

SUBSTITUTE

**COMMUNICATION TO THE COMMON COUNCIL**

**To:** Common Council  
**From:** Executive  
**Date:** June 20, 2019  
**Re:** Annual Action Plan Amendments

**Prior Council Reference:** n/a

Attached for your Honorable Body's consideration is:

- (1) An attachment outlining the movement of HOME funds for the intended use of already approved HUD HOME Entitlement categories;
- (2) Public comments received during the 30 day comment period following the April 11 hearing.
- (3) An attachment outlining the movement of CDBG and ESG funds for the intended use of already approved HUD CDBG and ESG Entitlement categories;

I respectfully request that your Honorable Body:

- (1) Approve the attached Annual Action Plan Amendment that were presented to the public on April 11, 2019 and will be presented to the public on June 27, 2019.

SIGNATURE \_\_\_\_\_

DEPARTMENT HEAD: Brendan R. Mehaffy, Esq.

TITLE: Executive Director, Mayor's Office of Strategic Planning

## AMENDMENT TO THE CITY OF BUFFALO'S ANNUAL ACTION PLANS PROPOSED CHANGES

The City will amend its Annual Action Plan whenever it makes one of the following decisions: to make a change in its allocation priorities or the method of distributing funds; to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously described in the Action Plan; or to change the purpose scope, location and/or beneficiaries of the activity.

The City will use the following criteria to determine what changes in planned or on-going activities constitute a substantial amendment to the Annual Action Plan: substantial change occurs when the cumulative effect of an activity's budget amount is increased or decreased by more than twenty-five percent (25%), or when interim financing such as float loans are provided. A substantial change is not moving funds from unencumbered project balances from one year to another year for similar activities within the same target area. Nor is it transferring funds within the same HUD-eligible categories.

The City of Buffalo will be holding a public hearing on these amendments on April 11, 2019. The City will provide a comment period of 30 days from the date of this Public Hearing. The comment period for this amendment will end on May 12, 2019. The City will consider any comments or views of citizens postmarked in writing, or received by email by midnight May 12, 2019, or orally at the April 11, 2019 Public Hearing. The City will respond in writing to any comments made on these amendments. The email address to send written comments is [HUDAdministrator@city-buffalo.com](mailto:HUDAdministrator@city-buffalo.com). The physical address to send in written responses should be addressed to HUD Grants Program Administrator, 65 Niagara Square, Room 920, Buffalo, NY 14202. The amendments will be submitted to HUD along with a summary of any comments received, the City's written response, and a summary of any comments not accepted and the reasons therefore.

**AMENDMENTS TO THE 2018-2019 AND PRIOR YEARS' ANNUAL ACTION PLAN**

The City will amend its prior year Annual Action Plans to reclass funding between the following HOME funded lines:

**HOME – Funding re-class**

**Requested Funded Amount \$ 600,000.00**

Once completed this request will position The City of Buffalo / BURA additional funding to consider previous requests for new construction projects already received from our invited partners. Projects under this line were found to be eligible under HUD HOME regulations 24 CFR 92.205 (a).

	Current Project Amt. including Amended		
	<u>Prior Amendments.</u>	<u>Increase</u>	<u>Project Amt.</u>
Rehab / New Construction (O.C. # DB8A5046 – Yr. 42)	\$ 1,218,127.00	\$ 600,000.00	\$ 1,818,127.00

	Current Project Amt. including Amended		
Funding Sources:	<u>Prior Amendments.</u>	<u>Decrease</u>	<u>Project Amt.</u>
Rehab / Owner Occupied (O.C. # DB8A5006 - Yr. 42)	\$ 600,000.00	\$ 600,000.00	\$ 0.00

**Public Comments:**

Comments were accepted from Ms. Tina Coon of New Life Residential Center who directed her inquiry toward the Director of Housing, Ms. Yvonne McCray. Ms. Coon inquired as to the projects the Amendment would address and how her organization could apply for HOME funds. Ms. McCray provided some detail on the projects, but informed that there are many aspects that are still in development as no commitments to projects have yet been made. She informed Ms. Coon of the RFP process and that a new RFP will be released in May and her organization is welcome to apply.

There were no other comments during the public hearing, or during the subsequent 30 day comment period.

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The City will use the following criteria to determine what changes in planned or on-going activities constitute a substantial amendment to the Annual Action Plan: substantial change occurs when the cumulative effect of an activity's budget amount is increased or decreased by more than twenty-five percent (25%), or when interim financing such as float loans are provided. A substantial change is not moving funds from unencumbered project balances from one year to another year for similar activities within the same target area. Nor is it transferring funds within the same HUD-eligible categories.

The City of Buffalo will be holding a public hearing on these amendments on Thursday June 27, 2019. The City will provide a comment period of 30 days from the date of this Public Hearing. The comment period for this amendment will end on July 28, 2019. The City will consider any comments or views of citizens postmarked in writing by July 28, 2019, or orally at the June 27th Public Hearing. The City will respond in writing to any comments made on these amendments. The amendments will be submitted to HUD along with a summary of any comments received, the City's written response, and a summary of any comments not accepted and the reasons therefore.

**\*PLEASE NOTE THAT AS OF 8.19.2019 HUD HAS APPROVED A MINOR UPDATE TO THIS AMENDMENT TO CORRECT THE ADDITION ERROR RELATED TO THE BUFFALO URBAN LEAGUE (BUL) CONTRACT. THE ADDITION HAS BEEN ADDED TO THE FUNDING LINE REDUCTIONS TO BALANCE THE DEBITS AND CREDITS FOR THIS ACTIVITY. THE CHANGES HAVE BEEN IDENTIFIED ON THE LAST LINE OF THE BUL AMENDMENT SECTION BY ITALICS.**

**AMENDMENTS TO THE 2018-2019 AND PRIOR YEARS' ANNUAL ACTION PLAN**

The City will amend its prior year Annual Action Plans to reclass funding between the following CDBG funded lines:

**CDBG – Funding re-class to Buffalo Urban League**

**Net Requested Funded Amount \$ 139,498.00**

The Buffalo Urban League was chosen, after submitting one of two responses to an RFP issued for the lease operation of the CRUCIAL Community Center, 230 Moselle Street, Buffalo New York. The Buffalo Urban League (BUL) has formally signed the lease agreement, effective June 1, 2019. Since submitting their proposal for the CRUCIAL building in January. In order to assure summer 2019 programs, and a full fifteen (15) months of operation of the CRUCIAL Community Center, located in a high need area of the City of Buffalo, the City of Buffalo is proposing an amendment to CDBG Year 44 Annual Action Plan. If approved, the amendment will provide a total of \$139,498 to the Buffalo Urban League, for 15 months operation July 1 –September 30, 2020. The 15 -month period and important funding for this important community facility, which will be staffed by a full-time building manager and part time building attendant, will help determine the direction and focus of activities for members of the Genesee - Moselle Community. Staff, with oversight by Buffalo Urban League President Brenda McDuffie, will provide program direction, management and oversight. This will allow Buffalo Urban League to implement summer programming at a time when children and seniors are available and are able to participate, a renewed calendar of activities, and supports the long-term sustainability of the Center. Proposed funding sources below are from old 2014-2018 public service contracts with unused balances. **This activity is CDBG eligible as per HUD regulation 24 CFR 570.201 (e).**

Current Project

	<u>Amt. including Prior Amendments.</u>	<u>Increase</u>	<u>Amended Project Amt.</u>
Public Services (O.C. TBD – Yr. 44)	\$ 0.00	\$ 139,498.00	\$ 139,498.00

	<u>Current Project Amt. including Prior Amendments.</u>	<u>Decrease</u>	<u>Amended Project Amt.</u>
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CDBG – Public Services – Various lines

HOME Fair Housing (O.C. # DB9B4056 - Yr. 42)	\$ 230.26	\$ 230.26	\$ 0.00
Results Based Accountability (O.C. #DB9B4106 - Yr. 42)	\$ 30,000.00	\$ 30,000.00	\$ 0.00
PAL (O.C. # DB9B4116 - Yr. 42)	\$ 0.01	\$ 0.01	\$ 0.00
Gloria Parks Youth (O.C. # DB9C4016 - Yr. 42)	\$ 2.29	\$ 2.29	\$ 0.00
ABLEY (O.C. # DB9E4006 - Yr. 42)	\$ 1,141.48	\$ 1,141.48	\$ 0.00
Schiller Park (O.C. # DB9E4016 - Yr. 42)	\$ 1,928.04	\$ 1,928.04	\$ 0.00

Current Project

Funding Sources:	Amt. including Prior Amendments.	Decrease	Amended Project Amt.
Seneca Babcock Senior (O.C. # DB9E4026 - Yr. 42)	\$ 1,122.12	\$ 1,122.12	\$ 0.00
Old First Ward Youth (O.C. # DB9G4016 - Yr. 42)	\$ 24.29	\$ 24.29	\$ 0.00
NW Buffalo CC Center (O.C. # DB9J4006 - Yr. 42)	\$ 2.15	\$ 2.15	\$ 0.00
West Side CC Senior (O.C. # DB9K4016 - Yr. 42)	\$ 1.00	\$ 1.00	\$ 0.00
Crucial (O.C. # DB9M4006 - Yr. 42)	\$ 12,408.98	\$ 12,408.98	\$ 0.00
Matt Urban Youth (O.C. # DB9M4026 - Yr. 42)	\$ 1,575.71	\$ 1,575.71	\$ 0.00
North Buffalo CC Senior (O.C. # DB9R4006 - Yr. 42)	\$ 124.77	\$ 124.77	\$ 0.00
North Buffalo CC Youth (O.C. # DB9R4016 - Yr. 42)	\$ 183.41	\$ 183.41	\$ 0.00
Metro CDC Youth (O.C. # DB9T4016 - Yr. 42)	\$ 1.65	\$ 1.65	\$ 0.00
Literacy Volunteers (O.C. # DJ9B4086 - Yr. 40)	\$ 223.37	\$ 223.37	\$ 0.00
Schiller Park CC Senior (O.C. # DJ9E4016 - Yr. 40)	\$ 8,781.43	\$ 8,781.43	\$ 0.00
South Buffalo CC Senior (O.C. # DJ9F4006 - Yr. 40)	\$ 52.48	\$ 52.48	\$ 0.00
Old First Ward Senior (O.C. # DJ9G4006 - Yr. 40)	\$ 931.45	\$ 931.45	\$ 0.00
West Side CC Senior (O.C. # DJ9K4016 - Yr. 40)	\$ 760.91	\$ 760.91	\$ 0.00
West Side CC Youth (O.C. # DJ9K4026 - Yr. 40)	\$ 5,833.19	\$ 5,833.19	\$ 0.00
North Buffalo CC Youth (O.C. # DJ9N4016 - Yr. 40)	\$ 677.69	\$ 677.69	\$ 0.00
(O.C. # DJ9N4016 - Yr. 40)	\$ 327.74	\$ 327.74	\$ 0.00
African Cultural Youth (O.C. # DA9B4006 - Yr. 41)	\$ 5,205.64	\$ 5,205.64	\$ 0.00

Current Project

Funding Sources:	Amt. including Prior Amendments.	Decrease	Amended Project Amt.
HOME Fair Housing (O.C. # DA9B4056 - Yr. 41)	\$ 91.74	\$ 91.74	\$ 0.00
WNY Law Center (O.C. # DA9B4126 - Yr. 41)	\$ 15,000.00	\$ 15,000.00	\$ 0.00
Erie Reg. Americorps (O.C. # DA9B4146 - Yr. 41)	\$ 1,387.49	\$ 1,387.49	\$ 0.00
Gloria Parks Senior (O.C. # DA9C4006 - Yr.41)	\$ 163.74	\$ 163.74	\$ 0.00
Gloria Parks Youth (O.C. # DA9C4016 - Yr.41)	\$ 185.49	\$ 185.49	\$ 0.00
Abley (O.C. # DA9E4006 - Yr. 41)	\$ 5,065.34	\$ 5,065.34	\$ 0.00
Seneca Babcock Youth (O.C. # DA9E4036 - Yr.41)	\$ 602.21	\$ 602.21	\$ 0.00
Seneca Babcock Senior (O.C. # DA9E4026 - Yr. 41)	\$ 12.01	\$ 12.01	\$ 0.00
NW Buffalo CC Senior (O.C. # DA9J4006 - Yr. 41)	\$ 572.23	\$ 572.23	\$ 0.00
NW Buffalo CC Youth (O.C. # DA9J4016 - Yr. 41)	\$ 129.15	\$ 129.15	\$ 0.00
Crucial (O.C. # DA9M4006 - Yr. 41)	\$ 1,211.78	\$ 1,211.78	\$ 0.00
Matt Urban Youth (O.C. # DA9M4026 - Yr. 41)	\$ 274.95	\$ 274.95	\$ 0.00
Hispanics United (O.C. # DA9R 4046 - Yr. 41)	\$ 702.61	\$ 702.61	\$ 0.00
William Emslie YMCA (O.C. # DA9R4076 - Yr. 41)	\$ 2,227.12	\$ 2,227.12	\$ 0.00
Metro CDC (O.C. # DA9T4006 - Yr. 41)	\$ 277.68	\$ 277.68	\$ 0.00
Metro CDC – Youth (O.C. # DA9T4016 - Yr. 41)	\$ 55.35	\$ 55.35	\$ 0.00
YWCA Crucial Youth (O.C. # DD9M4006 - Yr. 44)	\$ 20,000.00	\$ 20,000.00	\$ 0.00
<i>YWCA Crucial Youth (O.C. # DC9M4006 - Yr. 43)</i>	<i>\$20,000.00</i>	<i>\$20,000.00</i>	<i>\$0.00</i>

**CDBG – Funding re-class to Metro CDC (Delavan-Grider CC)**

**Net Requested Funded Amount \$ 36,000.00**

Funds will be used to support the position of Operations Director at the Delavan Grider Community Center, in an effort to build the organizational capacity of this community-based organization managed by the Metro Community Development Corporation. For the past several years, Metro CDC has significantly increased services to the low-income community it serves thru a unique approach to partnership and collaboration with other service providers. Serving as a type of "Human Service Marketplace", the Metro CDC provides access to services delivered by others, as well as free meeting space to countless organizations all seeking to empower, educate and enrich the community. As home to the first local Diaper Bank, a provider of weekend "backpack" meals to children and their families, a free tax AARP site, and fresh fruit and vegetable donation spot, the Metro CDC leadership has embraced countless other youth mentoring, Senior exercises, free yoga and other life changing programs. The organization provides free summer camp experiences to youth throughout the community, meeting space for block clubs and social groups, and has embraced a "whole community" perspective on the provision of services. Open 6 to 7 days per week throughout the year, the organization currently has limited staff capacity, and relies heavily on volunteers, board members, and others to maintain program availability. Most significantly, the Executive Director, currently a part time employee, spends countless hours managing all aspects of the program with little relief. Funding for the Operations Director, who will manage evening, weekend and some day to day activity, will provide the capacity the organization need to capture its mission in the community, and become a premiere human service provider in the Masten District. **This activity is CDBG eligible based on HUD regulation 24 CFR 570.270 (e).**

	Current Project Amt. including Prior Amendments.	Increase	Amended Project Amt.
Public Services Metro CDC Youth (O.C. # DD9T4016 – Yr. 44)	\$ 61,900.00	\$ 36,000.00	\$ 97,900.00
Current Project Funding Sources:	Amt. including Prior Amendments.	Decrease	Amended Project Amt.
Unallocated Program Income (O.C. # A19B5006)	\$ 1,245,325.28	\$ 36,000.00	\$ 1,209,325.28



**CDBG – Funding re-class to Housing CPI Contracts**

**Net Requested Funded Amount \$ 139,250.67**

Funding is being requested by the Division of Housing to fund CPI (Community Partners Initiative) contracts for this program year using old funds. This increase will continue to fund Community Based Organizations who administer the intake process for homeowners who apply for Housing Assistance Programs such as the Owner Occupied Rehabilitation Program. The six CBO groups are: Fillmore Leroy Area Residents, Heart of City Neighborhoods, Lt. Col. Matt Urban Center, Old First Ward Community Association, University District CDA and West Side NHS.

**This item is CDBG eligible under HUD regulation 24 CFR 570.202 (b) (9).**

	<u>Current Project Amt. including Prior Amendments.</u>	<u>Increase</u>	<u>Amended Project Amt.</u>
Program Delivery CBO (O.C. # DA9B5026 – Yr. 41)	\$ 60,750.00	\$ 139,250.67	\$ 200,000.67
Funding Sources:			
Homebuyer/Owner Rehab-Citywide (O.C. # DA9B5106 - Yr. 41)	\$ 139,250.67	\$ 139,250.67	\$ 0.00

**ESG – Funding re-class to Various EGS contract**

**Net Requested Funded Amount \$ 91,027.00**

During evaluations for 2018-2019 ESG activities, the CoC committee made recommendations for funding that were 12% lower than the prior year. At that time, the CoC was focused on providing substantial funding for Rapid Rehousing initiatives, implementing Coordinated Entry, as well as providing an expanded shelter option. It was the consensus of the CoC and communicated to agencies that if prior year funds were identified and available, we would restore as much of those cuts as possible. In the meantime, we have identified those prior year funds which will be used to restore ESG Subrecipient Shelter, Outreach and Prevention funds to prior year levels. The attached chart indicates how those funds will be allocated and assigned.

<u>Current Project</u>	<u>Amt. including Prior Amendments.</u>	<u>Increase</u>	<u>Amended Project Amt.</u>
Program Year 44 - Services			
Matt Urban ESG Outreach 17 (O.C. # DD7A2096 – Yr. 44)	\$ 0.00	\$ 21,000.00	\$ 21,000.00
(O.C. # DD7A2196 – Yr. 44)	\$ 0.00	\$ 4,800.00	\$ 4,800.00
Compass House ESG 17 (O.C. # DD7A2176 – Yr. 44)	\$ 0.00	\$ 7,560.00	\$ 7,560.00

Current Project

Funding Sources:	Amt. including Prior Amendments.	Increase	Amended Project Amt.
Salvation Army ESG 17 (O.C. # DD7A2116 – Yr. 44)	\$ 0.00	\$ 8,958.00	\$ 8,958.00
Jericho Road ESG 17 (O.C. # DD7A2136 – Yr. 44)	\$ 0.00	\$ 3,000.00	\$ 3,000.00
Friends Night People ESG 17 (O.C. # DD7A2026 – Yr. 44)	\$ 0.00	\$ 2,400.00	\$ 2,400.00
Back to Basics ESG 17 (O.C. # DD7A2036 – Yr. 44)	\$ 0.00	\$ 2,400.00	\$ 2,400.00
TRY ESG 17 (O.C. # DD7A2046 – Yr. 44)	\$ 0.00	\$ 4,020.00	\$ 4,020.00
Restoration Society Code Blue 17 (O.C. # DD7A2056 – Yr. 44)	\$ 0.00	\$ 7,200.00	\$ 7,200.00
Restoration Society ESG 17 (O.C. # DD7A2066 – Yr. 44)	\$ 0.00	\$ 7,200.00	\$ 7,200.00
(O.C. # DD7A2066 – Yr. 44)	\$ 0.00	\$ 7,000.00	\$ 7,000.00
NLS ESG 17 (O.C. # DD7A2166 – Yr. 44)	\$ 0.00	\$ 4,800.00	\$ 4,800.00
HOME RRH 17 (O.C. # DD7A2186 – Yr. 44)	\$ 0.00	\$ 5,489.00	\$ 5,489.00
HMIS – HAWNY 17 (O.C. # DD7A2156 – Yr. 44)	\$ 0.00	\$ 2,800.00	\$ 2,800.00
My Place HOME ESG 17 (O.C. # DD7A2076 – Yr. 44)	\$ 0.00	\$ 2,400.00	\$ 2,400.00

Current Project

Funding Sources:	Amt. including Prior Amendments.	Decrease	Amended Project Amt.
YMCA Shelter (O.C. # DA7A2156 - Yr. 41)	\$ 46.82	\$ 46.82	\$ 0.00
Admin – Yr. 43 (O.C. # DC7A2056 - Yr. 43)	\$ 24,128.07	\$ 3,174.89	\$ 20,953.18
Restoration Society (O.C. # DB7A2036 - Yr. 42)	\$ 5,846.98	\$ 4,575.65	\$ 1,271.33
Catholic Chair Homeless Prevention (O.C. # DB7A2086 - Yr. 42)	\$ 24,458.00	\$ 21,473.65	\$ 2,981.35
City Admin. ESG 17 (O.C. # DD7A2086 - Yr. 44)	\$ 78,428.00	\$ 29,689.00	\$ 48,739.00

Current Project

Funding Sources:	Amt. including Prior Amendments.	Decrease	Amended Project Amt.
Admin – Yr. 43 (O.C. # DC7A2056 - Yr. 43)	\$ 20,953.18	\$ 20,953.18	\$ 0.00
Compass House (O.C. # DB7A2016 - Yr. 42)	\$ 353.78	\$ 353.78	\$ 0.00
Catholic Charities Homeless Prevention (O.C. # DB7A2086 - Yr. 42)	\$ 24,458.00	\$ 2,984.35	\$ 21,473.65
Matt Urban Center Outreach (O.C. # DJ7A2096 - Yr. 40)	\$ 10.31	\$ 10.31	\$ 0.00
PHC Outreach (O.C. # DB7A2026 - Yr. 42)	\$ 332.29	\$ 332.39	\$ 0.00
Restoration Society (O.C. # DB7A2036 - Yr. 42)	\$ 5,846.98	\$ 1,271.33	\$ 4,575.65
Prevention - NLS (O.C. # DC7A2026 - Yr. 43)	\$ 8.19	\$ 8.19	\$ 0.00
City Admin. ESG 17 (O.C. # DD7A2086 - Yr. 44)	\$ 78,425.00	\$ 5,880.09	\$ 72,544.91
Flare Try (O.C. # DB7A2056 - Yr. 42)	\$ 273.37	\$ 273.37	\$ 0.00