


1

# Welcome

We're glad you're here

**Oakland County Neighborhood & Housing Development Team**

Shane Bies, Manager  
Monique Guerrero, Chief Financial Officer & Deputy Manager  
Michael Pucher, Supervisor Contract Compliance  
Samantha Ferguson, Grant Compliance Coordinator  
Katie Tierney, Sr. Specialist – Environmental Officer  
Simone Craig, Assistant



2

# Welcome

## Housekeeping

Please use the Q & A area to ask questions of the presenters. The moderator will inform presenters/team of the questions.

## Attendance

Please enter your name, and community in the discussion/chat area.

If you called into the Webinar, please email [CDBG@oakgov.com](mailto:CDBG@oakgov.com) following the workshop to confirm your attendance.

## Reminders

Material for today's workshop will be made available on/by Friday October 21, 2022.

Please check your email for links to applications, forms, and maps.

Applications are DUE by 5pm on Friday December 23, 2022.

Applications MUST be submitted electronically at [CDBG@oakgov.com](mailto:CDBG@oakgov.com)



3

# Welcome

## Manager Announcements

Shane Bies, Manager

- Housing Trust Fund – Manager & Coordinator Positions (both part time)
  - [www.oakgov.com/jobs](http://www.oakgov.com/jobs)
- Legal Aid Assistance Program
  - Lakeshore Legal Aid - (888) 783-8190 - [oaklandhousing@lakeshorelegalaid.org](mailto:oaklandhousing@lakeshorelegalaid.org)
  - Legal Aid Defenders Association (248) 907-1427 [housing@ladadetroit.org](mailto:housing@ladadetroit.org)
  - Oakland Mediation Center (248) 338-4280 • ext. 227 [legalservices@mediation-omc.org](mailto:legalservices@mediation-omc.org)
- Unlocking Doors Oakland
  - Alliance for Housing [lmccall-alliance@oaklandhomeless.org](mailto:lmccall-alliance@oaklandhomeless.org)
  - [www.oaklandhomeless.org/landlord-resources](http://www.oaklandhomeless.org/landlord-resources)
- Michigan Homeowner Assistance Fund
  - [www.michigan.gov/mihaf](http://www.michigan.gov/mihaf)



4

## Budget & Funding Updates

- **PY 2022 Funding Update**
  - Subrecipient Agreements
- **PY 2023 Budget**
  - Participation Update (Spring 2023)



5



6

# PY 2023 CDBG Application

**Samantha Ferguson, Grant Compliance Coordinator**

- PY 2023 CDBG Application
  - PY 2023 Guide & Materials
  - Oakland County Program
  - Income Limits
  - Allocations
  - HUD/IDIS Matrix Codes
  - Eligible Projects
  - Program Rules
- Application Process
  - Instructions
  - Part 1-5



7

# PY 2023 CDBG Application

## **Application Materials (available online)**

- PY 2023 CDBG Application Guide
- Areawide Benefit Map
- Conflict of Interest Certification
- Environmental Review Record Forms



8

# Oakland County CDBG Program

## Entitlement Program Overview

- Oakland County is responsible to:
  - Execute community development program
  - Follow Consolidated Plan (PY 2021-2026)
  - Meet requirements of applicable laws
    - National Environmental Policy Act
    - Uniform Relocation Act
    - Fair Housing Act
    - Title VI of the Civil Rights Act of 1964
    - Sec. 504 of the Rehabilitation Act of 1973
    - Sec. 109 of Title I of HCDA of 1974
    - Americans with Disabilities Act of 1990

## Three-year Cooperation Agreement

## Annual Subrecipient Agreement

## Uniform Grant Guidance

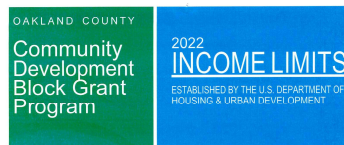


9

# Income Limits

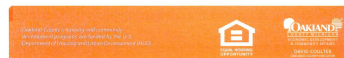
CDBG relies on HUD annual area median income (AMI) data to determine program eligibility

- Current income limits as of 06/15/2022
- Maximum levels based on household size
- Maximum income for household of 4 = \$71,600
- Subject to Change



Persons Per Household	Extremely Low-Income (30%)	Very Low-Income (50%)	Low-Income (80%)
1	\$10,000	\$31,300	\$60,150
2	\$21,500	\$35,800	\$67,300
3	\$24,200	\$40,300	\$64,450
4	\$26,850	\$44,750	\$71,200
5	\$29,000	\$48,350	\$77,350
6	\$31,150	\$51,950	\$83,100
7	\$33,300	\$55,500	\$88,800
8	\$35,450	\$59,100	\$94,550

Effective 6/15/22



10

## PY 2023 Planning Allocations

### Exact CDBG funding levels for PY 2023 are not available at this time

- Use amount on page 4 to complete application
- Once exact amounts are available necessary adjustments will be made

### Neighborhood & Housing Development Staff Contacts

- See Page 4 for contact information
- Monitor assignments, also on page 4 of the Workbook



11

## CDBG Matrix Codes

### CDBG Matrix Codes

- Acquisition And Disposition
- Public Facilities And Improvements
- Public Services
- Housing
- Other Projects (i.e. Economic Development, General Administration, and Other)



12

## PY 2023 Eligible Projects

### Project

- Program/Account #
- Eligible Uses
- Project Service Delivery Costs
- Notes i.e. Exception Criteria 45.16% (2020)
- Environmental Code
- HUD Matrix Code
- Authority
- National Objective
- Accomplishment Type
- Performance Objective
- Performance Outcome



13

## PY 2023 Program Rules

### 1. Minimum Allocation (Threshold)

- \$7,000
- Allocation Options
- 1 PS Project at 100% (\$7,000)
- 1 Non-PS Project at 100% (\$7,000)
- 2 Projects at \$3,500 each

### 2. Minimum Allocation (Non-Threshold)

- Formula allocation
- Allowed up to 4 CDBG projects per PY
- Minimum allocation per project = \$3,500

### 3. Public Service Cap (Non-Threshold)

- 30%



14

## PY 2023 Program Rules

4. **Multiple Agency Public Service Contracts**
  - PS contracts of same type not permitted
5. **Public Service Contract Duration**
  - PS contracts maximum 18 month duration
  - PS contracts start July 1st
6. **Project Service Delivery Costs (PSDC)**
  - Communities may be reimbursed for eligible PSDC
  - Costs related to delivery of eligible project services
7. **Ineligible Uses**
  - Maintenance of public facilities
  - Items that are not an integral structural fixture



15

## PY 2023 Program Rules

8. **Required Draws**
  - 1 draw every 9 months per activity from Letter to Spend date in IDIS
9. **Required Expenditures**
  - All funds per year per activity spent in 2 years from Letter to Spend date in IDIS
  - After 2 years unobligated funds will be evaluated for possible recapture
10. **Micro-Purchase**
  - Goods or services \$10,000 or less are considered a micro-purchase and no procurement is required.



16



## Application Process

1. Attend the Application Workshop
2. Determine Local Needs
3. Schedule Required Public Hearing
4. Advertise Public Hearing Notice
5. Host Public Hearing
6. Complete Application Materials
7. Prepare Citizen Participation
8. Submit Application

**RECORD  
RETENTION =  
4 YEARS**



17

## Application Instructions

**Applications MUST be completed and submitted as outlined.  
(NO EXCEPTIONS)**

- Applications must be completed electronically.
  - Use the provided PDF to complete the application
- Applications must be submitted electronically.
  - Submit applications as instructed to [CDBG@oakgov.com](mailto:CDBG@oakgov.com)
- Please provide detailed responses.
  - Required fields are outlined in red. N/A is an acceptable response.
- Attach ERR and Location and CT/BG Maps as needed



18

## Application Instructions

### Applications due by 5:00pm Friday December 23, 2022

(The County is closed for the Christmas Holiday, on Friday December 23)

- No exceptions to due date
- Applications received after Tuesday, December 27, will be considered late.
- Submit applications electronically (via email) to: **CDBG@oakgov.com**

**Please Do Not Include Unrelated Items**



19

## Application Instructions

**PY 2023 CDBG Application: Similar Look. Enhanced Functions.**

### Application includes:

- Part 1 - Checklist
- Part 2 – Applicant Information
- Part 3 - Project Type
- Part 4 - Project Overview
- Part 5 – Public Hearing/Citizen Participation



20

## PY 2023 Application

- [PY 2023 CDBG Application Packet](#)
  - Available on/by Friday, October 21, 2022
  - Application starts on Page 6
- **PY 2023 CDBG Application Highlights**
  - Autofill of Community Name/Allocation Amounts
  - Dropdown menus
  - And More...
- **Application Review**



21

## Public Hearing

**Participating communities required to advertise and conduct a Public Hearing** (see examples on Pages 132-134)

- **Option #1** allows for public hearing notice to appear in a newspaper of general local circulation at least **10 days before the hearing**
- **Option #2** allows for public hearing notice to appear in a posting at the community and on the community website at least 10 days before the hearing unless procedure violates local public hearing notice requirements
  - **Acceptable only if:**
    - The community has approved by ordinance/resolution the use of web posting for CDBG Public Hearings and has provided a copy of the ordinance/resolution to OCNHD at the time of application; and
    - This procedure does not violate local public hearing notice requirements



22

## Citizen Participation Rules

- HUD requires a public hearing in order to receive comments from the public regarding the CDBG application.
- Staff presentations and staff or elected official comments must occur before or after the CDBG public hearing.
- Comments from the public only must occur once the CDBG public hearing is open and before it is closed.

**Option 1:** Meeting Minutes

**Option 2:** Governing Body Resolution



23

## Submission Instructions

**You MUST complete the application electronically.**

**Save the ENTIRE Packet** (Filename Outline: CommunityName\_Project#)

- For communities submitting multiple projects once you complete and save the first project. Open the file and update project information, and "SAVE AS".

**Attach Required and Applicable documentation**

- Copy of current SAMS
- Applicable Environmental Review Requirement forms and documentation.
  - Filename Outline: CommunityName\_Project#ERR
- Notice of Public Hearing (Option 1 or 2)
- Public Hearing Minutes (Option 1 or 2)

**Submit ALL Application documentation via email to [CDBG@oakgov.com](mailto:CDBG@oakgov.com).**



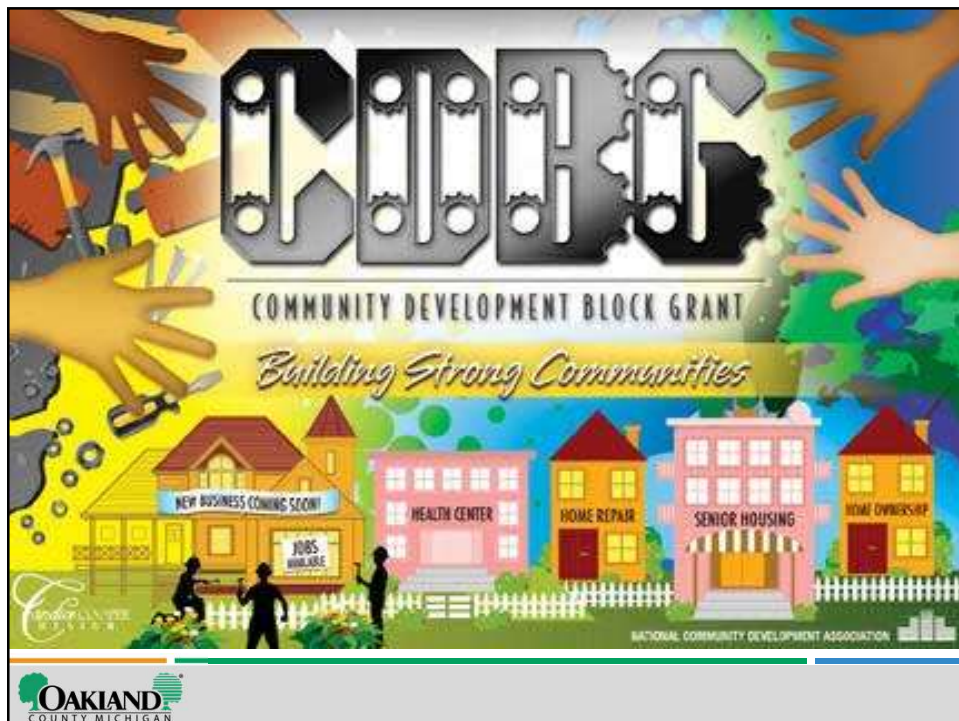
24

## PY 2022 CDBG Application

**Application Deadline  
5:00 p.m.  
December 23, 2023**



25



26

# Environmental Review Record

Katie Tierney, Senior Specialist – Environmental Officer



1

# Environmental Review Responsibilities

- The Office of Environment and Energy (OEE) manages the environmental review process for HUD
- During environmental review, a project is evaluated for potential environmental impacts to determine whether it meets federal, state and local environmental standards



2

## Environmental Review Responsibilities

- The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on residents and the surrounding community.



3

## Environmental Review NEPA

### **National Environmental Policy Act (NEPA)**

- Requires us to integrate environmental values into our decision making processes by considering the environmental impact of our proposed actions and reasonable alternatives to those actions.



4

# Environmental Review Outline

ENVIRONMENTAL REVIEW REQUIREMENTS
<b>PART 58 PROCEDURES</b> - For entities assuming HUD environmental responsibilities (24 CFR Part 58) Subpart D - Environmental Review Process: documentation, range of activities, project aggregation and classifications. For more information and assistance on CDBG requirements for the Environmental Review Record (ERR), contact Environmental Review at (248) 858-5309.
<b>SECTION 58.34 = EXEMPT ACTIVITIES</b> NO ENVIRONMENTAL REVIEW REQUIRED
Exempt activities may include: <ul style="list-style-type: none"><li>• Environmental Studies</li><li>• Information/Finance activities</li><li>• Code Enforcement</li><li>• Public Services without physical impact</li><li>• Engineering and design costs</li><li>• Technical Assistance</li></ul>
<b>SECTION 58.35 = CATEGORICAL EXCLUSIONS</b> STATUTORY CHECKLIST REQUIRED MAY BE SUBJECT TO SECTION 58.5 RELATED FEDERAL LAWS AND AUTHORITIES
Categorically Excluded activities may include: <ul style="list-style-type: none"><li>• Barrier Free Improvements</li><li>• Single Family Rehabilitation</li><li>• Acquisition/Improvements/Rehabilitation on public facilities without changes of greater than 20% (i.e. repaving streets with same material, reconstructing sewers, rebuilding curbs, replacing carpet, etc.)</li><li>• Acquisition/Disposition of land/existing structures</li></ul>
<b>SECTION 58.36 = ENVIRONMENTAL ASSESSMENTS</b> ENVIRONMENTAL ASSESSMENT REQUIRED NOT SUBJECT TO SECTION 58.5 RELATED FEDERAL LAWS AND AUTHORITIES
Environmentally Assessed activities may include: <ul style="list-style-type: none"><li>• New Construction</li><li>• Economic Development</li><li>• Acquisition/Improvements/Rehabilitation on public facilities with changes greater than 20%</li><li>• Homeownership Assistance</li></ul>
<b>SECTION 58.37 = ENVIRONMENTAL IMPACT STATEMENT DETERMINATIONS</b> MAJOR FEDERAL ACTION
<ul style="list-style-type: none"><li>• Required when the project is determined to have a potentially significant impact on the human environment.</li></ul>



5

# Environmental Review Requirements

## Environmental Review

- ☐ Required with the Annual Application
- ☐ Required with all reprogramming requests

## One Review Per Project

- ☒ If funded in multiple years (must submit each year)



6



## Project Description=Defining the Project

- Purpose of the proposed project
- Location
- Size of the parcel and buildings
- Benefits of and impact to the community
- Existing conditions
- Scope of work to be completed
- Number of homes or units (estimate if unknown)



7

## Project Description Example

- The rehabilitation of Trepanier Hall will include repairs to elevators, replacement of security doors and roof exit doors, the installations of an interior/exterior entry points security system, mechanical updates to the heat system, air recovery system, bathrooms and kitchen, the installation of new sprinkler heads, the replacement of old windows with newer, energy efficient windows, energy efficient LED lights installed throughout the building, covering old worn floors with new flooring, and the addition of wall partitions to better utilize space.



8

## Project Description Example

- To enhance neighborhoods by removing and replacing existing sidewalk that does not comply with current City safety standards. The sidewalks in noncompliant status create difficult and/or dangerous conditions for pedestrians.

Concrete flags will be identified for removal and replaced with new concrete sidewalks to proper grade and eliminate trip hazards. The concrete removed shall be disposed of in a manner consistent with all federal, state and local laws and regulations.

Due to the nature of the proposed sidewalk improvement processes of removing and replacing existing concrete sidewalks, there will be no adverse impact on the environment.

The City had in the specs but not in the ERR there were many locations for tree root removal in addition to sidewalk replacement which would have a need for more invasive foundation groundwork. SHPO and THPO would have needed to have been contacted.



9

## Tree/Bush Removal – Ground Disturbance Endangered Species

- We are trying to stay away from any habitat disturbance at this time.
- If a tree needs to be taken down, you must contact our office beforehand and we may need to come out and see it.
- Pictures have to be taken for the file.
- If the work is being done on an already manicured lawn, that is fine, we just need pictures and document the file stating just that.
- Depending on what we find, professional consultation may be needed.
  
- New iPac system being used with the Fish & Wildlife Service now with endangered species which may trigger a higher level of review.
- Ground disturbing activities may trigger THPO consultation.



10

## SHPO/Section 106 THPOs

- New guidance on Minor/Mobile Home repair SHPO/Section 106
  - Previous exemption form is now obsolete
- A memo will be sent to the CVTs who provide this service to their constituents
- Memo states any rehabilitation work done must be sent to SHPO for evaluation before the work can be done
  - Allow 30 days for SHPO to respond
- Any significant ground disturbance, THPOs will need to be contacted (this is done by the County)
  - I will send you a copy of the letter, a signed letter must be put in each file
  - Must allow 30 days for THPOs to respond
- Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulation, 24 CFR Parts 50 and 58; Issued February 8, 2016



11

## ERR – Exempt: Listed in 24 CFR 58.34(a)

### Projects that do not effect environment

(must submit form & maps for each project)

- Code Enforcement
- Technical Assistance
- Public Services (no physical impact)
- Environmental & other planning studies
- Strategic Plans
- Engineering or Design Costs
- Purchase of tools & insurance



12

## Statutory Checklist

- Airport – Must include map(s)
  - The City of Berkley is not located within 15,000 feet of a military airport or 3,000 feet of a commercial airport. The nearest airport is Troy airport, and it is approximately 3 miles away. The project does not involve the sale or acquisition of developed property.
- Coastal Barriers – Must include map
  - This project is not located in a CBRS Unit. Therefore, this project has no potential to impact a CBRS Unit and is in compliance with the Coastal Barrier Resources Act. There are no Coastal Barriers in Oakland County.
- Flood Insurance –
  - The project does not involve mortgage insurance, refinance, acquisition, repairs, rehabilitation, or construction of a structure, mobile home, or insurable personal property and does not require flood insurance. Flood plains will not affect this project.



13

## ERR - Categorically Excluded Subject To: 24 CFR 58.35(a)

### Minimal Effect on Environment

- Acquisition
- Remove Architectural Barriers
- Rehabilitation w/out changes of >20%
- Surface with same material w/out changes of >20%

### Statutory Checklist Required

### Maps and Documentation



14



15

## ERR - Environmentally Assessed

**Non Exempt or Categorically Excluded Projects must complete a Full EA – Majority of projects do not fall in this category**

- May have an effect on the environment
- Residential buildings when density is increased over 4 units or when land use changed
- Water
- Sewer
- Sidewalks
- Major Rehabilitation
- Most new construction, reconstruction, or demolition
- Whenever no exclusion applies

**Statutory Checklist Required**

**Maps and Documentation**



16



17

## ERR - Source Documentation

Use Federal, State, local oversight agency or recognized authoritative sources and verifiable documentation

- **Verifiable:** City/county land use plans, FEMA maps, zoning maps, USGS top maps, historic registers, aerial photos, EPA, Noise Analysis, grading plans, asbestos surveys, wetland delineations, etc.
- **Relevant:** Field observations, photos, interviews, printed materials, letters, emails, phone logs, reports, studies, etc.
- **Do not use the words none, not applicable (N/A) etc.**

18

## Credible Websites

- EPA NEPAssist – Look for toxic and hazardous locations  
<https://nepassisttool.epa.gov/nepassist/nepamap.aspx>
- HUD Exchange – Related Federal Laws & Authorities  
<https://www.hudexchange.info/programs/environmental-review/federal-related-laws-and-authorities/>
- Endangered Species – Habitat Disturbance  
<https://ipac.ecosphere.fws.gov/>
- SHPO/Section 106  
<https://www.mipace.org/historic-preservation/programs-and-services/cultural-resource-management-and-planning/>
- WISER Training - <https://www.hudexchange.info/trainings/wiser/>  
Must have a HUD login to complete the WISER training



19

## Environmental Review Record

### Bidding and construction of a project

- May not begin nor funds obligated or expended until the ERR process has been completed and approved - OCNHD will not reimburse

### ERR will vary in length and content

- Depending upon the level of review required for the activity



20



## Environmental Review Record

**ERR is written evidence “administrative record” of review-decision making-action**

- One per project
- Reviewable to public/HUD/OCNHD
- Contains evaluations, proper HUD forms, findings, decisions, documentation, maps, resources, notices, permits and approvals
- Your proof of procedural compliance with Federal and State environmental laws and your defense against any environmental challenges
- File with application or reprogramming



21

## Environmental Review Record

**Person(s) completing ERR does not need to be a technical expert - should be credible in case it becomes necessary to defend the ERR and level of clearance**

- Certifying Officer is Highest Elected Official or board resolution designee at your community
- OCNHD Environmental Officer/ Approver is Katie Tierney



22



# Contract Compliance

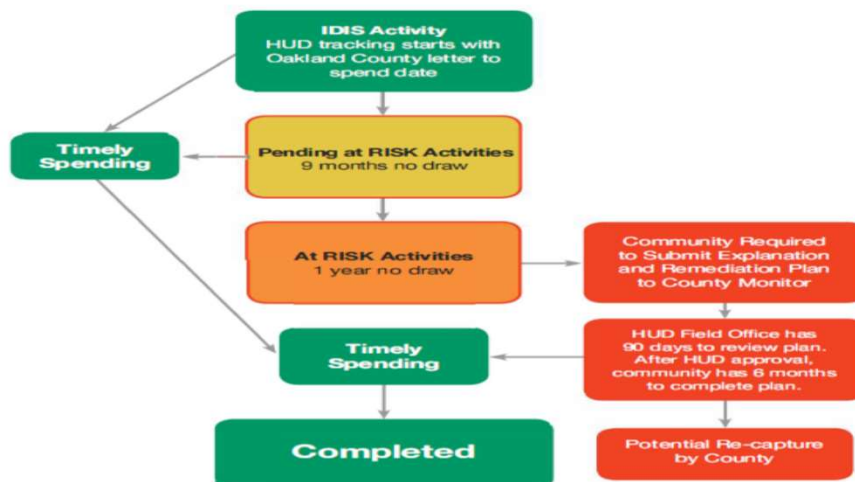
Mike Pucher, Supervisor Contract Compliance

- Spending Performance
- Environmental / SHPO / THPO
- SAM Registration / Debarment
- Equal Opportunity



1

## HUD Spending Performance



2

## Spending Performance

- ☐ More detail on contractor invoices.
- ☐ Don't say "services rendered" or "per specifications"
- ☐ DBA – Count starts over every July 1 or when account is expended.
- ☐ DBA – Minor home repair = head of household = 1
  
- ☐ No financial reports any time soon?



3

## Environmental Requirements

- New - More detailed environmental reporting
- Additional SHPO / THPO requirements
- Endangered Species
- Demolition -new form for submittal



4

# SHPO Requirements

## HISTORIC PRESERVATION

### WHAT:

MI SHPO and THPO consultation, any project that includes rehabilitation level work or demolition should complete consultation prior to beginning work. It does not need to be 50 years old to have historical significance as it could have significance via other means than age (related to a specific famous/significant person, act, etc).

HUD Notice CPD-16-02 Guidance for Categorizing an Activity as Maintenance for Compliance with HUD Environmental Regulation, 24 CFR Parts 50 and 58; Issued February 8, 2016

SHPO = State Historic Preservation Office • THPO = Tribal Historic Preservation Office  
ACHP = Advisory Council on Historic Preservation • SOI = Secretary of the Interior



5

# SHPO Requirements

## HISTORIC PRESERVATION

### WHO:

The use of a professional historical archaeologist/architect/etc. is not required by the ACHP or HUD for submission to the state SHPO.

**HOWEVER**, The submittal to the SHPO must be of professional level though. The ACHP has provided the following: "The Section 106 regulations do not require submissions to be completed by historic preservation professionals who meet the SOI Professional Qualification Standards. This requirement is not stated in the regulations. "What is required is that the submission itself must meet professional standards; i.e. the Section 106 regulations and related guidance. Documentation must be complete and sufficient to justify the final finding of effect. The SHPO can send back insufficient submittals but should not be rejecting them based upon not have a "professional" prepare them.

SHPO = State Historic Preservation Office • THPO = Tribal Historic Preservation Office  
ACHP = Advisory Council on Historic Preservation • SOI = Secretary of the Interior



6

## Environmental Requirements

Rehab vs. Maintenance – see HUD notice CPD-16-02

Endangered Species

Ground Disturbance  
Habitat Destruction  
Tree Removal

Ipac – Fish & Wildlife Services

There is also a new demolition submittal form online.

<http://www.mi.gov/shposection106>



7

## SAM Registration


<https://sam.gov/content/home>

- **Pre-Federal Award Requirements**
- Must have correct unique entity ID to receive federal award
- All municipalities must register in SAM
- **SAM registration due with CDBG application**



8

×




You have reached SAM.gov, an official website of the U.S. government. There is no cost to use this site.

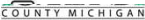
## The unique entity identifier used in SAM.gov has changed.

On **April 4, 2022**, the unique entity identifier used across the federal government changed from the DUNS Number to the Unique Entity ID (generated by SAM.gov).

- The Unique Entity ID is a 12-character alphanumeric ID assigned to an entity by SAM.gov.
- As part of this transition, the DUNS Number has been removed from SAM.gov.
- Entity registration, searching, and data entry in SAM.gov now require use of the new Unique Entity ID.
- Existing registered entities can find their Unique Entity ID by following the steps [here](#).
- New entities can get their Unique Entity ID at SAM.gov and, if required, complete an entity registration.

 **I manage an entity. What do I need to do?**

For more information about this transition, visit [SAM.gov](https://sam.gov) or the Federal Service Desk, [FSD.gov](https://fsd.gov). You can search for help at FSD any time or request help from an FSD agent Monday–Friday 8 a.m. to 8 p.m. ET.




9

## SAM Registration

---

- Contract Compliance Unit will log SAM registrations based on CDBG application submitted
- When HUD grant agreements are received Contract Compliance will check debarment status
- If a municipality has an expired SAM registration, Contract Compliance will request an update
- Current SAM required before CDBG award
- Role of Oakland County Fiscal Services



10

## SAM Debarment Check

### Subpart C - Debarment Verification

- All contractors must be checked for debarment **PRIOR** to award of contract using Federal Funds
- SAM = System for Award Management  
<https://www.sam.gov/content/home>



11

## SAM Debarment

<https://sam.gov/content/home>

Start @ Home Page  
Select – “Search”  
Select “All Domains” - “Entity Information” – “Exclusions”  
Input “Contractor name”  
Hit “Enter”  
You should see “No matches found” - Print this page

Note: If a contractor with a similar name comes up – print that page to reference this isn’t your contractor.

If you have an Account - Go to “Entity Information” sign in  
Search “exclusions”

Note: there is a video tutorial



12

## Equal Opportunity

**ALL ADVERTISEMENTS** - Equal Opportunity Programs/ Activities

**HOUSING PROGRAMS -**

**ADVERTISEMENT FOR BIDS -**

This municipality is an equal opportunity employer, businesses owned by women or minorities are strongly encouraged to bid.

[advantageoakland/resources/Documents/chi\\_ADVERTISEMENT\\_SAMPLE.pdf](http://advantageoakland/resources/Documents/chi_ADVERTISEMENT_SAMPLE.pdf)

