

HOME-ARP Allocation Plan

Participating Jurisdiction: Lenoir, NC

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Introduction

As a part of the American Rescue Plan Act of 2021 (ARP), the Department of Housing and Urban Development (HUD), allocated \$4.925 billion in supplemental ARP funds through the HOME Investment Partnership Program (HOME) to support communities throughout the country to address homelessness. This newly created funding source is called the HOME-ARP program. Eligible recipients included the 651 states and local participating jurisdictions (PJs) that qualified for an annual HOME Program Allocation in FY 2021.

The City of Lenoir-Participating Jurisdiction(PJ) serves as the Lead Entity for a HOME Consortium of local governments that includes twenty-eight (28) local governments covering four counties. These twenty-eight local governments are: Alexander County, Burke County, Caldwell County, Catawba County, City of Lenoir, City of Hickory, City of Morganton, City of Claremont, City of Conover, City of Newton, Town of Taylorsville, Town of Connelly Springs, Town of Drexel, Town of Glen Alpine, Town of Hildebran, Town of Rutherford College, Town of Rhodhiss, Town of Valdese, Town of Gamewell, Town of Cahah's Mountain, Town of Granite Falls, Town of Hudson, Town of Sawmills, Town of Brookford, Town of Catawba, Town of Long View, Town of Maiden and the Village of Cedar Rock.

The US Department of Housing and Urban Development (HUD) has awarded the City of Lenoir \$4,182,733 through the HOME Investment Partnerships American Rescue Plan Program (HOME-ARP). This funding is awarded for the purpose of addressing issues surrounding homelessness in the Consortium's jurisdiction and must be used to serve individuals that meet one of the following definitions, defined as "Qualified Populations":

- Homeless: as defined in 24 CFR 91.5 Homeless (1), (2), or (3).
- At-risk of homelessness: as defined in 24 CFR 91.5
- Fleeing or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, Human Trafficking; as defined by HUD.
- Other Populations: where providing supportive services or assistance under 212(a) of NAHA (42 U.S.C. 12742 (a)) would prevent the family's homelessness or would serve those at greatest risk of instability.
- Veterans and families that include a veteran that meets one of the preceding criteria

HOME-ARP funds may be used towards funding the following eligible activities to reduce homelessness and increase housing stability across the country:

- Production or Preservation of Affordable Housing
- Tenant-Based Rental Assistance (TBRA): Assists a household with payments to cover the entire or insufficient amounts that the qualifying household cannot pay for housing and housing-related costs, such as rental assistance, security deposits, and utility deposits
- Supportive Services, including services defined at 24 CFR 578.53(e), homeless prevention services, and housing counseling services.
- Acquisition and Development of Non-Congregate Shelter: A non-congregate shelter is one or more buildings that provide private units or rooms as temporary shelter to individuals and families and does not require occupants to sign a lease or occupancy agreement. Includes acquisition and renovation or construction of units. HOME-ARP funds may not be used to pay the operating costs of the non-congregate shelter.

To receive funding, the City of Lenoir must develop and submit to HUD a HOME-ARP Allocation Plan, which describes the distribution of HOME-ARP funds and identifies any preferences for eligible activities. The development of the HOME-ARP Allocation Plan must also be informed through stakeholder consultation and community engagement.

Consultation

Before developing its plan, a PJ must consult with the CoC(s) serving the jurisdiction's geographic area, homeless and domestic violence service providers, veterans' groups, public housing agencies (PHAs), public agencies that address the needs of the qualifying populations, and public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities, at a minimum. State PJs are not required to consult with every PHA or CoC within the state's boundaries; however, local PJs must consult with all PHAs (including statewide of regional PHAs) and CoCs serving the jurisdiction.

Summary of the consultation process:

The City of Lenoir-Participating Jurisdiction(PJ) is the Lead Entity for the HOME Consortium of local governments that includes twenty-eight (28) local governments covering four counties. These twenty-eight local governments are: Alexander County, Burke County, Caldwell County, Catawba County, City of Lenoir, City of Hickory, City of Morganton, City of Claremont, City of Conover, City of Newton, Town of Taylorsville, Town of Connelly Springs, Town of Drexel, Town of Glen Alpine, Town of Hildebran, Town of Rutherford College, Town of Rhodhiss, Town of Valdese, Town of Gamewell, Town of Cahah's Mountain, Town of Granite Falls, Town of Hudson, Town of Sawmills, Town of Brookford, Town of Catawba, Town of Long View, Town of Maiden and the Village of Cedar Rock.

The City of Lenoir as the Lead Entity of the HOME Consortium along with the Western Piedmont Council of Governments met with all 28 local government managers to discuss the homeless and housing needs of all qualified populations in their jurisdictions. At this meeting it was agreed that a regional approach should be taken to address these needs with the use of HOME-ARP funds.

Consultation were then undertaken through Zoom meetings, phone calls, in person meeting, group meeting and presentations, with an array of community leaders, community group, non-profit organizations, community organizations, homeless people, homeless service providers, homeless shelter providers, health care providers, regional mental health providers, regional area on aging, work force development, regional and local PHA's, LIHTC developers, CoC (Balance of State), social services, local police departments, veterans advocates, regional council of governments, agencies concerning civil rights and fair housing, rental housing landlords and community and economic development offices.

Staff also met with the HUD Staff and HOME-ARP TA Providers in Atlanta in January to discuss how the City is proposing to address its qualified populations and with what eligible activities. HUD Staff was excited about the City's innovative approach to trying to solve the difficult problems.

List the organizations consulted:

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Lenoir City Council	City	In person at City Council Meeting 3/16/22	Discussion of the HOME-ARP Allocation Plan. What are the needs of these populations? What help do they need?
Yokefellow of Caldwell County	Homeless Service Provider- Food, Clothing, Utility Assistance	In person meeting	Talked about the needs of homeless populations. Need for better communication between non-profits providing assistance.
The Bridge Community Inc. Alexander County	Homeless Service Provider, Food Clothing	In person meeting	Priscilla Jenkins, talked about the needs in Alexander County. Talked about future desire to create and run a homeless shelter. Congregate vs non-congregate.
Lenoir City Council	City	In person at City Council Meeting 3/16/22	Discussion of the HOME-ARP Allocation Plan. What are the needs of these populations? What help do they need?
Catawba Valley Behavioral Health	Mental Health Provider	In person meeting	Teena Willis expressed the need from her perspective in working with mental health. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need.
Habitat for Humanity of Alexander County	Low Income Housing Provider	In person/phone various dates	Need for additional affordable housing. Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services.
Habitat for Humanity of Caldwell County	Low Income Housing Provider	In person/hone various dates	Need for additional affordable housing. Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services.

Kwanzaa Family Inn Women's Shelter	Homeless shelter and transitional home for women and their minor children.	Phone consultation	General Info, and Identify of qualifying populations that need supportive services. Need for community service guidance and for tenant based rental assistance.
Family Guidance Center	Domestic Violence Family Emergency Shelter	Phone consultation	Need for emergency tenant based rental assistance. Need connectivity with other services.
Open Hearts Place	Low Income Housing Provider	In person/phone various dates	Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services. Need for community service navigators.
Catawba Valley Habitat for Humanity	Low Income Housing Provider	In person/phone various dates	Need for additional affordable housing. Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services
Habitat for Humanity of Burke County	Low Income Housing Provider	In person/phone various dates	Need for additional affordable housing. Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services
Unifour HOME Consortium Governing Board (28 Local Government Managers) and the Western Piedmont Council of Governments	HOME Consortium Governing Board consisting of 28 member City, Town and County Managers	Board Meeting 6/03/22	Discussion of the HOME-ARP Allocation Plan. What are the needs of these populations? What help do they need? Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.
Options	Battered Women's Shelter	Phone consultation	Need for tenant based rental assistance.
House of Refuge	Men Homeless Shelter	Phone consultation	Need for tenant based rental assistance. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Needs roof for men's

			shelter. Need for community service navigators.
Town of Taylorsville	Town	Phone consultation	Talked about the needs in Alexander County. Need for community service navigators.
The Bridge Community Inc. Alexander County	Homeless Service Provider. Provider of Food and Clothing.	Phone consultation	Priscilla Jenkins, Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators. Need for tenant based rental assistance.
Manager's Meeting	Meeting of 28 City, Town and County Managers	Meeting hosted by the Western Piedmont Council of Governments 10/21/22	Discussion of the HOME-ARP Allocation Plan. What are the needs of these populations? What help do they need? Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators. Need for tenant based rental assistance.
Hickory Police Department	Police Department	In person meeting.	Casey McCall, Express the need for outreach to the qualified populations from a police perspective. Indicated the need for connecting homeless with services. Need for community service navigators.
The Meeting Place	Non-profit, Emergency Shelter and Transitional Housing	Phone consultation	Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services. Need for community service navigators.

			Need for tenant based rental assistance.
Mission Ministries Alliance	Non-profit. Provider of emergency shelter, housing services, counseling, rehabilitation and crisis assistance.	In person meeting	Need for additional affordable housing. Need for community service navigators. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need.
Community Foundation of Burke County	Non-profit, tax-exempt organization that receives gifts, endowments and bequests from individuals, families, businesses and organizations. The Foundation uses distributions from these funds to make grants to qualified charitable agencies and institutions primarily serving the residents of Burke County, North Carolina.	In person meeting	Qualified populations aren't being connected to the services they need. Need for coordination between service providers and qualified populations. Lack of communication between providers. Need for additional affordable housing. Need for community service navigators.
Burke United Christian Ministries	Non-profit providing residents with soup kitchen and food pantry, financial assistance and educational opportunities. To restore resilience in people living in poverty and experiencing homelessness, ensuring their	In person meeting	Coordination between service providers and qualified populations is a need. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators.

	essential needs are met.		
Burke County Homeless Task Force	Group of Non-profits	In person meeting	Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators.
Habitat for Humanity of Catawba Valley	Low Income Housing Provider	In person meeting	Jena Ross, discussed housing needs as seen from Habitat for Humanity's perspective. Need for additional affordable housing.
Burke Street Medicine Team	Medical providers	Zoom meeting	Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services
Family Care Center	Non –profit, Emergency Shelter and Transitional Housing	Phone consultation	Need for tenant based rental assistance. Need for community service navigators.
United Way	Non-profit, community	In person meeting	Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services
Catawba Valley Behavioral Health	Mental Health Provider	In person	Mental health needs. Services available. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.
Salvation Army	Emergency shelter, homeless shelter, transitional housing provider. Provider of food meals and supplies.	In person meeting	Substance abuse is a major problem. Mental health needs. Services available. Need for coordination between service providers and qualified populations. Lack of

			communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.
Work Force Development	Regional Governmental Agency	In person meeting	Need for Jobs. Job training. Education. Help for Veterans. Connecting job seekers with jobs. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators. Connect qualified populations with available jobs and job training.
Community & Economic Development	Regional Governmental Agency	In person meeting	Need for Jobs. Job training. Education. Need for community and economic development. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators.
Lenoir Police Department	Police Department	In person meeting	Substance abuse is a major problem. Mental health needs. Services available. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.

Area Agency on Aging	Regional Government Agency	In person meeting	Need of Elderly. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators.
Regional Housing Authority	Regional Housing Authority, Section 8 Housing.	In person meeting	Need for additional affordable housing. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators.
Catawba County United Way	Non-profit, community	In person meeting	Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services
Catawba Valley Behavioral Health	Mental Health Provider	In person meeting	Mental health needs. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.
Lenoir Housing Authority	Public Housing Authority	Email	Unmet Needs: Affordable rental units, case management. Priorities: Affordable rental units, case management
Continuum of Care CoC, Balance of State	Continuum of Care CoC, Balance of State	Zoom Meeting	Pont in Time data. Lack of communication between providers. Qualified populations aren't being connected to the

			services they need. Need for community service navigators.
Central Latino	Civil Rights and Fair Housing Organization	In person meeting	Need for Spanish speaking need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.
Veterans Homelessness Advocate	Non-Profit, Service provider.	Email, Phone In person meeting	Need for tenant based rental assistance. Need for community service navigators. Help with Veteran's services. Need of supplies. Need for transportation.
Sipe's Orchard Home	Non-profit transitional housing provider for at-risk children.	Phone consultation	Need for affordable housing once children age out of program. Need for additional affordable housing. Community service facilitators would be helpful..
Hickory Housing Authority	Public Housing Authority	Phone consultation	Data, Unmet Needs, Needs, General Info, and Identify of qualifying populations that need supportive services
Legal Aid of North Carolina	Legal Aid, Civil Rights, Fair Housing	Phone consultation	Domestic violence, housing, consumer protection, government benefits, health care.
Valdese Housing Authority	Public Housing Authority	In person meeting	Unmet Needs: Affordable rental units, case management. Priorities: Affordable rental units, case management.
North Carolina Coalition to End Homelessness	Non-profit	Phone consultation Email	Advocates for policy change and adequate funding at the local, state, and federal levels.
Burke Charitable Properties	Non-profit, provide services to homeless	In person meeting	Qualified populations aren't being connected to the services they need. Need for coordination between service providers and qualified populations. Lack of communication between providers. Need for additional

			affordable housing. Need for community service navigators.
Burke United Christian Ministries	Non-profit, provide services to homeless	In person meeting	Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for additional affordable housing. Need for community service navigators.
Partner's behavioral Health	Mental Health Provide	In person meeting	Mental health needs. Need for coordination between service providers and qualified populations. Lack of communication between providers. Qualified populations aren't being connected to the services they need. Need for community service navigators.

Summary of comments and recommendations received through the consultation process:

Responses from the stakeholder agencies identified the following as significant recommendations:

Need for increased coordination and utilization of existing resources. Mental health needs and options for integrated care must be factored into the solutions. Additional landlord and tenant advocacy are needed to increase available units and drive stabilization in housing. Help for those leaving prison. Help for those leaving foster care. Help for all qualified populations. The general consensus recognized the need for community service navigators/ facilitators and a community service director to locate and identify those needing help within the qualified populations. These navigators would seek to document the individual's needs and provide advice, connection to existing services, transportation, and assistance to the qualified population. These navigators would serve as an advocate or guide to help get the individual the particular assistance they need, rather it be, for food, shelter, clothing, supplies, medical attention, mental health, substance abuse, Veteran affairs, protection from abuse, employment, etc. This would require developing a relationship and a knowledge base of all available services provided by governments and non-profit organizations throughout the participating jurisdiction. This would require developing a relationship and a knowledge base of all available shelter and housing options. Also, this would dictate the formation of positions that is needed but that does not exist. Tenant based rental assistance would be a tool available to assist qualified populations as needed.

Public Participation

PJs must provide for and encourage citizen participation in the development of the HOME-ARP allocation plan. Before submission of the plan, PJs must provide residents with reasonable notice and an opportunity to comment on the proposed HOME-ARP allocation plan of no less than 15 calendar days. The PJ must follow its adopted requirements for “reasonable notice and an opportunity to comment: for 6 plan amendments in its current citizen participation plan. In addition, PJs must hold at least one public hearing during the development of the HOME-ARP allocation plan and prior to submission.

For the purposes of HOME-ARP, PJs are required to make the following information available to the public:

- **The amount of HOME-ARP the PJ will receive, and**
- **The range of activities the PJ will undertake.**

Describe the public participation process, including information about and the dates of the public comment period and public hearing(s) held during the development of the plan:

- **Dates(s) of public notice: 2/16/2023**
- **Comment period: start and end date: 2/16/2023 - 3/3/2023**
- **Public hearing date: 3/7/2023 (See Attached Notice of Public Hearing)**

Draft copies of the proposed Action Plan are available for the public to review at the Lenoir City Hall. There will be a 15-day comment period beginning Thursday, February 16, 2023 and ending Friday, March 03, 2023, to obtain citizen input before the plan can be submitted to HUD for approval. The draft HOME-ARP Allocation Plan was also available to the public on the City of Lenoir and the Western Piedmont Council of Governments website and distributed the document among respective member agencies. Documents can be provided in alternative formats as needed and may be translated into Spanish for Limited English Proficient (LEP) Spanish speaking persons, upon request. Any person with a disability needing special accommodations, a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service or non-English speaking persons needing translation services should contact the City of Lenoir.

Describe any efforts to broaden public participation:

- **Published notice in the News Topic announcing a 15-day public comment period and the availability for review and comment on the HOME ARP Allocation Plan. Documents can be provided in alternative formats as needed and may be translated into Spanish for Limited English Proficient (LEP) Spanish speaking persons, upon request. Any person with a disability needing special accommodations, a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service or non-English speaking persons needing translation services should contact the City of Lenoir.**

- Published a Notice in the News Topic announcing a public hearing to be held on Tuesday, March 07, 2023 at 6:00pm before the Lenoir City Council in the City/County Chambers on the bottom floor of the Caldwell County Office building located at 905 West Avenue, Lenoir, NC.

- City Council held a budget work session, February 24, 2023. This was an in-person meeting. The work session presented and discussed the HOME ARP Allocation Plan's data and input gathered by the Western Piedmont Council of Governments which included, an introduction, explanation of the consultation process, public participation, needs and gaps analysis for the homeless populations and housing needs, eligible activities related to HOME ARP and Home-ARP goals.

- City Council Public Hearing March 07, 2023, to accept comments and consider for adoption the HOME ARP Allocation was held an in-person and broadcast of local government television station.

Summary of comments and recommendations received through the public participation process:

No public comments were received at the public hearing on March 7, 2023.

Summary of public comments or recommendations:

The City Council agreed with the proposed ARP Allocation Plan and approved the ARP Plan for submission to HUD.

Needs Assessment and Gap Analysis

PJs must evaluate the size and demographic composition of qualifying populations within its boundaries and assess the unmet needs of those populations. In addition, a PJ must identify any gaps within its current shelter and housing inventory as well as the service delivery system. A PJ should use current data, including point in time count, housing inventory count, or other data available through CoC's, and consultations with service providers to quantify the individuals and families in the qualifying populations and their need for additional housing, shelter, or services. The PJ may use the optional tables provided below and/or attach additional data tables to this template.

Homeless Needs Inventory and Gap Analysis Table

Homeless													
	Current Inventory					Homeless Population				Gap Analysis			
	Family		Adults Only		Vets	Fam y HH (at least 1 child)	Adult HH (w/o child)	Vets	Victim s 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	130	34	100	#	0								
Transitional Housing	59	16	50	#	0								
Permanent Supportive Housing	16	5	48	#	22								
Other Permanent Housing	68	16	14	#	20								
Sheltered Homeless						35	149	11	28				
Unsheltered Homeless						16	65	6	12				
Current Gap										+192	+50	-11	#
	273	71	254										

Sheltered 255 69.48%
 Unsheltered 112 30.52%
 Total 367
 Family HH 51 @ 2 persons per HH = 102
 Adults only 214
 Veterans 17 6CH
 DV 40

265 Adults (sheltered = unsheltered)

Net Surplus (Family Units= +50) + ((Adult Beds=-11) ->233 Beds/Units

Housing Needs Inventory and Gap Analysis Table (2)

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Total Rental Units	41781		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	7688		
Rental Units Affordable to HH at 50% AMI (Other Populations)	17457		
0%-30% AMI Renter HH w/ 1 or more severe housing problems (At-Risk of Homelessness)		3959	
30%-50% AMI Renter HH w/ 1 or more severe housing problems (Other Populations)		2534	
Current Gaps			+3729

Data Sources: 1. 2021 American Community Survey. 2. Comprehensive Housing Market Analysis HUD PD&R. 3. National Low Income Housing Coalition Out of Reach Data.

30 % median rent	\$522	18.40%	
50% median rent	\$870	58.60%	
25% of renters below 30% ami - state average		9,657	For us
16% of renters between 30-50% - state average		6228	For us
This info from the National Low Income Housing Coalition			
Lacking Complete Plumbing facilities	0.50%	of 146,600 units	
Lacking complete kitchen facilities	0.50%	of 146,600 units	
Households paying over 30% income towards gross rent (cost burden)		37.70% of 36,579	
Overcrowded units	2.30%	of 146,600 units	
38628	41% have a housing boundary		15837
		25% at or below 30% ami	3959
		16% at 30-50	2534

The number of rental units affordable to households at 30% area median income (AMI) and 50% AMI are approximations using ACS 2021 data for the PJ. The 2022 HUD Income limits for a four-person household are \$20,200 at 30% AMI and \$33,700 at 50% AMI. This translates into an affordable rent of \$522 and \$870 respectively. In total, there are 7,688 units leased for a gross monthly rent under \$522 and 17,457 units leased at or below \$870. The numbers above are a best estimate of affordable rents for 30% AMI and 50% AMI households, but are inflated due to a lack of specific data. In reality, many fewer units are available to households below 50% AMI since at an \$870 price point, these households would be cost burdened.

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

Homeless as defined in 24 CFR 91.5

According to the 2022 Point-In-Time (PIT) Count conducted on January 26, 2022 by NC Coalition to End Homelessness, there were a total of 367 persons that experienced homelessness on any given night in the PJ. Of this total, 214 adults were unaccompanied by children, 51 were families that included children.

A total of 16 homeless family (adults with children), and 83 persons (adults without children) were unsheltered. An additional 255 persons experiencing homelessness were residing in emergency shelters and transitional housing. The PIT count for unsheltered individuals is considered to be a subset of the actual number due to the difficulty of contacting and estimating unsheltered populations. The count is considered to be below the actual number of homeless in PJ's four county area.

At Risk of Homelessness as defined in 24 CFR 91.5

Households with annual income of less than 30% AMI are considered at risk of homelessness. According to the Comprehensive Housing Affordability Strategy (CHAS) data from 2015-2019 provided by HUD, it is estimated that 16,770 households in the PJ had incomes below 30% AMI. This large number of households below 30% of the area median income points to the need for additional affordable housing for the lowest income populations as well as support for households who are currently housing cost burdened.

Anecdotally, we are seeing an increase in the number of very low-income seniors and disabled subpopulations that are on fixed incomes who are experiencing rental rate increase shocks as properties which have been held below market rate are being sold to new owners who are raising rents substantially. There are vulnerable populations that has great difficulty with affording higher rents or locating and moving to a more affordable unit.

The Regional Housing Authority administers 30 Emergency Housing Vouchers. All vouchers are currently being utilized. As market rate rents continue to rise, these households will continue to struggle to acquire and maintain housing that is affordable at their income level. This HOME-ARP plan provides investment in Tenant Based Rental Assistance to move unsheltered households into immediate housing. This HOME-ARP plan further provides investment in Supportive Services to connect all qualified populations to existing housing opportunities and existing services providing, housing, food, mental health, health care, substance abuse help, etc.

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

The exact size of the current fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking population is currently unavailable. This data is

unavailable from the census and is not currently tracked by the Point-In-Time (PIT) Count. Although the Point-In-Time (PIT) Count showed a total of 51 homeless family (adults with children). Families Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD in the Notice numbered 40.

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

The Point-In-Time (PIT) Count identified 17 veterans. Veterans made up 5% of the PIT count.

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

The City of Lenoir and the Unifour Consortium area have a variety of funding, providers, facilities, and services to assist the needs of qualifying populations. Fund sources include Low Income Housing Tax Credit Projects, HOME Program, Emergency Solutions Grant, Temporary Assistance for Needy Families, Housing Opportunities for Persons with Aids, Emergency Housing Vouchers, HUD Veteran Affairs Supportive Housing (VASH), and Family Unification Program housing vouchers, Regional Section 8 Housing Vouchers provide 1,864 Housing Vouchers, 525-Public Housing Units, 1202-Project-Based with Section 8, and 2,432-Low Income Housing Tax Credit Units, 40-Section 202 Supportive Housing for Elderly, and 64-units of 811 Supportive Housing for Persons with Disabilities. Total of all subsidized units is 3,695. The above data HUD User.gov.

Charles George VAMC (Alexander, Burke, Caldwell, Catawba) - HUD-VASH
Dulatown Outreach Center (Caldwell) – Emergency Shelter and Transitional Housing
Family Care Center of (Catawba) - Emergency Shelter and Transitional Housing
Family Guidance Center (Catawba) – Domestic Violence Family Emergency Shelter
House of Refuge (Burke) - Emergency Shelter
Kwanzaa - Women’s shelter
Meeting Place (Burke) – Emergency Shelter and Transitional Housing
Options Inc. (Burke) - DV Emergency Shelter
Partners Behavioral Health Management (Catawba, Burke, Alexander) - Permanent Supportive Housing
Safe Harbor (Catawba) – Transitional Housing
Salvation Army (Catawba) – Emergency Shelter and Transitional Housing
Shelter Home of Caldwell County (Caldwell) - DV Emergency Shelter Transitional Housing
Sipes Orchard Home (Catawba) - Transitional Housing for Youth
Western Piedmont Council of Governments (Alexander, Burke, Caldwell, Catawba) – EHV, HUD-VASH, FUP

Describe the unmet housing and service needs of qualifying populations:

In consultation with the homeless providers and agencies the following unmet housing and services needs for the Qualifying Populations were identified:

Homeless as defined in 24 CFR 91.5

Housing: Most recent data indicates that there are currently sufficient number of beds to aid the homeless if properly coordinated. There exist a disconnect between the homeless population and the services available. There is a lack of communication and coordination between homeless service providers such that the homeless do not get where they need to go to get the assistance that is available. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

Services: Community service navigators and a community services director is needed and has been identified as the most important need, by many individuals, groups, organizations, agencies, non-profits, homeless people and local governments. There is a need for homeless navigators to access the individual's needs and connect to the appropriate available supportive services, rather, that be for shelter, housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is further needed to follow up with continued support.

At Risk of Homelessness as defined in 24 CFR 91.5

Housing: Assessment: Housing affordable to households earning below 30% AMI is a growing concern. The development of multiple Low-Income Housing Tax Credit Apartment projects in the past and multiple projects currently being constructed currently, with more in the development stage provides and will continue to provide affordable rental housing. Still, many are affected by increasing rents and are at the greatest risk of housing instability, requiring supportive services or housing assistance to prevent homelessness.

Services: Community service navigators and a community services director is needed and has been identified as the most important need, by many individuals, groups, organizations, agencies, non-profits, homeless people and local governments. There is a need for homeless navigators to access the individual's needs and connect to the appropriate available supportive services, rather, that be for shelter, housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is further needed to follow up with continued support. Rent assistance for rent burdened, working households to stay in their units and services to increase capacity to pay rents. Supportive Services. Childcare.

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

Housing: The following facilities provide housing for this population:
Family Guidance Center (Catawba) - DV Family Emergency Shelter

House of Refuge (Burke) - Emergency Shelter (Men)
Options Inc. (Burke) - DV Emergency Shelter
Safe Harbor (Catawba) – Transitional Housing
Kwanzaa - Women's shelter
Dulatown Outreach Center (Caldwell) – Emergency Shelter and Transitional Housing
Family Guidance Center (Catawba) – Domestic Violence Family Emergency Shelter

There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

Services: Community service navigators and a community services director is needed and has been identified as the most important need, by many individuals, groups, organizations, agencies, non-profits, homeless people and local governments. There is a need for homeless navigators to access the individual's needs and connect to the appropriate available supportive services, rather, that be for shelter, housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is further needed to follow up with continued support. Case management, childcare.

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

Housing: Most recent data indicates that there are currently sufficient number of beds to aid the homeless if properly coordinated. There exist a disconnect between the homeless population and the services available. There is a lack of communication and coordination between homeless service providers such that the homeless do not get where they need to go to get the assistance that is available. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

Services: Community service navigators and a community services director is needed and has been identified as the most important need, by many individuals, groups, organizations, agencies, non-profits, homeless people and local governments. There is a need for homeless navigators to access the individual's needs and connect to the appropriate available supportive services, rather, that be for shelter, housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is further needed to follow up with continued support. Rent assistance for rent burdened, working households to stay in their units and services to increase capacity to pay rents. Supportive Services. Childcare. Rent assistance for rent burdened, helping working households to stay in their units and services to increase capacity to pay rents. Supportive Services. Childcare.

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

Specific gaps noted by consulting parties are in the areas of permanent supportive housing, homeless prevention and supportive services, affordable housing, case management, and rental

assistance. One common theme among many of the respondents was the need for assistance to help keep working families in their housing units, and to provide the needed supportive services to help the household to maintain and improve their incomes to be able to afford the unit in the long-term.

Most recent data indicates that there are currently sufficient number of beds to aid the homeless if properly coordinated (See Housing Needs Inventory and Gap Analysis Table (2) above).

According to HUD's Comprehensive Housing Affordability Strategy (CHAS) data, the four county area is reported to have an estimated 41,781 total rental units. Only 7,688 or 18.5% are affordable to households with incomes below 30% of Area Median Income (AMI) and 17,457 or 42% are affordable to households with incomes below 50% AMI. According to CHAS data, a surplus 3,729 affordable housing units are available to address the needs of low- and very-low income rent burdened households. However, this data does not reflect recent overall increases in the housing market. Rent amounts have been steadily climbing as well as home purchase prices, across the board. Recent increases in interest rates also combines to create an upward cost in housing. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

Many of the needs of the qualifying populations are similar and include the need for affordable housing, wrap around services, and supportive services or assistance that could prevent homelessness or greater housing instability.

Under Section IV.4.2.ii.G of the HOME-ARP Notice, a PJ may provide additional characteristics associated with instability and increased risk of homelessness in their HOMEARP allocation plan. These characteristics will further refine the definition of "other populations" that are "At Greatest Risk of Housing Instability," as established in the HOME-ARP Notice. If including these characteristics, identify them here:

Not applicable

Identify priority needs for qualifying populations:

- Homeless: The HOME-ARP Consultation process pointed to the need to prioritize Supportive Services in the form of four community service navigators and a community services director to assist homeless persons or families access and connect to the appropriate available supportive services, rather, that be for shelter, housing, affordable rental housing, permanent supportive housing, transitional housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is needed to follow up with continued support. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.
- At Risk of Homelessness: The HOME-ARP Consultation process pointed to the need to prioritize Supportive Services in the form of four community service navigators and a community services director to assist homeless persons or families access and connect to the appropriate available

supportive services, rather, that be for shelter, housing, affordable rental housing, permanent supportive housing, transitional housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is needed to follow up with continued support.

- **Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking:** The HOME-ARP Consultation process pointed to the need to prioritize Supportive Services in the form of four community service navigators and a community services director to assist homeless persons or families access and connect to the appropriate available supportive services, rather, that be for shelter, housing, affordable rental housing, permanent supportive housing, transitional housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is needed to follow up with continued support. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

- **Other Populations:** The HOME-ARP Consultation process pointed to the need to prioritize Supportive Services in the form of four community service navigators and a community services director to assist homeless persons or families access and connect to the appropriate available supportive services, rather, that be for shelter, housing, affordable rental housing, permanent supportive housing, transitional housing, food, medical attention, mental health services, substance abuse, legal aid, job placement, financial literacy, etc. Case management is needed to follow up with continued support. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

Explain how the PJ determined the level of need and gaps in the PJ's shelter and housing inventory and service delivery systems based on the data presented in the plan:

The level of need and gaps in emergency shelter, housing inventory, and service delivery systems were determined by a review of data, a survey and interviews with service providers. Data sources include the Point-In-Time (PIT) Count, Comprehensive Housing Market Analysis HUD PD&R, National Low Income Housing Coalition Out of Reach Data, census income data, and CHAS data. The current inventory of beds and units from the Point-In-Time (PIT) Count were heavily relied upon to analyze the current inventory. This report compared market rental rates to income, especially at the 30% and 50% level, to understand the gap between resident incomes and currently available rental units.

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 will enter into an inter-local government service agreement with the Western Piedmont Council of Governments which will provide four community service navigators and a community services director to serve all four counties in the Participating Jurisdiction. The City will enter into an inter-local government service agreement with the Western Piedmont Council of Governments, Public Housing Authority for rental voucher oversight and rental voucher administrative assistance. The City will a contract with the Western Piedmont Council of Governments for HOME-ARP program administration. The Western Piedmont Council of Governments has administered the City's HOME and CDBG Entitlement program since 1996. In that time the Home Program has assisted approximately 3000 low income first-time homebuyers become homeowners with the down-payment assistance program. The HOME Program has partnered with 20 LIHTC projects to help create 1257 affordable rental housing units. The Western Piedmont Council of Governments has a long and successful relationship with all 28 member governments of the HOME Consortium. They also are the Regional PHA. They have been challenged to accept this role of providing these much needed services based on their relationship with the local governments and area's many different service providers. The City feels that the Council of Governments is in a unique position to pull the resources together to the needs of all qualifying populations. (See Attached: Council of Governments Enabling Statutes, Uniform Guidance Procurement Standards, for authority).

Describe whether the PJ will administer eligible activities directly:

The City of Lenoir will enter into an inter-local government service agreement with the Western Piedmont Council of Governments which will provide four community service navigators and a community services director to serve all four counties in the Participating Jurisdiction. The City will enter into an inter-local government service agreement with the Western Piedmont Council of Governments, Public Housing Authority for rental voucher oversight and rental voucher administrative assistance. The City will a contract with the Western Piedmont Council of Governments for HOME-ARP program administration. (See Attached: Council of Governments Enabling Statutes, Uniform Guidance Procurement Standards, for authority).

If any portion of the PJ's HOME-ARP administrative funds are provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

Not applicable

In accordance with Section V.C.2. of the Notice (page 4), PJs must indicate the amount of HOME-ARP funding that is planned for each eligible HOME-ARP activity type and demonstrate that any planned funding for nonprofit organization operating assistance, nonprofit capacity building, and administrative costs is within HOME-ARP limits.

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 2,927,953.10		
Acquisition and Development of Non-Congregate Shelters	\$		
Tenant Based Rental Assistance (TBRA)	\$ 627,409.95		
Development of Affordable Rental Housing	\$		
Non-Profit Operating	\$		5%
Non-Profit Capacity Building	\$		5%
Administration and Planning	\$ 627,409.95	15 %	15%
Total HOME ARP Allocation	\$ 4,182,773.00		

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

In order to meet the priority needs through the year 2030, the City of Lenoir believe that the most effective way to provide four community service navigators and a community services director and provide emergency tenant based rental assistance, to serve all four counties in the Participating Jurisdiction is for the City will enter into an inter-local government service agreement with the Western Piedmont Council of Governments. The Council of Governments will hire four community service navigators and a community services director. The Regional Public Housing Authority within the Council of Governments will perform oversight and administration for emergency tenant based rental assistance vouchers. The City will a contract with the Council of Governments for HOME-ARP program administration. The community service navigators and a community service director will be able to provide qualifying populations connections to the many available services throughout the area, specific to their needs. In the event that emergency tenant based rental assistance is needed it will be available. Program Administration will ensure compliance with all HUD rules and regulations.

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:

Most recent data indicates that there are currently sufficient number of beds to aid the homeless if properly coordinated. (See Housing Needs Inventory and Gap Analysis Table (2) above). There exist a disconnect between the homeless population and the services available. There is a lack of communication and coordination between homeless service providers such that the homeless

do not get where they need to go to get the assistance that is available. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs. According to HUD's Comprehensive Housing Affordability Strategy (CHAS) data, the four county area is reported to have an estimated 41,781 total rental units. Only 7,688 or 18.5% are affordable to households with incomes below 30% of Area Median Income (AMI) and 17,457 or 42% are affordable to households with incomes below 50% AMI. According to CHAS data, a surplus 3,729 affordable housing units are available to address the needs of low- and very-low income rent burdened households. However, this data does not reflect recent overall increases in the housing market. Rent amounts have been steadily climbing as well as home purchase prices, across the board. Recent increases in interest rates also combines to create an upward cost in housing. There is also a need for emergency tenant based rental assistance to be available when there is no immediate solution to a persons or families housing needs.

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:

Number of affordable rental housing units for Qualifying Populations that the PJ will support through TBRA: 100.

The Plan anticipates funding for TBRA and Supportive Services and not for development of rental housing units. Rental housing production goal: 0

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

- Not Applicable.

Preferences

A preference provides a priority for the selection of applicants who fall into a specific QP or category (e.g., elderly or persons with disabilities) within a QP (i.e., subpopulation) to receive assistance. A preference permits an eligible applicant that qualifies for a PJ-adopted preference to be selected for HOME-ARP assistance before another eligible applicant that does not qualify for a preference. A method of prioritization is the process by which a PJ determines how two or more eligible applicants qualifying for the same or different preferences are selected for HOME-ARP assistance. For example, in a project with a preference for chronically homeless, all eligible QP applicants are selected in chronological order for a HOME-ARP rental project except that eligible QP applicants that qualify for the preference of chronically homeless are selected for occupancy based on length of time they have been homeless before eligible QP applicants who do not qualify for the preference of chronically homeless. Please note that HUD has also described a method of prioritization in other HUD guidance. Section I.C.4 of Notice CPD-17-01

describes Prioritization in CoC CE as follows: “Prioritization. In the context of the coordinated entry process, HUD uses the term “Prioritization” to refer to the coordinated entry-specific process by which all persons in need of assistance who use coordinated entry are ranked in order of priority. The coordinated entry prioritization policies are established by the CoC with input from all community stakeholders and must ensure that ESG projects are able to serve clients in accordance with written standards that are established under 24 CFR 576.400(e). In addition, the coordinated entry process must, to the maximum extent feasible, ensure that people with more severe service needs and levels of vulnerability are prioritized for housing and homeless assistance before those with less severe service needs and lower levels of vulnerability. Regardless of how prioritization decisions are implemented, the prioritization process must follow the requirements in Section II.B.3. and Section I.D. of this Notice.” If a PJ is using a CE that has a method of prioritization described in CPD-17-01, then a PJ has preferences and a method of prioritizing those preferences. These must be described in the HOME-ARP allocation plan in order to comply with the requirements of Section IV.C.2 (page 10) of the HOME-ARP Notice. In accordance with Section V.C.4 of the Notice (page 15), the HOME-ARP allocation plan must identify whether the PJ intends to give a preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project.

- Preferences cannot violate any applicable fair housing, civil rights, and nondiscrimination requirements, including but not limited to those requirements listed in 24 CFR 5.105(a).
- The PJ must comply with all applicable nondiscrimination and equal opportunity laws and requirements listed in 24 CFR 5.105(a) and any other applicable fair housing and civil rights laws and requirements when establishing preferences or methods of prioritization.

While PJs are not required to describe specific projects in its HOME-ARP allocation plan to which the preferences will apply, the PJ must describe the planned use of any preferences in its HOME-ARP allocation plan. This requirement also applies if the PJ intends to commit HOME-ARP funds to projects that will utilize preferences or limitations to comply with restrictive eligibility requirements of another project funding source. ***If a PJ fails to describe preferences or limitations in its plan, it cannot commit HOME-ARP funds to a project that will implement a preference or limitation until the PJ amends its HOME-ARP allocation plan. For HOME-ARP rental housing projects, Section VI.B.20.a.iii of the HOME-ARP Notice (page 36) states that owners may only limit eligibility or give a preference to a particular qualifying population or segment of the qualifying population if the limitation or 10 preference is described in the PJ's HOME-ARP allocation plan.*** Adding a preference or limitation not previously described in the plan requires a substantial amendment and a public comment period in accordance with Section V.C.6 of the Notice (page 16).

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

The City does not intend to prioritize one or more qualifying populations.

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 category of qualifying population, consistent with the PJ's needs assessment and gap analysis:

No preference has been identified.

HOME- ARP Refinancing Guidelines

If the PJ intends to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds, the PJ must state its HOME-ARP refinancing guidelines in accordance with 24 CFR92.206(b). The guidelines must describe the conditions under which the PJ will refinance existing debt for a HOME-ARP rental project, including:

The City of Lenoir does not intend to use HOME-ARP funds to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds

- 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.***

N/A

- 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.***

N/A

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

N/A

- Specify the required compliance period, whether it is the minimum 15 years or longer.***

N/A

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

N/A

- Other requirements in the PJT's guidelines, if applicable.***

N/A

Council of Governments State enabling statutes

NCGS 160A-470 enables regional councils of government to be established in North Carolina. Furthermore, this statute lays the groundwork for the formation of regional councils of government in North Carolina, and extends an open invitation for participation to governments in adjoining states. The statute reads as follows: NCGS 160A-470 "(a) Any two or more units of local government may create a regional council of governments by adopting identical concurrent resolutions to that effect in accordance with the provisions and procedures of this Part. To the extent permitted by the laws of its state, a local government in a state adjoining North Carolina may participate in regional councils of governments organized under this Part to the same extent as if it were located in this State. The concurrent resolutions creating a regional council of governments and any amendments thereto, will be referred to in this Part as the "charter" of the regional council".¹⁵¹

NCGS 160-475 goes on to specifically list the powers that the charter confers upon regional councils. The powers as contained in this statute are as follows:

- "(1) To apply for, accept, receive, and dispense funds and grants made available to it by the State of North Carolina or any agency thereof, the United States of America or any agency thereof, any unit of local government (whether or not a member of the council), and any private or civic agency.
- (2) To employ personnel
- (3) To contract with consultants
- (4) To contract with the State of North Carolina, any other state, the United States of America, or any agency thereof for services
- (5) To study regional governmental problems, including matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning and regional development
- (6) To promote cooperative arrangements and coordinated action among its member governments
- (7) To make recommendations for review and action to its member governments and other public agencies which perform functions within the region in which its member governments are located (7a) For the purpose of meeting the regional council's office space and program needs, to acquire real property by purchase, gift or otherwise to improve that property. The regional council may pledge real property as security for indebtedness used to finance acquisition of that property or for improvements to that real property, subject to approval by the Local Government Commission as required under G.S. 159-153. A regional council may not exercise the power of eminent domain.
- (8) Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern to the extent such powers are specifically delegated to it from time to time by resolution of the governing board of each of its member governments which are affected thereby, provided that no regional council of governments shall have the authority to construct or purchase building, or acquire title to real property, except for the purposes permitted under subdivision (7a) of this section in order to exercise the authority granted by Chapter 260 of the Session Laws of 1979."¹⁵²

Part 2. Regional Councils of Governments.

§ 160A-470. Creation of regional councils; definition of "unit of local government".

(a) Any two or more units of local government may create a regional council of governments by adopting identical concurrent resolutions to that effect in accordance with the provisions and procedures of this Part. To the extent permitted by the laws of its state, a local government in a state adjoining North Carolina may participate in regional councils of governments organized under this Part to the same extent as if it were located in this State. The concurrent resolutions creating a regional council of governments, and any amendments thereto, will be referred to in this Part as the "charter" of the regional council.

(b) For the purposes of this Part, "unit of local government" means a county, city, or consolidated city-county. (1971, c. 698, s. 1; 1973, c. 426, s. 71.)

§ 160A-471. Membership.

Each unit of local government initially adopting a concurrent resolution under G.S. 160A-470 shall become a member of the regional council. Thereafter, any local government may join the regional council by ratifying its charter and by being admitted by a majority vote of the existing members. All of the rights and privileges of membership in a regional council of governments shall be exercised on behalf of its member governments by their delegates to the council. (1971, c. 698, s. 1; 1973, c. 426, s. 72.)

§ 160A-472. Contents of charter.

The charter of a regional council of governments shall:

- (1) Specify the name of the council;
- (2) Establish the powers, duties, and functions that it may exercise and perform;
- (3) Establish the number of delegates to represent the member governments, fix their terms of office, provide methods for filling vacancies, and prescribe the compensation and allowances, if any, to be paid to delegates;
- (4) Set out the method of determining the financial support that will be given to the council by each member government;
- (5) Establish a method for amending the charter, and for dissolving the council and liquidating its assets and liabilities.

In addition, the charter may, but need not, contain rules and regulations for the conduct of council business and any other matter pertaining to the organization, powers, and functioning of the council that the member governments deem appropriate. (1971, c. 698, s. 1.)

§ 160A-473. Organization of council.

Upon its creation, a regional council shall meet at a time and place agreed upon by its member governments and shall organize by electing a chairman and any other officers that the charter may specify or the delegates may deem advisable. The council shall then adopt bylaws for the conduct of its business. All meetings of the council shall be open to the public. (1971, c. 698, s. 1.)

§ 160A-474. Withdrawal from council.

Any member government may withdraw from a regional council at the end of any fiscal year by giving at least 60 days' written notice to each of the other members. Withdrawal of a member government shall not dissolve the council if at least two members remain. (1971, c. 698, s. 1.)

§ 160A-475. Specific powers of council.

The charter may confer on the regional council any of the following powers:

- (1) To apply for, accept, receive, and dispense funds and grants made available to it by the State of North Carolina or any agency thereof, the United States of America or any agency thereof, any unit of local government (whether or not a member of the council), and any private or civic agency.
- (2) To employ personnel.
- (3) To contract with consultants.
- (4) To contract with the State of North Carolina, any other state, the United States of America, or any agency thereof, for services.
- (5) To study regional governmental problems, including matters affecting health, safety, welfare, education, recreation, economic conditions, regional planning, and regional development.
- (6) To promote cooperative arrangements and coordinated action among its member governments.
- (7) To make recommendations for review and action to its member governments and other public agencies which perform functions within the region in which its member governments are located.
- (7a) For the purpose of meeting the regional council's office space and program needs, to acquire real property by purchase, gift, or otherwise, and to improve that property. The regional council may pledge real property as security for indebtedness used to finance acquisition of that property or for improvements to that real property, subject to approval by the Local Government Commission as required under G.S. 159-153. A regional council may not exercise the power of eminent domain.
- (7b) To carry out the powers, duties, and responsibilities granted pursuant to Chapter 157 of the General Statutes except the power of eminent domain. This subdivision does not apply to cities with a population of greater than 250,000 according to the latest federal decennial census.
- (8) **(See Editor's Note)** Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern to the extent such powers are specifically delegated to it from time to time by resolution of the governing board of each of its member governments which are affected thereby, provided, that no regional council of governments shall have the authority to construct or purchase buildings, or acquire title to real property, except for the purposes permitted under subdivision (7a) of this section or in order to exercise the authority granted by Chapter 260 of the Session Laws of 1979.
- (9) **(See Editor's Note)** Any other powers that are exercised or capable of exercise by its member governments and desirable for dealing with problems of mutual concern to the extent such powers are specifically delegated to it from time to time by resolution of the governing board of each of its member governments which are affected thereby, provided, that no regional council of governments shall have the authority to construct or purchase buildings, or acquire title to real property, except for the purposes permitted under subdivision (7a) of this section or in order to exercise the authority granted by Chapter 260 of the Session Laws of 1979, or the powers, duties, and responsibilities granted to the regional council pursuant to Chapter 157 of the General Statutes. Nothing in this subdivision permits a regional council to exercise the power of eminent domain. This subdivision does not apply to

cities with a population of greater than 250,000 according to the latest federal decennial census. (1971, c. 698, s. 1; 1975, c. 517, ss. 1, 2; 1979, c. 902; 2005-290, s. 1; 2006-211, s. 1; 2017-178, ss. 2, 3.)

§ 160A-476. Fiscal affairs.

Each unit of local government having membership in a regional council may appropriate funds to the council from any legally available revenues. Services of personnel, use of equipment and office space, and other services may be made available to the council by its member governments as a part of their financial support. (1971, c. 698, s. 1; 1973, c. 426, s. 73.)

§ 160A-477. Reports.

Each regional council shall prepare and distribute to its member governments and to the public an annual report of its activities including a financial statement. (1971, c. 698, s. 1.)

§ 160A-478. Powers granted are supplementary.

The powers granted to cities and counties by this Article are supplementary to any powers heretofore or hereafter granted by any other general law, local act, or city charter for the same or similar purposes. (1971, c. 698, s. 1.)



Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

GREGORY C. GASKINS
DEPUTY TREASURER

Memorandum #2018-06

TO: Independent Auditors, North Carolina Local Governments and Public Authorities, interested parties

FROM: Sharon Edmundson, Director, Fiscal Management Section

SUBJECT: Uniform Guidance Procurement Standards

DATE: March 20, 2018

As most of you are aware, the Office of Budget and Management (OMB) officially implemented its Uniform Administrative Requirements, Cost Principles, and Audit Requirements, commonly referred to as Uniform Guidance (UG), in December of 2014¹. However, due to significant changes to the procurement requirements that were part of that new guidance, OMB delayed the implementation of those procurement requirements twice, to a full three years from the original UG effective date². With the extensions of time coming to a close, implementation of the procurement requirements is imminent. Local governments and public authorities that expend federal financial assistance (including USDA loans and grants, CDBG funds, FEMA Public Assistance disaster relief grants, and other programs, either directly funded or reimbursement driven) must comply with these new requirements for all fiscal years beginning on or after December 26, 2017; **for most of you this means the fiscal year that begins on July 1, 2018, but it also applies to entities with a fiscal year that began on January 1, and those beginning on April 1 or October 1, 2018.**

Critical Points

The UG procurement requirements are complex but there are some critical points that units need to be aware of immediately. These points are reviewed in more detail throughout this document.

1. **Applicability** – The requirements are applicable to the purchase of both goods and services, as well as construction and repair projects, which differs significantly from our State laws that apply primarily to the purchase of goods or construction contracts.
2. **Includes Loans and Grants** - The requirements apply to federal financial assistance. We are not aware of any exclusions in place on funds received from USDA loans and grants, FEMA Public

¹ Uniform Administrative Requirement, Cost Principles, and Audit Requirements, Title 2 U.S. Code of Federal Regulations, Part 200

² Federal Register Vol. 80, No. 175 - Effective date: September 10, 2015, two year grace period for implementation of procurement standards in 2CFR 200.317 through 200.326. Federal Register Vol. 82, No. 94 - Effective date: May 17, 2017, additional one year grace period. Effective date will start for fiscal years beginning on or after December 26, 2017.

Assistance disaster relief grants, CDBG programs, and the Highway Planning, Research and Construction Program. We believe that SRF programs funded by the EPA are exempt. However, we strongly encourage you to contact the applicable grantor agency for specific questions about applicability to specific sources of funds.

3. **Lower Dollar Thresholds** – The UG procurement requirements start at purchases of \$3,500, \$2,000 if Wage Rate requirements apply. This is a significantly lower threshold than is set by current State law.
4. **Written Policies and Procedures Required** – As you read through all of the rules of the procurement requirements you will note a recurring theme – the unit of government must have written policies and procedures that address the purchase of goods and services in accordance with the UG regulations as well as some peripheral requirements on topics such as a code of ethics and gift bans from vendors. These written policies and procedures must be in place by July 1, 2018 if you are already a participant in a federal assistance program or by your first draw if you are not yet actively participating in a covered program.
5. **Standards of Conduct, Conflicts of Interest, and Gift Ban** – Each participating unit must have written standards of conduct that cover conflicts of interest and the gift ban, which is in place for not only its elected board but all employees and agents of the unit. The rules cover all current or future vendors and service providers. The requirements under the UG procurement rules are more restrictive than what is currently required by the State in this area.
6. **Entities Subject to the Rules** – These rules apply not only to direct recipients of federal financial assistance but also to all sub-recipients including the organization(s) in final receipt of the funds. For example, if a unit of government passes through CDBG funds to a Community Development Corporation (CDC), the rules apply not only to the unit but to the CDC as well.

The UG procurement requirements are part of the administrative requirements found in Subpart D of the Uniform Guidance, §200.318 to §200.326, and apply to the procurement of **goods and services (as well as construction and repair contracts)** directly charged to federal awards. They do not apply to indirect costs or payroll. The UG describes most of these requirements as a “must” or as unconditional, in lieu of a “should” or recommended or best practice. Please note these requirements apply to the procurement of both **goods (purchase contracts) and services** – currently our State statutes do not place many restrictions or documentation requirements on the procurement of services.

The UG procurement requirements apply to purchases that are paid or reimbursed from federal financial assistance. This includes (but is not limited to) purchases that are reimbursed from USDA grants **and loans**, Community Development Block Grant (CDBG) programs, public disaster grants and reimbursement from FEMA, and the Highway Planning, Research, and Construction program. Many units of government participate in one or more of these programs; **it is important to note that it applies to Federal loan funds in addition to grants.**

Some units of government may not receive or expend federal financial assistance on a routine basis; however, the requirements still apply any time they do expend federal financial assistance. Units must have written procedures in place to ensure compliance with the UG procurement standards.

UG procurement standards require that each unit of government maintain its own documented procedures that reflect the requirements of the standards as well as the requirements of all applicable State and local laws and regulations.

The UNC-School of Government has prepared a document, "Comparison of Federal and State Procurement Requirements for North Carolina Local Governments,"³ that breaks down key parts of the UG procurement requirements and compares them to State purchasing law; this document also can be found on our website [here](#). This document is an excellent resource for units to use in educating staff about the new requirements and to assist in determining if the federal or State law is more restrictive.

Please note that if the requirements conflict, the unit is to comply with the more restrictive requirement.

Key Elements of Uniform Guidance Procurement Standards

The various procurement requirements have been put in place to help ensure that all eligible procurements are made in such a way that certain goals are achieved. As a result, there are key elements of the UG procurement standards that must be followed regardless of the method of procurement.

- The unit of government must use **its own documented procedures** which reflect applicable state and local laws and regulations, provided that the procurement conforms to applicable federal law and the UG procurement standards.
- The unit of government **must maintain oversight** to ensure that the **contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders**.
- The unit of government **must maintain written policies and procedures of conduct covering conflicts of interest** and governing the action of its employees, officers, or agents engaged in the selection, award, and administration of contracts. The policy must cover organizational and personal conflict of interest. **Please note that the federal requirements are more expansive in coverage than the State's requirements in this area.** Units need to pay attention to this area and ensure that documented policies adhere to the federal requirements.
- The unit of government must **avoid acquisition of unnecessary or duplicative items**. The unit should take advantage of the best procurement practices to ensure the most efficient and effective approach to purchases. The unit of government is encouraged to enter into state and local

³ Comparison of the UG with the NC General Statutes. Also included is a comparison of the UG procurement standards to the FEMA Supplement to Public Assistance Procurement Disaster Team field manual.

government intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. The unit of government is encouraged to use value engineering clauses in contracts for construction projects of sufficient sizes to offer reasonable opportunities for cost reduction. The unit of government also is encouraged to use federal excess and surplus property in lieu of purchasing new equipment and property.

- The unit of government must conduct procurements in a manner that **prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences**, unless the federal statutes specifically mandate or encourage geographical preferences.
- The unit of government **must maintain records sufficient to detail the history of a procurement**. These records will include, but are not necessarily limited to, why or why not a particular method of procurement, contract type, contractor, or price was used.
- All **procurement transactions must be conducted in a manner that provides full and open competition consistent with the UG procurement standards** and avoids measures that include, but are not limited to:
 - imposing unreasonable requirements on contractors in order for them to qualify to do business;
 - requiring unnecessary experience and excessive bonding; or
 - specifying only a brand name product instead of allowing an equal product to be offered and describing the performance or other relevant requirements of the procurement.
- The unit's **contracts must include a number of provisions** required under the UG including remedies, termination for cause and convenience, EEO requirements, worker safety and wage and hour requirements, Clean Air Act and Federal Water Pollution Control Act requirements, debarment and suspension, procurement of recovered materials, contract modifications, access to records, Byrd Anti-lobbying provisions, and other provisions that may be required by the federal granting agency. Examples of these UG-required contract provisions are available at: <https://www.fema.gov/media-library-data/1483976790556-96bfcf3bf2c64e94d6f63dd4169a7d2c/RequiredContractClauses2C.F.R.200.326and2C.F.R.Part200AappendixII10917.pdf>

Five Allowable Methods of Procurement

OMB has defined five allowable methods of procurement that non-federal entities must follow for all eligible purchases of **both goods and services** made with federal financial assistance.

1. **Micro-purchases** – This method refers to the acquisition of goods or services, including construction, when the aggregate dollar amount does not exceed the **micro-purchase threshold**. The micro-purchase threshold as of the date of this memo is \$3,500 (\$2,000 for construction subject to

the Wage Rate requirements).⁴ Soliciting competitive prices is not required if the unit of government believes the price is fair. Units are encouraged to distribute micro-purchases equitably among suppliers, if practical. This method applies to purchases in the aggregate and not to the cost of an individual item. For example, the total purchase price of office supplies that includes a variety of items (pens, pencils, tape, computer paper, notebooks, etc.), could not exceed the threshold for the unit to be allowed to use the micro-purchase method, even though the cost of the individual items in the purchase are well below the maximum. Both the micro-purchase threshold and the Simplified Acquisition Threshold (SAT), which is \$150,000 ² and discussed in the next paragraph, are periodically adjusted for inflation.

2. **Small purchases** – This method is for procurement of goods (purchase contracts), services, and construction or repair projects between the micro-purchase threshold and the SAT (purchases between \$3,500 and \$150,000). Relatively simple and informal methods of securing services, supplies, or other property are allowed. There must be price or rate quotes from an adequate number of qualified sources. Pricing from the internet, vendor price sheets, or logging of verbal quotes are all allowed. While the UG does not define “adequate number of qualified sources,” some federal agencies have issued guidance assigning specific numbers to this requirement. For example, FEMA has interpreted “adequate number” to mean receiving at least 3 quotes. Units should consult with their federal granting agency to determine if that agency has issued guidance defining “adequate number.”
3. **Sealed bids (formal advertising)** – These apply to procurement of goods (purchase contracts), services, and construction or repair projects that exceed the SAT. Bids are publicly solicited and a firm-fixed-price contract, whether a lump sum or a unit price, is awarded to the responsible bidder whose bid conforms to all the material items and is the lowest price. This method is the preferred method for procuring construction if sealed bids are feasible, if a complete and realistic specification or purchase description is available, if an adequate number of bidders (two or more) participate, and if the procurement lends itself to a firm-fixed-price contract and the selection of the successful bidder can be made principally on the basis of price. The unit of government must make independent estimates before receiving bids and proposals.
4. **Competitive proposals** – This method is generally used for procurement of goods (purchase contracts), services, and construction or repair projects greater than the SAT when it is not appropriate to use sealed bids. The technique is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. Request for proposals must be publicized and must identify all evaluation factors and their relative importance. An adequate number of proposals must be solicited. There needs to be a written method for evaluating proposals and selecting recipients. The responsible firm is awarded the contract that is most advantageous to the program considering price and other factors.

⁴ The thresholds for micro-purchases and the SAT are set by the General Service Administration as part of the Federal Acquisition Regulation at Title 48 of the Code of Federal Regulations, Subpart 2.1 (definitions). Other agencies and organizations set thresholds for other types of acquisitions. The notice of proposed changes and amounts are announced in the *Federal Register*.

5. **Noncompetitive proposals** – These proposals are for soliciting from one source and may be used if an item is only available from one source, if a public emergency will not permit a delay, if a federal or pass-through agency authorizes the sole source in response to a written request, or if after solicitation from a number of sources, competition is determined inadequate.

The unit of government must perform a cost or price analysis for all procurement actions that utilize sealed bids, competitive, or noncompetitive proposals, if the contract price is in excess of the SAT. The method and degree of the cost or price analysis is dependent on the facts of the procurement. Micro-purchases and small purchases do not require cost or price analysis.

The UG procurement standards require that units of government and public authorities place emphasis on contracting with small and minority businesses, women business enterprises, and surplus area firms. This includes placing qualifying businesses on vendor lists, soliciting them whenever they are a potential source for goods and services, and dividing the projects into smaller tasks or quantities to permit participation. Contractors also are required to follow these procedures when hiring subcontractors.

Awarding Contracts

Units must make several determinations when awarding contracts, including making a determination if the contractor is responsible and if the contractor has the ability to perform successfully under the contract considering such factors as integrity, compliance with public policy, past performance, and availability of financial and technical resources (this standard of award mirrors the lowest responsive, responsible bidder standard of award under North Carolina state law). The unit also must document and maintain records of procurement that include the rationale for selecting the methodology used to make the purchase, selection of the type of contract, selection or rejection of the contractor, and basis for the contract price. Units cannot award contracts or sub-contracts to companies that have been debarred or suspended (see <https://www.sam.gov> for current list).

Federal versus State Laws over Procurement?

The UG procurement standards apply only to federal financial assistance, but North Carolina state law also applies to purchases of goods and construction or repair contracts made with federal financial assistance.⁵ This memo has focused primarily on procurement requirements under the federal uniform rules. Local governments and public authorities should read the grant agreements or contact your granting agencies for agency-specific guidelines. When comparing federal and state procurement requirements, local governments and public authorities should apply the requirements that are more restrictive, including requirements imposed by local policies. If there is overlap among local, state, and federal rules, and none of the rules are more restrictive than the other, the federal rules will apply.

⁵ Most State of North Carolina procurement requirements applicable to local governments are found in Article 8 of G.S. Chapter 143. Federal law is identified in Title 45 Code of Federal Regulations §92.36.

North Carolina purchasing law has formal and informal bidding requirements. Informal bidding procedures apply to the purchase of goods only between \$30,000 and \$90,000 and construction/repair contracts costing \$30,000 and \$500,000. Formal bidding procedures apply to the purchase of goods only costing \$90,000 or more and construction/repair contracts costing \$500,000 or more. Compared to the small purchase, sealed bid, or competitive proposal requirements under the UG procurement rules, you can see that State requirements generally are much less restrictive, and therefore the Federal requirements must be followed except to the extent that a particular requirement under state law is more restrictive. For example, the UG sealed bid method requires a minimum of 2 bids in order to open bids and award the contract while state formal bidding requirements for construction and repair contracts require a minimum of 3 bids. Units must carefully compare local, state, and federal procurements requirements to ensure that the most restrictive requirement is always followed.

Steps to Implementing the Uniform Guidance Procurement Standards

In updating its purchasing policies, OMB has stated that “nonfederal entities have the flexibility to incorporate the UG’s procurement requirement verbatim or simply reference it in their procedures and policies. A general statement about how the ‘procurements must conform to applicable Federal law and standards’ should suffice.”⁶ An example of this compliance statement is: “Contracts funded with federal grant funds shall be procured in a manner that is in compliance with all applicable Federal laws, policies, and standards as well as state law and local policies.”

Units of governments must be able to provide documentation to support why a bidder was accepted or rejected for a sealed bid or competitive proposal. Also, as mentioned earlier, sufficient records detailing the history of procurement must be maintained, regardless of what purchase method is used or what decision is reached. Documentation can include printouts of internet searches for price quotes or a written memo detailing the reasons for accepting or rejecting the bidders in a sealed bid or competitive proposal purchase.

Local government auditors will review procurement policies and procedures based on the documented standards when testing major programs such as USDA grants and loans, CDBG programs, and other federal financial assistance for compliance as part of the annual compliance audit.

If your government has not yet adopted the UG procurement requirements, then you are strongly encouraged to do so as soon as possible. Consider these steps:

- **If the unit’s procurement procedures are not currently documented, the government should make this a top priority.** Some units have not made documentation and/or updating of written policies and procedures a part of normal operations and will have significant amounts of work to do to comply with these new requirements. The unit’s procurement policy should include a compliance statement confirming that the unit will follow all applicable local, state, and federal procurement requirements when expending federal funds.

⁶ E-mail dated May 25, 2017, from Maribel L. Miller, Executive Office of the President, Office of Budget and Management

- *If the unit does not have a local policy governing conflicts of interests and prohibitions on gifts and favors from vendors and contractors that is compliant with the UG, it should take steps to develop and implement this policy.*
- Read the requirements found in the UG §200.318 to §200.326 and review the SOG document referenced previously.
- Determine how these requirements will impact the procedures for procuring goods, services and construction or repair contracts that your government currently has in effect.
- Incorporate the UG procurement requirements that are specific to your unit of government into your current policies and procedures. For example, each government should determine an adequate number of bids or proposals (UG §200.318) to obtain.
- In your policies or procedures, be sure to remove guidance from other regulations, circulars, or agency information that is outdated. For example, references to Circulars A-102 or A-133 should be removed.
- Have your legal counsel review the revised procedures. An accounting firm also may provide guidance; however, using a firm that may perform the annual audit of your government may affect the firm's independence.
- Incorporate these revised procedures on any contracts or grant agreements with sub-recipients of federal financial assistance.
- Have your legal counsel develop template (boilerplate) contract language that incorporates all the provisions mandated under the UG. Examples of UG required contract provisions are available at <https://www.fema.gov/media-library-data/1483976790556-96bfcf3bf2c64e94d6f63dd4169a7d2c/RequiredContractClauses2C.F.R.200.326and2C.F.R.Part200AppendixII10917.pdf>
- Discuss the UG procurement requirements with any potential contractor prior to entering into any agreement.

If you have questions about the UG procurement requirements, please contact Jim Burke at (919) 814-4301 or via email at james.burke@nctreasurer.com.

**NOTICE OF PUBLIC MEETING
CITY OF LENOIR**

Notice is hereby given that the City of Lenoir and the Unifour HOME Consortium will hold a public hearing to receive public input and comments concerning the proposed Substantial Amendment to the FY-2021 Action Plan of the City of Lenoir and the Unifour HOME Consortium as part of the five year Consolidated Plan, for the purpose of allocating \$4,182,773.00 in HOME-ARP funds. This plan, as required by the U.S. Department of Housing and Urban Development (DHUD), outlines goals and action plans of the City of Lenoir and the Unifour HOME Consortium and its use of Community Development Block Grant (CDBG), HOME and HOME-ARP funds for fiscal year 2021, beginning July 1, 2021 and ending June 30, 2030.

The public meeting will be held on Tuesday, March 07, 2023 at 6:00pm before the Lenoir City Council in the City/County Chambers on the bottom floor of the Caldwell County Office building located at 905 West Avenue, Lenoir, NC.

A summary of the proposed Action Plan is available for public review at the Lenoir City Hall. There will be a 15-day comment period beginning February 16, 2023 and ending March 03, 2023 to obtain citizen input before the plan can be submitted to HUD for approval.

The City of Lenoir has received entitlement status by HUD and receives CDBG funds for carrying out community development activities as described in the Consolidated Plan. The Unifour HOME Consortium is comprised of 28 member local governments located within and including Alexander, Burke, Caldwell and Catawba Counties. The City of Lenoir serves as Lead Entity for this Consortium. The Unifour Consortium has received entitlement status by HUD, and will receive HOME funds to carrying out affordable housing activities as described in the Consolidated Plan. HOME-ARP funding will be used to assist individuals or households who are experiencing homelessness, at risk of homelessness, and other vulnerable populations by providing funding for Supportive Services, Tenant Base Rental Assistance, and Non-Profit Operating to reduce homelessness and increase housing stability.

This meeting is open to the public. Documents can be provided in alternative formats as needed and may be translated into Spanish for Limited English Proficient (LEP) Spanish speaking persons, upon request. Any person with a disability needing special accommodations, a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service or non-English speaking persons needing translation services should contact the City of Lenoir or Rick Oxford at the Western Piedmont Council of Governments at (828) 322-9191 extension 245, or 1-(800) 735-2962 TDD. Accommodations requests must be made 48 hours in advance.

PUBLISH: February 16, 2023

Please run this ad on Thursday, February 16, 2023

Please run one time only

Use Small Block Ad

Use HUD and Fair Housing, EEO logos

Affidavit Required

Send Bill & Affidavit to:

Attention: **Rick Oxford**
 Unifour HOME Program
 1880 2nd Avenue NW
 Hickory, NC 28601

If you need further information contact Rick Oxford at (828) 514-9191.

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CITY OF LENOIR**

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Accommodations requests must be made 48 hours in advance.



**NORTH CAROLINA,
CALDWELL COUNTY,
AFFIDAVIT OF PUBLICATION**

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared Kaitlin Eller who being first duly sworn, deposes and says: that she is **Advertising Manager** of Lenoir Newspapers, Inc., engaged in the publication of a newspaper known as Lenoir News-Topic, published, issued, and entered as second class mail in the City of Lenoir, in said County and State; that she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in Lenoir News-Topic on the following dates

February 16, 2023

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This is the 9th day of March 2023

Sworn to and subscribed before me, this 9th day of March 2023.

Michael C. Lambert
Notary Public
My Commission expires: June 5, 2027
BURKE COUNTY, NC

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

3-17-2023
Date

Mayor
Title

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:**

03/10/2023

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

M-21-DP370208

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*** a. Legal Name:** City of Lenoir, North Carolina

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

56-6001265

*** c. UEI:**

L8WTLRPYDDE3

d. Address:

*** Street1:** PO Box 958

Street2:

*** City:** Lenoir

County/Parish:

*** State:** NC: North Carolina

Province:

*** Country:** USA: UNITED STATES

*** Zip / Postal Code:** 28645-0956

e. Organizational Unit:

Department Name:

Community Development

Division Name:

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

Prefix:

Mr.

*** First Name:**

George

Middle Name:

Richard

*** Last Name:**

Oxford

Suffix:

Title: Housing Programs Manager

Organizational Affiliation:

*** Telephone Number:** 828-514-9191

Fax Number:

*** Email:** rick.oxford@wpcog.org

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 Program

* 12. Funding Opportunity Number:

14.239

* Title:

HOME-ARP Program

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:

FY 2021 HOME-ARP for the City of Lenoir, North Carolina

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="4,182,773.00"/>
* 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="4,182,773.00"/>

*** 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 - 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.


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 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).
6. Will comply with all Federal statutes relating to nondiscrimination. 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.
7. 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 or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with 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.

9. 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.
10. Will comply, if applicable, 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.
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).
12. 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.
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
	3-23-2023
APPLICANT ORGANIZATION	DATE SUBMITTED
CITY OF LEWIS	MAYOR

ASSURANCES - CONSTRUCTION PROGRAMS

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

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

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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.
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