Memorandum

DATE        January 28, 2011

TO          The Honorable Mayor and Members of the City Council

SUBJECT     FY 2010-11 Community Development Block Grant  
Extensions and Reprogramming

On Wednesday February 2, 2011 you will be briefed on the Community  
Development Block Grant (CDBG) Extensions and Reprogramming for FY 2010-11.  
The briefing is attached for your review.

If you have questions, please let me know.

Jeanne Chipperfield  
Chief Financial Officer

Attachment

C: Mary K. Suhm, City Manager  
   Thomas P. Perkins, Jr., City Attorney  
   Deborah Watkins, City Secretary  
   Craig Kinton, City Auditor  
   Ryan S. Evans, First Assistant City Manager  
   A. C. Gonzalez, Assistant City Manager  
   Jill A. Jordan, P.E., Assistant City Manager  
   Forest Turner, Assistant City Manager  
   Helena Stevens-Thompson, Assistant to the City Manager  
   Jack Ireland, Director, Office of Financial Services

“Dallas – Together We Do It Better”
FY 2010-11 Community Development Block Grant Extensions and Reprogramming

City Council Briefing – February 2, 2011
Purpose of Briefing

- Review Community Development Block Grant (CDBG) timely expenditure requirements and compliance
  - Recommend extension and reprogramming of funds not in compliance
- Review unspent CDBG Recovery (CDBG-R) funds
  - Recommend reprogramming of funds
- Review next steps
Timely Expenditure Requirements

- U.S. Department of Housing and Urban Development (HUD) requires that CDBG funds be expended in a timely manner
  - Federal regulations limit amount of CDBG funds that may be unspent to no more than 1.5 times grantee’s annual grant allocation
  - Compliance with this regulation is tested annually on July 31
  - Non-compliance will result in reduction of next annual grant amount by amount grantee exceeds 1.5 requirement

- City continues to be in compliance with this requirement (last tested on July 31, 2010)
Timely Expenditure Requirements

- In Aug 1993, Council established a spending policy for all CDBG projects that requires funds to be obligated within 12 months and fully expended within 24 months.
- In March 2007, Council added criteria and benchmarks to be used in determining compliance with City’s timely expenditure policy (see attachment A):
  - Categorized various CDBG projects based on intended use of funds: (1) On-going Programs, (2) Unspecified Programs, (3) Public Improvement Projects, and (4) Davis Bacon Restitution Funds.
  - Set timeframes regarding obligation and expenditure of funds for each category of project.
- Council has authority to approve extensions outside of policy and benchmark timeframes.
Timely Expenditure Requirements

- An annual review is conducted to determine compliance of each project.
- Project funding determined to not be in compliance is either reprogrammed as part of next CDBG budget cycle or an extension is required.
- Based on review of CDBG projects and timely expenditure policies, City Manager recommended action includes:
  - Unspent funds remaining in 34 projects recommended for extension – total $5.75m
  - Unspent funds remaining in 25 projects recommended for reprogramming – total $1.68m
Timely Expenditure Requirements

- Community Development Commission’s (CDC) Financial Monitoring Committee reviewed City Manager’s recommendation on Dec 13 and made one amendment
  - Reprogram (rather than extend) $41,422 from South Dallas/Fair Park Major Systems Repair Program since this project has $100,000 available in FY 2009-10 funding and $100,000 in FY 2010-11 funding

- On Jan 6, CDC reviewed and approved Financial Monitoring Committee’s recommendation

- City Manager does not object to CDC’s amendment and recommendation

Note: See Attachment B & C for detail
Timely Expenditure Requirements – Recommendation

- Approval of Feb 23 resolution authorizing extensions of CDBG funds
  - Recommend extension of $5.71m and 33 projects
- Reprogrammed funds will be included as part of FY 2011-12 CDBG budget recommendation to be presented to CDC on March 3 and to City Council on April 20
  - Recommend reprogramming of $1.72m from 26 projects
  - Due to anticipated cuts from the Federal government in CDBG funds (up to 25%), City Manager strongly encourages reprogramming funds to be used in conjunction with FY 2011-12 CDBG budget
    - Existing programs may be reduced or eliminated
CDBG Recovery Funds

- City awarded $4.70m of CDBG Recovery (CDBG-R) – ARRA Stimulus Funds
  - Funds must be spent within defined timelines and stringent compliance requirements
  - Most funds ($2.86m) allocated for major maintenance projects at City-owned community centers
    - Martin Luther King Community Center
    - West Dallas Multi-purpose Center
  - $1.84m allocated for public service programs, sidewalk improvements and administration costs
CDBG Recovery Funds

- Consistent with regular CDBG funds, up to 15% of funds could be used for public services
  - $0.70m awarded for public service programs
  - Contract terms for public service programs have expired
  - $22,334 remains unspent

- Recommend reprogramming unspent public service funds to add additional site for summer youth program in Hamilton Park neighborhood
  - Expressed desire from community throughout public hearing process
  - Eligible neighborhood not currently receiving CDBG funds in need of youth program
  - Help to ensure compliance with timely expenditure requirements for Recovery funds
  - No impact to existing 15% public service cap
CDBG Recovery Funds – Recommendation

- Approval of Feb 23 resolution authorizing reprogramming of CDBG-R funds
  - Recommend reprogramming of $22,334 from 2 projects in order to enhance summer youth programming by adding site to serve Hamilton Park neighborhood during summer 2011
  - Preliminary adoption of Consolidated Plan Reprogramming Budget #2 for CDBG-R
  - Call public hearing to be held on April 13th
CDBG Recovery Funds – Recommendation

- **Source of Funds** ($22,334)
  - CDBG-R Community Food Pantry & Resource Program - $21,962
  - CDBG-R Community Re-entry Program - $372

- **Use of Funds** ($22,334)
  - CDBG-R Summer Youth Program – Hamilton Park - $22,334
Next Steps

- Feb 23 – City Council consideration of (1) extension requests, (2) CDBG Recovery reprogramming, (3) preliminary adoption of FY 2010-11 Consolidated Plan Reprogramming #2, and (4) call public hearing
- Mar 3 – City Manager’s recommended FY 2011-12 Consolidated Plan Budget briefed to CDC
- April 7 – CDC recommends FY 2011-12 Consolidated Plan Budget to City Council
- April 13 – Hold Public Hearing, Final Adoption of FY 2010-11 Consolidated Plan Reprogramming #2 for CDBG-R
- Apr 20 – FY 2011-12 Consolidated Plan Budget with CDC recommended amendments briefing to Council
- May 4 – Council amendments and straw votes on FY 2011-12 Consolidated Plan Budget
- May 18 – Preliminary adoption of FY 2011-12 Consolidated Plan Budget and call public hearing
- Jun 8 – Hold public hearing
- Jun 22 – Final adoption of FY 2011-12 Consolidated Plan Budget
Attachment A

Timely Expenditure Requirements
Timely Expenditure Requirements

1. **On-Going Programs** - Description: On-going programs are continuing operating programs that are funded annually

- Individual program budgets are an annual allocation and include these types of costs
  - Staffing, supplies and materials
  - Contracted services
  - Direct assistance to benefit low/mod clientele
- Programs are designated in specific categories (Public Services, Housing, Economic Development, Planning & Program Oversight)
- Following categories have spending caps which limit annual obligation and expenditure of funds
  - Public Services cap - 15% of allocation
  - Planning & Program Oversight cap - 20% of allocation
  - Extension of funds in these 2 categories may cause City to exceed caps and should be considered carefully
Timely Expenditure Requirements

1. On-Going Programs (continued)

Benchmarks:
- Reprogram unobligated funds for all categories of on-going programs at end of fiscal year
  - Exception: allow 2 year period to obligate funds in programs that provide direct assistance to low/mod clientele in non-capped Economic Development and Housing categories
  - These programs include: Home Repair Programs, SHARE, Reconstruction, Relocation Assistance, Mortgage Assistance
- Extension of encumbered funds will be considered annually each year in accordance with current policy
- Reprogram unobligated staff and contract costs
Timely Expenditure Requirements

2. Non Specific Projects – Description: Projects that are budgeted without specific details for implementation (examples include Business Development Program, Fair Park Commercial Corridor Demonstration Program, and Residential Development Acquisition Loan Program)

Benchmarks:
- 1 year to identify project
- 1 year to secure additional financing and complete design
- 1 year to initiate implementation or construction
- Annually, extension of funds will be evaluated for project viability and potential for reimbursement of ineligible CDBG expenses to HUD from General Fund
  - Extension recommendation will be submitted to Council for approval, in accordance with current policy
Timely Expenditure Requirements

3. Public Improvement Projects - Description: Capital improvements - Projects generally require more time to implement (examples include NIP Public Improvements, Park Facilities Improvements, City Facilities Major Maintenance, Sidewalk Improvements, Barrier Free Ramps)

Benchmarks:

- Specific Public Improvement Projects (project location identified in budget)
  - 1 year for design
  - 1 year to initiate construction

- Non-specific Public Improvement projects (project location not identified in budget)
  - 2 years to identify project(s) and complete design
  - 1 year to initiate construction

- Annually, extension of funds will be evaluated for project viability and potential for reimbursement of CDBG expenses to HUD from the General Fund
  - Extension recommendation will be submitted to Council for approval, in accordance with current policy
Timely Expenditure Requirements

4. Davis Bacon Restitution
Description:
■ Davis Bacon Act requires minimum wage rates for certain construction work classifications
■ City staff evaluates contractor’s compliance with Act
■ To resolve violations, a restitution amount is determined and City or Contractor has to contact affected employees
■ Payments to contractor are suspended and funds are retained to pay restitution to affected employees
■ Restitution funds must be held for 3 years, beginning from 1st documented notification to employee (escrow period)

Benchmarks:
■ Unclaimed restitution funds will be reprogrammed at end of project’s 3 year escrow period
Attachment B

Extensions & Reprogramming
Project Listing By Department
<table>
<thead>
<tr>
<th>FY</th>
<th>Dept</th>
<th>Project Name</th>
<th>Appr</th>
<th>Expended</th>
<th>Encum.</th>
<th>Unobligated</th>
<th>Bench Mark#</th>
<th>City Manager's Recommendation</th>
<th>CDC Recommendation</th>
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B-1=Ongoing Projects; B-2=Unspecified Projects; B-3=Public Improvements; B-4=NonProfit Org Public Improvements; B-5=Davis-Bacon Restitution
# FY 2010-11 Community Development Block Grant Extension Request and Reprogramming Funds

## As of December 31, 2010

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<th>FY</th>
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**OFFICE OF ECONOMIC DEVELOPMENT**

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B-1=Ongoing Projects; B-2=Unspecified Projects; B-3=Public Improvements; B-4=NonProfit Org Public Improvements; B-5=Davis-Bacon Restitution
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B-1=Ongoing Projects; B-2=Unspecified Projects; B-3=Public Improvements; B-4=NonProfit Org Public Improvements; B-5=Davis-Bacon Restitution
Attachment C

Extensions & Reprogramming
Project Explanations
#1 – Offender Re-Entry Program (ATT)
Reprogrammed - Unspent, unobligated funds

#2 – South Dallas/Fair Park Community Court
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#3 – Grant Compliance
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#4 – Community Prosecution Program
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#5 – Community Prosecution Program
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#6 – Dedicated SAFE II Expansion Code Inspection-CCS
Extension requested - Partial funding for additional code enforcement of SAFE-related cases

#7 – Neighborhood Investment Program-CCS
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#8 – Dedicated SAFE II Expansion Code Inspection-DFD
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#9 – Crisis Assistance
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#10 – Adolescent Health Services Program
Reprogrammed - Unspent, unobligated funds

#11 – E’s Haven Academy
Extension requested - Funds under contract; project near completion

#12 – E’s Haven Academy
Extension requested - Funds under contract; project near completion

#13 – Basic Home Repair
Reprogrammed - Unspent funds from prior year

#14 – Basic Home Repair
Reprogrammed - Unspent funds from prior year
#15 – **Bexar Street Mixed-Used Site Development**
Extension requested - Construction underway for 2 mixed-use buildings on Bexar Street

#16 – **City Office of Senior Affairs**
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#17 – **Housing Assistance Support**
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#18 – **Housing Assistance Support**
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#19 – **Housing Development Support**
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#20 – **Housing Management Support (P/PO)**
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#21 – **Housing Services Program**
Extension requested - Ongoing contracts with CHDO’s to provide homebuyer counseling

#22 – **Major Systems Repair**
Extension requested – Funds to be used for final contract expenses

#23 – **Major Systems Repair**
Extension requested – Funds to be used for 3 repair projects

#24 – **Neighborhood Enhancement Program (NEP)**
Extension requested – Funds to be used for Bexar Street public space fencing and West Dallas public improvements

#25 – **Neighborhood Enhancement Program (NEP)**
Extension requested – Funds to be used for South Dallas/Frazier and West Dallas public improvements

#26 – **Neighborhood Investment Program-Projects**
Reprogrammed - Unspent funds from prior year

#27 – **Neighborhood Investment Program Infrastructure**
Extension requested – Funds to be used for Spring Avenue design and construction

#28 – **Neighborhood Investment Program Infrastructure**
Extension requested – Funds to be used for engineering design of public streets and streetscape improvements in Bexar Street Employment Center area
#29 – Neighborhood Investment Program Public Improvements
Extension Requested – Funds to be used for installation of public amenities on Bexar Street

#30 – Neighborhood Investment Program Public Improvements
Extension requested – Funds to be used for design of Bexar Street Phase II

#31 – Offender Re-Entry Program (HOU)
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#32 – Reconstruction/SHARE Program
Extension requested – Project underway

#33 – Reconstruction/SHARE Program
Extension Requested – Funds to be used for 1.5 reconstruction projects

#34 – Reconstruction/SHARE Program
Extension Requested – Funds to be used for 2 reconstruction projects

#35 – Reconstruction/SHARE Program
Extension requested – Funds to be used for 15 reconstruction projects including title services and closing costs

#36 – Residential Development Acquisition Loan Program
Extension requested – Funds to be used for proposed 64 unit project on Lancaster Road

#37 – Residential Development Acquisition Loan Program
Extension Requested – Funds to be used for Jubilee Park scattered site acquisition project

#38 – Residential Development Acquisition Loan Program
Extension Requested – Funds to be used for Jubilee Park scattered site acquisition project

#39 – Residential Development Acquisition Loan Program
Extension requested – Funds to be used for proposed 64 unit project on Lancaster Road

#40 – Residential Development Acquisition Loan Program
Extension requested – Funds to be used for proposed 64 unit project on Lancaster Road

#41 – Southern Sector Housing & Economic Development
Extension Requested – Funds to be used for Spring Street infrastructure project

#42 – South Dallas/Fair Park Major Systems Repair Program
Reprogrammed - Unspent, prior year funds; program funded in FY 10-11

#43 – BAC#2 Innercity Community Development Corporation
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11
#44 – BAC#8 Greater Dallas Indo-American Chamber of Commerce
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#45 – Bexar Street Retail Development Project
Extension requested – Funds to be used for Bexar Street project

#46 – Business Development Program
Extension requested – Funds to be used for economic development projects pending

#47 – Business Development Program
Extension requested – Funds to be used for economic development projects pending

#48 – Economic Development (P/PO)
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#49 – Fair Park Commercial Corridor Demo Program
Extension requested – Funds be used for economic development projects pending

#50 – MLK Blvd Business Façade /Revitalization Project
Extension requested – Funds to be used for economic development projects pending

#51 – Citizen Participation & CDC Support
Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY10-11

#52 – Ferguson Park Trail Improvement
Extension requested - Funds to be used for construction of exercise station adjacent to park trail

#53 – Sidewalk Improvement Program
Extension requested - Funds provide design for a sidewalk replacement project in the 200-300 block of Neches Street.

#54 – Sidewalk Improvement Program
Extension requested - Funds provide design for a sidewalk replacement project in the 900-1000 block of Madison Avenue

#55 – Sidewalk Improvement Program
Extension requested - Funds provide design for a sidewalk replacement project on Starr Street from 9th Street to 8th Street

#56 – Relocation Assistance
Reprogrammed – Funds no longer needed for replacement housing project

#57 – Relocation Assistance
Extension requested - Funds will allow compliance with anticipated displacements related to federally funded projects