



Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: RS2020-676, **Version:** 1

A resolution authorizing the Metropolitan Mayor to submit Substantial Amendment One to the 2020-2021 Annual Action Plan to the 2018-2023 Consolidated Plan for Housing and Community Development to the U.S. Department of Housing and Urban Development (HUD).

WHEREAS, the Federal Emergency Management Agency issued two major disaster declarations (DR-4476-TN and DR-4550-TN) on March 5 and July 9, 2020 pursuant to the Stafford Act for the storm and flooding events that took place in multiple communities in Metro Nashville-Davidson County in March and May of 2020; and

WHEREAS, as result of these disaster declarations, on September 22 2020, Mayor Cooper was notified via a letter from John Gibbs, Acting Secretary for Community Planning and Development for the United States Department of Housing and Urban Development (HUD), that \$3,240,899 in Community Development Block Grant Declared Disaster Recovery Funds (CDBG-DDRF) had been allocated to Metro Nashville-Davidson County to address emergency community development needs resulting from the tornados, wind damage and flooding that resulted from these storms; and

WHEREAS, by Resolution R94-1326, the Metropolitan Council designated the Metropolitan Development and Housing Agency ("MDHA") as the lead agency responsible for the preparation of the Five Year Consolidated Plan for Housing and Community Development for The Metropolitan Government of Nashville and Davidson County; and

WHEREAS, the Metropolitan Council approved Ordinance BL2018-1246 authorizing the Mayor to submit the 2018-2023 Consolidated Plan for Housing and Community Development; and

WHEREAS, in accordance with HUD guidance, MDHA has prepared Substantial Amendment One to the 2020-2021 Annual Action Plan to the 2018-2023 Consolidated Plan for Housing and Community Development for Nashville-Davidson County to allocate the CDBG-DDRF dollars to eligible activities to be used in storm recovery efforts; and

WHEREAS, this Substantial Amendment has been prepared by MDHA in accordance with HUD guidance regarding citizen participation which allowed grantees to expedite the approval process by allowing a five (5) day public comment period wherein MDHA consulted with a variety of public and private agencies and concerned individuals; and

WHEREAS, the public comment period for Substantial Amendment One to the 2020-2021 Annual Action Plan to the 2018-2023 Consolidated Plan began on October 9 and concluded on October 16, 2020 and a virtual public hearing was held during the public comment period on October 15, 2020; and

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Council adopts Substantial Amendment One to the 2020-2021 Annual Action Plan to the 2018-2023 Consolidated Plan for Housing and Community Development, attached hereto and made part of this Resolution, and that the Metropolitan Mayor is authorized to submit the Substantial Amendment to HUD; and

Section 2. That Substantial Amendment One to the 2020-2021 Annual Action Plan to the 2018-2023 Consolidated Plan for Housing and Community Development, allocates the CDBG-DDRF dollars to be used to provide financial assistance in the form of grants and/or loans for repairs of owner and rental properties damaged as a result the March and May 2020 Storms and ancillary activities as follows: reconstruction (within the same footprint) for properties determined not-feasible for rehabilitation; acquisition and rehab to preserve affordable housing; relocation, as applicable; and project delivery and management costs. This project may be administered directly by MDHA and/or via contracted partner(s). Funding for all activities, except Administration, will be awarded via the following potential actions: a competitive Request for Applications process; a direct open application process, direct contracting to eligible nonprofit subrecipients, and other methods allowed under the OMB 2 CFR 200 regulations; and

Section 3. That no local match is required to receive the CDBG-DDRF dollars; and

Section 4. That the Metropolitan Development and Housing Agency is authorized to administer the Consolidated Plan on behalf of the Metropolitan Government of Nashville and Davidson County; and

Section 5. The expenditure of CDBG-DDRF dollars shall be in accordance with applicable federal regulations and reporting standards pertaining to the procurement of goods and services from women-owned, minority-owned, and small businesses and low-income individuals; and

Section 6. CDBG-DDRF dollars shall not be used for any property acquisition for which the power of eminent domain is utilized by MDHA, which is restricted by federal law; and

Section 7. That this Resolution shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution adopts Substantial Amendment One to the 2020-2021 Annual Action Plan to the 2018-2023 Consolidated Plan for Housing and Community Development and authorizes the Mayor to submit this amendment to the U.S. Department of Housing and Urban Development (HUD).

HUD has allocated \$3,240,899 in recaptured Community Development Block Grant (CDBG) funds to Metro to address emergency community development needs resulting from tornados, wind damage, and flooding in

March and May 2020. The Metropolitan Development and Housing Agency (MDHA) administers the Consolidated Plan and related programs, including the Declared Disaster Recover Fund (DDRF), through which these funds have been made available. HUD directed MDHA to amend the 2020 Action Plan in order to allocate the funds and to describe the activities to be carried out with the additional funding. The amendment incorporates the funds received, describes the uses of the funds and the methods by which funds will be distributed, and serves as Metro's application to access the funds. The projects proposed to be undertaken with the CDBG-DDRF funds include housing rehabilitation and ancillary services associated with disaster recovery from the March and May 2020 storms and administration and planning to provide oversight and management of the grants.

In order to expedite the Action Plan amendment, HUD granted a waiver of the 30 day public comment requirement and reduced the public comment period to five days. A public comment period was held from October 9 through October 16, 2020 and a virtual public hearing was held on October 15, 2020.