

March 8, 2023

**WHEREAS**, on August 18, 1993, City Council authorized establishing specific timeframes for the obligation and expenditure of Community Development Block Grant (CDBG) Funds by Resolution No. 93-3001; and

**WHEREAS**, on March 28, 2007, City Council authorized enhancing the City's existing expenditure policy with additional benchmarks by Resolution No. 07-0992; and

**WHEREAS**, at the discretion of the City Council, the timeframes may be extended for obligating and expending CDBG funded activities; and

**WHEREAS**, on June 22, 2022, City Council authorized final adoption of the FY 2022-23 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan Budget by Resolution No. 22-1024; and

**WHEREAS**, the Community Development Commission (CDC) Financial Monitoring/Performance Standards Committee met on December 15, 2022, to review and make recommendations to the City Manager's proposed extensions and reprogramming of CDBG, CDBG-COVID, and HOPWA-COVID Funds, and one amendment was recommended; and

**WHEREAS**, on January 5, 2023, upon recommendation by the CDC Financial Monitoring/Performance Standards Committee, the CDC reviewed and approved proposed extensions and reprogramming of CDBG Funds in 4 projects recommended for extension for a total of \$1,775,635 and unspent funds remaining in 12 projects recommended for reprogramming to the Residential Development Acquisition Loan Program for a total of \$ 2,971,130; proposed reprogramming of unspent CDBG CARES Act Relief (CDBG-COVID) Funds in the amount of \$403,405 for the Emergency Assistance Program; and proposed reprogramming of unspent HOPWA CARES Act Relief (HOPWA-COVID) Funds in the amount of \$69,229 for the Emergency Assistance Program; and

**WHEREAS**, on January 23, 2023, the Government Performance and Financial Management Committee was briefed on the need to maintain ongoing compliance with HUD's timely expenditure policy and proposed Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan; and

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**WHEREAS**, on January 25, 2023, City Council authorized an extension through September 30, 2023 for CDBG Funds in CDBG funded projects that have not met the City's twelve-month obligation or twenty-four-month expenditure requirement, preliminary adoption of Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan to use unspent prior year CDBG Funds for the Residential Development Acquisition Loan Program, use unspent CDBG COVID Funds for the Emergency Assistance Program, use unspent HOPWA-COVID Funds for the Emergency Assistance Program, amend Schedule B to the FY 2022-23 HUD Consolidated Plan Budget for CDBG to add an activity for Out-of-School Time Program-Community Sites and reallocate \$97,441 from Out-of-School Time program-School Sites to the new activity and also correct the department for Americans with Disabilities Act (ADA) Improvements, and a public hearing to be held on March 8, 2023 to receive comments on the proposed use of funds for Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan by Resolution No. 23-0164; and

**WHEREAS**, a summary of the proposed Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan was published in the Dallas Morning News on or about January 29, 2023 to provide an opportunity to submit written comments through March 8, 2023; and

**WHEREAS**, Federal regulations require that a public hearing be held on the proposed Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan; and

**WHEREAS**, holding a public hearing on March 8, 2023, will satisfy the requirements set forth in HUD regulations and the City's Citizen Participation Plan.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Council authorizes final adoption of Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan to: (a) use unspent prior year CDBG Funds in the amount of \$2,971,130 for the Residential Development Acquisition Loan Program; (b) use unspent CDBG CARES Act Relief Funds in the amount of \$403,405 for the Emergency Assistance Program; (c) use unspent Housing Opportunities for Persons with Aids (HOPWA) CARES Act Relief Funds in the amount of \$69,229 for the Emergency Assistance Program; and (d) amend Schedule B to the FY 2022-23 HUD Consolidated Plan Budget for CDBG to: 1) add an activity for Out-of-School Time Program-Community Sites and reallocate \$97,441 from Out-of-School Time Program-School Sites to the new activity, and 2) correct the department for Americans with Disabilities Act (ADA) Improvements, per Attachment A and revised Schedule B attached.

**SECTION 1.** (continued)

**CDBG - Source of Funds:**

Reprogramming Budget No. 1 (Substantial Amendment No. 1)

- Unspent Prior Year CDBG Funds - \$2,971,130

**CDBG - Use of Funds:**

- Residential Development Acquisition Loan Program - \$2,971,130

**CDBG-COVID - Source of Funds:**

Reprogramming Budget No. 1 (Substantial Amendment No. 1)

- Unspent CDBG-COVID - \$403,405

**CDBG-COVID - Use of Funds:**

- Emergency Assistance Program - \$403,405

**HOPWA-COVID - Source of Funds:**

Reprogramming Budget No. 1 (Substantial Amendment No. 1)

- Unspent HOPWA-COVID Funds - \$69,229

**HOPWA-COVID - Use of Funds:**

- Emergency Assistance Program - \$69,229

**SECTION 2.** That the City Council authorizes the release of funds from their originally budgeted purposes for Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan to use unspent CDBG Funds in the amount of \$2,971,130 for the Residential Development Acquisition Loan Program, to use unspent CDBG-COVID Funds in the amount of \$403,405 for the Emergency Assistance Program, and to use unspent HOPWA-COVID Funds in the amount of \$69,229 for the Emergency Assistance Program per Attachment A.

**SECTION 3.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$2,971,130 in the FY 2022-23 CDBG Reprogramming No. 1 Fund, Fund 22RP, in an amount not to exceed \$403,405 in the 2020 CARES Act Relief CDBG #3 Fund, Fund CCV3, and in an amount not to exceed \$69,229 in the 2020 CARES Act Relief Fund, Fund HCV1, as follows:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Amount</u>
22RP	HOU	565F	\$2,971,130
CCV3	MGT	993F	\$ 403,405
HCV1	MGT	911C	\$ 69,229

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**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,971,130 in the FY 2022-23 CDBG Reprogramming No. 1 Fund, Fund 22RP, in an amount not to exceed \$403,405 in the 2020 CARES Act Relief CDBG #3 Fund, and in an amount not to exceed \$69,229 in the 2020 CARES Act Relief Fund, Fund HCV1, as follows:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Amount</u>
22RP	HOU	565F	\$2,971,130
CCV3	MGT	993F	\$ 403,405
HCV1	MGT	911C	\$ 69,229

**SECTION 5.** That the City Manager is hereby authorized to transfer appropriations from Public Works to Building Services and correct the department for Americans with Disabilities Action (ADA) Improvements per revised Schedule B.

**SECTION 6.** That the City Manager is hereby authorized to add an activity for Out-of-School Time Program-Community Sites and reallocate \$97,441 from Out-of-School Time Program-School Sites to the new activity per revised Schedule B.

**SECTION 7.** That the City Manager is hereby authorized to transfer HUD Grant Funds between projects and individual object codes and/or categories in accordance with HUD regulations and the City's Citizen Participation Plan for Reprogramming Budget No. 1 (Substantial Amendment No. 1) to the FY 2022-23 Action Plan.

**SECTION 8.** That the City Manager is authorized to execute all documents and agreements necessary to implement mortgage/rental assistance programs funded hereunder, including assistance payment agreements for clients participating in the program, approved as to form by the City Attorney.

**SECTION 7.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.