



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: April 21, 2020

Title: Pima County Resolution to Amend the City of Tucson and Pima County Consortium FY2014-2019 HUD Consolidated Plan and the Pima County FY2019-2020 Annual Action Plan; and authorize submission to the U.S. Department of Housing and Urban Development.

Introduction/Background:

Pima County ("County"), through its Department of Community Development and Neighborhood Conservation ("CDNC"), administers several federal and local grant programs to benefit low-income, homeless, and certain special needs individuals in Pima County. County is the recipient of U.S. Department of Housing and Urban Development ("HUD") grant funds under: Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; Title II of the Cranston-Gonzalez National Affordable Housing Act ("NAHA"); and, Title IV of the McKinney-Vento Homeless Assistance Act (collectively referred to as "the HUD Grants").

Local entitlement jurisdictions, such as Pima County, must prepare a Consolidated Plan and an Annual Action Plan to continue to receive CDBG and other HUD grant funding. The Board of Supervisors previously authorized the submission of the *City of Tucson and Pima County Consortium 2014-2019 HUD Consolidated Plan and the FY2019-2020 Pima County Annual Action Plan*.

Discussion:

Pima County will amend the *City of Tucson and Pima County Consortium 2014-2019 HUD Consolidated Plan and the FY2019-2020 Pima County Annual Action Plan* in order to provide funding to agencies that are addressing an immediate, urgent need in response to the federal, state and local emergencies that have been declared because of the COVID-19 coronavirus pandemic.

The amendments to the Consolidated Plan and Annual Action Plan AAP will provide opportunities to Pima County to prevent the spread of COVID-19 and better assist low to moderate income individuals and families, including those experiencing homelessness, impacted by this serious health emergency.

Conclusion:

Failure to approve these amendments for submittal to HUD will jeopardize the reprogramming of funds to address of funding to Pima County to address the immediate, urgent need in response to the federal, state and local emergencies that have been declared because of the COVID-19 coronavirus pandemic.

Recommendation:

Staff recommends Board approval of the amendments to the *City of Tucson and Pima County Consortium 2014-2019 HUD Consolidated Plan and FY2019-2020 Pima County Annual Action Plan*. CDNC shall be directed to submit the Board approved amendment to the *City of Tucson and Pima County Consortium 2014-2019 HUD Consolidated Plan and FY2019-2020 Pima County Annual Action Plan* to HUD. The Chairman of the Board of Supervisors ("Chairman") shall be authorized to execute all necessary HUD agreements and other certifying documents pertaining to CDBG, ESG and HOME projects and activities identified in the plan. Finally, Chairman shall be authorized to execute all subrecipient agreements between agencies and the County for respective CDBG, ESG, and HOME funded projects and activities identified in the amended FY 2019-2020 Pima County Annual Action Plan.

Fiscal Impact:

Once approved, funding can be reprogrammed to allow Pima County to provide opportunities for Pima County to prevent the spread of COVID-19 and better assist low to moderate income individuals and families, including those experiencing homelessness, impacted by this serious health emergency.

APR 13 2020 04:04 PM CDR/ERD



Board of Supervisor District:

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☒ All

Department: CDNC

Telephone: 724-6754

Contact: Joel Gastelum

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Department Director Signature/Date:

Daniel Gutierrez

9.13.2020

Deputy County Administrator Signature/Date:

[Signature]

15 Apr 2020

County Administrator Signature/Date:

C. R. Delaney

4/15/2020

RESOLUTION 2020 - _____

PIMA COUNTY RESOLUTION TO AMEND THE CITY OF TUCSON AND PIMA COUNTY CONSORTIUM FY 2014-2019 HUD CONSOLIDATED PLAN AND AUTHORIZE SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Board of Supervisors of Pima County, Arizona finds:

1. Pima County ("County"), through its Department of Community Development and Neighborhood Conservation ("CDNC"), administers several federal and local grant programs to benefit low-income, homeless, and certain special needs individuals in Pima County.
2. County is the recipient of U.S. Department of Housing and Urban Development ("HUD") grant funds under: Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; Title II of the Cranston-Gonzalez National Affordable Housing Act ("NAHA"); and, Title IV of the McKinney-Vento Homeless Assistance Act (collectively referred to as "the HUD Grants").
3. The preparation of the Consolidated Plan is a federal requirement in order for local Entitlement jurisdictions to continue to receive CDBG and other HUD grant funding.
4. The Board of Supervisors approved the five-year 2014-2019 Consolidated Plan and associated time frames for public participation activities.
5. HUD has implemented waivers of Community Planning and Development Grant Program and Consolidated Plan Requirements to prevent the spread of COVID-19 and mitigate economic impacts.
6. The amendments to the Citizen Participation Plan component of the 2014-2019 Consolidated Plan set forth in Exhibit A to this resolution provide additional flexibility to Pima County to prevent the spread of COVID-19 and better assist low to moderate income individuals and families, including those experiencing homelessness, infected with the virus or economically impacted.

NOW, THEREFORE, BE IT RESOLVED, that:

The 2014-2019 Consolidated Plan is hereby amended as set forth in **Exhibit A** and authorized for submission to HUD.

Passed and adopted, this _____ day of _____, 2020.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM



Clerk of the Board

Karen S. Friar, Deputy County Attorney

EXHIBIT A

❖ CITIZENS PARTICIPATION PLAN

For Pima County's Community Development Block Grant Program:

Prior to beginning a new program year, the County holds approximately fifteen public hearings, meetings and/or workshops to solicit public input on the past year's project performance and recommendations for new project allocations for the upcoming program year.

Pima County holds public meetings in identified CDBG target areas. These meetings are designed to discuss target area needs and eligible uses of CDBG funds relative to the identified needs. In addition, the Pima County Board of Supervisors, the Marana Town Council and the South Tucson City Council hold CDBG public meetings. The County also provides technical assistance workshops for non-profits interested in applying for CDBG funds.

The hearings are advertised through public notices and are published in the non-legal section of the Tucson Citizen and the Arizona Daily Star and online. These notices indicate the date, time and location of the scheduled meetings and list the topics to be considered. Notices are also placed in local area publications and mailed directly to county residents when feasible.

Citizens are encouraged to submit their questions, comments and criticisms regarding the county CDBG process or program. These comments may be presented at the public meetings, virtually, through the mail or in person at the Pima County Community Development and Neighborhood Conservation Department. The County provides written responses within 5 working days from the date that the comment is received.

Public input is used to draft a list of projects to be recommended for funding for the upcoming program year. The public may comment on this draft statement, which is reviewed and adopted by the Board of Supervisors, prior to submitting the Annual Action Plan to HUD.

Access to Records – Pima County will provide citizens, public agencies and other interested parties with reasonable and timely access to public records relating to their past use of HOME, ESG, and CDBG and related assistance for the previous five years. This information shall be made available to interested parties as requested.

Adoption of Citizen Participation Plan - Prior to the adoption of the Citizen Participation Plan, notices will be placed on the county website, in local newspapers, stating that the Plan is available for public review and comment. This Citizen Participation plan is anticipated to be adopted by the Pima County Board of Supervisors and the Tucson City Council with the scheduled adoption of each jurisdiction's Consolidated Plan, anticipated to occur in May of any given year.

Comments Received at Public Hearings – Prior to transmitting any Consolidated Plan, substantial amendment, Performance Report or other activity mandating a public hearing and or virtual web meeting or teleconference meeting, the Consortium shall convey any comments or views of citizens received virtually, in writing or orally at public hearings. A

summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to final submissions conveyed to HUD.

Citizen Participation Reasonable Notice and Opportunity to Comment

Hud recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of covid-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances. The county constitutes a public meeting as a public hearing that may take place in a physical location, virtual web meeting or teleconference. This authority is in effect through the end of the 2020 program year.

Criteria and Process for Amendments to Consolidated Plan – Should the Consortium cause one of the following items to occur, it would be construed as an amendment to their Consolidated Plan:

1. To make a substantial change in the allocation priorities or methods of distribution delineated in the plans.

“Substantial” in this context is defined as:

- a) Changes in any method of distribution for HOME, ESG or HOPWA resources that will alter the manner in which funds are allocated to individual projects or entities identified in the Annual Plan by at least 20% of any annual allocation, subject to other program requirements in the CFR as applicable.
 - b) Changes that are made to funding priorities in the Consolidated Plan (including prospective changes to McKinney programs and distribution methods) over time when not undertaken through annual submission requirements stipulated by HUD.
 - c) Project deletions or changes made in allocation priorities or methods of distribution that have the effect of changing the funding level of individual CDBG projects identified in its Annual Plan by more than 10% of the annual funding level, subject to other program requirements in CFR as applicable. Any new project funded with CDBG resources must be noticed to the public prior to funding, as well as significant changes in the use of CDBG funds from one eligible activity to another.
1. To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the action plan;
 2. To substantially change the purpose, scope, location, or beneficiaries of an activity. This refers to changes that are made to projects to be funded in the Consolidated Plan when not undertaken through annual submission requirements stipulated by HUD.
 3. Significant changes in the use of CDBG funds from one eligible activity to another.

Should “substantial” amendments be made to any aspect of the Consolidated

Plan, after its formal adoption, the Consortium will undertake the following:

1. Inform local governments
2. Provide reasonable notice of the proposed amendment/s in the local newspaper to enable review and comment by the public for at least 30 days. Conduct a public hearing on the subject of the proposed amendment during the 30-day comment period, consistent with Sections III through VI noted herein.
3. Submit the amendment/s to the responsible Governing Board/s for approval.
4. Upon termination of the 30-day comment period, notify HUD of any amendments executed, citizen comments received and the response/s by the Consortium.
5. Availability of waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to prevent the Spread of COVID-19 and mitigate economic impacts caused by COVID-19. This 30-day minimum is for the required public comment period is waived for substantial amendments, provided that no fewer than 5 days are provided for public comments on each substantial amendment. The waiver is available through the end of the recipients 2020 program year and us amended throughout the Citizen Participation Plan, a section of the 2014-2019 Consolidated Plan.

❖ **Pima County Displacement Plan**

The Consortium will minimize the displacement of persons assisted through the use of CDBG, HOME, or ESG resources. The policies to be followed are enclosed as an attachment to this document. For efforts other than acquisition or rehabilitation, the Consortium may utilize adopted local policies concerning displacement assistance

RESOLUTION 2020 - _____

PIMA COUNTY RESOLUTION TO AMEND THE PIMA COUNTY 2019-2020 ANNUAL ACTION PLAN AND AUTHORIZE SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Board of Supervisors of Pima County, Arizona finds:

1. Pima County ("County"), through its Department of Community Development and Neighborhood Conservation ("CDNC"), administers several federal and local grant programs to benefit low-income, homeless, and certain special needs individuals in Pima County.
2. County is the recipient of U.S. Department of Housing and Urban Development ("HUD") grant funds under: Title I of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; Title II of the Cranston-Gonzalez National Affordable Housing Act ("NAHA"); and, Title IV of the McKinney-Vento Homeless Assistance Act (collectively referred to as "the HUD Grants").
3. Local entitlement jurisdictions, such as Pima County, must prepare an Annual Action Plan to continue to receive CDBG and other HUD grant funding.
4. The Board of Supervisors previously authorized the submission of the 2019-2020 Annual Action Plan.
5. Pima County will amend the 2019-2020 Annual Action Plan in order to provide funding to agencies that are addressing an immediate, urgent need in response to the federal, state and local emergencies that have been declared because of the COVID-19 coronavirus pandemic.
6. The amendments to the Annual Action Plan will provide opportunities to Pima County to prevent the spread of COVID-19 and better assist low to moderate income individuals and families, including those experiencing homelessness, impacted by this serious health emergency.

NOW, THEREFORE, BE IT RESOLVED, that:

- A. The 2019-2020 Annual Action Plan is amended to include activities in Pima County that will help to prevent the spread of COVID-19 and better assist low to moderate income individuals and families, including those experiencing homelessness, impacted by this serious health emergency.
- B. CDNC staff is directed to submit the amended Annual Action Plan for 2019-2020 to HUD.
- C. The Chairman of the Board of Supervisors is authorized to execute all necessary HUD agreements and other documents to obtain HUD funding for the CDBG, HOME and ESG projects designated in the amended Annual Action Plan for FY 2019-2020. When required by HUD, the Chairman may direct CDNC staff to enter the acceptance of this HUD funding electronically.
- D. CDNC staff is directed to prepare CDBG, HOME and ESG agreements with agencies as authorized by HUD through its approval and funding of the amended Annual Action Plan for 2019-2020 for the distribution of CDBG, HOME and ESG funds.


- E. The Chairman is authorized to execute all agreements between Pima County and the agencies to carry out the CDBG, HOME and ESG projects set forth in the amended HUD-approved Annual Action Plan for 2019-2020.

Passed and adopted, this _____ day of _____, 2020.

Chairman, Pima County Board of Supervisors

ATTEST:

APPROVED AS TO FORM



Clerk of the Board

Date

Karen S. Friar, Deputy County Attorney

FY 2019/2020 Pima County Community Development Block Grant (CDBG) Re-Program

Location/Applicant	Program	CDBG Activity	5.7.2019 BOS Rec.
Sahuarita Food Bank-Good Shepherd United Church of	Sahuarita Food Bank Facility Improvement	pf	\$50,000
Pima County CDNC	Brownfields	bf	\$30,000
Pima County CDNC	Commercial Façade	pf	\$50,000
Pima County CDNC	Emergency Demolition	demo	\$25,000
Pima County CDNC	Project Delivery	pf	\$25,000
Pima County CDNC	Rural Food Pantry Improvement Program	pf	\$40,000
Flowing Wells Neighborhood Association and Community Coalition	Operating Funds	ps	\$15,000
Interfaith Community Services	Temporary Housing for Lead Removal and Repair	hsg	\$10,000
Community Investment Corporation	Brownfields Façade Improvement	ed	\$70,000

Total to be reprogramed in 2019 CDBG Annual Action Plan

\$315,000

Additional FY 2019/2020 Pima County Community Development Block Grant (CDBG) Re-Program Activities to Support Covid-19 Food Security Progr

Location/Applicant	Program	CDBG Activity	Reprogramed Funds
Ajo Center for Sustainable Agriculture	Ajo - C19 Food Security Program	ps	\$50,000
Altar Valley School District #51	Altar Valley - C19 Food Security Program	ps	\$20,000
Arivaca Coordinating Council, Human Resources Group, Inc.	Arivaca - C19 Food Security Program	ps	\$20,000
Interfaith Community Resources	Northwest - C19 Food Security Program	ps	\$20,000
Impact of Southern Arizona	Catalina - C19 Food Security Program	ps	\$5,000
Catholic Community Services dba John Valenzuela Youth Center	South Tucson - C19 Food Security Program	ps	\$30,000
Flowing Wells School District, Flowing Wells Resource Center	Flowing Wells - C19 Food Security Program	ps	\$30,000
Sahuarita Food Bank	Sahuarita - C19 Food Security Program	ps	\$50,000
ReSources Vail Food Bank	Vail - C19 Food Security Program	ps	\$10,000
Community Food Bank of Southern Arizona	Amado, Green Valley, Marana & Countywide - C19 Food Security Program	ps	\$80,000

Total 2019 CDBG Annual Action Plan, New Public Services Activities

\$315,000

HUD Eligible Activity Abbreviations: admin = Administration; ps = Public Service; pf = Public Facility Improvement; SHG = Safe Healthy Green Shelter Set Aside; infra Improvement; hsg = Housing Rehabilitation; ed = Economic Development; land = Land Acquisition; demo = Demolition; bf = Brownfields and Clearance.