

September 22, 2022

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of a HOME Investment Partnerships Grant award. Total value is \$1,133,026. Funding through the U.S. Department of Housing and Urban Development (HUD). County General Funds are not involved.**

<b>Purpose/Outcomes</b>	Approval of the annual HOME Grant Award.
<b>Dollar Amount and Fiscal Impact</b>	Approval of this grant award will enable the County to receive \$1,133,026 in HOME funds during the 2022 program year.
<b>Funding Source</b>	U.S. Department of Housing and Urban Development grant funds. No County General Funds are involved.
<b>Safety Impact</b>	N/A
<b>Duration</b>	Effective July 1, 2022 and terminates on June 30, 2026.
<b>Previous Board Action</b>	Board approved the application to HUD on June 23, 2022
<b>Strategic Plan Alignment</b>	1. Ensure safe, healthy and secure communities. 2. Build a strong infrastructure
<b>Counsel Review</b>	9/8/2022 Andrew Naylor
<b>Procurement Review</b>	1. Was the item processed through Procurement? yes <input type="checkbox"/> no <input checked="" type="checkbox"/> 2. If no, provide brief explanation: item is a grant.
<b>Contact Person</b>	Mark Sirois, Community Development Manager - (503) 351-7240
<b>Contract No.</b>	NA

**BACKGROUND:**

On May 17, 2022, HUD announced annual allocations for the CDBG, HOME and ESG programs for all of the United States including Clackamas County. The annual HOME Investment Partnerships (HOME) Grant provides funding for affordable housing projects, tenant based rental assistance and funding for community housing development organizations. Matching funds obligations for this grant are met with deferred property taxes on affordable housing projects.

The Board approved the HOME Grant application on June 23, 2022.

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners take the following actions:

- 1) Place the HOME grant award on the consent agenda for approval;

*Healthy Families. Strong Communities.*

2051 Kaen Road, Oregon City, OR 97045 • Phone (503) 650-5697 • Fax (503) 655-8677

[www.clackamas.us](http://www.clackamas.us)

2) After approval, sign the HOME grant award required for submittal to HUD.

Thank you.

Rodney Cook,  
Director

*Rodney A. Cook*

Attachments:

- HOME grant award
- HUD Transmittal Letter
- Financial Assistance Life Cycle form

# Funding Approval and HOME Investment Partnerships Agreement

Title II of the National Affordable Housing Act  
Assistance Listings#14.239 – HOME Investment Partnerships Program

1. Grantee Name (must match the name associated with 3b.) and Address Clackamas County 2051 Kaen Road Oregon City, OR 97045-4035		2. Grant Number (Federal Award Identification Number (FAIN)) M22-UC410201	
		3a. Tax Identification Number 936002286	3b. Unique Entity Identifier (formerly DUNS) NVWKAVB8JND6
		4. Appropriation Number 862/50205	5. Budget Period Start and End Date FY 2022 through FY 2030
6. Previous Obligation (Enter "0" for initial FY allocation)			\$0.00
a. Formula Funds		\$	
b. Community Housing Development Org. (CHDO) Competitive		\$	
7. Current Transaction (+ or -)			\$1,133,026.00
a. Formula Funds		\$1,133,026.00	
1. CHDO (For deobligations only)		\$	
2. Non- CHDO (For deobligations only)		\$	
b. CHDO Competitive Reallocation or Deobligation		\$	
8. Revised Obligation			\$
a. Formula Funds		\$	
b. CHDO Competitive Reallocation		\$	
9. Special Conditions (check applicable box)		10. Federal Award Date (HUD Official's Signature Date)	
<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Attached		09/06/2022	
11. Indirect Cost Rate*		12. Period of Performance	
<u>Administering Agency/Dept.</u>	<u>Indirect Cost Rate</u>	<u>Direct Cost Base</u>	Date in Box #10 - 09/01/2030
—	—%		* If funding assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E-Cost Principles, provide the name of the department/agency, its indirect cost rate (including if the de minimis rate is charged per 2 § CFR 200.414), and the direct cost base to which the rate will be applied. Do not include cost rates for subrecipients.
—	—%		
—	—%		
—	—%		

This Agreement between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of the HOME Investment Partnerships Act (42 U.S.C. 12701 et seq.). The Grantee's approved Consolidated Plan submission/Application, the HUD regulations at 24 CFR Part 92 (as is now in effect and as may be amended from time to time) and this HOME Investment Partnership Agreement, form HUD-40093, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Grantee upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Grantee's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to 24 CFR 92.502. To the extent authorized by HUD regulations at 24 CFR Part 92, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds invested in affordable housing under 24 CFR Part 92 are repayable when the housing no longer qualifies as affordable housing. Repayment shall be made as specified in 24 CFR Part 92. The Grantee agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR 92.352 and 24 CFR Part 58.

The Grantee must comply with the applicable requirements at 2 CFR part 200 that are incorporated by the program regulations, as may be amended from time to time. Where any previous or future amendments to 2 CFR part 200 replace or renumber sections of part 200 that are cited specifically in the program regulations, activities carried out under the grant after the effective date of the part 200 amendments will be governed by the 2 CFR part 200 requirements as replaced or renumbered by the part 200 amendments.

The Grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Universal Numbering System and System for Award Management (SAM) requirements in Appendix I to 2 CFR part 200, and the Federal Funding Accountability and Transparency Act (FFATA) in Appendix A to 2 CFR part 170.

The Period of Performance for the funding assistance shall begin on the date specified in item 12 and shall end on September 1<sup>st</sup> of the 5<sup>th</sup> fiscal year after the expiration of the period of availability for obligation. Funds remaining in the account will be cancelled and thereafter not available for obligation or expenditure for any purpose. Per 31 U.S.C. 1552. The grantee shall not incur any obligations to be paid with such assistance after the end of the Period of Performance.

13. For the U.S. Department of HUD (Name and Title of Authorized Official) Phillip McKeough, Acting CPD Director, Portland Field Office	14. Signature 	15. Date 09/06/2022
16. For the Grantee (Name and Title of Authorized Official) Tootie Smith, Chair	17. Signature _____	18. Date / /

19. Check one:  
 Initial Agreement                       Amendment #

20. Funding Information: **HOME**

Source of Funds	Appropriation Code	PAS Code	Amount
2022	86 2/5 0205	HMF (L)	\$1,128,513.00
2021	861/40205	HMF (J)	\$2,490.00
2020	860/30205	HMF (H)	\$1,033.00
2013	86 X 0205-13	HMC (0)	\$ 990.00



**U.S. Department of Housing and Urban Development**  
Region X, Portland Field Office  
Office of Community Planning and Development

1220 SW 3rd Avenue  
Suite 400  
Portland, OR 97204-2830  
(971) 222-2600  
FAX (971) 222-0357

September 6, 2022

Mark Sirois, Manager  
Clackamas County Health, Housing, and Human Services  
2051 Kaen Road, #245  
Oregon City, OR 97045-1284

**SUBJECT: Fiscal Year 2022 Grant Agreement Transmittal**

Dear Mr. Sirois:

The Portland Field Office would like to thank you for your continued partnership in providing quality affordable housing, a suitable living environment, and expanding economic opportunities for low-and moderate-income persons through HUD programs. On Thursday, June 10, 2021, the Department published an interim final rule with a request for comments, titled: *Requesting Affirmatively Furthering Fair Housing Definitions and Certifications* (86 Fed Reg 30779). The effective date for the interim rule is July 31, 2021, and you are encouraged to review the interim rule in developing your programs.

One Grant Agreement is attached for each program awarded as follows:

Community Development Block Grant Program (CDBG)	\$2,203,267
Recovery Housing Program	\$0
HOME Investment Partnerships (HOME)	\$1,133,026
Housing Opportunities for Persons with AIDS (HOPWA)	\$0
Emergency Solutions Grant (ESG)	\$192,180
Housing Trust Fund (HTF)	\$0
<b>Total FY 2022 Award</b>	<b>\$3,528,473</b>

Transmittal of a grant agreement does not constitute approval of the activities described in your Consolidated Plan. You are reminded that you, as grantee, are responsible for ensuring that all grant funds are used in accordance with all program requirements. An executed Grant Agreement is a legally binding agreement between the Department of Housing and Urban Development and your agency.

To establish a Line of Credit for Fiscal Year 2022 grant funds, it will be necessary for your agency to sign, execute and return one (1) copy of each Grant Agreement. If there is a need to add or remove individuals authorized to access the Integrated Disbursement Information System (IDIS), please submit an IDIS Online Access Request Form (HUD 27055), notarize, and return to this office. Additionally, if there is a need to establish or change the depository account

where these funds are to be wired, a Direct Deposit Sign-Up form (SF-1199A) must be completed by your financial institution and returned to this office with a copy of a voided check.

In accordance with the HOME regulations at 24 CFR 92.254(a)(5), a Participating Jurisdiction (PJ) must establish resale and/or recapture requirements that comply with the standards of the regulation. Furthermore, the resale and/or recapture requirements must be set forth in the PJ's Consolidated Plan. HUD must determine if the PJ's provisions comply with the requirements of the regulations and notify the PJ in writing of its determination.

HUD has reviewed your resale and/or recapture provisions and has determined that the provisions included in the Plan comply with the requirements at 24 CFR 92.254(a)(5).

You are reminded that certain activities are subject to the provisions of 24 CFR Part 58 (Environmental Review Procedures). Funds for such activities may not be obligated or expended until HUD has approved the release of funds in writing. A request for release of funds (RROF) must be accompanied by an environmental certification, and until the RROF is approved and notification is received, no HUD funds should be committed. If the project or activity is exempt per 24 CFR 58.34 or categorically excluded (except in extraordinary circumstances), no RROF is required.

On November 15, 2021, the Build America, Buy America Act (the Act) was enacted as part of the Infrastructure Investment and Jobs Act (IIJA). Pub. L. 117-58. The Act establishes a domestic content procurement preference, the BAP, for Federal programs that permit Federal financial assistance to be used for infrastructure projects. In Section 70912, the Act further defines a project to include "the construction, alteration, maintenance, or repair of infrastructure in the United States" and includes within the definition of infrastructure those items traditionally included along with buildings and real property. Starting May 14, 2022, new awards of Federal financial assistance from a program for infrastructure, and any of those funds obligated by the grantee, are covered under the Build America, Buy America (BABA) provisions of the Act, 41 U.S.C. 8301 note. While HUD currently has a waiver of the application of the BAP through HUD's Notice, "General Applicability Waiver of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (87 FR 26219), HUD will begin requiring compliance with BAP for all new funds obligated on or after November 14, 2022, unless covered by a subsequent waiver. Additional details on fulfilling the BABA requirements can be found at [https://www.hud.gov/program\\_offices/general\\_counsel/BABA](https://www.hud.gov/program_offices/general_counsel/BABA) and will be provided by HUD prior to the expiration of the waiver and full implementation of BABA.

Please execute two (2) copies of each Grant Agreement with electronic signature. In response to COVID-19, HUD authorizes you to electronically execute the grant agreement with your electronic signature. Return one (1) of each agreement to this office via email. Please ensure the Chief Elected Official and/or authorized designee electronically signs the CDBG grant agreement in the box directly across from the HUD CPD Director's signature. The CDBG Grant Agreement should **not** be electronically signed in box 12c. Maintain a copy of each agreement with your original signature on-site in your program files. Please note the special condition in your CDBG Funding Approval/Agreement.

For additional information and guidance on grant-based accounting, please refer to the HUD Exchange at: <https://www.hudexchange.info/manage-a-program/grant-based-accounting/>.

HUD congratulates Clackamas County on your grant award, and we look forward to assisting you in accomplishing your programs goals. If you have any questions or need further information of assistance, please contact Toni Strutz (CDBG and ESG) at 971-222-2618 or [Toni.N.Strutz@hud.gov](mailto:Toni.N.Strutz@hud.gov), or Murrianna Thomson (HOME) at 971-222-2621 or [Murrianna.K.Thomson@hud.gov](mailto:Murrianna.K.Thomson@hud.gov).

Sincerely,



Phillip McKeough, Acting Director  
Office of Community Planning &  
Development

Enclosures

# Financial Assistance Application Lifecycle Form

Use this form to track your potential grant from conception to submission.  
Sections of this form are designed to be completed in collaboration between department program and fiscal staff.

**\*\* CONCEPTION \*\***

*Note: The processes outlined in this form are not applicable to disaster recovery grants.*

## Section I: Funding Opportunity Information - To be completed by Requester

Lead Department: HEALTH HOUSING AND HUMAN SERVICES

Application for:  Subrecipient Assistance  Direct Assistance  
Grant Renewal?  Yes  No

**If renewal, complete sections 1, 2, & 4 only  
If Disaster or Emergency Relief Funding, EOC will need to approve prior to being sent to the BCC**

Name of Funding Opportunity: COMMUNITY DEVELOPMENT BLOCK GRANT

Funding Source: Federal  State  Local

Requestor Information (Name of staff person initiating form): MARK SIROIS

Requestor Contact Information: marksir@clackamas.us

Department Fiscal Representative: Adam Brown

Program Name or Number (please specify): CFDA 14.218 COMMUNITY DEVELOPMENT BLOCK GRANT COVID

Brief Description of Project:

The Department of Health, Housing and Human Services (H3S) to the impacts of this public health crisis, which includes increases in homelessness, unemployment, and food insecurity. The current plan for use of HOME partnership grant funds is as follows: staff expenses to administer the program, tenant based rental assistance and funding for 2-3 loans for affordable housing projects

Name of Funding Agency: U.S Department of Housing and Urban Development (HUD)

Agency's Web Address for funding agency Guidelines and Contact Information:

<https://www.hudexchange.info/programs/home/>

**OR**

Application Packet Attached:  Yes  No

Completed By: Mark Sirois Date \_\_\_\_\_

**\*\* NOW READY FOR SUBMISSION TO DEPARTMENT FISCAL REPRESENTATIVE \*\***

## Section II: Funding Opportunity Information - To be completed by Department Fiscal Rep

Competitive Application <input type="checkbox"/>	Non-Competing Application <input checked="" type="checkbox"/>	Other <input type="checkbox"/>
CFDA(s), if applicable: <u>CFDA 14.218</u>	Funding Agency Award Notification Date: _____	
Announcement Date: <u>May 17, 2022</u>	Announcement/Opportunity #: <u>NA</u>	
Grant Category/Title: <u>HOME Partnership Grant Program</u>	Max Award Value: <u>1,133,026</u>	
Allows Indirect/Rate: <u>yes</u>	Match Requirement: <u>None</u>	
Application Deadline: <u>NA</u>	Other Deadlines: <u>NA</u>	
Award Start Date: <u>When SF 424 signed by HUD or July 1, 2022</u>	Other Deadline Description: <u>NA</u>	
Award End Date: <u>9/30/2030</u>	Program Income Requirement: <u>None expected - Any program income goes back into CDBG activities</u>	
Completed By: <u>Mark Sirois</u>		
Pre-Application Meeting Schedule: <u>NA</u>		

**Section III: Funding Opportunity Information** - To be completed at Pre-Application Meeting by Dept Program and Fiscal Staff

**Mission/Purpose:**

1. How does the grant/funding opportunity support the Department and/or Division's Mission/Purpose/Goals?

The Department of Health, Housing and Human Services works with numerous low income and vulnerable populations throughout the county. These funds help provide services and build affordable housing projects in Clackamas County.

2. What, if any, are the community partners who might be better suited to perform this work?

The H3S Community Development Division will work with community partners and non profit housing developers to fund affordable housing projects.

3. What are the objectives of this funding opportunity? How will we meet these objectives?

The HOME grant funds may be used for services and affordable housing projects.

4. Does the grant/financial assistance fund an existing program? If yes, which program? If no, what is the purpose of the program?

Yes for program administration and monitoring of past loans. New affordable housing projects will be selected for funding.

**Organizational Capacity:**

1. Does the organization have adequate and qualified staff? If no, can staff be hired within the grant/financial assistance funding opportunity timeframe?

The Department H3S working with County numerous divisions and community organizations are adequately staffed to utilized these HOME funds as intended by HUD.

2. Are there partnership efforts required? If yes, who are we partnering with and what are their roles and responsibilities?

No partnerships are required however funding agreements and contracts will be established with non-profit organizations and community based organizations.

3. If this is a pilot project, what is the plan for sunseting the project and/or staff if it does not continue (e.g. making staff positions temporary or limited duration, etc.)?

Not a pilot project.

4. If funded, would this grant/financial assistance create a new program, does the department intend for the program to continue after initial funding is exhausted? If yes, how will the department ensure funding (e.g. request new funding during the budget process, supplanted by a different program, etc.)?

This is an annual allocation of funds to Clackamas County.

**Collaboration**

1. List County departments that will collaborate on this award, if any.

Department of Health, Housing and Human Services (several divisions) housing services.

**Reporting Requirements**

1. What are the program reporting requirements for this grant/funding opportunity?

The Community Development Division staff will coordinate reporting. Project setup in the HUD Database: Integrated Disbursement and Information System (IDIS), financial reporting and project accomplishment reports in IDIS.

2. How will performance be evaluated? Are we using existing data sources? If yes, what are they and where are they housed? If not, is it feasible to develop a data source within the grant timeframe?

Each activity funded will be tracked in the HUD Database: Integrated Disbursement and Information System (IDIS), financial reporting and project accomplishment reports in IDIS.

3. What are the fiscal reporting requirements for this funding?

Financial reporting will be completed in the HUD IDIS system. County Finance will provide information on expenditures.

**Fiscal**

1. Will we realize more benefit than this financial assistance will cost to administer?

Yes. County staff costs charged to this grant will increase the county's allocated costs revenue.

2. Are other revenue sources required? Have they already been secured?

No other revenues are required.

3. For applications with a match requirement, how much is required (in dollars), and what type of funding will be used to meet it (Cash-CGF, In-kind meaning the value from a 3rd party/non-county entity, Local Grant, etc.)?

Yes a 25% match requirement which we provide every year through the value of foregone property taxes on each of the past projects funded.

4. Does this grant/financial assistance cover indirect costs? If yes, is there a rate cap? If no, can additional funds be obtained to support indirect expenses and what are they?

Yes the grant does cover indirect costs through administration/staff costs

Program Approval:

**Mark Siros**

**5/18/2022**

**Mark Siros**

Digitally signed by Mark Siros  
DN: cn=Mark Siros, o=Clackamas County, ou=Community Development Division, email=marksi@clackamas.us, c=US  
Date: 2022.05.23 16:52:40 -07'00'

Name (Typed/Printed)

Date

Signature

**\*\* NOW READY FOR PROGRAM MANAGER SUBMISSION TO DIVISION DIRECTOR \*\***

**\*\*ATTACH ANY CERTIFICATIONS REQUIRED BY THE FUNDING AGENCY. COUNTY FINANCE OR ADMIN WILL SIGN.\*\***

**Section IV: Approvals**

<b>DIVISION DIRECTOR (or designee, if applicable)</b>		
Mark Sirois	5/18/2022	Mark Sirois
Name (Typed/Printed)	Date	Signature

Digitally signed by Mark Sirois  
 DN: cn=Mark Sirois, o=Clatsop County, ou=Community Development Division, email=marksiro@clatsop.kas.us, c=US  
 Date: 2022.05.18 17:25:43 -0700'

<b>DEPARTMENT DIRECTOR (or designee, if applicable)</b>		
Adam Brown	05/25/2022	Adam Brown
Name (Typed/Printed)	Date	Signature

Digitally signed by Adam Brown  
 Date: 2022.05.25 16:59:04 -0700'

<b>FINANCE GRANT MANAGER</b>		
Elizabeth Comfort, Finance Director	5.25.2022	Elizabeth Comfort
Name (Typed/Printed)	Date	Signature

Digitally signed by Elizabeth Comfort  
 Date: 2022.05.25 18:07:45 -0700'

<b>EOC COMMAND APPROVAL (DISASTER OR EMERGENCY RELIEF APPLICATIONS ONLY)</b>		
Name (Typed/Printed)	Date	Signature

**Section V: Board of County Commissioners/County Administration**

*(Required for all grant applications. If your grant is awarded, all grant **awards** must be approved by the Board on their weekly consent agenda regardless of amount per local budget law 294.338.)*

**For applications less than \$150,000:**

<b>COUNTY ADMINISTRATOR</b>	Approved: <input type="checkbox"/>	Denied: <input type="checkbox"/>
Name (Typed/Printed)	Date	Signature

**For applications greater than \$150,000 or which otherwise require BCC approval:**

BCC Agenda item #:

Date:

OR

Policy Session Date:

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County Administration Attestation

**County Administration: re-route to department contact when fully approved.  
 Department: keep original with your grant file.**