

# City of Durham

## HOME-American Rescue Plan (ARP)

### Allocation Plan

#### Introduction

In September 2021, the U.S. Department of Housing and Urban Development (HUD) announced the allocation of \$4,346,151 of Home Investment Partnerships Grant American Relief Plan (HOME-ARP) to the City of Durham. The HOME-ARP funds are intended to provide homelessness assistance through investment in four eligible activities: (1) Tenant Based Rental Assistance (TBRA), (2) development and support of affordable housing, (3) provision of supportive services; and (4) acquisition and development of non-congregate shelter (NCS) units. The projects funded with the HOME-ARP funds must be used to benefit one or more of qualifying populations:

#### **1. Homeless, as defined in 24 CFR 91.5 *Homeless (1), (2), or (3)*:**

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- i. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- ii. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or 4
- iii. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

(2) An individual or family who will imminently lose their primary nighttime residence, provided that:

- i. The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
- ii. No subsequent residence has been identified; and
- iii. The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

- i. Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the

Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

- ii. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
- iii. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
- iv. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment;

**2. At risk of Homelessness, as defined in 24 CFR 91.5 *At risk of homelessness*:**

(1) An individual or family who: 5

- i. Has an annual income below 30 percent of median family income for the area, as determined by HUD;
- ii. Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition in this section; and
- iii. Meets one of the following conditions:
  - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
  - (B) Is living in the home of another because of economic hardship;
  - (C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
  - (D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;
  - (E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;
  - (F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
  - (G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as “homeless” under this section but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

### **3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.**

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual’s or family’s primary nighttime residence or has made the individual or family afraid to return or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

**Domestic violence**, which is defined in 24 CFR 5.2003 includes felony or misdemeanor crimes of violence committed by:

- (1) A current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating violence** which is defined in 24 CFR 5.2003 means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. The length of the relationship;
  - b. The type of relationship; and
  - c. The frequency of interaction between the persons involved in the relationship.

**Sexual assault** which is defined in 24 CFR 5.2003 means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** which is defined in 24 CFR 5.2003 means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person's individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

**Human Trafficking** includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

- 1) *Sex trafficking* means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 2) *Labor trafficking means* the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

#### **4. Other Populations where providing supportive services or assistance under section**

**212(a) of NAHA** (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

(1) Other Families Requiring Services or Housing Assistance to Prevent Homelessness is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

(2) **At Greatest Risk of Housing Instability** is defined as household who meets either paragraph (i) or (ii) below:

(i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

(ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the “At risk of homelessness” definition established at 24 CFR 91.5:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan

**Veterans and Families that include a Veteran Family Member** that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.

The City of Durham must develop and submit to HUD a HOME-ARP Allocation Plan, which lays out how funds will be utilized to meet the needs of the qualifying populations. The Plan must also identify any groups that are prioritized. The HOME-ARP Allocation Plan must be informed through consultation with stakeholders and community engagement. The following is the plan for the City of Durham’s \$4,346,151 HOME-ARP funds.

## **Consultation**

The City of Durham is the Lead Agency for the Durham County Continuum of Care (CoC). As such, the City works closely with non-profit homeless service providers, Durham County, the Durham Housing Authority, Veterans Affairs, Victim Service Providers, and other CoC members in administering the community’s response to homelessness. The City consulted with CoC members and the other required entities prior to developing this plan.

City staff presented the HOME-ARP information to the full CoC at the December 14, 2022 meeting. The presentation covered eligible expenses as well as qualifying populations. Prior to the CoC meeting the presentation was shared via email with the CoC members. The CoC was invited to submit written feedback via email before the meeting and could email additional comments after the CoC meeting. During the CoC meeting on December 14, 2022 City staff received input regarding needs in the community, answered questions, and heard how to best use the HOME-ARP funds. To further explore how to best use the funds and find out if one of the qualifying populations should be prioritized a survey was sent via email to all of the CoC members on January 4, 2023 and closed on January 11, 2023. 26 CoC members replied to the survey that was sent after the CoC meeting.

The City reached out via phone and email to obtain input from the Veterans Administration in Durham, The Durham Housing Authority (Durham's public housing agency), Durham Crisis Response Center (Durham's Domestic Violence Service Provider), The ARC of North Carolina (primary provider of services to people living with Intellectual and Developmental Disabilities in Durham), and the City of Durham's Neighborhood Improvement Services department that addresses fair housing, civil rights, and the needs of persons with disabilities.

The City held two Public Hearings one on February 20, 2023 and one on March 20, 2023 notification about the hearings were distributed via email and posting in the two local newspapers Que Pasa and the Herald Sun (ads are attached at the end of the plan). Public feedback about developing the plan began with the CoC meeting on December 14, 2022. Public comment on the proposed HOME-ARP Allocation Plan began on February 23, 2023 and ended on March 25, 2023.

Feedback and details of the consultation with the CoC membership at the December 14, 2022 are listed in the table below.

***List of the organizations consulted:***

<b>Agency/Org Consulted</b>	<b>Type of Agency/Org</b>	<b>Method of Consultation</b>	<b>Feedback</b>
<b>Families Moving Forward</b>	Emergency Shelter	CoC Meeting and Survey	Affordable housing focus on homeless households and families.
<b>Urban Ministries of Durham</b>	Emergency Shelter	CoC Meeting and Survey	What is the deadline to contract? Can funds be used for a project if related portion of project is finished even if total project is not finished? Noted multiple needs in the community requiring capital investment including PSH, white flag

			capacity, upgrades and/or expansion of shelter capacity, etc.
<b>Durham Housing Authority</b>	Housing Authority	Email and Survey	More affordable housing is needed for low income households and funds should be prioritized for persons exiting homelessness.
<b>Durham County Department of Social Services</b>	Social Services including those with disabilities	CoC Meeting and Survey	Affordable housing is needed. As the homeless population is aging and getting sicker it is important to pay attention to accessibility for those who are mobility challenged or disabled. Units should be designed for universal use. Also need to keep in mind people with fixed incomes who can't afford to rent in the area without a subsidy.
<b>Durham Crisis Response Center</b>	Domestic Violence Service Provider	Invited to CoC Meeting, Email, Phone Call	No feedback provided
<b>Veterans Administration</b>	Veterans Services	CoC Meeting, Email and Survey	<p>Acquisition or rehabilitation of affordable/ PSH units – with the caveat that these be somehow protected for those who need/qualify for affordable housing. If there could be a percentage of units with Veteran preference, that would be tremendous. New construction would be not as helpful due to the length of time it takes for these units to be developed.</p> <p>The VA has access to HUDVASH vouchers however it is difficult to find landlords/units that will accept them. This is creating a backlog of veterans with vouchers who are unable to find housing units. The VA can assist in filling empty units with HUDVASH vouchers very easily as we now have an increased collaboration with SSVF that allows for landlord incentives and increased housing navigation. The process is still being developed but funds are available.</p>
<b>Project Access of Durham County</b>	Homeless Service Provider focus on medically vulnerable/disabled	CoC Meeting and Survey	Can the funds be used for strategic planning?

<b>City of Durham, Neighborhood Improvement Services</b>	Human Relations and Fair Housing and Needs of persons with disabilities	Email	We are aware of landlords opting out of vouchers and other rental assistance. There are protections in place for persons with disabilities. The Department is requesting additional funding for the Reasonable Modifications Fund (RMF). The RMF is a fund to assist low income households to make reasonable modifications to their rental units. The Department is exploring the possibility of amending the City's fair housing ordinance to add a protection for households who receive housing assistance. There is no guarantee that this protection will be added, but the matter has been researched and other jurisdictions in other states have this protection.
<b>Life Skills Foundation</b>	Transitional Age Youth Service Provider	CoC Meeting and Survey	Could the funds be used in multiple projects? There is a need for more youth specific funding and housing options.
<b>Housing for New Hope</b>	Homeless Service Provider (Permanent Supportive Housing, Street Outreach, Rapid Rehousing)	CoC Meeting and Survey	Is there a match required? Would people who are high system utilizers including health system and jail system be able to be served? Funds for rehab or construction could be useful. Does NCHFA have funding specifically for PSH? And are there many LIHTC projects funded for PSH?
<b>Lincoln Community Health Center (Health Care for the Homeless)</b>	Medical provider to persons experiencing homelessness who are sick and/or disabled	CoC Meeting and Survey	Can HOME funds be used to extend support for RRH clients whose funding is ending? What would happen to PSH once the funds were gone? Noted the number of chronically homeless people will continue to increase. Can funding be used for medical respite?
<b>North Carolina Coalition to End Homelessness (NCCEH)</b>	Durham's Homeless Management Information System's Lead Agency	CoC Meeting and Survey	Suggested we should consider prioritization for those who are literally homeless, not just at-risk. And that we consider additional prioritization of those who are chronically homeless. The projects can't disqualify people in the qualifying populations but can prioritize one group. Suggest prioritizing those who are literally homeless then those at risk of homelessness. Noted that if shelter

			capacity is expanded it will be necessary to also ensure additional housing options beyond shelter so that people do not remain stuck in shelter thus increasing length of time homeless.
<b>City of Durham Community Safety Department</b>	Enhance public safety through the use of Holistic Empathetic Assistance Response Teams (HEART)	CoC Meeting	Noted HEART is meeting many people in the community who are “familiar faces” in the system and would be well served by additional supportive housing options. Also noted need for additional easy entry/low barrier options on white flag nights. Noted need for a day center to wash clothes, shower, get mail, etc. along with a wet shelter-type option during white flag events.
<b>Open Table Ministry</b>	Homeless Services Provider	CoC Meeting and Survey	No additional thoughts shared
<b>Alliance Health</b>	Behavioral Health Provider	CoC Meeting and Survey	How were EHV prioritized relative to how HOME funds could be prioritized?
<b>Volunteers of America of the Carolinas and Chesapeake</b>	Homeless and Veterans Services Provider	CoC Meeting and Survey	No additional thoughts shared
<b>LGBTQ Center of Durham</b>	Victim Services, Homeless Services Provider with a focus on the LGBTQ population	CoC Meeting and Survey	No additional thoughts shared
<b>Bergman Real Estate Rentals</b>	Affordable Housing Provider	CoC Meeting	We have utilized rapid rehousing for chronically homeless individuals, and it has not gone well. If we can develop more PSH units, we will see overall costs go down. And private funds may be available. County money might be available. And if this capacity is expanded, then we can re-engage more typical housing providers for folks who are not as high barrier.
<b>The ARC of North Carolina</b>	Intellectual and Developmental Disabilities Service Provider	Phone Call	The greatest need is for housing as most of the participants make less than 30% of the AMI and need to live on \$800 per month. Newer construction units are able to accommodate people with mobility challenges, however the units that are affordable are older and not as accessible.

			Many participants need first floor units due to gait issues while walking that makes stairs unsafe. Location of housing must be on public transit routes.
<b>CoC member with Lived Experience</b>	Lived Experience	CoC Meeting and Survey	No additional thoughts shared
<b>Duke University</b>	Educational Institution	CoC Meeting and Survey	No additional thoughts shared
<b>Durham County Veterans Services</b>	Veterans Services	CoC Meeting and Survey	No additional thoughts shared
<b>North Carolina Central University</b>	Educational Institution	CoC Meeting and Survey	No additional thoughts shared
<b>Community Empowerment Fund</b>	Advocacy and supportive services agency	CoC Meeting and Survey	No additional thoughts shared
<b>Durham Congregations in Action</b>	Advocacy	CoC Meeting	No additional thoughts shared

***Summarize feedback received and results of upfront consultation with these entities:***

The overwhelming feedback from the stakeholders was that we need more affordable housing for households exiting homelessness, particularly households with the highest barriers to obtaining and maintain permanent housing. It is also important to keep in mind those with various disabilities or mobility challenges. Many participants shared at the CoC meeting that there is a need for additional supportive services to assist households to remain in the housing units long term. The second highest need identified by the group was non-congregate shelter beds and support for medical respite. There is also need for more housing units to accept Housing Choice Vouchers or other third party payments.

After the CoC meeting the City sent a survey to the full CoC membership to allow members to submit anonymous thoughts on the use of funds and prioritization (we received 26 responses to the survey). The survey was open for one week and a reminder email was sent the day it was closing to remind people to complete the survey. The survey showed two thirds of the respondents favored using the HOME-ARP funds for affordable housing targeted for households under 30% AMI with a prioritization for households exiting homelessness.

**Public Participation**

- ***Date(s) of public notice: 1/20/2023 and 3/3/2023***
- ***Public comment period: start date - 2/23/2023 end date - 3/25/2023***
- ***Date(s) of public hearing: 2/20/2023 and 3/20/2023***

***Describe the public participation process:***

Public participation began with discussions with key stakeholders in December 2022 at the monthly Continuum of Care (CoC) Meeting. 44 people representing CoC member agencies and guests attended the December CoC meeting to discuss the needs of the CoC in relation to the HOME-ARP Allocation Plan. The CoC meeting provided the first round of input for the Plan.

The City of Durham hosted a public hearing on February 20, 2023 to solicit feedback on the needs of the Community for the HOME-ARP Allocation Plan. A second public hearing was held on March 20, 2023 to hear feedback on the proposed HOME-ARP Allocation Plan. There was a 30-day public comment period for the Allocation Plan that ran from February 23, 2023 through March 25, 2023. Public comments were welcomed at the public hearing on March 20 and additional comments were welcomed via written comment through March 25, 2023. There were two public comments at each of the Public Hearings, both were made by the same two people and were about using the HOME-ARP funds for a guaranteed income pilot program. The details of the public comments were considered and recorded in the plan and can be found below.

***Describe efforts to broaden public participation:***

Public participation is critical to ensuring a community plan reflects as many viewpoints as possible. In an effort to expand public participation notices were posted and included directions about receiving translation services for speakers of other languages than English (predominately Spanish). The City of Durham also provided an American Sign Language (ASL) translator at the public hearings for the needs assessment (February 20, 2023) and for the HOME-ARP Allocation Plan (March 23, 2023). After the public hearing on February 20 the plan was posted for public viewing on the City of Durham's Website for additional comments. Notices were also posted in the local newspapers, Que Pasa and the Herald Sun regarding the public hearings.

***Summarize the comments and recommendations received through the public participation process either in writing, or orally at a public hearing:***

In addition to the Public Hearing input provided by CoC members and other specific groups are captured in the table above listing organizations consulted.

Two citizens had comments regarding the use of the HOME-ARP funds at the public hearing on February 20, 2023. Both participants shared that there has been a high number of evictions over the last few years and several landlords in the community are not accepting payments of rental arrears from the government or other third party payments. Both speakers stated that the best way to assist these households was to get the funds into the hands of leaseholders at risk of eviction through a guaranteed income program. Participants requested that this request be taken into consideration.

Two citizens had comments on how the HOME-ARP funds should be used at the March 20, 2023 public hearing. Both citizens requested that HOME-ARP funds be used to stand up a guaranteed income program to help reduce evictions in Durham. The citizens had identified a non-profit organization that agreed to administer the program as well as provide support and

financial counseling to households enrolled in the program. One of the citizens did share that a guaranteed income pilot program may not be an eligible use of HOME-ARP funds and requested that the Durham City Council consider using local funds to stand up the program to meet the needs of households most at risk of eviction due to inability to pay rent.

***Summarize any comments or recommendations not accepted and state the reasons why:***

The comments requesting that funds be used through a guaranteed income program were not accepted as this type of program is not an eligible use of HOME-ARP funds.

### Homeless Needs Inventory and Gap Analysis Table

Homeless													
	Current Inventory					Homeless Population				Gap Analysis			
	Family		Adults Only		Vets	Family HH (at least 1 child)	Adult HH (w/o child)	Vets	Victims of DV	Family		Adults Only	
	# of Beds	# of Units	# of Beds	# of Units	# of Beds					# of Beds	# of Units	# of Beds	# of Units
Emergency Shelter	97	30	172	172	15								
Transitional Housing	0	0	44	44	44								
Permanent Supportive Housing	107	31	250	250	157								
Rapid Rehousing	105	33	75	75	12								
Other Permanent Housing	108	35	311	311	10								
Sheltered Homeless						95	220	66	16				
Unsheltered Homeless						35	109	13	0				
<b>Current Gap</b>										33	12	157	157

**Suggested Data Sources:** 1. Point in Time Count (PIT); 2. Continuum of Care Housing Inventory Count (HIC); 3. Consultation

### Housing Needs Inventory and Gap Analysis Table

Non-Homeless
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	<b>Current Inventory</b>	<b>Level of Need</b>	<b>Gap Analysis</b>
	<b># of Units</b>	<b># of Households</b>	<b># of Households</b>
Total Rental Units <sup>1</sup>	59,862		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	4,925		
Rental Units Affordable to HH at 50% AMI (Other Populations)	18,008		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness) <sup>2,3</sup>		12,960	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations) <sup>2,3</sup>		9,835	
<b><i>Current Gaps<sup>2</sup></i></b>			10,520 Equals # of renter households with income < 50% AMI paying >50% of income for housing

<sup>1</sup>Source: American Community Survey, Table B25003: Tenure, 2021: 1-Year Estimates Detailed Tables

<sup>2</sup>Source: HUD Comprehensive Housing Affordability Strategy (CHAS) data, 2015-2019 ACS

<sup>3</sup> These numbers are only for the City of Durham. The CHAs data for Durham County, which is the geographic region of the Durham Continuum of Care, reports 13,880 renter households between 0%-30% of AMI and 10,200 renter households between 30% -50% of AMI.

## ALTERNATIVE HOUSING NEEDS INVENTORY AND GAPS ANALYSIS

### Housing Cost Burdens for Renter Households

Renter Households	Not Cost Burdened	Cost Burden >30% to 50% of Household Income	Cost Burden > 50% of household income	Total
Total Renter Households	30,715	12,550	11,305	54,570
With Income < 30% AMI	3,090	1,615	8,255	12,960
With Income 31-50% AMI	2,380	5,190	2,265	9,832

*Describe the size and demographic composition of qualifying populations within the PJ's boundaries:*

#### ***Homeless as defined in 24 CFR 91.5***

The January 2022 Point in Time (PIT) Count reported that 459 people were experiencing homelessness on one night, including 144 people who were unsheltered. The total number was a 32% increase from 349 people counted in January 2020, prior to the pandemic. Over sixteen percent of those counted in the 2022 PIT Count, seventy-five persons, were children. Twenty-four young adults in the 18-24-year-old age range were also counted.

281 people identified as male, and 175 identified as female. One person indicated that they were transgender, and two persons indicated that they were gender non-conforming.

The PJ's homeless population is heavily African-American. Sixty-five percent of those counted in the 2022 PIT Count, 300 people, were black; 135 were white; six indicated that they were Native-American; six said they were native Hawaiian or a Pacific Islander; and 13 identified as multi-racial.

While the PJ's one-night counts of people experiencing homelessness have been increasing in recent years, the annual count of those coming through the community's homeless housing system has been declining for at least a decade. For the federal fiscal year ending 9/30/2011, the federal Annual Homeless Assessment Report reported that 1,655 homeless people had stayed in emergency shelters and transitional housing project that used the community's Homeless Management Information System (HMIS). In 2016, this number had declined to 1,308 people, and in the 2021 federal fiscal year, the number was 955 people, a 42% decline since 2011! The demographics of the people experiencing homelessness have remained consistent throughout the period, with the percentage of African-Americans being in the 65%-75% range.

Of particular concern is the increase in unsheltered homelessness among families or adults with children. Prior to the COVID-19 pandemic, the PJ rarely found any unsheltered

families in the annual PIT Count. In the 2021 PIT Count, there were 13 unsheltered families, and in the 2022 PIT Count there were 11 unsheltered families.

***At Risk of Homelessness as defined in 24 CFR 91.5***

According to the most recent HUD CHAS data, there were 8,255 renter households with income below 30% AMI in Durham who were paying over 50% of their income for housing. The dramatic increases in median rent that has taken place since the COVID-19 pandemic began have only made this situation worse. Extremely low-income households with high housing cost burdens are extremely vulnerable to homelessness. For the year ending December 31, 2022, Legal Aid of North Carolina, through the Eviction Diversion Program funded by the City of Durham, assisted 391 households to avoid eviction. While not all evictions lead to homelessness a small percentage of evictions do result in literal homelessness. Due to market conditions landlords are less likely to rent to households with an eviction on their record making it more difficult to secure the next home.

The table below represents the number of people who are currently reaching out to the Coordinated Entry System for assistance stating they are at imminent risk of homelessness. As of March 25, 2023 there are currently 242 people self-reporting risk of homelessness. 82% of the people reporting they are at risk of homelessness are people of color and 55% of the people reporting they are at risk of homelessness identify as female.

TOTAL AT RISK OF HOMELESSNESS						
242						
GENDER						
Male	Female	No Single Gender	Questioning	Transgender	Client doesn't know/Client Refused	Data not Collected
108	133	1	0	0	0	0
RACE						
White	Black, African American, or African	American Indian, Alaska Native, or Indigenous	Native Hawaiian or Pacific Islander	Multiple Races	Client Doesn't know/Client Refused	Data not Collected
40	177	1	4	17	1	2
ETHNICITY						
Non-Hispanic/Non-Latin(a)(o)(x)	Hispanic/Latin(a)(o)(x)	Client Doesn't Know/Client Refused	Data Not Collected			
198	42	1	2			

***Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice***

The Durham CoC estimates that more than 500 people fleeing Domestic Violence (DV), etc. as defined by HUD in the Notice experience homelessness annually. This estimate is based on administrative data that the CoC's only emergency shelter specifically for survivors of domestic violence reported to the State of North Carolina. For the year ending 6/30/2021, the shelter reported that it had provided emergency shelter to 142 people and had referred an additional 361 people to other shelters outside the CoC due to lack of emergency shelter space for DV survivors in Durham. For the 142 people sheltered, 23 (16%) were children ages 0-12, 17 (12%) were teenagers ages 13-17, 31 (22%) were young adults ages 18-24, 62 (44%) were adults ages 25-59, and 9 (6%) were sixty years of age or older. Based on the reported race of over 1,000 DV clients served by the agency during the year, an estimated 58% or 83 people were African-American, 35% or 50 people were white. 5% or 7 people were of multiple races, and the remaining 2% or 2 persons were Asian, Native American or of another race.

***Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability, as defined by HUD in the Notice***

Per the North Carolina Housing Coalition's 2023 Housing Need in Durham County there are 27,133 households (48% of renters) have difficulty affording their homes. Based on HUD's Fair Market Rent (FMR) for Durham a two-bedroom apartment is \$1,315 per month. A household would need to make \$25.29 per hour to afford this FMR.

As discussed previously there are 5,000 units in Durham that are affordable to households that have incomes at or below 30% of the AMI. This has resulted in over 8,000 households spending more than 50% of their income on housing costs. This cost burden makes it more difficult to cover medical costs, rising food costs, and having any funds set aside for an unexpected emergency expense. This is a population that is at risk of housing instability. In 2019 the city of Durham passed a \$95 million affordable housing bond. The goal of this bond is to increase the number of affordable units in Durham and/or preserve affordable units. The COVID pandemic slowed down the creation of these units and it is expected that when the program is completed there will be 1,600 new affordable rental units and 800 affordable rental units will be preserved.

***Identify and consider the current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, TBRA, and affordable and permanent supportive rental housing:***

The "Homeless Needs Inventory and Gap Analysis Table" above reports that the PJ had 269 emergency shelter beds, 44 beds of transitional housing, 180 beds of rapid rehousing (RRH), 357 beds of permanent supportive housing (PSH), and 419 beds dedicated for people experiencing homelessness in "other permanent housing" (OPH). This inventory is what was reported to HUD from the January 2022 Housing Inventory Count (HIC). However, 43% of the PSH 157 beds, is dedicated for occupancy by veterans and their families through the HUD-VASH program. The

“OPH” is a combination of 68 Emergency Housing Vouchers allocated to the PJ via American Rescue Plan funding, 182 beds in Housing Choice Voucher units that have been reserved for people experiencing homelessness by the Durham Housing Authority, and 3 beds in a project funded by Alliance Health, the community’s local managed care organization for mental health, substance use, and developmental disability services.

Identifying needed supportive services for people returning to permanent housing after an episode of homelessness has been challenging. North Carolina has not expanded Medicaid to take advantage of federal financial resources available under the Affordable Care Act. While the annual HUD Continuum of Care Competition provides funding for several PSH and RRH projects, most of the funding is dedicated for rental assistance for the formerly homeless participants and these grants do not meet the supportive service needs of most participants.

***Describe the unmet housing and service needs of qualifying populations:***

***Homeless as defined in 24 CFR 91.5***

According to the 2022 Point in Time (PIT) Count, there were 459 persons experiencing homelessness in Durham. On the night of the count there were 144 persons who were unsheltered due to lack of emergency shelter beds. Emergency shelter beds are routinely full and there is a lack of affordable housing for permanent exits. The lack of affordable housing results in more people exiting to unsheltered homelessness or to temporary housing solutions that result in becoming homeless again. The unsheltered count has grown from 349 people and 77 people unsheltered in 2020 to 459 people and 144 unsheltered in 2022. There has been an increase in families experiencing homelessness and many of them are homeless due to the lack of affordable housing.

As the number of persons experiencing homelessness has increased over the last two years the length of time people remain homeless has also increased. In 2020, 513 households in emergency shelter were homeless an average of 64 days. In 2022, the number of households in shelter had increased to 608 households, a 19% increase from 2020, and the length of time homeless had increased to 71 days, an 11% increase. This increase in length of time people remain homeless is directly related to the lack of affordable rental units and a reduction in the number of landlords willing to accept Housing Choice Vouchers (HCVs).

While the 2022 Housing Inventory Count (HIC) did report an inventory of 956 beds of RRH, PSH, and OPH that are all dedicated for occupancy by formerly homeless people, only a fraction of this housing is available annually to households moving out of homelessness. While the CoC is encouraging CoC funded projects to help participants move on to other housing when they no longer need the supportive services available in a permanent supportive housing project, only 15-20 percent of a project’s beds are available annually for new participants.

If one estimates that approximately one-third of the 900-1000 people entering the homeless housing system annually will move back into housing without needing a short term, medium term, or long term housing subsidy, that still leaves about 600 people annually who will need a housing subsidy to regain permanent housing. If annual turnover of PSH and OPH beds increased to 25% of the approximately 800 beds, that would provide permanent housing options for about 200 people. RRH participants may receive up to two years of rental assistance from a RRH project, so one could estimate that current RRH projects may be able to accept about 100 people annually into those projects. These calculations suggest that current RRH, PSH, and OPH projects may be able to assist as many as 300 people with permanent housing annually. This exercise in calculating unmet housing need suggests that, if 900-1000 people enter the homeless housing system annually, the current system would not be able to meet the permanent housing needs of 300-400 people each year.

***At Risk of Homelessness as defined in 24 CFR 91.5***

As data on housing cost burdens and homelessness indicate, there is an acute need for rental housing that is affordable to households with incomes below 30% AMI, including both regular rental housing and permanent supportive housing. Many of the apartments that had been affordable have been sold to out of area investors in the last two years. The sale of these units has resulted in the units being emptied of tenants, capital improvements made, and then put back on the market at two to three times the previous rent amounts. The new owners have also elected to not accept Housing Choice Vouchers further putting financial pressure on low income households to find decent, safe, and affordable housing. The City of Durham has funded an eviction diversion program. Legal Aid of North Carolina provides legal assistance to households facing eviction through the Eviction Diversion Program. The Eviction Diversion Program prevented 391 households from being evicted this represents a 50% success rate for the year ending June 30, 2022.

***Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice***

According to, the Durham Crisis Response Center (DCRC), the primary provider of intimate partner violence (IPV) services, there is a gap in housing options for 361 people based on data for the year that ended in 2021. The lack of shelter beds for people in need resulted in people being referred out of the county for emergency placement. Referrals out of the county are often difficult and sometimes impossible for some people due to lack of transportation. DCRC has been providing Rapid Rehousing to survivors of IPV for the last three years and have struggled to find affordable housing for persons fleeing violence. DCRC has adequate supportive services but lacks housing options.

***Other populations requiring services or housing assistance to prevent homelessness and other populations at greatest risk of housing instability as defined by HUD in the Notice***

Much of the assistance available to other populations at greatest risk of homelessness are in production and or in the planning stages. At the end of the Affordable Housing Bond period the City expects to have 1,600 new affordable housing units developed and preserve an additional 800 affordable housing units. Currently this population is seeing a reduction of affordable units as owners of affordable properties have either sold their units to investors and/or changed rental requirements such as increasing the minimum income to rent units.

***Identify any gaps within the current shelter and housing inventory as well as the service delivery system:***

Based on consultation with the CoC members there is a shortage of affordable housing units and many people with HCVs are requesting extensions due to the inability to find a unit to rent. The Durham Housing Authority has paused issuing new HCVs due to the length of time it is taking people secure housing.

Prior to the COVID-19 pandemic, there are 80 emergency shelter beds for single men, 32 emergency shelter beds for single women, and 30 rooms in emergency shelter for families. Due to the pandemic the number of beds for single women and men has been reduced to 50 beds for men and 14 beds for women. This reduction is expected to remain in place for the foreseeable future to allow guests to have a little more room. The other challenge in the emergency shelter system relates to the use of bunkbeds in order to help the most people possible. As the homeless population is getting older and sicker, many people are unable to use the top bunk.

The service delivery system for households experiencing homelessness has almost come to a standstill due to the lack of affordable rental units. Households enrolled in rapid rehousing programs are requiring longer and deeper subsidies to remain in their housing, if they are able to find a landlord willing to accept a payment for rent from a third party.

## **HOME-ARP Activities**

***Describe the method(s) that will be used for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors:***

The City of Durham will use a request for proposal (RFP) process to award funds to developers, contractors, and/or service providers. The RFP will be open for a minimum of 30 days. RFPs will be scored by a committee based on the criteria established in the RFP. Based on the scoring of the RFPs funds will be awarded to one or more projects through the City's contract process.

***Describe whether the PJ will administer eligible activities directly:***

The City of Durham will not administer any activities directly.

None of the City of Durham's administrative funds were provided to any subrecipients or contractors prior to HUD's acceptance of the HOME-ARP allocation plan.

## **Use of HOME-ARP Funding**

	<b>Funding Amount</b>	<b>Percent of the Grant</b>	<b>Statutory Limit</b>
Supportive Services	\$ #		
Acquisition and Development of Non-Congregate Shelters	\$ #		
Tenant Based Rental Assistance (TBRA)	\$ #		
Development of Affordable Rental Housing	\$ 4,196,151		
Non-Profit Operating	\$ #	# %	5%
Non-Profit Capacity Building	\$ #	# %	5%
Administration and Planning	\$ 150,000	3.45%	15%
<b>Total HOME ARP Allocation</b>	\$ 4,346,151		

***Describe how the PJ will distribute HOME-ARP funds in accordance with its priority needs identified in its needs assessment and gap analysis:***

The City of Durham will use the HOME-ARP funds to develop new affordable rental housing to be prioritized for individuals and/or families experiencing homelessness as defined in 24 CFR 91.5 (1).

***Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:***

The emergency shelter beds available for single men and women has been reduced due to the COVID-19 pandemic. At the same time the number of beds has been reduced the number of unsheltered persons has increased since 2020. It is also taking longer to find affordable rental units to accept households exiting homelessness this is extra time is increasing the length of time people remain homeless.

In an effort to increase opportunities for persons who are literally homeless it is critical to have affordable housing prioritized for them. The HOME-ARP funds will fund the development of at least 25 new units. 25 units of new housing would reduce the number of people experiencing unsheltered homelessness by 14%. Ideally the project will be able to leverage other funds and more than 25 units will be developed.

The CoC members and landlords shared that supportive services are critically needed for many people who are living in their own apartments after they exit homelessness. The need for supportive services includes everything from ensuring the tenant keeps the unit clean to ensuring the rent is paid on time. In an effort to close the gap on supportive services the Homeless Services Advisory Committee (HSAC), the governing board of the CoC, is making a request of the City of Durham and Durham County to fund additional supportive services workers.

## **HOME-ARP Production Housing Goals**

***Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:***

The City of Durham through a Request for Proposal (RFP) process has a production goal of a minimum of 25 housing units to be developed for households experiencing literal homelessness. The current average total development costs (TDC) is conservatively estimated to be \$325,000 per unit.

This housing production estimate is a minimum based on the developer only using only the HOME-ARP funds and making a minimum leveraging with traditional bank financing. If tax credits or other sources of capital for development is available, it is expected that the City will be able to produce more units. The RFP will encourage other funding sources to be leveraged.

***Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how the production goal will address the PJ's priority needs:***

The City of Durham is planning to issue a RFP to find a developer/contractor to develop a minimum of 25 affordable housing units to be prioritized for households experiencing homelessness as defined by 24 CFR 91.5 (1).

The priority need is for units available to households earning 30% AMI and below. The City of Durham is working with the Housing Authority of the City of Durham, the local PHA, to obtain 25 project-based rental assistance subsidies. It should be noted that the DHA is currently working on developing mixed-income housing under its Choice Neighborhood Initiative (CNI).

## **Preferences**

***Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:***

The City of Durham plans to give preference to Individuals and families who are homeless as defined by 24 CFR 91.5 (1) for available housing units created through the use of these funds.

***If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:***

The preference will assist in exiting households experiencing homelessness to permanent housing. On any given night there are an estimated 28 families and 78 single adults experiencing unsheltered homelessness. These households are unsheltered due to a lack of affordable units that will accept Housing Choice Vouchers (HCVs), persons with low credit and/or low income, and/or criminal records. Due to the lack of affordable housing the length of time people remain in emergency shelter has increased by 11% resulting in less turnover emergency shelter beds. By prioritizing units for those experiencing homelessness defined by 24 CFR 91.5 the system will be able to reduce the number of people experiencing unsheltered homelessness. This preference is supported by our needs assessment and gap analysis as referenced above.

## **Limitations in a HOME-ARP rental housing or NCS project**

***Describe whether the PJ intends to limit eligibility for a HOME-ARP rental housing or NCS project to a particular qualifying population or specific subpopulation of a qualifying population identified in section IV.A of the Notice:***

Rental units will not be limited to individuals and families who are homeless as defined by 24 CFR 91.5 (1) they will only be prioritized. If a unit is available and there is not a household experiencing homelessness, as defined in 24 CFR 91.5 (1) interested in or able to move into the unit, referrals will be opened to any other household within the qualifying populations.

***If a PJ intends to implement a limitation, explain why the use of a limitation is necessary to address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or subpopulation of qualifying population, consistent with the PJ's needs assessment and gap analysis:***

The City of Durham is not intending to implement a limitation.

***If a limitation was identified, describe how the PJ will address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the limitation through the use of HOME-ARP funds (i.e., through another of the PJ's HOME-ARP projects or activities):***

The City of Durham is not going to limit housing units to only one of the qualifying populations. Households experiencing homelessness as defined in 24 CFR 91.5 (1) a priority/preference will be given to this qualifying population.

## **HOME-ARP Refinancing Guidelines**

- ***Establish a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing to demonstrate that rehabilitation of HOME-ARP rental housing is the primary eligible activity***  
The minimum level of rehabilitation required for each unit will vary based upon thorough analysis of the capital needs for each property, but the amount of rehabilitation funds needed to address capital needs in each unit. Using DHA Project Based Vouchers (PBV), it is noted that substandard rental housing is eligible if rehabilitation costs are at least \$1,000 per unit.
- ***Require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.***

The RFP process will require a pro forma as well as evidence the developer and property management company has experience successfully operating other similar projects.

The City will assess the financial and management capacity of the developer, before committing funds. This assessment will encompass the developer's ability to uphold its financial responsibilities such as capacity to absorb cost overruns, capacity to perform on any financial guarantees, and capacity to provide any equity the developer has committed to provide to the project.

The City of Durham will require a review of management practices to demonstrate that disinvestment in the property has not occurred; that the long-term needs of the project can be met; and that the feasibility of serving qualified populations for the minimum compliance period can be demonstrated.

- ***State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.***

The investment through refinancing will be used to create new affordable units with a priority for the new units to be available for households exiting homelessness as defined by 24 CFR 91.5 (1). The refinancing must be needed to make vacant units accessible and available. Refinancing may not be used to preserve existing occupied affordable housing units.

- ***Specify the required compliance period, whether it is the minimum 15 years or longer.***  
The compliance period will be a minimum of 15 years but the City may require up to 30 years.

- ***State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.***

HOME-ARP funds may not be used to refinance, multifamily loans insured by federal programs including CDBG.

- ***Other requirements in the PJ's guidelines, if applicable:***

Refinancing is limited to existing properties that are not currently in residential use and are intended/zoned for residential use. The project cannot include new construction or expansion of the height or footprint of an existing building, or any repairs, which involve ground disturbance. Refinancing may only be used for vacant units.

Proceeds may be used to fund:

- (a) the payoff of existing Durham Affordable Housing Loan Fund (DAHLF) loans, or other recognized indebtedness,
- (b) the cost of refinancing,

- (c) the cost of critical and non-critical repairs (as described in a required Capital Needs Assessment and,
- (d) deposits to reserves amount of HOME-ARP for rental housing operations and reserves.

Equity take-outs are not permitted.

## Event Details

 [View Map](#)

### Public Hearing Notice: Durham City Council - February 20, 2023 at 7:00 p.m.

**Monday, February 20, 2023**

The Durham City Council will hold a public hearing to receive resident comments on the potential use of federal HOME-American Rescue Plan (HOME-ARP) funds awarded by the U.S. Department of Housing Urban and Development (HUD) in the amount of \$4,346,151. In addition, public hearings will be held to hear the following requests: Annexations - Welcome Venture Park (BDG2200004); Zoning Map Changes - Welcome Venture Park (Z2200004), 1907 South Miami Boulevard (Z2200034), American Village Townhomes (Z2200030)

**Date:** February 20, 2023

**Time:** 7:00 PM

**Time Details:** This meeting will take place in person in Council Chambers at 101 City Hall Plaza and virtually via Zoom.

**Location:** Council Chambers

**Address:** 101 City Hall Plaza  
Durham, NC 27701

## COMMUNITY DEVELOPMENT DEPARTMENT

### Proposed Substantial Amendments to the FY 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022 Annual Action Plans

A Public Hearing will be held by the Durham City Council to receive citizens comments on the Proposed Amendments to the FY 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, and 2021-2022 Annual Action Plans. The City is proposing to reallocate \$6,206,481.22 in HOME Investment Partnerships Program (HOME) funds.

The Public Hearing is scheduled on Monday, February 20, 2023, at 7:00 P.M. during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the Proposed Amendments should follow the City of Durham's Public Comment Instructions. Instructions can be found on

Select Language 

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the City of Durham website located at the following link:

<https://durhamnc.gov/3012/Public-Hearings>. Written comments concerning the proposed amendments may be sent to the following link: <https://forms.office.com/g/CW4xupm8YH>

The Proposed Amendments to the subject Annual Action Plans will be available for public review from February 10, 2023 – March 11, 2023 on the City of Durham website at the following link: <https://www.durhamnc.gov/445/Community-Development> and at the City of Durham, Community Development Department located at 516 Rigsbee Avenue, Durham, NC.

For additional information, contact Terri Porter Holmes, Assistant Director of Fiscal Planning and Performance Administration at (919) 560-4570, ext. 22230.

### **Federal HOME-American Rescue Plan (HOME-ARP)**

The Durham City Council will hold a public hearing to receive resident comments on the potential use of federal HOME-American Rescue Plan (HOME-ARP) funds awarded by the U.S. Department of Housing Urban and Development (HUD) in the amount of \$4,346,151.

HOME-ARP funds were included as part of COVID-19 pandemic response funding in the American Rescue Plan, which President Biden signed into law on March 11, 2021. HOME-ARP funds are specifically intended to address the needs of qualified individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations. Funds may be used for: (1) Production or Preservation of Affordable Housing; (2) Tenant-Based Rental Assistance (TBRA); (3) Supportive Services, Homeless Prevention Services, and Housing Counseling; and (4) Purchase and Development of Non-Congregate Shelter.

The Public Hearing is scheduled on Monday, February 20, 2023, at 7:00 P.M. during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the potential use of the HOME-ARP funds should follow the City of Durham's Public Comment Instructions. Instructions can be found on the City of Durham website located at the following link: <https://durhamnc.gov/3012/Public-Hearings>.

For additional information, contact Colin Davis, Community Development Manager -Homeless System, at (919) 560-4570 ext. 22272 or via email at [Colin.Davis@DurhamNC.Gov](mailto:Colin.Davis@DurhamNC.Gov).

## **PLANNING DEPARTMENT**

### **Annexations:**

- **Welcome Venture Park (BDG2200004)***(Continued from January 3, 2023)* is a request for a voluntary contiguous annexation of three parcels of land totaling 157.37 acres; located at Hamlin Road and Old Oxford Road.

### **Zoning Map Changes:**

- **Welcome Venture Park (Z2200004)***(Continued from January 3, 2023)* is a request to change the zoning from Industrial Light (IL)/Falls/Jordan District-B (F/J-B), County Jurisdiction to Industrial Light with a Development Plan (IL(D))/Falls/Jordan District-B (F/J-B), City Jurisdiction; located at Hamlin Road and Old Oxford Road.
- **1907 South Miami Boulevard (Z2200034)** is a request to change the zoning from Residential Suburban-20 (RS-20) to Residential Suburban-20 (RS-20) with a Transitional Office Overlay addition; located at 1907 South Miami Boulevard.
- **American Village Townhomes (Z2200030)** is a request to change the zoning from Residential Suburban-10 (RS-10) to Residential Suburban-Multifamily with a Text-Only Development Plan (RS-M (D)) and a proposed change of the Future Land Use Map designation from Low Density (4 DU/Acre or Less) to Low-Medium Density Residential (4-8 DU/Acre); located at 626 Morreene Road.

### **Other Planning Items (Not Public Hearings):**

- 2022 BOA Annual Report
- 2022 HPC Annual Report
- 2022 Planning Commission Annual Report
- 2022 DOST Annual Report
- 2022 Appearance Commission Annual Report

Substantial changes to the proposed actions may be made following the public hearing for each case. For information about the cases, contact [Growth@DurhamNC.gov](mailto:Growth@DurhamNC.gov) or call 919-560-4137.

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## PUBLIC PARTICIPATION

Regular business meetings will take place in the City Council chambers and virtually via Zoom, unless otherwise noted on the City of Durham website. Virtual participation is encouraged. To participate using the Zoom virtual meeting platform, see the agenda for the Council session. The Zoom link is at the top of the agenda. Agendas are posted the Thursday prior to the public hearing. Registration to speak during the City Council Meeting on an agenda item that is not a public hearing must be submitted **by 2:00 p.m.** on the day of the City Council Meeting. Virtual access will be **audio only**. Please refer to the following web page for ways to participate: [City Council Meetings & Work Sessions - Ways to Watch, Attend, Comment | Durham, NC \(durhamnc.gov\)](#).

### Notice Under the Americans with Disabilities Act

Persons who require assistance to attend this public hearing should contact (919) 560-4197 or [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) no later than 48 hours before the event.

### Aviso bajo el Acto de Americanos Discapacitados

Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al (919) 560-4197 o [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) a más tardar 48 horas antes del evento.

# Wake school social workers want master's degree pay

**BY T. KEUNG HUI**  
*khui@newsobserver.com*

Wake County school social workers who help struggling families say they're the ones now who are struggling financially and need a pay raise.

Multiple school social workers have spoken at Wake County school board meetings since December about how low pay is causing some colleagues to go to food pantries or quit the district. The social workers say one way to help is to restore the extra pay that used to be provided to all school social workers who held master's degrees.

"Please consider the financial struggles that our dedicated, highly trained school social workers of Wake County have expressed to you," Megan Pohl, a school social worker, said at a school board meeting this month. "End this practice of short-

changing social workers and help us provide our own families with the magic that we provide our students' families with master's level pay for a master's level position."

Wake County school leaders say they're looking into the issue.

A question for Wake is whether to fund the extra pay itself or instead hope the state will restore the benefit it used to provide.

"We anticipate that the board will request additional information about the status of master's pay during the upcoming budget season for all educators who were impacted by the state's change in 2013," Lisa Luten, a district spokesperson, said in

an email.

## CAN'T PROVIDE FOR THEIR FAMILIES

School social workers help identify the barriers that are keeping students from succeeding academically. This includes mental health referrals, suicide risk assessments and helping families with needs such as food and housing.

Pohl told the board that she had provided more than 30 families with an entire Thanksgiving meal and helped 50 families provide children with Christmas gifts. But Pohl said by the time she had paid her bills, including repaying student loans for her master's degree, she didn't have any money left for Christmas gifts for her daughter.

"I spent night after night crying knowing that I couldn't help provide my own child with the Christmas magic that I helped so many others obtain," Pohl said.

Brittany Lara and her wife, Phong (Helen) Nguyen, came to the board's December meeting to talk about how their salaries as school social workers weren't enough due to medical bills following childbirth complications.

Lara said she worries about how to pay for baby formula, diapers and other needs when faced with \$15,000 in medical bills and \$15,000 in dental bills.

"I spend my Saturdays visiting food pantries: the same food pantries that I give my families. And it's impacting the time I spend with my children," Lara said. "My time is already limited with them

throughout the week and now I'm missing out on the important things I shouldn't have to miss out on as a first-time parent."

Following Lara's speech, Nancy Haywood, a Cary parent, organized a campaign to collect clothing, formula and toys for the couple.

## 'ADVOCATE FOR OURSELVES'

Until a decade ago, social workers like Lara, Nguyen and Pohl would have received an additional 10% boost in pay from the state for having a master's degree. The same extra pay for advanced degrees was also given to North Carolina teachers.

But the Republican-led state legislature eliminated the benefit in 2013, saying teachers should be paid based on performance and not on their credentials.

Teachers and social workers who already were receiving the extra pay before the 2014-15 school year or who had completed at least one course before Aug. 1, 2013, and went on to get their master's degree were grandfathered.

Positions such as school counselors and school psychologists that require a master's degree still receive the extra pay from the state.

North Carolina doesn't require school social workers to have a master's degree. But several social workers say Wake only hires people who have a master's degree.

The starting salary for a Wake County school social worker with no experience is \$43,784. Social workers would get around

and students daily, and it's time that we advocate for ourselves."

**WILL EXTRA PAY BE PROVIDED?**

Some speakers have urged Wake to lobby the state to restore the master's degree benefit. The State Board of Education is asking the General Assembly to restore the benefit and provide an extra \$10 million to increase the pay for social workers.

"I recognize that the master's pay issue is not something that this board has created or controls," Haywood, the Cary parent, told the board in January. "Nevertheless, I am here tonight to ask that our superintendent, our school board please work with the county commissioners to encourage our legislators to put master's pay back in place

"I ask not only for social workers but for our teachers as well. It is important

that those who take care of our children make a living wage.”

Some social workers are urging Wake to act regardless of what the state may do. Luten, the district spokesperson, said staff haven't determined how much it would cost financially if Wake were to provide the master's pay increase out of local funds.

"We know our worth, and it's more than what the county is giving us," Nguyen, the social worker, told the board in December. "We need master's pay and we need it now."

"All of our financial burdens could be alleviated with master's pay. You all have access to funds that we do not. We cannot afford to continue losing great social workers because of the pay."

**T. Keung Hui:**  
919-829-4534, @nckhui

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 **HOME-American Rescue Plan Funding  
Public Hearing**  
**February 20, 2023 – 7:00 P.M.**  
**City Council Chambers, City Hall**  
**101 City Hall Plaza**  
**Virtual Meeting Link:**  
**<https://durhamnc.gov/3012/Public-Hearings>**

A Public Hearing will be held by the Durham City Council to receive comments from the City of Durham residents on the potential use of federal HOME-American Rescue Plan (HOME-ARP) funds awarded to the City of Durham by the U.S. Department of Housing Urban and Development (HUD) in the amount of \$4,346,151.

HOME-ARP funds were included as part of COVID-19 pandemic response funding in the American Rescue Plan, which President Biden signed into law on March 11, 2021. HOME-ARP funds are specifically intended to address the needs of qualified individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations. Funds may be used for: (1) Production or Preservation of Affordable Housing; (2) Tenant-Based Rental Assistance (TBRA); (3) Supportive Services, Homeless Prevention Services, and Housing Counseling; and (4) Purchase and Development of Non-Congregate Shelter.

The Public Hearing is scheduled on Monday, February 20, 2023, at 7:00 P.M. during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the potential use of the HOME-ARP funds should follow the City of Durham’s Public Comment Instructions. Instructions can be found on the City of Durham website located at the following link: <https://durhamnc.gov/3012/Public-Hearings>.

For additional information, contact Colin Davis, Community Development Manager - Homeless System, at (919) 560-4570 ext. 22272 or via email at [Colin.Davis@DurhamNC.Gov](mailto:Colin.Davis@DurhamNC.Gov).

**Notice Under the Americans with Disabilities Act**  
**Persons who require assistance to attend this public hearing should contact (919) 560-4197 or [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) no later than 48 hours before the event.**

**Aviso bajo el Acto de Americanos Discapacitados**  
***Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al (919) 560-4197 o [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) a más tardar 48 horas antes del evento.***

# Guatemalteco hace historia con los Bomberos de Charlotte

¡Felicidades al nuevo jefe de batallón!

LUIS NEYRA

Charlotte.- Un histórico ascenso se produjo en el Departamento de Bomberos de Charlotte. Y es que, por primera vez en la vida de esta escuadra bomberil, un latino alcanza el rango de jefe de batallón.

Se trata del guatemalteco Juan Pablo Soto ¿qué se sabe de él?

La historia de Soto comienza desde su arribo a los Estados Unidos a los 18 años para seguir los pasos de su padre, quien sirvió en las fuerzas armadas norteamericanas.

Según relata la Ciudad de Charlotte en una nota de prensa, Soto tenía doble

ciudadanía en Guatemala y los EE. UU.

Su padre, también guatemalteco, fue un infante de Marina de los EE. UU. en 1950 y recibió su ciudadanía estadounidense mientras servía al país y luego regresó a Guatemala después de completar su servicio. Juan quería seguir el sueño de ser como su héroe, pero el destino le tenía diseñado otro camino.

Según contó, cuando estaba limpiando mesas en el Hotel Marriott, conoció al bombero Samuel Jones.

“Hablamos y me dijo que debería pensar en ser bombero. Los trabajos sonaban similar, y no necesitaba que me enviaran. Pensé en intentarlo». Y lo hizo.

Soto pasó su prueba de ingreso con los Bomberos de Charlotte y luego comenzó la escuela de reclutamiento en 2003, donde recibió el apoyo y las enseñanzas de sus compañeros que al final se convirtieron en su familia.

Ahora, 20 años después, el jefe de bomberos de Charlotte, Reginald Johnson, le otorgó a Soto una nueva insignia con las palabras «Jefe de batallón» grabadas en ella.

«Para que un bombero te escuche cuando le dices que entre a un edificio en llamas, debe confiar en ti, sentirse confiado en ti y respetarte, y el jefe Soto lo ha hecho», dijo Johnson.

«Este es un día histó-



Foto: City of Charlotte

rico para Charlotte, ya que promovemos al primer jefe de batallón latino».

Actualmente, menos del 1% de los bomberos de Charlotte son hispanos. Desde 2010, el estado de

Carolina del Norte ha experimentado un aumento del 40 % en la población hispana, según el Censo de 2020.

Más específicamente, en el condado de Mecklenburg, la población hispana

representó uno de los crecimientos más altos de cualquier otra población étnica en los últimos 10 años. En Charlotte, los latinos constituyen el 14% de la población.

## Ricardo Arjona viene a NC este verano

LUIS NEYRA

Raleigh.- Ricardo Arjona continuará con su exitosa gira mundial del año pasado realizando conciertos en 23 ciudades de los Estados Unidos. Raleigh será una de las locaciones.

Con el nombre Blanco y Negro: Volver Tour 2023, el contatutor de éxitos como “Mujeres”, Historia de taxi”, “Dime que no” y “Fuiste tu”, comenzará su

gira en tierras norteamericanas el 28 de abril en el Teatro WaMu de Seattle y terminando en junio 25 en el FTX Arena de Miami.

**Estará en Raleigh**

De acuerdo con el calendario de conciertos, Arjona cantará en el PNC Arena de Raleigh (1400 Edwards Mill Road) el 11 de junio.

Puede adquirir las entradas en preventa

ingrese aquí:



Para algunas ciudades será la primera vez que el guatemalteco los visite en sus 40 años de carrera artística.


Pisará los escenarios de San Diego, San Francisco, Portland, Austin, Kansas, Minneapolis y Ontario, así como en el célebre Madison Square Garden en Nueva York.

Las entradas para Blanco y Negro: Volver Tour 2023 salen a la venta para el público en general a las 10 am hora local el 20 de enero.

Para obtener más información, visite [www.ricardoarjona.com](http://www.ricardoarjona.com)



Foto: pncarena.com



HOME-Fondos del Plan de Rescate Americano

Audiencia pública

20 de febrero de 2023 – 7:00 P.M.

Cámaras del Ayuntamiento, Ayuntamiento, 101 City Hall Plaza

Enlace de reunión virtual: <https://durhamnc.gov/3012/Public-Hearings>

El Ayuntamiento de Durham llevará a cabo una Audiencia Pública para recibir comentarios de los residentes de la Ciudad de Durham sobre el uso potencial de los fondos federales del Plan de Rescate HOME-American (HOME-ARP) otorgados a la Ciudad de Durham por el Departamento de Vivienda Urbana de EE.UU. y Desarrollo (HUD) por un monto de \$4,346,151.

Los fondos de HOME-ARP se incluyeron como parte de los fondos de respuesta a la pandemia de COVID-19 en el Plan de Rescate Estadounidense, que el presidente Biden promulgó como ley el 11 de marzo de 2021.

Los fondos de HOME-ARP están específicamente destinados a abordar las necesidades de personas y familias calificadas que no tienen hogar, corren el riesgo de quedarse sin hogar o se encuentran en otras poblaciones vulnerables. Los fondos pueden usarse para: (1) Producción o Preservación de Vivienda Asequible; (2) Asistencia de alquiler basada en inquilinos (TBRA); (3) Servicios de apoyo, Servicios de prevención de personas sin hogar y Asesoría de vivienda; y (4) Adquisición y Desarrollo de Refugio No Congregado.


La Audiencia Pública está programada para el lunes, 20 de febrero de 2023, a las 7:00 p.m. durante la reunión del Ayuntamiento de Durham. Las partes interesadas de Durham interesadas en brindar comentarios públicos sobre el uso potencial de los fondos de HOME-ARP deben seguir las Instrucciones para comentarios públicos de la ciudad de Durham. Las instrucciones se pueden encontrar en el sitio web de la ciudad de Durham en el siguiente enlace: <https://durhamnc.gov/3012/Public-Audiencias>.

Para obtener información adicional, comuníquese con Colin Davis, gerente de desarrollo comunitario – Sistema para personas sin hogar, al (919) 560-4570 ext. 22272 o vía correo electrónico a [Colin.Davis@DurhamNC.Gov](mailto:Colin.Davis@DurhamNC.Gov).

**Aviso bajo el Acto de Americanos Discapacitados**

Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al (919) 560-4197 o [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) a más tardar 48 horas antes del evento.

108062-ec/ms



LICITACIÓN PÚBLICA

Clancy & Theys Construction Co. – (421 N. Harrington Street Suite 200 Raleigh NC 27603, 919-834-3601, está solicitando ofertas para H12 Felton Grove High School, para paquetes de oferta del lanzamiento 3. El proyecto incluye 205,900 pies cuadrados de estacionamiento de 4 pisos en Apex, Carolina del Norte. Paquetes de oferta 0400-Masonería, 0710-Impermeabilización, 0740-Paneles metálicos, 0780-Ignífugo, 0810-Puertas/marcos, 0830-OH Puertas, 0840-Alum/vidrio, 0990-Pintura, 1070-Marquesinas, 1140- Servicio de alimentos, 1160-Equipamiento de teatro, 1220-Tratamiento de ventanas, 3210-Pavimentación de asfalto, 3240-Cercado, 3270-Concreto del sitio y 3290-Paisajismo deben presentarse a más tardar el 1 de marzo de 2023 a las 3:00 p. m. Paquetes de ofertas 0210-Edificio Limpieza, 0330-Concreto pulido, 0920-Panel de yeso, 0930-Baldosa, 0940-Terrazo, 0950-Acústico, 0960-Resistente/Alfombra, 0970-Pisos de madera, 1000-Especialidades, 1010-Pizarras, 1020-Señalización, 1050-Casilleros, 1170-Equipamiento atlético, 1230-Equipos educativos, 1240-Equipos de ciencia, 1260-Asientos de auditorio, 1270-Gradas telescópicas, 1280-Mobiliario de centro de medios y 1330-Tribus vencen antes del 2 de marzo de 2023 a las 3:00 p. m. Las ofertas selladas se abrirán en persona cada día en las Escuelas Públicas del Condado de Wake (111 Corning Road, Suite 190 Cary NC 27518). Se emitirán instrucciones adicionales para la licitación a los licitantes precalificados. Los documentos de licitación están disponibles poniéndose en contacto con Brenda Cotterman en [brendacotterman@clancytheys.com](mailto:brendacotterman@clancytheys.com) o de un postor aprobado. Los subcontratistas deben estar precalificados para poder presentar una oferta.

Para oportunidades de proveedores y de segundo nivel, comuníquese con Lisa Horton a [lishahorton@clancytheys.com](mailto:lishahorton@clancytheys.com) o (919) 834-3601. WCPSS y Clancy & Theys tienen una política afirmativa de fomento, promoción y realización de negocios con empresas de propiedad de minorías. Se anima a los contratistas de minorías a participar en el proceso de calificación de subcontratistas.

## Event Details

### Public Hearing Notice: Durham City Council - March 20, 2023 at 7:00 p.m.

#### Monday, March 20, 2023

A Public Hearing will be held by the Durham City Council to receive citizens' comments on the Draft HOME-American Rescue Plan (HOME-ARP) Allocation Plan. In addition, public hearings will be held to hear the following requests: Annexations - Wesley Downs (BDG2100006), Shady Grove Assemblage (BDG2100008); Zoning Map Changes - Wesley Downs (Z2100012), Shady Grove Assemblage (Z2100016); Development Agreement - Novel University Hill (Z2100048); UDO Text Amendment - Simplifying Codes for Affordable Development (TC2200001)

**Date:** March 20, 2023

**Time:** 7:00 PM

**Location:** Council Chambers

**Address:** 101 City Hall Plaza  
Durham, NC 27701

## BUDGET

### Budget and Capital Improvement Plan (CIP)

A public hearing will be held by the Durham City Council to receive comments on the development of the Fiscal Year (FY) 2023-24 Budget and the FY 2024-2029 Capital Improvement Plan (CIP).

For additional information, contact John Allore with the City's Budget and Management Services at 919-560-4111 ext. 20292.

## COMMUNITY DEVELOPMENT

### Draft HOME-American Rescue Plan (HOME-ARP) Allocation Plan

A Public Hearing will be held by the Durham City Council to receive citizens' comments on the Draft HOME-American Rescue Plan (HOME-ARP) Allocation Plan. The City is proposing to use \$4,346,151 to develop new affordable housing units to be prioritized for households exiting homelessness.

The Public Hearing is scheduled on **Monday, March 20, 2023, at 7:00 p.m.** during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the Draft HOME-ARP Allocation Plan should follow the [City of Durham's Public Comment Instructions](#). Written comments concerning the Draft HOME-ARP Allocation Plan may be sent to the following link: [Draft HOME-ARP Allocation Plan Comments](#).

The Draft HOME-ARP Allocation Plan will be available for public review from February 23, 2023 - March 25, 2023, on the City of Durham website located at the following link: [Draft HOME-American Rescue Plan \(HOME-ARP\) Allocation Plan \(PDF\)](#) and at the City of Durham, Community Development Department located at 516 Rigsbee Avenue, Durham, NC.

For additional information, contact Colin Davis, Manager Homeless Services at 919-560-4570 ext. 22272.

### FY 2023-24 Annual Action Plan "Needs"

A Public Hearing will be held by the Durham City Council to receive citizen comments on the "Needs" in Durham neighborhoods. It is envisioned that these "Needs" will be addressed through the use of federal Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) Consortium, Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds, as to be contained in the upcoming Fiscal Year 2023-2024 Annual Action Plan.

The U.S. Department of Housing and Urban Development (HUD) has not yet notified the City of final entitlement amounts for FY 2023-2024. For planning purposes, the City expects to receive approximately \$2,100,000 in CDBG, \$1,300,000 in HOME Consortium, \$179,000 in ESG, and \$960,000 in HOPWA funds.

Select Language ▼

Google Translate

The Public Hearing is scheduled on **Monday, March 20, 2023, at 7:00 p.m.** during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the “Needs” in Durham neighborhoods for the FY 2023-2024 Annual Action Plan should follow the City of Durham’s Public Comment Instructions. Instructions can be found on the City of Durham website located at the following link: <https://durhamnc.gov/3012/Public-Hearings>. Written comments concerning the “Needs” in Durham neighborhoods may also be sent to the following link: <https://forms.office.com/g/ZP6DBifQLc>.

For additional information, contact Terri Porter Holmes, Assistant Community Development Director of Fiscal Planning and Performance Administration at (919) 560-4570, ext. 22230.

## PLANNING DEPARTMENT

### Annexations:

- **Wesley Downs (BDG2100006)** is a request for a non-contiguous voluntary annexation of eight parcels of land totaling 61.119 acres located at 312, 325, 344, 401, 409, 415 and 417 Broach Road, and 4420 Holder Road.
- **Shady Grove Assemblage (BDG2100008)** is a request for a non-contiguous voluntary annexation of six parcels of land totaling 78.124 acres located at 2901 and 2704 Shady Grove Road, 4001 and 4031 Carpenter Pond Road, and 2801 Olive Branch Road.

### Zoning Map Changes:

- **Wesley Downs (Z2100012)** is a request to change the zoning from Residential Rural (RR), Falls/Jordan District-B (F/J-B), County Jurisdiction to Planned Development Residential 4.166 (PDR 4.166), Falls/Jordan District-B (F/J-B), City Jurisdiction located at 312, 325, 344, 401, 409, 415 and 417 Broach Road, and 4420 Holder Road.
- **Shady Grove Assemblage (Z2100016)** is a request to change the zoning from Residential Rural (RR), Falls/Jordan District-B (F/J-B) and A60 Airport Overlay (A60), County Jurisdiction to Planned Development Residential 5.632 (PDR 5.632), Falls/Jordan District-B (F/J-B) and A60 Airport Overlay (A60), City Jurisdiction; located 2901 and 2704 Shady Grove Road, 4001 and 4031 Carpenter Pond Road, and 2801 Olive Branch Road.

### Development Agreement:

- **Novel University Hill (Z2100048)** is a request for the City of Durham to enter into a statutory development agreement with Dan Gualtieri, of Crescent Communities, to allow for an increase in the allowed density in exchange for the financing of 66 affordable units on the Carver Street Assemblage project. The applicant proposes to construct a maximum of 291 additional units above the allowed density of 109 units. The proposed benefits to the City include financing for 66 units of the Carver Street Assemblage project, the donation of parcels to Habitat for Humanity of Durham, LLC, a \$50,000 donation to GoDurham/GoTriangle for a new bus shelter, and construction of new sidewalks that link the bus stop to the development.

### UDO Text Amendment:

- **Simplifying Codes for Affordable Development (TC2200001)** is a privately initiated request to amend various provisions of the *Unified Development Ordinance* (UDO) to incentivize affordable housing and to allow additional flexibility in siting and design, predominantly targeted at developing infill housing and small-scale commercial opportunities.

Substantial changes to the proposed actions may be made following the public hearing for each case. For information about the cases, contact [Growth@DurhamNC.gov](mailto:Growth@DurhamNC.gov) or call 919-560-4137.

## PUBLIC PARTICIPATION

Regular business meetings will take place in the City Council chambers and virtually via Zoom, unless otherwise noted on the City of Durham website. Virtual participation is encouraged. To participate using the Zoom virtual meeting platform, see the agenda for the Council session. The Zoom link is at the top of the agenda. Agendas are posted the Thursday prior to the public hearing. Registration to speak during the City Council Meeting on an agenda item that is not a public hearing must be submitted **by 2:00 p.m.** on the day of the City Council Meeting. Virtual access will be **audio only**. Please refer to the following web page for ways to participate: [City Council Meetings & Work Sessions - Ways to Watch, Attend, Comment | Durham, NC \(durhamnc.gov\)](#).

### Notice Under the Americans with Disabilities Act

Persons who require assistance to attend this public hearing should contact 919-560-4197 or [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) no later than 48 hours before the event.

### Aviso bajo el Acto de Americanos Discapacitados

Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al 919-560-4197 o [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) a más tardar 48 horas antes del evento.

# Niña de 12 años baleada: está gravemente herida

LUIS NEYRA

Durham.- Una niña de 12 años recibió un disparo el domingo por la tarde en Durham, informó el Departamento de Policía.

La policía de Durham dijo que la menor recibió un disparo cerca del 1110 de South Street y Enterprise Street, luego corrió hacia la cuadra donde la policía la

encontró.

El hecho se produjo pasada las 2.30 de la tarde de este domingo 12 de marzo.

La niña fue transportada a un hospital local por sus padres con lesiones que amenazan su vida y ahora se encuentra en condición estable.

Hasta el momento se desconoce cómo se produjo el tiroteo. Tampoco hay personas detenidas



Foto: Archivo

por este incidente.

Se solicita a cualquier persona que tenga

información que se comunice con CrimeStoppers al 919-683-1200.

## Arrestan a hombre por una agresión sexual hace 25 años

LUIS NEYRA

Durham.- Un hombre de 52 años fue arrestado por la policía por una agresión sexual que habría cometido en 1998 en Durham.

El Departamento de Policía de Durham (DPD, por sus siglas en inglés), anunció el domingo 12 de marzo que agentes de la Unidad de Casos Resueltos detuvieron a Stevie Robertson.

Robertson ha sido acusado de violación forzada en primer grado, delito sexual forzado en primer grado e intento de delito sexual forzado en primer grado.

El incidente ocurrió en febrero de 1998 en el 100 de la calle Fayetteville,

unas calles al sur del campus de la universidad North Carolina Central (NCCU).

### SAKI

El caso se pudo resolver luego que el DPD utilizara en el 2019 los fondos de la Subvención de la Iniciativa del kit de agresión sexual (SAKI) para crear una Unidad de casos sin resolver (CCU).

La subvención SAKI se utilizó para ampliar las iniciativas de 2019 que investigan y procesan kits de agresión sexual no presentados.

El DPD usó los fondos para contratar a un especialista en análisis criminal de tiempo completo para apoyar a la Unidad de Casos sin Resolver y para pagar las pruebas alternativas

y avanzadas de los kits.

En 2020, el kit de agresión sexual de la víctima se envió a un laboratorio privado para su análisis. La Unidad de casos sin resolver del DPD recibió una alerta de CODIS que los ayudó a vincular el caso de violación con Robertson.

Robertson fue acusado formalmente el 17 de enero de 2023.

Actualmente se encuentra recluido en una prisión de Carolina del Norte por otro cargo.

Si ha sido víctima de agresión sexual y desea denunciarlo, comuníquese con el Departamento de Policía de Durham.

### Sexual Assault Cold



Fotos: Departamento de Policía de Durham

### DATO:

El CODIS es un programa informático que contiene bancos de datos locales, estatales y nacionales de perfiles de ADN de personas condenadas.

Asimismo, los perfiles de ADN de las pruebas halladas en el lugar de los hechos y perfiles de ADN de personas desaparecidas.

# Acusado de subir porno infantil a internet



LUIS NEYRA

Elon.- Un residente de la ciudad de Elon, en Alamance, fue arrestado por presuntamente subir pornografía infantil a internet, informó la Oficina del Sheriff.

La detención de Robert Edward Drummond, de 43 años, se produjo el jueves 9 de marzo en su vivienda situada en 909 Brookview Dr.

Las autoridades informaron que 24 horas antes de la detención, los investigadores de varias áreas de la oficina iniciaron la investigación contra Drummond.

La razón: se enteraron de que los archivos de material de abuso sexual infantil fueron subidos por un individuo en Elon.

### Material pornográfico

Los agentes realizaron una orden de allanamiento en la residencia del sospechoso. Durante

la búsqueda, se requisaron dispositivos electrónicos.

Horas más tarde, un equipo forense se encontró causa probable para acusar Drummond de subir a internet material de abuso sexual infantil.

Drummond llevado al Centro de Detención del Condado de Alamance y acusado de un Delito grave de explotación sexual de un menor en segundo grado.

Se le fijó una fianza de \$20,000.



Foto: Oficina del Sheriff de Alamance



NOTIFICACIÓN DE AUDIENCIA PÚBLICA  
PROYECTO DE PROGRAMA DE ASOCIACIONES DE INVERSIÓN HOME  
PLAN AMERICANO DE RESCATE (HOME-ARP)  
PLAN DE DISTRIBUCIÓN  
20 DE MARZO DE 2023 – 7:00 P. M.  
CÁMARAS DEL CONCEJO MUNICIPAL DE DURHAM – AYUNTAMIENTO  
101 City Hall Plaza, Durham, NC 27701

El Concejo Municipal de Durham llevará a cabo una Audiencia Pública para recibir los comentarios de los ciudadanos sobre el Plan de Asignación del Plan de Rescate Estadounidense del Programa de Asociaciones de Inversión HOME (HOME-ARP, por sus siglas en inglés). La ciudad propone usar \$4,346,151 para desarrollar nuevas unidades de vivienda asequibles que se priorizarán para los hogares que salen de la falta de vivienda.

La Audiencia Pública está programada para el lunes, 20 de marzo de 2023, a las 7:00 p.m. durante la reunión del Ayuntamiento de Durham. Las partes interesadas de Durham interesadas en proporcionar comentarios públicos sobre el Plan preliminar de asignación de HOME-ARP deben seguir las Instrucciones para comentarios públicos de la ciudad de Durham. Las instrucciones se pueden encontrar en el sitio web de la ciudad de Durham en el siguiente enlace: <https://durhamnc.gov/3012/Public-Hearings>. Los comentarios por escrito sobre el Borrador del Plan de Asignación de HOME-ARP se pueden enviar al siguiente enlace: <https://app.smartsheet.com/b/form/93b4a94612ec4195b6a1b9fb22ef0f4c>

El Borrador del Plan de Asignación HOME-ARP estará disponible para revisión pública del 23 de febrero de 2023 al 25 de marzo de 2023 en el sitio web de la ciudad de Durham ubicado en el siguiente enlace: <https://www.durhamnc.gov/445/Community-Development-and-at-the-City-of-Durham>, Community Development Department ubicado en 516 Rigsbee Avenue, Durham, NC 27701.

Para obtener información adicional, comuníquese con Colin Davis, Gerente de Servicios para Personas sin Hogar al (919) 560-4570 ext. 22272.

### Aviso bajo el Acto de Americanos Discapacitados

Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al (919) 560-4197 o ADA@DurhamNC.gov a más tardar 48 horas antes del evento.

108182-ec/ms



## AVISO PÚBLICO

La Autoridad de Vivienda de la Ciudad de Durham (DHA) tiene su Plan de acción de 5 años de fondo de capital para los años de subvención 2023-2027 disponible para inspección y revisión.

Se informa al público que el borrador de la propuesta se puede revisar en la oficina central de la DHA y en las oficinas de administración de la propiedad con cita previa. Puede encontrar más información en el sitio web de la DHA: [www.durhamhousingauthority.org](http://www.durhamhousingauthority.org)

Se llevará a cabo una audiencia pública para los planes preliminares y las revisiones de la política el 04/26/23 a las 5:30 p.m. en 330 E. Main Street Durham NC 27701.

Los comentarios escritos sobre las propuestas son bienvenidos desde el 03/10/23 hasta el 04/24/23. Todos los comentarios escritos deben recibirse antes del 04/24/23 para ser considerados. Las instrucciones sobre cómo enviar comentarios escritos se encuentran en el sitio web de la DHA.

La DHA proporcionará una adaptación razonable a una persona calificada con una discapacidad mediante modificaciones, alteraciones o adaptaciones en las políticas, procedimientos y prácticas. Envíe un correo electrónico a [ABrown@dha-nc.org](mailto:ABrown@dha-nc.org) si necesita una adaptación razonable, ayudantes auxiliares, servicios de comunicación eficaces o traducción al menos 48 horas antes de la audiencia.



108181-ec/ms

# Duke comes out against Ph.D. student union in letter

BY BRIAN GORDON  
bgordon@newsobserver.com

On Friday, Duke University doctoral students filed to form a federally recognized union, one with the power to negotiate wages and benefits on their behalf. Three days later, the school administration announced its position on the union — and it wasn't favorable.

In a Dec. 6 letter addressed to Duke Ph.D. students and faculty, interim Provost Jennifer Francis wrote, "Ph.D. students are not admitted to do a job; they are selected because of their potential to be exceptional scholars."

Doctoral students pursue their own research and don't pay tuition but they also serve as teaching and research assistants, with duties including instructing classes, grading papers and working in labs. This academic year, Duke Ph.D. students earned a stipend of \$34,660, which will rise next year to \$38,600.

"Duke works because we do," the organizing group, Duke Graduate Students Union (DGSU), wrote to Duke University President Vincent Price in late February. At the time, DGSU said a "growing majority" of the school's 2,500 doctoral students supported unionization and was asking the administration to voluntarily recognize the union. It did

not, and on March 3, DGSU and the Service Employees International Union petitioned the National Labor Relations Board for a union.

The union question seems poised to come down to an election overseen by the NLRB. A date has not yet been set. How hard the university will campaign against the union is also not yet known, though Monday's letter makes its position clear.

"Labor unions have contributed significantly to giving employees voice and agency in our nation and around the world, and Duke has strong working relationships with several unions representing our employees," Francis acknowledged. "However, the educational context matters greatly. The university's institutional position remains that Duke's relationship with our students is centered on education, training, and mentorship, fundamentally different from that of employer to employee."

Francis pointed out that Duke Ph.D. students voted down a union in a 2017 election.

## 'THE WIN RATE IS ASTRONOMICAL'

But pro-union advocates are confident this time would be different.

In the past six years, graduate students have successfully unionized at other elite private universities, including

Brown, MIT and Harvard. In the past three months, grad students have, by wide margins, approved unions at the University of Southern California, Boston University and Yale.

"The thing that has struck me more than even just the number of organizing drives is the win rate is astronomical," said Jeff Hirsch, a labor law professor at the UNC School of Law.

Hirsch said graduate students "are not the easiest group to organize typically," given their temporary status and the power dynamics inherent to academia.

"Your ability to get an academic job is highly dependent on recommendations from your current professors, and not to generalize, but a lot of them absolutely do not like the idea of grad students unionizing," he said.

Yet universities are also image-conscious, Hirsch noted, and coming out as anti-union can be a public relations blunder. "The rest of the student body cares too, oftentimes, including undergrads," he said.

On Twitter Monday, pro-union advocates blasted the university for Francis' letter, with some accusing the school of "union busting."

"Unfortunately, my 'potential to be an exceptional scholar' doesn't pay the bills," one Duke doctoral student wrote in response to the letter.

*This story was produced with financial support from a coalition of partners led by Innovate Raleigh as part of an independent journalism fellowship program. The N&O maintains full editorial control of the work.*

Brian Gordon:  
919-861-1238,  
@skyyoutbriout



AARON SÁNCHEZ-GUERRA The News & Observer

Black smoke damage can be seen on the building walls and windows of the Panaderia y Pasteleria La Princesa bakery on Tuesday.

# Mexican bakery in East Durham shut down after fire

BY AARON SÁNCHEZ-GUERRA AND COLLEEN HAMMOND  
asanchezguerra@newsobserver.com  
chammond@newsobserver.com

The owner of a popular Mexican bakery in East Durham said it might be months — maybe even longer — until he will be able to reopen after an overnight fire caused serious damage to the shop.

Around 1 a.m. Tuesday, a fire broke out at Panaderia Mi Lindo Michoacán on the 1800 block of Liberty Street. The bakery, located in a small strip mall, is also known as Panaderia y Pasteleria La Perla.

The building was unoccupied, and no injuries were reported, the Durham Fire Department said.

But the bakery will remain closed until repairs are made, the fire

department said.

"I'm very worried," said Rodolfo Cortez, 40, in Spanish in an interview with The News & Observer. He has owned the bakery for four years.

"You don't expect this and then it happens suddenly," he said late Tuesday afternoon. "You get worried and you wonder about what to do and if you'll be able to make it."

An alarm in the business went off at approximately 1 a.m., and Cortez arrived to find his business in flames. It took 31 firefighters to extinguish the flames, the fire department said in a news release.

The building sustained heavy heat and smoke damage. At mid-day, the smell of smoke lingered from the strip mall, including inside a Laundromat, which remained open. A nearby Rent-A-

Center business sustained minor smoke damage and was closed Tuesday.

A glance inside the bakery's windows stained with black smoke showed severe fire damage. Sunlight entered through holes in the ceiling.

"I was thinking about seeing if any equipment survived the fire, but the odor of the smoke is too strong inside," Cortez said.

The cost of the damages to his business is still unknown. Durham authorities have not identified the cause of the fire.

"I'm waiting to see what the building's owner will say about what's next for us," Cortez said. "You don't understand what happened, what failed, and you're in shock."

## GOFUNDME TO SUPPORT DURHAM BUSINESS

Cortez counts on his bakery as his sole source of income. His three employees are now out of work, but they've been supportive, he said.

Family members and friends have come to his family's aid in the wake of the fire and organized an online GoFundMe fundraiser at [gofund.me/e39964b3](https://gofund.me/e39964b3) to help.

Cortez's niece, Pilar Hurtado Gutierrez, set up the fundraiser. Her family is greatly impacted as well, since her parents worked in the bakery.

"My uncle put in his effort and hard work to make his business keep running," wrote Hurtado Gutierrez. "He dedicated his time and effort to make his dream come true."

Aaron Sánchez-Guerra:  
(919) 297-8162,  
@aaronsguerra  
Colleen Hammond:  
919-829-4605,  
@colleenchamm



## Notice of Public Hearing Draft HOME Investment Partnerships Program American Rescue Plan (HOME-ARP) Allocation Plan

March 20, 2023 – 7:00 P.M.  
Durham City Council Chambers – City Hall  
101 City Hall Plaza, Durham, NC 27701

A Public Hearing will be held by the Durham City Council to receive citizens' comments on the Draft HOME Investment Partnerships Program American Rescue Plan (HOME-ARP) Allocation Plan. The City is proposing to use \$4,346,151 to develop new affordable housing units to be prioritized for households exiting homelessness.

The Public Hearing is scheduled on Monday, March 20, 2023, at 7:00 P.M. during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the Draft HOME-ARP Allocation Plan should follow the City of Durham's Public Comment Instructions. Instructions can be found on the City of Durham website located at the following link: <https://durhamnc.gov/3012/Public-Hearings>. Written comments concerning the Draft HOME-ARP Allocation Plan may be sent to the following link: <https://app.smartsheet.com/b/form/93b4a94612ec4195b6a1b9fb22ef0f4c>.

The Draft HOME-ARP Allocation Plan will be available for public review from February 23, 2023 - March 25, 2023, on the City of Durham website located at the following link: <https://www.durhamnc.gov/445/Community-Development> and at the City of Durham, Community Development Department located at 516 Rigsbee Avenue, Durham, NC 27701.

For additional information, contact Colin Davis, Manager, Homeless Services at (919) 560-4570 ext. 22272.

### Notice Under the Americans with Disabilities Act

Persons who require assistance to attend this public hearing should contact (919) 560-4197 or [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) no later than 48 hours before the event.

### Aviso bajo el Acto de Americanos Discapacitados

Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al (919) 560-4197 o [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) a más tardar 48 horas antes del evento.



## Notice of "Needs" Public Hearing Durham FY 2023-2024 Annual Action Plan

March 20, 2023 – 7:00 P.M.  
Durham City Council  
Chambers – City Hall  
101 City Hall Plaza, Durham,  
NC 27701



A Public Hearing will be held by the Durham City Council to receive citizen comments on the "Needs" in Durham neighborhoods. It is envisioned that these "Needs" will be addressed through the use of federal Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) Consortium, Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) funds, as to be contained in the upcoming FY 2023-2024 Annual Action Plan.

The U.S. Department of Housing and Urban Development (HUD) has not yet notified the City of final entitlement amounts for FY 2023-2024. For planning purposes, the City expects to receive approximately \$2,100,000 in CDBG, \$1,300,000 in HOME Consortium, \$179,000 in ESG, and \$960,000 in HOPWA funds.

The Public Hearing is scheduled on Monday, March 20, 2023, at 7:00 P.M. during the Durham City Council Meeting. Durham stakeholders interested in providing public comments on the "Needs" in Durham neighborhoods for the FY 2023-2024 Annual Action Plan should follow the City of Durham's Public Comment Instructions. Instructions can be found on the City of Durham website located at the following link: <https://durhamnc.gov/3012/Public-Hearings>. Written comments concerning the "Needs" in Durham neighborhoods may also be sent to the following link: <https://forms.office.com/g/ZP6DBifQLc>.

For additional information, contact Terri Porter Holmes, Assistant Community Development Director of Fiscal Planning and Performance Administration at (919) 560-4570, ext. 22230.

### Notice Under the Americans with Disabilities Act

Persons who require assistance to attend this public hearing should contact (919) 560-4197 or [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) no later than 48 hours before the event.

### Aviso bajo el Acto de Americanos Discapacitados

Las personas que requieran asistencia para participar en actividades gubernamentales deben comunicarse al (919) 560-4197 o [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) a más tardar 48 horas antes del evento.

### Application for Federal Assistance SF-424

**\* 1. Type of Submission:**

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

**\* If Revision, select appropriate letter(s):**

**\* Other (Specify):**

**\* 3. Date Received:**

09/22/2021

**4. Applicant Identifier:**

**5a. Federal Entity Identifier:**

**5b. Federal Award Identifier:**

**State Use Only:**

**6. Date Received by State:**

**7. State Application Identifier:**

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

City of Durham

**\* b. Employer/Taxpayer Identification Number (EIN/TIN):**

56-6000225

**\* c. UEI:**

SRPMEFTB1B54

**d. Address:**

**\* Street1:**

101 City Hall Plaza

**Street2:**

**\* City:**

Durham

**County/Parish:**

**\* State:**

NC: North Carolina

**Province:**

**\* Country:**

USA: UNITED STATES

**\* Zip / Postal Code:**

27701-0001

**e. Organizational Unit:**

**Department Name:**

Community Development

**Division Name:**

Fiscal Mgt. & Planning Admin.

**f. Name and contact information of person to be contacted on matters involving this application:**

**Prefix:**

**\* First Name:**

Terri

**Middle Name:**

Porter

**\* Last Name:**

Holmes

**Suffix:**

**Title:**

Assistant Community Development Director

**Organizational Affiliation:**

**\* Telephone Number:**

919-560-4570

**Fax Number:**

919-560-4060

**\* Email:**

Terri.Holmes@Durhamnc.gov

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

U.S. Department of Housing and Urban Development

### 11. Catalog of Federal Domestic Assistance Number:

14.239

CFDA Title:

HOME Investment Partnerships - American Rescue Plan (HOME-ARP)

### \* 12. Funding Opportunity Number:

N/A

\* Title:

N/A

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

HOME Investment Partnerships - American Rescue Plan (HOME-ARP)

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**\* a. Applicant \* b. Program/Project 

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**\* a. Start Date: \* b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="4,346,151.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="4,346,151.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

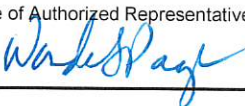
Middle Name:

\* Last Name:

Suffix:

\* Title: \* Telephone Number: Fax Number: \* Email: 

\* Signature of Authorized Representative:



\* Date Signed:

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

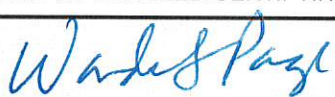
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE City Manager
APPLICANT NAME City of Durham	DATE SUBMITTED 3/29/2023

## ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.


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**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
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11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
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13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE City Manager
APPLICANT NAME City of Durham	DATE SUBMITTED 3/29/2023



# CPMP Non-State Grantee Certifications

**Many elements of this document may be completed electronically, however a signature must be manually applied and the document must be submitted in paper form to the Field Office.**

- ☒ **This certification does not apply.**  
☐ **This certification is applicable.**

## NON-STATE GOVERNMENT CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

**Drug Free Workplace** -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
  - a. The dangers of drug abuse in the workplace;
  - b. The grantee's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
  - a. Abide by the terms of the statement; and
  - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted –
  - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

**Anti-Lobbying** -- To the best of the jurisdiction's knowledge and belief:

8. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
9. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
10. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.


**Authority of Jurisdiction** -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.



Signature/Authorized Official



Date

Wanda S. Page

Name

City Manager

Title

101 City Hall Plaza

Address

Durham, NC 27701

City/State/Zip

(919) 560-4222

Telephone Number

- ☐ **This certification does not apply.**

☒ **This certification is applicable.**

## APPENDIX TO CERTIFICATIONS

### Instructions Concerning Lobbying and Drug-Free Workplace Requirements

#### Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 21.

Place Name	Street	City	County	State	Zip
City of Durham	101 City Hall Plaza	Durham	Durham	NC	27701

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules: "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15); "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any

## Jurisdiction

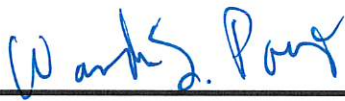
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controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including:

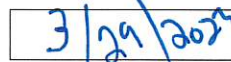
- a. All "direct charge" employees;
- b. all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and
- c. temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Note that by signing these certifications, certain documents must be completed, in use, and on file for verification. These documents include:

1. Analysis of Impediments to Fair Housing
2. Citizen Participation Plan
3. Anti-displacement and Relocation Plan



Signature/Authorized Official



Date

  
Wanda S. Page

Name

City Manager

Title

101 City Hall Plaza

Address

Durham, NC 27701

City/State/Zip

(919) 560-4222

Telephone Number

## HOME-ARP CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the participating jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing pursuant to 24 CFR 5.151 and 5.152.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** --It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It will comply with the acquisition and relocation requirements contained in the HOME-ARP Notice, including the revised one-for-one replacement requirements. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42, which incorporates the requirements of the HOME-ARP Notice. It will follow its residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the HOME-ARP program.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and program requirements.

**Section 3** --It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

**HOME-ARP Certification** --It will use HOME-ARP funds consistent with Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) and the CPD Notice: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program*, as may be amended by HUD, for eligible activities and costs, including the HOME-ARP Notice requirements that activities are consistent with its accepted HOME-ARP allocation plan and that HOME-ARP funds will not be used for prohibited activities or costs, as described in the HOME-ARP Notice.



Signature of Authorized Official



Date

City Manager

Title