

ORDINANCE NO. 22-22

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A HOME INVESTMENT PARTNERSHIPS - AMERICAN RESCUE PLAN (HOME-ARP) GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND EXECUTE ALL NECESSARY DOCUMENTS ASSOCIATED TO ITS AWARD AND DECLARING AN EMERGENCY.

WHEREAS, federal financial assistance is available to the City of Lorain under the Housing and Community Development Act of 1974, as amended, for the purposes of eliminating slum and neighborhood blight and improving housing and economic opportunities for low and moderate income persons, and;

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) issued federal regulations on January 4, 1995 that consolidates into the single submission the planning application process for the Community Development Block Grant (CDBG) Program; the Emergency Shelter Grant (ESG); the HOME Investment Partnership (HOME) Program; and Housing Opportunities for Persons with AIDS (HOPWA) programs, and;

WHEREAS, Lorain City Council approved Ordinance 79-21 approving the Program Year 2021 (PY21) CDBG & HOME One-Year Action Plan that implements the goals and objectives found in the prior Five-Year Consolidated Plan, and;

WHEREAS, 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 allocations in Program Year 2021, and;

WHEREAS, HUD issued federal regulations on September 13, 2021 that announced availability of HOME-American Rescue Plan Program (HOME-ARP) funds and established requirements for the use of funds, and;

WHEREAS, HOME-ARP funds and requirements for the use of funds will be included in a Substantial Amendment to the PY21 One-Year Action Plan in accordance with federal guidelines, and;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION I. That Lorain City Council authorizes the Mayor to accept a Home Investment Partnerships - American Rescue Plan (HOME-ARP) grant in the amount of \$1,729,944.00.

SECTION II. That the Mayor be and hereby authorized and directed to execute the HOME-ARP Grant Agreement, attached hereto and incorporated herein by reference as "Exhibit A," and

all other necessary documents with HUD on behalf of the City of Lorain for funding under HOME-ARP and other federal programs in accordance with applicable federal laws.

SECTION III. That the Safety/Service Director be and hereby is authorized and directed to enter into all contracts and agreements to accept financial assistance, appropriating the funds and establishing the individual accounts consistent with all attached budgets.

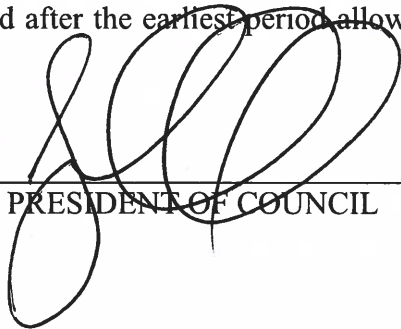
SECTION IV. That City Council hereby appropriates for the entire calendar year 2022, the full amount of funds specified in HOME-ARP and other program budgets incorporated herein.

SECTION V. The City Auditor is further authorized to secure for his or her records a line item appropriation of each activity listing all categories incorporated budgets.

SECTION VI. That it is found that all actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and any of its committees that resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION VII. That this ordinance is declared to be an emergency measure, the emergency being to meet established deadlines by HUD and to provide for the safety, health and welfare of the citizens of Lorain, provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Feb. 7, 2022



PRESIDENT OF COUNCIL

ATTEST: Mary Green, CLERK OF COUNCIL

APPROVED: Feb. 7, 2022



MAYOR

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 Lorain 200 West Erie Avenue 5th Floor Lorain, OH 44052-0000	2. Grant Number (Federal Award Identification Number (FAIN)) M21-MP390220	
	3a. Tax Identification Number 346001700	3b. Unique Entity Identifier (formerly DUNS) 787417187
	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 -)	\$1,729,944.00
a. Administrative and Planning Funds Available on Federal Award Date	\$86,497.20
b. Balance of Administrative and Planning Funds	\$172,994.40
c. Balance of Formula Funds	\$1,470,452.40

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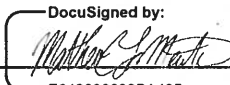
* If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be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

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) Matthew Lamantia, CPD Director	14. Signature x	DocuSigned by: 	15. Date 09/20/2021
16. For the Grantee (Name and Title of Authorized Official)	17. Signature x	E643038893BA495...	18. Date / /

19. Check one: Initial Agreement Amendment #

20. Funding Information: HOME ARP			
<u>Source of Funds</u>	<u>Appropriation Code</u>	<u>PAS Code</u>	<u>Amount</u>
2021	861/50205	HMX	\$1,729,944.00

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



CITY OF LORAIN

City Council Regular Meeting

10. s.

Meeting Date: 02/07/2022

Submitted by: Matt Kusznr, Program Manager

AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A HOME INVESTMENT PARTNERSHIPS - AMERICAN RESCUE PLAN (HOME-ARP) GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND EXECUTE ALL NECESSARY DOCUMENTS ASSOCIATED TO ITS AWARD AND DECLARING AN EMERGENCY.

PURPOSE AND BACKGROUND:

Passage of the ordinance will allow for the City of Lorain Building, Housing & Planning Dept. to administer and spend additional grant funds.

RECOMMENDATION TO COUNCIL:

Consideration and passage.

Fiscal Impact

Funds Available In Current Year Budget (Y/N): N/A
Estimate of Total Expenditure: N/A
List of Funding Source and/or Account Number: HOME-ARP
Estimate of Incoming Revenue (fees, grants, etc.):
Financing Requirements (Bonds, Loans, Lease, etc.):

Attachments

HOME-ARP Ordinance
Exhibit A

Form Review

Inbox	Reviewed By	Date
Auditor	Breanna Dull	02/03/2022 12:26 PM
Robyn Davey	Robyn Davey	02/03/2022 02:58 PM
Safety/Service Director	Sanford Washington	02/03/2022 03:44 PM
Mayor Bradley	Jack Bradley	02/03/2022 03:46 PM
Auditor	Karen Shawver	02/07/2022 09:15 AM
Legal	Patrick Riley	02/07/2022 09:34 AM
Form Started By: Matt Kusznr		Started On: 02/03/2022 11:57 AM
Final Approval Date: 02/07/2022		

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Fallis	✓		Nutt	✓	
Dimacchia			Moon	✓	
Springowski	✓		Carrion	✓	
Henley	✓		Shawver	✓	
Kempton	✓		Thornsberry	✓	
Carter	✓		Arredondo		