



Date May 4, 2020

**PUBLIC HEARING FOR APPROVAL OF THE  
AMENDMENTS TO THE 2019 ACTION PLAN AND CITIZEN PARTICIPATION PLAN FOR  
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 2015-2019  
CONSOLIDATED PLAN**

**WHEREAS**, provisions under Chapter 24 of the Code of Federal Regulations (CFR), Section 91.105 require the City of Des Moines to adopt a Citizen Participation Plan that sets forth the jurisdiction's policies and procedures for citizen participation regarding development of the Consolidated Plan; and

**WHEREAS**, provisions under Chapter 24 CFR Section 91.220 regarding Annual Action Plans for the Consolidated Plan for HUD grant programs require the City to submit an annual action plan for the 2019 Program Year to the United States Department of Housing and Urban Development (HUD) no later than 45 days prior to start of the 2019 Consolidated Plan Program Year; and

**WHEREAS**, on March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which provides additional Community Development Block Grant (CDBG-CV) and Emergency Solutions Grant (ESG-CV) funding to prepare, prevent, and respond to coronavirus; and

**WHEREAS**, on April 2, 2020, HUD allocated the City of Des Moines \$2,231,212 in CDBG-CV and \$1,108,334 in ESG-CV funds for activities to respond to the public health crisis; and

**WHEREAS**, in accordance with 24 CFR 91.105 and 505, an entitlement jurisdiction receiving federal funding, such as the City of Des Moines, must amend its most recently approved Action Plan and Consolidated Plan to carry out an activity not previously described in the plans and provide citizens with a reasonable opportunity to comment on the original plans and proposed amendments; and

**WHEREAS**, HUD has issued several regulatory waivers and suspensions for federally funded programs, including Consolidated Plan and citizen participation requirements in 24 CFR 91, in conjunction with the CARES Act; and

**WHEREAS**, on April 13, 2020, HUD acknowledged the City of Des Moines' intent to waive 1.) the citizen participation 30-day public comment period for Consolidated Plan amendments to no less than five days and 2.) citizen participation reasonable notice and opportunity to comment in the city's citizen participation plan; and

**WHEREAS**, it is necessary, by public hearing following notice, to obtain the views of citizens regarding community development and housing needs and to provide a forum for citizen comment on the City's proposed 2019 Action Plan and Citizen Participation Plan amendments; and

**WHEREAS**, on April 20, 2020, by Roll Call No. 20-0617, the City Council set a public hearing for May 4, 2020 at 5:00 p.m. to obtain citizen comments regarding the amendments to the 2019 Annual Action and Citizen Participation Plan in compliance with the HUD regulations; and



Date May 4, 2020

**WHEREAS**, on April 27, 2020 at the special City Council meeting, agenda item 13 included discussion of uses for CDBG-CV and ESG-CV funding, in which \$446,242 of CDBG-CV funding was proposed for administration; \$750,000 of CDBG-CV was proposed for small business relief with \$500,000 matching from the City's general fund; \$684,970 of CDBG-CV was proposed for housing subsistence payments; and \$350,000 of CDBG-CV funding was proposed for emergency food distribution; and

**WHEREAS**, the City's Community Development Department and Office of Economic Development have proposed use of the City's above-listed CDBG-CV funds and matching funds to include, but not be limited to, financial assistance to private for-profit businesses to provide operating capital based upon demonstrated need in the form of grants of up to \$10,000.00, through use of an application program administered by or on behalf of the Greater Des Moines Partnership; and

**WHEREAS**, the Polk County Continuum of Care (CoC) recommends \$110,833 of ESG-CV funding for general administration; \$33,250 of ESG-CV funding for administration of the Homeless Management Information System (HMIS); \$20,000 of ESG-CV funding for Centralized Intake; \$472,250.50 of ESG-CV funding for Rapid Rehousing; \$330,487.85 of ESG-CV funding for Homelessness Prevention; and \$141,637.35 of ESG-CV funding for Emergency Shelter; and

**WHEREAS**, due notice of the public hearing was published in the Des Moines Register on April 25, 2020, and copies of the proposed amendments to the 2019 Annual Action Plan and Citizen Participation Plan were made available for public review on the City of Des Moines' web site, dsm.city, to provide citizens with the opportunity to participate in the hearing; and

**WHEREAS**, the public hearing on this date has been opened and those seeking to comment on the amendments to the 2019 Annual Action Plan and Citizen Participation Plan have been afforded the opportunity to do so; and

**WHEREAS**, HUD will forward the Grant Agreements for Community Development Block Grant (CDBG-CV) funds to prepare, prevent, and respond to coronavirus once the Annual Action Plan amendment has been received and approved.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Des Moines, Iowa, that:

1. All public comments regarding the amendments to the 2019 Action Plan and Citizen Participation Plan have been received and the hearing is hereby closed.
2. The aforementioned proposed amendments to budgets and activities to the 2019 Annual Action Plan and Citizen Participation Plan, on file with the City Clerk and by this reference made a part hereof, is hereby approved.
3. The City Manager or his designee is hereby authorized and directed to submit the amendment to the 2019 Annual Action Plan to the U.S. Department of Housing and Urban Development.
4. The Director of the Office of Economic Development is hereby authorized and directed to work with the Greater Des Moines Partnership for review and approval of the application form and process to be prepared for financial assistance to private for-profit businesses, as described above, and to submit agreements and/or policy statements to City Council for approval prior to City implementation and distribution of City CDBG-CV or matching funds.



Roll Call Number

Agenda Item Number

56

Date May 4, 2020

(Council Communication No. 20-189 )

MOVED BY \_\_\_\_\_ TO ADOPT.

APPROVED AS TO FORM:

Judy K. Parks-Kruse
Judy K. Parks-Kruse, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

# Summary of Amendments to the City of Des Moines 2019 Action Plan and Citizen Participation Plan

April 22, 2020

## Public Notice

In accordance with 24 CFR 91.05(c)(2) and subpart B of the federal regulations relative to citizen participation for Community Planning and Development Programs and applicable waivers made available to those requirements through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the City of Des Moines has developed amendments to the 2019 Action Plan and the Citizen Participation Plan for the 2015-2019 U.S. Department of Housing and Urban Development Consolidated Plan.

The proposed 2019 Action Plan and Citizen Participation Plan amendments are available for review on the city's website, [dsm.city](http://dsm.city), under the Consolidated Planning web page, and will remain available until the amendments are approved by the City Council, which is anticipated to be May 4, 2020.

The proposed 2019 Action Plan and Citizen Participation Plan amendments include the activities that will be allocated Community Development Block Grant (CDBG-CV) and Emergency Solutions Grant (ESG-CV) funding to prepare, prevent, and respond to coronavirus. On April 2, 2020, HUD allocated the City of Des Moines \$2,231,212 in CDBG-CV and \$1,108,334 in ESG-CV funds for activities to respond to the public health crisis.

The City Council of the City of Des Moines has determined that a Public Hearing shall be held on May 4, 2020, at 5:00 pm in the Second Floor Board Room in the Richard A. Clark Municipal Services Center at 1551 East Martin Luther King Jr. Parkway, Des Moines, Iowa and also held via teleconference for the purpose of obtaining citizen views on the proposed 2019 Action Plan and Citizen Participation Plan amendments.

Persons wishing to comment on the proposed amendments may state their views at this hearing in the teleconference application. Residents wishing to submit written comments during the public review and comment period may also mail them, postmarked no later than May 4, 2020, to the following:

City of Des Moines Community Development Department  
RE: 2019 Action Plan Amendment  
602 Robert D. Ray Drive  
Des Moines, IA 50309

Finally, citizens may email comments no later than May 4, 2020 to Lisa Crabbs at [lmcrabbs@dmgov.org](mailto:lmcrabbs@dmgov.org).

Once approved, the final 2019 Action Plan and Citizen Participation Plan amendments will be available at the City's Community Development Department, 602 Robert D. Ray Dr., Des Moines, Iowa.

Published in the Des Moines Register on or about April 25, 2020 by order of the City Council.

## 2019 Action Plan Amendments

### AP-15 Expected Resources

Current Narrative	Amended Narrative
<p>The City anticipates its federal resources will remain stable compared to past program years. The amounts are as follows:</p> <ul style="list-style-type: none"> <li>• CDBG = \$3,657,970</li> <li>• HOME = \$958,732</li> <li>• ESG = \$313,288.</li> </ul>	<p>The City anticipates its federal resources will remain stable compared to past program years. The amounts are as follows:</p> <ul style="list-style-type: none"> <li>• CDBG = \$3,657,970</li> <li>• CDBG-CV = \$2,231,212</li> <li>• HOME = \$958,732</li> <li>• ESG = \$313,288</li> <li>• ESG-CV = \$1,108,334.</li> </ul>

### AP-38 Project Summary

Under **Project 6, Neighborhood Revitalization Commercial Loan Fund**, the funding, activity description, and number of families benefitted will be updated to include CDBG-CV funds.

Current Narrative	Amended Narrative
<p><b>Funding</b> CDBG: \$75,000</p>	<p><b>Funding</b> CDBG: \$75,000 CDBG-CV: \$1,000,000</p>
<p><b>Description</b> The Neighborhood Revitalization Commercial Loan Fund is a program designed to promote economic development in neighborhoods targeted for reinvestment. Primarily, funds are either loaned or granted, depending on the applicant's eligibility, for facade improvements and rehabilitation to distressed commercial properties.</p>	<p><b>Description</b> The Neighborhood Revitalization Commercial Loan Fund is a program designed to promote economic development in neighborhoods targeted for reinvestment. Primarily, funds are either loaned or granted, depending on the applicant's eligibility, for facade improvements and rehabilitation to distressed commercial properties.</p> <p>With CDBG-CV funds, \$1,000,000 will be utilized for financial assistance to private for-profit businesses to provide operating capital. The form of assistance will be forgivable loans up to \$15,000.</p>
<p><b>Target Date</b> 12/31/2019</p>	<p><b>Target Date</b> 12/31/2020</p>
<p><b>Number of families that will benefit</b> Because the activity is supposed to create two new low- or moderate-income jobs, this activity should benefit two families.</p>	<p><b>Number of families that will benefit</b> Because the activity is supposed to create two new low- or moderate-income jobs, this activity should benefit two families.</p> <p>Regarding CDBG-CV funds, the small business relief fund is expected to assist more than 200 small businesses.</p>

Under **Project 7, IMPACT Community Action**, the funding, activity description, number of families benefitted, and planned activities will be updated to include CDBG-CV funds.

Current Narrative	Amended Narrative
<p><b><u>Funding</u></b> CDBG: \$150,000</p>	<p><b><u>Funding</u></b> CDBG: \$150,000 CDBG-CV: \$784,970</p>
<p><b><u>Description</u></b> IMPACT Community Action is a non-profit organization that works to eliminate poverty through empowering vulnerable populations, building collaborations, and advocating for social change. Staff assists low-income clients in accessing available services to make better use of their fixed income. Examples of services include housing subsidies, weatherization assistance, budget counseling, and food pantry assistance. IMPACT also provides emergency utility assistance to help clients maintain utilities as well as remain in their homes. The agency's comprehensive approach complements community wide efforts to meet needs not addressed by other human service providers in the City of Des Moines. IMPACT serves as an important safety net program by assisting families to meet their basic needs and thus allowing a sustainable focus on other developmental opportunities in their rise out of poverty. CDBG is utilized to maintain access to these vital services. The City will contribute \$150,000, and other funding resources are estimated at \$9.4 million.</p>	<p><b><u>Description</u></b> IMPACT Community Action is a non-profit organization that works to eliminate poverty through empowering vulnerable populations, building collaborations, and advocating for social change.... The City will contribute \$150,000, and other funding resources are estimated at \$9.4 million.</p> <p>In addition, IMPACT will received a portion of the city's CDBG-CV funds to pay on behalf of low-income households and families who have fallen behind on rent and mortgage payments as a result of COVID-19. Clients will apply to IMPACT and may receive up to three months of housing subsistence payments paid directly to their landlord or lender. Payments for mortgages may include taxes and insurance. Assistance per household will be determined by proof of housing costs with a cap determined by Fair Market Rent.</p>
<p><b><u>Target Date</u></b> 12/31/2019</p>	<p><b><u>Target Date</u></b> 12/31/2020</p>
<p><b><u>Number of families that will benefit</u></b> There will be 20,000 low- and moderate-income people who will benefit.</p>	<p><b><u>Number of families that will benefit</u></b> There will be 20,000 low- and moderate-income people who will benefit from IMPACT's operational funding.</p> <p>With the CDBG-CV funding toward subsistence payments, the city estimates between 250 and 300 households below 60% of area median income will be assisted.</p>
<p><b><u>Planned activities</u></b> CDBG will fund IMPACT's staff time and operations support. Through that support, counselors and case managers will be able to assist 20,000 low- and moderate-income</p>	<p><b><u>Planned activities</u></b> CDBG will fund IMPACT's staff time and operations support. Through that support, counselors and case managers will be able to assist 20,000 low- and moderate-income</p>

residents with energy, food, and resource assistance.

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The CDBG-CV funds will be for subsistence payments, or one-time or short-term (no more than three months) emergency payments on behalf of individuals or families, generally for the purpose of preventing homelessness. It will be limited to rent, mortgage, and escrow payments to prevent eviction or foreclosure.

## Citizen Participation Plan Amendments

Current Narrative and Page Number	Amended Narrative
<p><b>Title</b> Citizen Participation Plan as part of the City of Des Moines 2015-2015 Consolidated Plan</p>	<p><b>Title</b> Citizen Participation Plan as part of the City of Des Moines Consolidated Plan</p>
<p><b>Introduction</b> This plan outlines citizen participation and consultation efforts regarding the City of Des Moines' use of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) funds from the United States Department of Housing and Urban Development (HUD).</p>	<p><b>Introduction</b> This plan outlines citizen participation and consultation efforts regarding the City of Des Moines' use of Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) funds from the United States Department of Housing and Urban Development (HUD). It also includes information on condensed citizen participation during disaster response or public health emergencies, such as from the 2008 floods or 2020 COVID-19 response.</p>
<p><b>Publication and Public Hearings</b></p> <p><u>2017</u></p> <ul style="list-style-type: none"> <li>• August: Publish 2018 Action Plan for public comment</li> <li>• September: Public hearing for 2018 Action Plan</li> </ul> <p><u>2018</u></p> <ul style="list-style-type: none"> <li>• February: Publish 2017 CAPER for public comment</li> <li>• March: Public hearing for 2017 CAPER</li> <li>• September: <ul style="list-style-type: none"> <li>○ Publish 2019 Action Plan for public comment</li> <li>○ Publish AFH for public comment</li> </ul> </li> <li>• October: <ul style="list-style-type: none"> <li>○ Public hearing for 2019 Action Plan</li> <li>○ Public hearing for AFH</li> </ul> </li> </ul> <p><u>2019</u></p> <ul style="list-style-type: none"> <li>• February: Publish 2018 CAPER for public comment</li> <li>• March: Public hearing for 2018 CAPER</li> <li>• September: Publish 2020-2024 Consolidated Plan for public comment</li> </ul>	<p><b>Publication and Public Hearings</b></p> <p><i>Specific Consolidated Planning years were removed to be more general.</i></p> <p>Last quarter of the year preceding program year:</p> <ul style="list-style-type: none"> <li>• September: Publish Action Plan (and Consolidated Plan when applicable) for upcoming program year to gather public comment</li> <li>• November: Public hearing for Action Plan (and Consolidated Plan when applicable)</li> </ul> <p>First quarter after completion of program year:</p> <ul style="list-style-type: none"> <li>• February: Publish CAPER for public comment</li> <li>• March: Public hearing for CAPER</li> </ul>



<ul style="list-style-type: none"> <li>October: Public hearing for 2020-2024 Consolidated Plan</li> </ul>	
<p><b><u>Publication and Public Hearings (continued)</u></b>  The public hearings will be held at 5 PM at City Council meetings at the Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King, Jr. Pkwy. The Municipal Service Center has a ramp and elevator for the physically disabled.</p> <p>Drafts for public comment will be available at all the Des Moines Public Library locations, City Hall, the front desk of the community development department, and on-line at <a href="http://www.dmgov.org">www.dmgov.org</a>. Those wanting a mailed copy may also request a copy from the community development department at the address below. Any comments received will be attached to the final draft of the AFH or plans.</p>	<p><b><u>Publication and Public Hearings (continued)</u></b>  Public hearings will be held at 5 PM at City Council meetings at City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa 50309. City Hall has a ramp and elevator to accommodate those with physical disabilities.</p> <p>In cases where an alternative location is needed for City Council meetings--such as during presidentially declared disasters or emergency events to include terrorism and infectious diseases, such as the COVID-19 pandemic--public hearings may be held at the Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King, Jr. Pkwy., Des Moines, Iowa and by teleconference. Teleconference details will be published with the City Council agenda as needed.</p> <p>Drafts for public comment will be available, at the very least, at <a href="http://dsm.city">dsm.city</a> on the City's Consolidated Planning web page. When possible, staff will also provide drafts at all the Des Moines Public Library locations, City Hall, and at the community development department. Those wanting a mailed copy may also request a copy from the community development department at the address below. Any comments received will be attached to the final draft of the AFH or plans.</p>
<p><b><u>Amendments to the Citizen Participation Plan, AFH, or Consolidated Plan</u></b>  The citizen participation plan will be reviewed annually if public comments suggest changes or updates need to be made. Otherwise, the City does not anticipate substantially changing the plan except for updates that coordinate with the Consolidated Plan.</p> <p>If a substantial amendment is needed in either the participation plan, AFH, or Consolidated Plan, the City will follow federal regulations found in 24 CFR 91.505. The City of Des Moines will amend an approved plan whenever it makes one of the following decisions:</p>	<p><b><u>Amendments to the Citizen Participation Plan, AFH, or Consolidated Plan</u></b>  The citizen participation plan will be reviewed annually if public comments suggest changes or updates need to be made.... All amendments will be consistent with affirmatively further fair housing and the analysis and strategies of the AFH.</p> <p><b><u>Amendments in Response to Natural Disasters, Public Health Emergencies, or Other Unforeseen Large-Scale Emergencies</u></b>  In cases where an expedited amendment to an Action Plan or Consolidated Plan is needed--such as during presidentially declared disasters or</p>

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan; or
3. To change the purpose, scope, location, or beneficiaries of an activity.

If one of the above decisions are made, the City will solicit public input similarly to its process for action plans. A public hearing will be set, and notice will appear in the Des Moines Register. The public will have 30 days to comment in writing about the amendment. Once the public comment period and public hearing have closed, the amendment will either be accepted or denied by the City Council.

If the amendment is accepted by the public and City Council, it will be included in the plan. The City will also contact its local HUD representative in Omaha to complete the change. All amendments will be consistent with affirmatively further fair housing and the analysis and strategies of the AFH.

emergency events to include terrorism and infectious diseases, such as the COVID-19 pandemic—public notice and comment periods may be adjusted accordingly. In such cases, per HUD’s guidance and authorized timeframe, the City may waive the 30-day minimum for the required public comment period for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment. Similarly, the City may adjust what is constituted as reasonable notice and opportunity to comment given the circumstances of the public emergency.