

# ORDINANCE NO. 185467

\* Adopt and authorize the submission of the Action Plans FY 2012-2013, for the Community Development Block Grant, HOME Investment Partnership, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Program to the U.S. Department of Housing and Urban Development. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds that:

1. The City of Portland, as a local government, is eligible to receive four federal housing and community development entitlement grants from the U.S. Department of Housing and Urban Development (HUD):
  - a. Community Development Block Grant, pursuant to Title I of the Housing and Community Development Act of 1974, as amended;
  - b. HOME Investment Partnership grant, for the development of affordable housing for low- and moderate-income households, as authorized by The HOME Investment Partnership Act, as amended;
  - c. Emergency Solutions Act grant, pursuant to Title VI of McKinney-Vento Homeless Assistance Act of 1987 (P.L.100-71, 416 (b)), as amended; and
  - d. Housing Opportunities for Persons with AIDS (HOPWA) grant, pursuant to the AIDS Housing Opportunity Act [42 U.S.C. 12901], as amended.
2. Since 1995, the U.S. Department of Housing and Urban Development (HUD) has required a single consolidated submission for the planning and applications aspects of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnerships, and Housing Opportunities for Persons with Aids (HOPWA) formula programs. The multi-year Consolidated Plan and annual Action Plans have replaced the Comprehensive Housing Affordability Strategy (CHAS), the HOME program description, the Community Development plan and CDBG final statement, and the ESG and HOPWA applications.
3. The CDBG program regulations provide that jurisdictions may create a consortium for the purpose of applying for formula grants through the submission of a multi-year Consolidated Plan and annual Action Plans. The City of Portland has formed a Consolidated Plan Consortium with the City of Gresham and Multnomah County, Oregon, for this purpose each year since 1991. The City of Portland is the lead jurisdiction in the Consolidated Plan Consortium. The most recent Consortium agreements were executed for FY11-12.
4. The HOME program regulations provide that jurisdictions may create a consortium for the purpose of receiving and administering their HOME grants. The City of Portland has formed a HOME Consortium with the City of Gresham and Multnomah County, Oregon, for this purpose each year since 1991. The City of Portland is the lead jurisdiction in the HOME Consortium. The most recent HOME Consortium agreements were executed in 2010, new agreements for FY 2013-2015 will be executed in June 2012.

5. The City of Portland has been designated by HUD as the lead applicant for the HOPWA grant on behalf of Clackamas, Clark, Columbia, Multnomah, Skamania, Washington, and Yamhill Counties. These counties make up the Eligible Metropolitan Statistical Area (EMSA). City staff plans for the allocation of these funds with representatives from the seven counties.
6. Matching funds estimated to equal \$723,409 are required for the HOME program. The members of the HOME consortium will each contribute their *pro rata* share of match. Key sources of match are expected to include local Tax Increment funds; local General Funds; grant funds from the State Housing Trust Fund, value of below market financing using the Oregon Affordable Housing Tax Credit; value of donated property and donated labor; the value of property tax exemptions for low- and moderate-income home ownership properties developed in distressed neighborhoods; the value of property tax exemptions for low- and moderate-income rental housing owned by charitable non-profits and rented to income-qualified tenants; the value of property tax exemptions for low- and moderate-income housing developed under the New Multi-Unit Housing program; the value of building permit fee waivers and system development charge waivers; and the value of contributions from charitable and corporate sources. Although General Fund match may be available, federal regulations do not require a General Fund match for the HOME grant.
8. Dollar-for-dollar matching funds are required for the ESG program. The source of the \$971,609 match is expected to be General Fund allocated in the Portland Housing Bureau (PHB) FY 12-13 budget to Housing Access and Stabilization programs benefitting people experiencing homelessness.
9. Federal regulations do not require a local match for the CDBG and HOPWA grants.
10. HUD has notified the City of Portland that, with its partners in the Consolidated Plan Consortium, the HOME Consortium and the HOPWA EMSA, it is entitled to funding for FY12-13 in the following amounts:

Grant	Amount	Entitlement Area
Community Development Block Grant	\$ 7,720,018	City of Portland
HOME Investment Partnership Program	\$ 2,893,635	Portland HOME Consortium
Emergency Shelter/Solutions Grant	\$ 971,609	City of Portland
Housing Opportunities for Persons with AIDS	\$ 1,086,484	City of Portland EMSA

11. The City of Portland, as the lead jurisdiction in the Consolidated Plan Consortium, has complied with public notice and hearing requirements set forth in the Consolidated Plan regulations and the Consortium's duly adopted Citizen Participation Plan (included in the Consolidated Plan as Appendix A), as amended.

12. Council has been fully apprised of the provisions of and has reviewed the FY 2012-2013 Action Plan submission (included as Appendix B) and the one-year budget included in it.
13. The annual Action Plan for FY 2012-2013, and the applications and certifications for the aforementioned plans were due to be submitted to HUD on or before May 17, 2012. However, the City made a request to have the deadline extended to July 13, 2012. HUD granted that request by letter dated April 2, 2012.
14. It is appropriate and in the public interest that the Mayor be authorized to apply for and receive these formula grant funds from HUD for the City of Portland and its inter-jurisdictional partners.

Section 2. The Council also finds that:

1. HUD requires each local government to submit a certification with its annual Action Plan that it is Affirmatively Furthering Fair Housing (AFFH) (24 CFR 91).
2. The City of Portland has complied with public notice and hearing requirements set forth in the Consolidated Plan regulations, the Consortium's duly adopted Citizen Participation Plan. Signed certifications that the City of Portland, City of Gresham, and Multnomah County are Affirmatively Furthering Fair Housing and other certifications are included in the annual one year Action Plan 2012-2013.

NOW, THEREFORE, the Council directs:

- a) That the City adopt the Action Plan FY 2012-2013 as outlined in a form substantially in conformance with the document attached as Exhibit A;
- b) The Mayor is authorized to apply to the U.S. Department of Housing and Urban Development for the formula grants in the amounts specified Section 1.10 and on behalf of the City of Portland and all other participating jurisdictions.
- c) The Mayor is authorized to provide such assurances and information to the Department of Housing and Urban Development as may be required for application and orderly management of the grants.

Section 3. The Council declares that an emergency exists because delay in submission of the Action Plans FY 2012-2013 will delay funds release by HUD; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: JUN 27 2012

Commissioner: Nick Fish  
Prepared by: Kim McCarty  
Date Prepared: June 13, 2012

LAVONNE GRIFFIN-VALADE  
Auditor of the City of Portland

By

*Susan Parsons*  
Deputy

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Agenda No.  
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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Nick Fish</b></p> <hr/> <p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor /Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <hr/> <p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Portland Housing Bureau Bureau Head: Traci Manning</p> <p>Prepared by: Kim McCarty and Skyllaar Amann Date Prepared: June 13, 2012</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date June 27, 2012</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>JUN 22 2012</u></p> <hr/> <p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u>Susan Lawrence</u> Deputy</p> <hr/> <p><b>ACTION TAKEN:</b></p>
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<p style="text-align: center;"><b>AGENDA</b></p> <hr/> <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time:</p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p> <hr/> <p><b>CONSENT X</b></p> <hr/> <p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 20%;">YEAS</th> <th style="width: 20%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Leonard</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Adams</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	✓		2. Fish	✓		3. Saltzman	✓		4. Leonard	✓		Adams	✓	
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