families that include a Veteran Family Member that meets one of criteria for the qualifying populations described above. In addition, HOME-ARP states that funds must be used to primarily benefit the qualifying populations through the four eligible activities: (1) Tenant Based Rental Activity (“TBRA”), (2)

development and support of affordable housing, (3) provision of supportive services; and (4) acquisition and development of non-congregate shelter (“NCS”) units.

HUD is requiring that:

- 100% of HOME-ARP funds used by a local jurisdiction for TBRA, supportive services, and acquisition and development of non-congregate shelter units must benefit individuals and families in qualifying populations.
- Not less than 70% of affordable rental housing units acquired, rehabilitated, or constructed with HOME-ARP funds by a local government must be occupied by households in the qualifying populations.
- Not more than 30 percent of the total number of rental units assisted with HOME-ARP funds by the local government to be restricted to households that are low-income as defined in 24 CFR 92.2 (“low-income households”) (80% AMI). These units may only be located in projects containing HOME-ARP units restricted for qualifying households.

In addition, as of the Federal Award Date, HUD has authorized that the City may use up to five percent (\$151,832.95) of its total award for administrative and planning in advance of approval of the plan to start the process of preparing it for submission to HUD. After HUD’s approval of the plan, additional funding in the amount of \$303,665.90 will be available for Administrative costs for a total of (\$455,498.85) or 15% of the grant award cost, and funding totaling \$2,581,160.15 will be available to be used for program activities.

The period of use of the HOME ARP funds begins on September 20, 2021 and runs through September 30, 2030. The City is required to maintain the HOME ARP funds in a separate interest-bearing account and must track any program income earned from the HOME ARP funds so that they can be subsequently used in the HOME Investment Partnership Program for eligible activities.

Administration is requesting a supplemental appropriation in the amount of \$3,036,659 in HOME American Rescue Plan funding from the increase in the unappropriated balance of the HOME American Rescue Plan Fund (1116) resulting from the grant funding.

RECOMMENDATION: The Administration recommends that City Council adopt a resolution authorizing the Mayor or his designee to accept grant funding in the amount of \$3,036,659 from the U.S. Department of Housing and Urban Development (“HUD”); approving a supplemental appropriation in the amount of \$3,036,659 from the increase in the unappropriated balance of the HOME American Rescue Plan Fund (1116), resulting from these additional grant revenues, to the Housing and Community Development Department, Administration Division (082-1089); to execute all documents necessary for implementation of the grant; and providing an effective date.

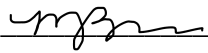
COST/FUNDING/ASSESSMENT INFORMATION: Revenues in the amount of \$3,036,659 will be received from the U.S. Department of Housing and Urban Development (“HUD”) and deposited into the HOME American Rescue Plan Fund (1116). Funds will be available after the approval of a supplemental appropriation in the amount of \$3,036,659 from the increase in the unappropriated balance of the HOME American Rescue Plan Fund (1116), resulting from these

additional grant revenues, to the Housing and Community Development Department Administration Division (082-1089).

Attachment: Grant Agreement (unsigned)
Resolution

APPROVALS:

Administration: Robert Gerdes

Budget: 

HOME ARP Grant Agreement

Title II of the Cranston-Gonzalez National Affordable Housing Act
Assistance Listings #14.239 – HOME Investment Partnerships Program

| | | |
|--|--|---|
| 1. Grantee Name and Address St Petersburg Po Box 2842 Saint Petersburg, FL 33731-2842 | 2. Grant Number (Federal Award Identification Number (FAIN)) M21-MP120220 | |
| | 3a Tax Identification Number 596000424 | 3b. Unique Entity Identifier (formerly DUNS) 167525885 |
| | 4. Appropriation Number 861/50205 | 5. Budget Period Start and End Date FY 2021 – 09/30/2030 |

| | |
|--|-----|
| 6. Previous Obligation (Enter "0" for initial FY allocation) | \$0 |
| a. Formula Funds | \$ |

| | |
|--|----------------|
| 7. Current Transaction (+ or -) | \$3,036,659.00 |
| a. Administrative and Planning Funds Available on Federal Award Date | \$151,832.95 |
| b. Balance of Administrative and Planning Funds | \$303,665.90 |
| c. Balance of Formula Funds | \$2,581,160.15 |

| | |
|-----------------------|----|
| 8. Revised Obligation | \$ |
| a. Formula Funds | \$ |

| | |
|---|--|
| 9. Special Conditions (check applicable box) <input type="checkbox"/> Not applicable <input type="checkbox"/> Attached | 10. Federal Award Date (HUD Official's Signature Date) 09/20/2021 |
|---|--|

| 11. Indirect Cost Rate* | 12. Period of Performance Date in Box #10 - 09/30/2030 | | | | | | | | | | | | | | | |
|--|---|--------------------|------------------|---|----|--|---|----|--|---|----|--|---|----|--|--|
| <table border="1"> <thead> <tr> <th>Administering Agency/Dept.</th> <th>Indirect Cost Rate</th> <th>Direct Cost Base</th> </tr> </thead> <tbody> <tr><td>—</td><td>—%</td><td></td></tr> <tr><td>—</td><td>—%</td><td></td></tr> <tr><td>—</td><td>—%</td><td></td></tr> <tr><td>—</td><td>—%</td><td></td></tr> </tbody> </table> | Administering Agency/Dept. | Indirect Cost Rate | Direct Cost Base | — | —% | | — | —% | | — | —% | | — | —% | | * If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients. |
| Administering Agency/Dept. | Indirect Cost Rate | Direct Cost Base | | | | | | | | | | | | | | |
| — | —% | | | | | | | | | | | | | | | |
| — | —% | | | | | | | | | | | | | | | |
| — | —% | | | | | | | | | | | | | | | |
| — | —% | | | | | | | | | | | | | | | |

The HOME-ARP Grant Agreement (the "Agreement") between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.) and Section 3205 of the American Rescue Plan (P.L. 117-2) (ARP). HUD regulations at 24 CFR part 92 (as may be amended from time to time), the CPD Notice entitled "Requirements for the Use of Funds in the HOME-American Rescue Plan Program" (HOME-ARP Implementation Notice), the Grantee's HOME-ARP allocation plan (as of the date of HUD's approval), and this HOME-ARP Grant Agreement, form HUD-40093a, including any special conditions (in accordance with 2 CFR 200.208), constitute part of this Agreement. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502 and the HOME-ARP Implementation Notice. To the extent authorized by HUD regulations at 24 CFR part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds invested in HOME-ARP activities under the HOME-ARP Implementation Notice are repayable in accordance with the requirements of the HOME-ARP Implementation Notice. The Grantee agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58, as well as the HOME-ARP Implementation Notice.

The Grantee must comply with the applicable requirements at 2 CFR part 200, as amended, that are incorporated by the program regulations and the HOME-ARP Implementation Notice, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the program regulations or HOME-ARP Implementation Notice, activities carried out under the grant after the effective date of the 2 CFR part 200 amendments will be governed by the 2 CFR part 200 requirements, as replaced or renumbered by the part 200 amendments.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix I to 2 CFR part 200, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

Funds remaining in the grantee's Treasury account after the end of the budget period will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552, the Grantee shall not incur any obligations to be paid with such assistance after the end of the Budget Period.

| | | |
|--|--------------------|-----------------------|
| 13. For the U.S. Department of HUD (Name and Title of Authorized Official) Lisa A. Hill, CPD Director | 14. Signature x | 15. Date 9/20/2021 |
| 16. For the Grantee (Name and Title of Authorized Official) | 17. Signature x | 18. Date / / |

19. Check one: Initial Agreement Amendment #

| | | | |
|--------------------------------------|--------------------|----------|----------------|
| 20. Funding Information: HOME ARP | | | |
| Source of Funds | Appropriation Code | PAS Code | Amount |
| 2021 | 861/50205 | HMX | \$3,036,659.00 |

21. Additional Requirements: These additional requirements are attached and incorporated into this Agreement. The Grantee agrees to these additional requirements on the use of the funds in 7., as may be amended from time to time by the Secretary.

- a) As of the Federal Award Date, the Grantee may use up to the amount identified in 7.a. of this Agreement for eligible administrative and planning costs in accordance with the HOME-ARP Implementation Notice.
- b) Until the date of HUD's acceptance of the Grantee's HOME-ARP allocation plan, the Grantee agrees that it will not obligate or expend any funds for non-administrative and planning costs, in accordance with the HOME-ARP Implementation Notice.
- c) In accordance with the HOME-ARP Implementation Notice, as of the date of acceptance by HUD of the Grantee's HOME-ARP allocation plan, HUD shall make the amount identified in line 7. of this Agreement available to the Grantee.
- d) If the Grantee does not submit a HOME-ARP allocation plan or if the Grantee's HOME-ARP allocation plan is not accepted within a reasonable period of time, as determined by HUD, the Grantee agrees that all costs incurred and HOME-ARP funds expended by the Grantee will be ineligible costs and will be repaid with non-Federal funds.

22. Special Conditions

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$3,036,659 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$3,036,659 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE HOME AMERICAN RESCUE PLAN FUND (1116), RESULTING FROM THESE ADDITIONAL GRANT REVENUES, TO THE HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, ADMINISTRATION DIVISION (082-1089); TO EXECUTE ALL DOCUMENTS NECESSARY FOR IMPLEMENTATION OF THE GRANT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the American Rescue Plan Act of 2021 appropriated \$5 billion to provide housing, services, and shelter to individuals experiencing homelessness and other vulnerable populations, to be allocated by formula to jurisdictions that qualified for HOME Investment Partnerships Program allocation in Fiscal Year 2021; and

WHEREAS, on September 13, 2021, The U.S. Department of Housing and Urban Development (“HUD”) published a notice titled: “Requirements for the Use of Funds in the HOME – American Rescue Plan” (“ARP”) program which the City is encouraged to review to assist in developing its program; and

WHEREAS, in accordance with the Notice, and the HOME ARP Grant Agreement, the City has to prepare a plan with strategies for the use and implementation of the grant funds which has to be approved by City Council and forwarded to HUD for its approval; and

WHEREAS, HUD has approved that the City may use up to five percent (\$151,832.95) of its overall funding to start the process of preparing and finalizing a plan for submission to HUD; and

WHEREAS, once the City’s HOME-ARP Allocation Plan is approved by HUD, the City will have use of \$303,665.90 in additional administrative funding and \$2,581,160.15 in program funding; and

WHEREAS, the Qualifying Populations to be assisted with HOME ARP Funds include the following:

- Homeless
- Those who are at risk of Homelessness
- Those who are Fleeing, or Attempting to Flee, Domestic Violence, Sexual Assault, Stalking, or Human Trafficking
- Other Populations where providing supportive services or assistance would prevent the family’s homelessness or serve those with the greatest risk of housing instability.

WHEREAS, HOME ARP Funding will be used to assist Veterans and Families that include a Veteran Family Member that meets the criteria for one of the qualifying populations described above. In addition, ARP states that funds must be used to primarily benefit the qualifying populations through

the four eligible activities: (i) Tenant Based Rental Assistance, (ii) development and support of affordable housing, (iii) provision of supportive services; and (iv) acquisition and development of non-congregate shelter (“NCS”) units; and

WHEREAS, HUD is requiring that (i) 100% of HOME ARP funds used by a local jurisdiction for TBRA, supportive services, and acquisition and development of non-congregate shelter units must benefit individuals and families in qualifying populations, (ii) not less than 70% of affordable rental housing units acquired, rehabilitated, or constructed with HOME-ARP funds by a local government must be occupied by households in the qualifying populations, and (iii) not more than 30 percent of the total number of rental units assisted with HOME-ARP funds by the local government to be restricted to households that are low-income as defined in 24 CFR 92.2 (“low-income households”) (80% AMI). These units may only be located in projects containing HOME-ARP units restricted for qualifying households; and

WHEREAS, the period of use of the HOME-ARP funds begins on September 20, 2021, and runs through September 30, 2030; and

WHEREAS, to start the HOME-ARP program process, Administration is requesting a supplemental appropriation of \$3,036,659 in HUD funding from the increase in the unappropriated balance of the HOME American Rescue Plan Fund (1116) resulting from the grant revenue to fund the program; and

NOW THEREFORE, BE IT RESOLVED, BY THE City Council of the City of St. Petersburg, Florida, that the Mayor or his designee is hereby authorized to accept the grant funding in the amount of \$3,036,659 from the U.S. Department of Housing and Urban Development.

BE IT FURTHER RESOLVED that there is hereby approved from the unappropriated balance of the HOME American Rescue Plan Fund (1116), resulting from these additional grant revenues, the following supplemental appropriation for FY 22.

| | |
|--|-------------|
| <u>HOME American Rescue Plan Fund (1116)</u> | |
| Housing and Community Development Department | |
| Administration Division (082-1089) | \$3,036,659 |

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute all documents necessary for implementation of the grant.

This resolution shall become effective immediately upon its adoption.

Approvals:

Legal: /s/Bradley Tennant

Administration: Robert Gerdes

Budget: E Makofska

00596205.doc v1