

AN ORDINANCE TO AMEND THE FY2024 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, TO THE HOUSING AND COMMUNITY DEVELOPMENT (HCD) DEPARTMENT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FY22 LEAD HAZARD REDUCTION CAPACITY BUILDING (LHRCB) GRANT PROGRAM IN ORDER TO PROVIDE FUNDING FOR IDENTIFYING AND OVERCOMING LOCAL BARRIERS TO AFFORDABLE HOUSING PRODUCTION AND PRESERVATION; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding, if awarded, to HCD from the HUD FY22 LHRCB Grant Program in order to provide funding for development and expansion of the infrastructure necessary to undertake comprehensive programs to identify and control lead-based paint hazards in eligible affordable housing structures; and for other purposes.

Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:

Increase:

HUD LHRCB Grant Program	\$543,151
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Expenditures:

Increase:

Housing & Community Development (HCD) Department	
Personal Services	\$170,000
Operating Expenses	<u>\$373,151</u>
	\$543,151

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: U.S. Department of Housing and Urban Development Lead Hazard Control and Healthy Homes: Lead Hazard Reduction Capacity Building Grant Program

DATE: January 8, 2024

REVENUES: \$ 543,151 HUD FY22 LHRCB Grant Program Application
 \$ 543,151 Total HUD Lead Hazard Reduction Capacity Building Grant Program

EXPENSES: **HUD FY22 LHRCB Grant Application Allocation Categories**
 \$ 170,000 Program Manager Salary Activities
 \$ 75,000 Training and Licensure Activities to Build Local Contractor Capacity
 \$ 150,000 Lead Inspections, Assessments, Control and Elimination Activities
 \$ 85,000 Supplies and Materials for Outreach, Education and Training
 \$ 63,151 Allowed 10% Indirect Costs
 \$ 543,151 Total HUD FY22-26 LHRCB Grant Application Allocation

Minimum HCD 10% Match Funds for HUD FY22 LHRCB Grant Application Request
\$ 151,510.26 Salary for existing HCD staff (29% of total request)
\$ 151,510.26 Total HCD Match Funds

\$ 694,661.26 Total FY22 LHRCB Grant Application and HCD Match Funding

FUNDING SOURCE: U.S. Department of Housing and Urban Development (HUD)

COMMISSION ACTION REQUESTED ON: February 6, 2024

PURPOSE:

To request that the Mayor and Commission:

- a. Authorize the submission of a grant application for up to \$543,151 in HUD FY22 Lead Hazard Reduction Capacity Building Grant Program funds;
- b. Accept the grant funds, if awarded;
- c. Adopt the attached Budget Amendment Ordinance (**Attachment #1**);
- d. Authorize the creation of one full time position to function as the Lead Hazard Reduction Program Manager; and
- e. Authorize the Mayor and appropriate ACCGov staff to execute all related grant agreements, contracts, and documents.

HISTORY:

1. On April 27, 2023, the U.S. Department of Housing and Urban Development (HUD) released a Notice of Funding Opportunity (NOFO) for the Lead Hazard Reduction Capacity Building Grant Program, designed to assist jurisdictions to (re)build capacity necessary to undertake comprehensive programs to identify and control lead-based paint hazards.

2. On October 3, 2023, the Mayor and Commission accepted the Affordable Housing Investment Strategy (AHIS) developed by HR&A Advisors in collaboration with staff and in consultation with the ARPA Affordable Housing Advisory Committee. The preservation of quality affordable rental homes and supporting existing homeowners through owner-occupied repair were key recommendations of the AHIS.
3. On November 1, 2023, the U.S. Department of Housing and Urban Development (HUD) released a modified Notice of Funding Opportunity (NOFO) to expend the remaining funds and increase the applicant pool for the Lead Hazard Reduction Capacity Building Grant Program.
4. On November 20, 2023, HUD released another modification of the Lead Hazard Reduction Capacity Building Grant Program NOFO which extended the deadline to apply from January 4, 2024 to January 17, 2024.

FACTS & ISSUES:

1. HUD issued this Lead Hazard Reduction Capacity Building Grant Program NOFO under the authority of Section 1011(e) and (g) of the Residential Lead-Based Paint Hazard Reduction Act of 1992 and funding is provided by the Consolidate Appropriations Act, 2022 (Public Law 117-103, approved March 15, 2022).
2. This NOFO supports HUD's Strategic Plan for fiscal years (FY) 2022-2026 to accomplish HUD's mission and vision.
3. Approximately \$33,363,080 in funding is available through this NOFO, with minimum award amounts of \$500,000 and maximum award amounts of \$2,500,000. HUD expects to make approximately 15 awards available.
4. The estimated start date for awarded projects is March 13, 2024 and the estimated end date is March 13, 2027, for a 36-month project period and budget period.
5. The purpose of the Lead Hazard Reduction Capacity Program is to help jurisdictions with developing and expanding the infrastructure necessary to undertake comprehensive programs to identify and control lead-based paint hazards in eligible privately owned rental or owner-occupied housing.
6. Per the NOFO, the capacity objectives to ensure the successful implementation of a lead hazard control grant program relies on the following implementation of these key program components:
 - a. Build local capacity to determine the prevalence of childhood lead poisoning among children under six years in the targeted community(ies);
 - b. Build local capacity to safely and effectively address lead hazards during lead hazard control and renovation, remodeling, and maintenance activities by integrating lead-safe work practices;
 - c. Developing and implementing procedures/guidelines for program activities that include program intake of potential program participants and establishing a system, or process that will facilitate lead-safe units to be affirmatively marketed to families with young

- children, such as advertising available units to such families where lead-based paint hazards have been controlled;
- d. Hire qualified staff with experienced organizational management and financial capacity to immediately execute the program upon receipt of a grant award;
 - e. Promote collaboration, data sharing, and targeting between health and housing departments;
 - f. Developing key partnerships/subgrantees such as: faith-based, health departments, coalitions, or other community-based organizations;
 - g. Integrating strategies to incorporate lead hazard control into existing housing repair programs; (e.g., housing rehabilitation, local housing ordinance, property maintenance, weatherization, housing-related health hazard interventions, and energy conservation activities);
 - h. Obtaining high quality data to target resources where need is greatest; and
 - i. Developing systems for sustaining a lead hazard control program after successful completion of a capacity building grant program.
7. The Housing and Community Development Department's FY21-25 Consolidated Plan identifies the Department as lead facilitator for public and community training and meetings pertaining to Fair Housing.
 8. HCD will request up to \$543,151 to support HCD personnel costs (including 1 new full-time position to manage this program), educational and marketing materials to increase awareness of lead hazards within the Athens community, costs associated with training and capacity building of local contractors and local affordable housing partners (e.g., Athens Housing Authority, Athens Land Trust, EADC, Habitat for Humanity, etc.), and other materials, supplies, contractor fees, and administrative and legal activities to carry out related activities.
 9. HCD's proposal in response to the Lead Hazard Reduction Capacity Building Program NOFO is anchored on 4 key components: (1) Developing and implementing procedures/guidelines for a local Lead Hazard Reduction Program, in large part led by a new Lead Hazard Reduction Program Manager at HCD; (2) Community Outreach and Education, (3) Contractor Capacity Building and Public-Private Partnerships, and (4) Lead Testing and Abatement during at least the last 6 months of the grant period. All activities are in support of HCD's FY21-FY25 Consolidated Plan.
 10. Should ACCGov receive the requested funding, HCD will hire one new full-time position to act as Lead Hazard Reduction Program Manager. This individual will focus on developing and implementing all program activities described in the proposal, including: developing and implementing strategies to promote collaboration and data sharing among key stakeholders within and outside ACCGov (e.g., Planning Department, Northeast Health District, hospitals, housing partners, etc.), integrating lead hazard control strategies into existing housing repair programs in Athens; building referral system for lead testing and abatement assistance; evaluating the proposed program; and seeking additional external funding to ensure sustainability beyond the initial 36-month grant.
 - o This new HCD staff member will be managed by HCD's Affordable Housing Administrator (up to 15% of their time) and receive support from staff in HCD's Affordable Housing and

Economic Development, Community Development, Community Impact and Compliance divisions (up to 5% of their time).

11. Examples of Community Outreach and Education activities described in the proposal include:
- Developing and/or adapting educational materials focused on risks of lead exposure and available testing and mitigation resources, for distribution at events and among local agencies, schools/childcare providers, and healthcare providers. Additionally, HCD would create a section on its website featuring these materials and resources;
 - Offering at least quarterly educational sessions led by certified experts (e.g., lead risk assessors, healthcare providers, etc.) to the public, in order to increase awareness/education on the risks associated with lead exposure and providing resources for testing and mitigation. Key audiences for these sessions include the community at large, early childhood education and childcare providers (including in-home centers), affordable housing providers, landlords and property managers, etc. These sessions will be recorded and uploaded to the website referenced in Fact & Issue #10a;
 - Orchestrating and/or participating in existing community events coordinated by local partners (e.g., health fairs, food distributions) to share relevant educational materials, complete screening tools, and do on-site lead testing among children under 6 years of age as appropriate;
 - Ensuring all outreach efforts surrounding the activities listed above include collaboration with African American/Black, Latino(a)(x)/Hispanic, Chinese, and Korean-speaking community leaders, non-profit organizations, faith-based entities and places of worship, media and businesses to promote equity; and,
 - In order to best serve Limited English Proficient (LEP) individuals, ensuring that all educational materials and resource guides are translated into Spanish, Korean and Chinese (the most spoken languages in ACC after English). Additionally, to serve LEP individuals and individuals with disabilities, HCD will provide appropriate auxiliary aids and services (e.g., interpreters, captioned videos, etc.) and make materials available in alternative formats pursuant to applicable federal regulations.
12. To increase capacity and to build a pool of eligible licensed contractors for lead-safe housing and lead hazard control, *and* to expand local public-private partnerships, HCD proposes to:
- Orchestrate free in-person trainings in Athens (at least one per year) led by a Georgia-accredited Training Provider for key lead disciplines, such as Worker, Inspector, Supervisor, Risk Assessor and/or Project Designer;
 - Provide reimbursement to eligible contractors and housing partners for fees associated with necessary lead trainings outside those coordinated by HCD (if permissible under Georgia gratuities clause);
 - Provide reimbursement for fees associated with annual Certification to licensed lead professionals (if permissible under Georgia gratuities clause);

- Place an emphasis on offering these training opportunities to low- and very low-income persons, per Section 3 of the Housing and Urban Development Act of 1968; and,
 - Collaborate with entities such as the Northeast Health Department, local healthcare providers, CCSD, the UGA Extension Office, the Athens Housing Authority and other housing partners, to identify where need is greatest and deploy targeted strategies to assess and mitigate lead hazards, particularly in households with children under 6 years old.
- 13.** As required by the NOFO, within *at least* the last 6 months of the end of Period of Performance (e.g., October 2026-March 2027), HCD will coordinate the completion of free **lead-based paint inspections and lead hazard risk assessments**, as well as implementing free interim lead control and/or lead abatement activities should lead hazards be identified. Under this NOFO, it is allowable to use awarded funding to cover reasonable costs of temporary relocation for those persons required to vacate housing during lead hazard control and/or elimination work.
- Per the NOFO, pre-1978, privately owned housing that is not federally assisted and meets the following criteria would be eligible to receive this level of assistance:
 - For rental housing, at least 50% of units must be reserved for households with incomes at or below 50% of the AMI, and remaining units must be reserved for households at or below 80% of the AMI (except buildings with 5+ units may have 20% of units occupied by families with incomes above 80% AMI). In all cases, landlord must prioritize renting units assisted by these activities for not less than 3 years following the completion of lead abatement activities to families with a child under 6 years old.
 - Owner-occupied households must be the principal residence of families with income at or below 80% AMI, and not less than 90% of these units must be occupied by a child under 6 years of age, or a child under 6 years who spends significant amount of time visiting.
 - At least 40% of the housing units where lead hazard control is performed (including passing clearance) must be in disadvantaged communities.
- 14.** Effectiveness will be measured by pre and post surveys to gauge knowledge gained, deficiencies, and what information is still needed to better understand lead hazard reductions. HCD will also collect feedback from the community by providing written responses and encouraging local affordable housing providers and contractors to offer feedback.
- 15.** A minimum match or cost share of 10% of the federal request is required for this program (page 12 of NOFO at <https://grants.gov/search-results-detail/347808>). Staff recommends leveraging up a portion of existing HCD staff salary—currently paid for by local funds, ARPA and CDBG—who will assist in the delivery of this program (Fact & Issue #10a) as follows:
- Up to 15% time of Affordable Housing Administrator
 - Up to 5% time of Affordable Housing Coordinator and Specialist, Community Impact Administrator and 2 Specialists, and Compliance Administrator, Specialist and Administrative Assistance.

16. Upon successful completion of this proposed program (if awarded), ACCGov would be better positioned to apply to and receive future grant funding from HUD's Lead Hazard Reduction Grant program, helping to ensure sustainability of what is achieved through the present grant opportunity.
17. These recommendations support the following ACCGov Strategic Plan Goals, Strategies, and/or initiatives:
 - a. Strategy 1A: Work to create and implement systems to identify, acknowledge, and address racism, trauma, harm, and violence in our community.
 - b. Strategy 2D: Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, non-profit capacity building, and problem solving with connected community partners.
 - c. Strategy 3C: Improve programs, processes, policies and communication external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver.
 - d. Strategy 4B: Update development codes, zoning, and funding/resources resulting in diverse, affordable housing options to meet community needs.
 - e. Strategy 4E: Improve equitable housing opportunities in identified disinvested or underinvested areas.
 - f. Strategy 4F: Provide support to tenants to improve quality of life.

OPTIONS:

1. Mayor and Commission:
 - a. Authorize the submission of a grant application for up to \$543,151.00 in HUD FY22 Lead Hazard Reduction Capacity Building Grant Program funds;
 - b. Accept the grant funds, if awarded;
 - c. Adopt the attached Budget Amendment Ordinance (**Attachment #1**);
 - d. Authorize the creation of one full time position to function as the Lead Hazard Reduction Program Manager; and
 - e. Authorize the Mayor and appropriate ACCGov staff to execute all related grant agreements, contracts, and documents.
2. Mayor and Commission deny approval of the FY23 Fair Housing Education and Outreach Initiatives grant application for submission to HUD.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c, d, & e

DEPARTMENT: Housing & Community Development

Prepared by: Melinda Lord

Roderick Wallace

Roderick Wallace
Director, Housing &
Community Development

12/21/2023

Date:

ADMINISTRATIVE COMMENTS: Option #1 a, b, c, d, & e

ADMINISTRATIVE RECOMMENDATION:

John M. Williford

Manager

January 11, 2024

Date:

ATTACHMENTS:

Attachment #1 – Budget Amendment Ordinance