# CARES Act of 2020

# Small Cities Community Block Grant COVID-19

# SC CDBG-CV

**Due Date:**
**Friday, July 10th, 2020 by Midnight**

# SC CDBG-CV

# Prevent, Prepare for, or Respond to . . . COVID-19

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Michael Santoro, Director
Office of Policy, Research, & Housing Support

# Tranche One – Funds Available

# SC CDBG-CV Funds Available (1)

- Tranche One of the CDBG-CV funding is currently available.
- Of the allocation to the State ($8,138,549), **$7,894,393** is available for eligible program activities that ***prevent, prepare for, or respond to*** the COVID-19 Pandemic.

Program Income at the Local Level

- If you have program income on hand, you can request the use of those funds for eligible program activities that ***prevent, prepare for, or respond to*** the COVID-19 Pandemic.

# SC CDBG-CV Funds Available (2)

- Tranche Two of CDBG-CV funding will be available in the next 45 days.
- It is anticipated that of the $11,437,547, $11,208,796 will be available.

Michael Santoro, Director
Office of Policy, Research, & Housing Support

# HUD Prescribed Waivers

# HUD Prescribed Waivers for SC CDBG-CV (1)

**Citizen Participation Reasonable Notice and Opportunity to Comment:**

- **Requirement**: Reasonable Notice and Opportunity to Comment.
- **Citations**: 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401

# HUD Prescribed Waivers for SC CDBG-CV (2)

## Citizen Participation Reasonable Notice and Opportunity to Comment:

- **Explanation**: As noted above, the regulations at 24 CFR 91.105 (for local governments) and 91.115 (for States) set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. The citizen participation plan must state how reasonable notice and opportunity to comment will be given.

# HUD Prescribed Waivers for SC CDBG-CV (3)

**Citizen Participation Reasonable Notice and Opportunity to Comment:**

- **Justification:** Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.

# HUD Prescribed Waivers for SC CDBG-CV (4)

## What that Means to you, the Local Government?

- Through this waiver, Local Governments are able to AMEND their Local Citizen Participation Plan, and through that amended CP Plan to "determine what constitutes reasonable notice and opportunity to comment" based on local circumstances and conditions.

- You must amend your local CP Plan, if you want to take advantage of the waiver.

# Amending your Local CP Plan – How

- Notice of the availability of an amended CP plan must be posted for public comment for 5 days in a newspaper of local circulation, and posted on the local government's website for that same 5 day period.
- Public comment on your Amended CP Plan must be accepted for that same 5 day period.
- After the 5 days, you are then able to USE the Amended CP Plan as part of your SC CDBG-CV application process.

# What must be in your Amended CP Plan? (1)

- Your Amended CP Plan must detail what you intend to do for citizen participation, and it must meet the minimum requirements in another section of the Mega-Waiver.

- The 30-day minimum for the required public comment period can be waived, provided that no less than 5 days are provided for public comments on each proposed application/activity.

# What must be in your Amended CP Plan? (2)

- Some form of public comment opportunity must be offered, based on local availability and circumstances. This can be limited, but must be justifiable and justified in your records.

- The State has adopted a 5 day public comment period (in writing or electronic submission) and a "virtual" public hearing.

# What must be in your Amended CP Plan? (3)

- However, if you have alternative method(s) for soliciting public comment, you can include these in your Amended CP Plan, but you must be able to accept public comment of some kind for a minimum of 5 days.

- Please be sure to FOLLOW your Amended CP Plan once it has been implemented.

# Other Waivers for SC CDBG-CV

- 15% Public Service cap has been waived at the State level, so there is no limit on the amount of SC CDBG-CV funds that DOH can spend on COVID-19 eligible expenses from the CARES Act funding.

- This does not extend to Program Income or our Regular SC CDBG allocations, but it does extend to any subsequent waves of CARES Act funds.

# What has **not** been Waived? (1)

- Procurement
- Fair Housing/Nondiscrimination
- Relocation
- Davis Bacon/Labor Standards
- **Environmental Review Requirements**

# What has **not** been Waived? (2)

- This is of particular issue, as SC CDBG-CV CAN be used toward a local government's FEMA Public Assistance 25% Match, however…
- Your Environmental Review must be complete and your ERR must be approved by your local Environmental Review Officer and on file BEFORE you incur any cost.
- If any of you HAVE already completed your ERR and have it signed off by your ER Officer, then you are encouraged to apply for this, in addition to any other activity you may wish to undertake prospectively.

CONNECTICUT
Department of Housing

Lilia Kieltyka, Project Manager

# Environmental Review

# What SC CDBG-CV activities require an Environmental Review (ER)?

- ALL OF THEM

- Use CDBG-CV funds for federal match purposes if ER was completed before 01-31-2020
- Use CDBG–CV funds for pre-application costs only is ER was completed before 03-30-2020
- (HUD) developed its own set of regulations that implement NEPA thru 24 CFR Part 58 with important statutes including:
  - National Flood Insurance Program
  - Coastal Barrier Resource Act
  - Airport Runway Clear Zones, plus others

- Goal is early planning that encourages public participation and an environmental review record ERR that is available to the public

# Conducting an Environmental Review (1)

- **Pick the Certifying Officer that will do the review**
- **Determine the Level of Review – 3 Types Only – Forms Available from DOH**
  - Exempt Determination
    Professional services – Data, financial, counseling, inspections, purchasing tools, supplies, food.
  - CENST – Categorical Exclusion Not Subjected to Part 58
    Operational Costs – maintenance, security, staff training
  - CEST – Categorical Exclusion Subject to Part 58
    Building rehab projects, private or multifamily, NO PUBLIC FACILITIES

# Conducting an Environmental Review (2)

Make a determination using HUD Compliance Checklists and Forms

- Publish Notice FONSI – Finding of No Significant Impact
  - Newspaper of general circulation and needs a 15 day comment period. In addition, as a supplement, applicants should consider notices on the Town's website, social media pages (Facebook, Twitter, etc.), library postings, etc.
- Publish Notice NOI-RROF – Notice of Intent to Request for Release of Funds
  - Needs a 7 day comment period
- Submit a RROF – Request HUD release of the funds using **HUD Form 7015.15**.
- Submit this to the Hartford HUD field office and await approval.

# Eligible Activities COVID-19 SC CDBG-CV

Special Funding Round-May 28, 2020-

**Dominic Carew**

# What are the Eligible Activities for this special round?

Any Activity that meets one (1) of these three (3) requirements:

- Enables a community to **Prepare** for COVID-19
- Enables a community to **Prevent** the Spread of COVID-19
- Enables a community to **Respond** to the fall-out of COVID-19

# DOH Prioritized Certain Eligible Activities for Tranche 1 Funds

# Three Activities:

## Three Activities:

1. Rehabilitation of buildings and improvements (including interim assistance)
2. Planning, Capacity Building and Technical Assistance
3. Provision of New Quantifiably Increased Public Services

# Rehabilitation of buildings and improvements

**(including interim assistance).**

# Examples

DOH will fund projects that are geared to make interim improvements to private properties to enable an individual patient to remain quarantined on a temporary basis.

See section 105(a)(4) (42 U.S.C. 5305(a)(4)); 24 CFR 570.201(f); 570.202(b).

# Or

Rehabilitate a commercial building or closed school building to establish an infectious disease treatment clinic, e.g., by replacing the HVAC system.

# Or

Acquire, and quickly rehabilitate (if necessary) a motel or hotel building to expand capacity of hospitals to accommodate isolation of patients during recovery.

Or, for the improvement of private properties.

In order to alleviate emergency conditions threatening the public health and safety where the chief executive officer of the recipient determines an emergency condition exists and requires immediate resolution, CDBG funds may be used.

See section 105(a)(4) (42 U.S.C. 5305(a)(4)); 24 CFR 570.201(f); 570.202(b).

For more details

# Planning, Capacity Building, and Technical Assistance

## Grant funds to units of general local government may be used to….

Hire technical assistance providers to deliver CDBG training to new subrecipients and local government departments that are administering CDBG funds for the first time to assist with infectious disease response.

Note: This activity is subject to the State's 3 percent administration, planning and technical assistance cap.

***See section 106(d)(5) (42 U.S.C. 5306(d)(5). For more details***

# Planning grants and planning only grants. See section 105(a)(12).

- Grant funds to units of general local government may be used for planning activities in conjunction with an activity, they may also be used for planning only as an activity. These activities must meet or demonstrate that they would meet a national objective. These activities are subject to the State's 20 percent administration, planning, and technical assistance cap.

Remember….
the 3
requirements
to consider when
thinking Eligible
Activities for this
special round…

- Enables a community to **Prepare** for COVID-19
- Enables a community to **Prevent** the Spread of COVID-19
- Enables a community to **Respond** to the fall-out of COVID-19

# Other Prioritized Eligible Activities
# Public Services

**Jerome Mihm**

# Provision of New or Quantifiably Increased Public Services

- Following enactment of the CARES Act, the public services cap has no effect on CDBG-CV grants and no effect on FY 2019 and 2020 CDBG grant funds used for coronavirus efforts. See section 105(a)(8) (42 U.S.C. 5305(a)(8)); 24 CFR 570.201(e).

# Other Eligible Activities/Public Service

- Provide testing, diagnosis or other services at a fixed or mobile location.

# Other Eligible Activities/Public Service

Provide equipment, supplies, and materials necessary to carry-out a public service.

# Other Eligible Activities/Public Service

Deliver meals on wheels to quarantined individuals or individuals that need to maintain social distancing due to medical vulnerabilities.

Miguel Rivera, Director
Housing & Community Development

# Application Process

# Application Process

- For SC CDBG-CV Round 1 funds being distributed by DOH, a modified application process has been established to expedite funding and delivery of targeted services.

- DOH strongly recommends working with local social service agencies, your Continuum of Care (CoC)/Coordinated Access Networks homeless providers, health departments, and other providers to identify specific local needs.

- Applications must be submitted electronically, and will be accepted by midnight, July 10th, 2020 to sccv.applications@ct.gov. Only blue ink signatures will be accepted.

# Eligibility and Threshold Requirement (1)

- These program eligibility and threshold requirement standards are applicable to all applicants and activities unless otherwise noted:

- Eligible Applicants - As defined by HUD program regulations; Non-profit organizations – All Letter Applications MUST come from the city/town or region, but the money can be sub-granted to a non-profit to carry out the activity.
- Eligible Activity - Only “activities”, as defined by this Allocation Plan.
- National Objective - Each proposed activity must meet at least one national objective and must be fully supported within the application.

# Eligibility and Threshold Requirement (2)

- These program eligibility and threshold requirement standards are applicable to all applicants and activities unless otherwise noted:

- Citizen Participation - Applicant must provide certification of compliance with amended citizen participation criteria.
- Consistency with the Consolidated Plan - Applicant must identify how the project is consistent with the goals and strategies of the Consolidated Plan.
- Fair Housing and Equal Opportunity Compliance - Applicant must submit a Fair Housing Action Plan that complies with DOH's guidelines/policies; During the application evaluation process, DOH will conduct due diligence and evaluate all eligible applications using the evaluation criteria described below.

# Application Process

1. Attend Informational workshop by DOH May 28th, 2020 – recording is available for viewing. Here
2. Hold Virtual Public Hearing
   - Notice to be published in an e-newspaper of daily general circulation in the municipality (or other forms to include the municipality website, radio, social media, etc.).
   - The notice must be published at least 5 days prior to the date of the virtual public hearing.
   - Submit copies of the notice along with newspaper Affidavit of Publication with application.
   - Submit copies of minutes of meeting with application.

# Environmental Review

3. Conduct an Environmental Review

- CDBG-CV funds may be used as a FEMA 25% match, if the ERR was completed by January 31, 2020.

- CDBG-CV funds may be used to cover costs incurred prior to the application, if the ERR was completed by March 31, 2020.

# Letter of Application (1)

4. Letter of Application

- Letter on city or town letterhead
- Describe project/activity (including number of persons to be served)
- Include a statement of need and how that the proposed project is being undertaken to *prepare for, respond to or to prevent the COVID-19 pandemic*
- Identify the amount of funding requesting
- Describe why other funding is not available

# Letter of Application (2)

4. Letter of Application

- Requests must be signed by the chief elected official or town/city manager
- Please include the City/Town's DUNS number and the FEIN number
- Include contact email and direct telephone number for the official signing request and the contact information for any other key individual

# Letter of Application (3)

- Reminder:  All signatures are required to be in blue ink
- If you are funded, DOH will gather all wet signature documents as a grant condition.

# Additional Information (1)

- Depending on the nature of the proposed activity, site inspections may be conducted by DOH staff. An evaluation of the site's feasibility is completed and considered as part of the application's final review. Final application recommendations will be made to the Commissioner's Office, based on the overall need identified in the application and compliance with threshold. Applicants will receive written notification after final decisions are made.

# Additional Information (2)

- To the extent feasible, unsuccessful applicants may be offered the option to have a debriefing meeting. Evaluation Criteria for SC CDBG-CV Funding DOH will prioritize funding for those activities identified in Table 1: Eligible Activities to Support Coronavirus and Other Infectious Disease Response as Tier 1 Priorities.

# Additional Information (3)

- Should insufficient applications be submitted to fully expend the current allocation of CDBG-CV funding, all CDBG eligible activities which prevent, prepare for, or respond to COVID-19 will be considered.

**Please remember:**

**Applications must be submitted electronically, and will be accepted by Midnight, July 10th, 2020 to sccv.applications@ct.gov. Only blue ink signatures will be accepted.**

# Reservation of Rights

The Department of Housing (DOH) reserves the right, at its sole discretion, to award all, a portion, or none of the available funding from this application, as well as reject any and all applications based on the quality and merits of the applications received, or when it is determined to be in the public interest to do so. Furthermore, the DOH may extend deadlines and timeframes, as needed. The DOH reserves the right to substantiate any proposers' qualifications, capability to perform, availability, past performance records and to verify that the applicant is current in its financial obligations to the DOH. All materials and equipment used as well as all methods of installation shall comply at a minimum with any and all Federal, OSHA, State and/or local codes, including applicable municipal ordinances and regulations. The successful applicant shall agree to defend, indemnify and save the DOH harmless from all losses, costs or damages caused by its acts or those of its agents, and, before signing the contract, will produce evidence satisfactory to the DOH's Legal Counsel. The DOH reserves the right to waive any informality in applications, to accept any application or portion thereof, and, to reject any and all applications, should it be in the best in the best interest of the state of Connecticut to do so.