2023 HUD ACTION PLAN

City of Fargo, North Dakota

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

JUNE 2023

OMB Control No: 2506-0117 (exp. 09/30/2021)

PLANNING & LEADERSHIP

2023 HUD ACTION PLAN

Plan Development

Nicole Crutchfield, Planning Director

Tia Braseth, Planning Coordinator

Kristi Sylskar, Senior Planner

Jasmine Markusen, Assistant Planner

Catlyn Christie, Assistant Planner

Sydney Quinlan, Assistant Planner

City Commission

Dr. Tim Mahoney, Mayor

Arlette Preston, Deputy Mayor

Dave Piepkorn, Commissioner

John Strand, Commissioner

Denise Kolpack, Commissioner

Respectfully submitted to the citizens of Fargo, ND and to the:

U.S. Department of Housing and Urban Development

Denver Field Office, Region VIII

Office of Community Planning and Development

1670 Broadway

Denver, CO 80202

Submitted by:

City of Fargo

Planning & Development

225 4th Street N

Fargo, ND 58102

Prepared by:

Community Development Division

Planning & Development

City of Fargo

Approved by City Commission:

June 12, 2023

OMB Control No: 2506-0117 (exp. 09/30/2021)

Contents

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b) 6

PR-05 Lead & Responsible Agencies – 91.200(b) 11

AP-10 Consultation – 91.100, 91.200(b), 91.215(l) 12

AP-12 Participation – 91.105, 91.200(c) 22

AP-15 Expected Resources – 91.220(c) (1, 2) 28

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e) 33

AP-35 Projects – 91.220(d) 36

AP-38 Projects Summary 38

AP-50 Geographic Distribution – 91.220(f) 44

AP-55 Affordable Housing – 91.220(g) 45

AP-60 Public Housing – 91.220(h) 47

AP-65 Homeless and Other Special Needs Activities – 91.220(i) 49

AP-75 Barriers to affordable housing – 91.220(j) 52

AP-85 Other Actions – 91.220(k) 54

AP-90 Program Specific Requirements – 91.220(l)(1,2,4) 59

Attachments 62

City of Fargo 2023 Annual Action Plan Citizen Participation Comments and Process 63

Community Development 2023 Notice of Funding Opportunity Mailing List 65

City of Fargo 2023 Notice of Funding Opportunity (NOFO) for CDBG and HOME Funds 74

I. Overview 84

II. Funding Opportunity Description 84

A.Program Description & Purpose 84

B.Award Information 84

C.Eligibility Information 85

OMB Control No: 2506-0117 (exp. 09/30/2021)

D.Project Types 85

III. Applicant and Submission Information 87

VI. Review Criteria & Selection Process 88

IV. Award Administration Information 88

V. Schedule 88

Public Notice for 2023 Action Plan Public Input Meeting and NOFO 98

Attendance for 2023 Action Plan Public Input Meeting 101

Notice for 2023 Community Development Action Plan 104

City of Fargo 2023 Annual Action Plan Grantee Unique Appendices 120

City of Fargo Resale/Recapture Policy 121

Grantee SF-424's, SF-424D's, and Certifications 137

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

As a recipient of federal funds through the U.S. Department of Housing and Urban Development (HUD), the City of Fargo is identified as a Community Development Block Grant (CDBG) Entitlement community and a HOME Participating Jurisdiction (PJ). HUD funds are administered through the Planning & Development Department and approved in accordance with the City's Citizen Participation Plan, which requires public input, consultations, and final approval by the Fargo City Commission. In order to meet the goals and objectives outlined in the 5-Year Consolidated Plan (2020-2024), an action plan is developed annually. During the 2023 program year (May 1, 2023 to April 30, 2024), the City will use HUD funds to provide decent, fair, and affordable housing for low-to-moderate income renters and homebuyers; to assist in the acquisition of land for affordable multifamily housing development; to provide operational support; and to make neighborhood improvements by eliminating slum and blight conditions in some of the core neighborhoods of Fargo.

This 2023 Annual Action Plan addresses the following topics related to the use of HUD funds:

- Source of Funds, including expected grant and program income receipts
- Specific Consolidated Plan Objectives met by 2023 activities
- Summary of 2023 budget and programmatic expenditure limits
- Description of projects included in 2023 budget
- Geographic distribution of the projects
- A summary of special considerations, including discussion on the topics of homeless and other special populations, public housing, poverty reduction strategies, lead paint hazards, minority concentrations, underserved needs, removal of barriers to affordable housing, partnerships, and efforts to further fair housing
- Local plans for monitoring sub-recipients and HUD-funded activities in general
- All of the anticipated HOME funds will benefit low/mod households and an estimated 68 percent of 2023 Community Development Block Grant (CDBG) funds will provide a low/mod benefit.

OMB Control No: 2506-0117 (exp. 09/30/2021)

SUMMARY FY2023 Community Development Budget – proposed		
	CDBG	**HOME**
Planning, Administration and Fair Housing		
1. CDBG Planning and Administration	155,000	
2. HOME Planning and Administration		54,000
3. High Plains Fair Housing Center	5,000	
4. Contingency	16,037.38	10,880.39
Public Service Projects		
5. Downtown Engagement Center Operations	125,000	
Capital/Neighborhood Improvements		
6. Core Neighborhood Deteriorated Structure Removal	255,000	
Housing		
7. Affordable Single-Family Housing for Ownership		550,000
8. Acquisition for Affordable Multi-Family Rental Housing Development	150,000	
9. CHDO Housing Project		100,000
10. Core Neighborhood Affordable Housing Development	135,000	
Total Budgeted	**$841,037.38**	**$714,880.39**

OMB Control No: 2506-0117 (exp. 09/30/2021)

2. Summarize the objectives and outcomes identified in the Plan

The City of Fargo intends to focus its 2023 Action Plan efforts on the following goals that are identified in the 2020-2024 Five-Year Consolidated Plan.

1. **Affordable Housing** –homebuyer housing for low-to-moderate income households. The project will add approximately three new homebuyer units within the City's core neighborhoods as infill projects. It will also assist in acquisition of land for the construction of affordable housing units.
2. **Ending and Preventing Homelessness** –operations of the existing Downtown Engagement Center, which serves people who are experiencing homelessness or are at risk of homelessness (i.e., wrap-around services, harm reduction, crisis response). People will be assisted with finding housing, maintaining housing, healthcare, life skills, therapy, etc.
3. **Neighborhood Improvements and Initiatives** –eliminate slum and blight conditions in core neighborhoods, with future focus on affordable housing development

3. Evaluation of past performance

Coronavirus (COVID-19) pandemic response has significantly impacted the timeline and progress of the current Consolidated Plan (2020-2024). The City received more than three times its normal HUD funding amount and even more with non-HUD CARES Act funds and other sources of relief and response dollars, most of which were prioritized first due to fewer restrictions. Additionally, priorities have changed over the course of the pandemic and there will be amendments to the Consolidated Plan in order to align with community needs. A majority of funding is focused on housing, homelessness, and neighborhood and/or public facilities improvement projects.

The following is a summary of HUD-funded accomplishments realized or currently underway within the current Consolidated Plan (2020-2024), including CDBG-CV (one time COVID funding) funded activities.

Housing-Related Accomplishments/Activities

- Fair housing operational support through the High Plains Fair Housing Center
- Elliott Place senior multifamily rental project, leased up
- The Milton Earl senior multifamily rental project, under construction
- HomeField 3 senior multifamily rental project, leased up
- Habitat for Humanity 2 builds completed, 1 in progress, 1 with planning underway
- Cass Clay Community Land Trust 2 builds in progress
- Core Neighborhood Affordable Housing Development, acquisition complete, planning for request for proposals underway

Past Homelessness-Related Accomplishments/Activities

- Emergency Subsistence Payments/Homeless Prevention & Diversion, SouthEastern North Dakota Community Action Agency (SENDCAA) and Presentation Partners in Housing (includes CDBG-CV)
- Housing Navigators for Gladys Ray Shelter, Presentation Partners in Housing (includes CDBG-CV)
- Eviction Prevention with High Plains Fair Housing Center, legal assistance (includes CDBG-CV)

- Gladys Ray Shelter rehabilitation, Gladys Ray Shelter operational support, and partitioned bunk beds for improved barriers at Gladys Ray Shelter (includes CDBG-CV)
- Homeless Health Mobile Clinic (CDBG-CV)
- Operational support for Fargo Moorhead Coalition to End Homelessness

Neighborhood-Related Accomplishments/Activities

- Blight removal/hazardous property clearance at 916 5th Ave S, potential future site of affordable housing for Cass Clay Community Land Trust
- Madison Neighborhood bike trails and sidewalk improvements, to increase accessibility and connectivity within a low-to-moderate area neighborhood (Madison)

Assistance for Vulnerable Populations-Related Accomplishments/Activities

- Rehabilitation of Faith4Hope After School Matters Center, which offers programming to serve low-to-moderate income households, several of who are members of the BIPOC community

4. Summary of Citizen Participation Process and consultation process

The City of Fargo values citizen engagement and participation as an essential element of identifying community development needs, assessing the effectiveness of ongoing housing and community development programs, developing housing and community development priorities, and proposing strategies and actions for affirmatively furthering fair housing. The involvement and participation of residents, business owners, public agencies, and stakeholders is actively sought through various forums to provide multiple opportunities for the collaboration and strategic planning necessary to establish the framework of the City's priorities and goals related to housing and community development. Participation by low- and moderate-income persons, residents of blighted areas, residents of predominantly low- and moderate-income neighborhoods, minority populations, non-English speaking persons, and persons with disabilities is especially encouraged.

The City of Fargo provides the public with reasonable and timely access to information and records relating to housing and community development plans and programs and the use of housing and community development funds. Information is distributed to persons and organizations with an interest in housing and community development through direct mail, social media, public meetings, newsletters, City's website, brochures, and news media. There is open access to all public meetings and Fargo City Hall, which is serviced by public transit, is fully accessible and can accommodate persons with disabilities. Alternative formats of information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of qualified sign language interpreters, documents in Braille, and interpretation and translation services are made upon request to ensure meaningful, equal access to participate in the City's programs, services, and activities. The Community Development Division maintains a database which is made up of over a hundred organizations representing these groups and individuals. Upon notification that a significant number of non-English speaking persons are interested in participating in a community development meeting, contacts will be made to obtain translation and interpretation assistance. All news releases and City of Fargo website announcement postings are made available to the public in 133 languages.

A February 22, 2023 publication in *The Forum*, news release, and website posting announced Fargo's Notice of Funding Opportunity (NOFO) Request for Proposals for program year 2023 Community Development Block Grant (CDBG) and HOME programs. The announcement was also distributed to Community Development Committee members and other interested parties. As publicized through news media contacts and online announcements, a public meeting was held on March 10, 2023 to provide further opportunity for public input on Fargo's greatest community needs. The following is a summary of top priorities that were identified during the meeting as they relate to homelessness and housing community development needs, as well as non-homeless and non-housing community development needs:

- More affordable housing opportunities
- More homeowner opportunities, specifically for large and multi-generational families
- Continued need for rehabilitation of homes
- Emergency rental assistance
- Supportive services, including, but not limited to: staffing supports; homeless prevention/diversion supports; housing stabilization; case management; navigators; and fair housing/mediation
- Affordable childcare and activities for youth
- Capital improvement funding

Notification of the draft Action Plan was published on May 10, 2023 in *The Forum* newspaper, distributed to persons interested in housing and community development and the news media, and posted on the City's website (www.FargoND.gov). The notice explains the contents and purposes of the plan, locations of where it is available for review, and how to obtain a copy. The City also provides a reasonable number of free copies of the Action Plan to citizens or groups as requested. A 30-day comment period from March 31 through April 29, 2022 gave citizens, public agencies, and interested parties an opportunity to provide input on the proposed Plan. The Action Plan was presented at a public hearing on May 30, 2023 to the Fargo City Commission, at which time the Commission reviewed and considered all comments received during the public comment period and at the public hearing. Final consideration and approval was completed at the June 12, 2023 City Commission meeting. See next section for summary of public comments received.

5. Summary of public comments

No comments on the 2023 Annual Action Plan were received from the 30-day public comment period, which was from May 11, 2023 through June 9, 2023.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments are accepted and considered in the development of the 20232 Action Plan for Housing and Community Development.

7. Summary

See AP-05 Executive Summary.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	City of FARGO	Community Development Division
HOME Administrator	City of FARGO	Community Development Division

Table 1 – Responsible Agencies

Narrative (optional)

A five-member City Commission governs the City of Fargo. All of the commissioners are elected at large and serve four-year terms. Consolidated plans, annual action plans, and substantial amendments to these documents are distributed to various City boards and commissions and interested members of the public. All budgetary decisions are made final at the City Commission level.

The Department of Planning and Development is the lead agency in the implementation of the City of Fargo's community development program. The above public entities work in cooperation with various non-profit, public, and private entities to further the goals of Decent Housing, a Suitable Living Environment, and Expanded Economic Opportunity.

Action Plan Public Contact Information

City of Fargo
Department of Planning & Development
225 4th Street North
Fargo, ND 58102
701-241-1474 Phone
701-241-1526 Fax
Planning@FargoND.gov
www.FargoND.gov

OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

For the development of this Action Plan, the City of Fargo followed its Citizen Participation Plan. Information outlining the plan development process was distributed throughout the community and posted on the City's website (www.fargond.gov). Several needs were identified through a mixed method approach including meetings, phone calls, and emails with community members and organizations, a formal Notice of Funding Opportunity (NOFO) Request for Proposals (RFP) process, and public meetings to hear about the needs of the community.

Notice of the Action Plan schedule, activities, and budget was published in *The Forum* newspaper, shared with news media, posted on the City's website, and distributed to people who have elected to be on a City housing and community development mailing list. The notice included locations of where the plan was available for review and how to obtain a copy. The City also offered to provide a reasonable number of free copies of the Action Plan to citizens or groups by request. A news release linked the plan and public notice. Viewers were able to read the release in multiple languages and were offered an interpreter to translate and explain the plan and notice. The plan was made available for public review and comment during the 30-day public comment period running from May 11 through June 9, 2023 and a public hearing on May 30, 2023. Final City Commission consideration and approval was on June 12, 2023.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City of Fargo works closely with the Fargo Housing and Redevelopment Authority (FHRA), the City's Public Housing Authority (PHA). The City also has ongoing relationships with housing providers working on housing development activities (CHDOs and non-CHDOs). Through support and engagement in the ND Continuum of Care process, the local FM Homeless Coalition, and other supportive housing collaborations, the City maintains relationships with mental health providers, homeless shelter and service providers, housing developers and housing entities, and other governmental agencies with specific responsibilities to assist homeless and low-income individuals and families. The City also connects these agencies with each other to boost collaboration within the community and develop better solutions. In addition, the City participates in a variety of other informal coalitions that seek to address issues that relate to housing and service needs. Most of the City's partners are listed in Table 2 of this section. The City and many of the organizations listed often work together to identify gaps and solve local housing problems.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

OMB Control No: 2506-0117 (exp. 09/30/2021)

City staff works actively with the North Dakota Continuum of Care and local homeless coalition through the City's Department of Planning and Development, Public Health's Gladys Ray Emergency Shelter, Harm Reduction, and Downtown Engagement Center, and local nonprofit housing, shelter and support partners. Staff participates in regularly scheduled meetings with the CoC and local homeless coalition, and non-CoC point-in-time surveys when conducted (i.e., Everyone Counts, Wilder Study) in partnership with the CoC. The City also provides administrative and general fund support to supplement Continuum of Care initiatives in Fargo and the State of North Dakota.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

A majority of the consultation with the CoC occurs through the City's Public Health Department, in particular the Gladys Ray Shelter (emergency homeless shelter) and its Harm Reduction staff. City staff at the Gladys Ray Shelter participate in multiple weekly and monthly meetings with other area shelters, homeless and housing service providers, the CoC, and FM Homeless Coalition. They discuss how best to allocate ESG funds as a community and whether or not to collaborate on the use of ESG funds for specific activities. Planning staff also attends the monthly FM Homeless Coalition meetings and was attending more pointed meetings during the height of the pandemic. Additionally, the City continues to work with non-City operated area shelters to address homelessness at this time, which includes how to use ESG funds. The City's Gladys Ray Shelter focuses on the procedures for the operation and administration of HMIS, as well as other HUD-funded entities in the jurisdiction. Planning staff does not interface with HMIS or policies and procedures, although it has provided some assistance (during the pandemic) to coordinate and develop procedures, and address the lack of an overall city-wide/service-wide plan or strategy to end homelessness, specifically among emergency shelters and homeless service providers.

In addition, the City is represented on and attends meetings of the ND Governor's Interagency Council on Homelessness, which works to address homelessness challenges and track and report progress toward addressing them.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

OMB Control No: 2506-0117 (exp. 09/30/2021)

Table 2 – Agencies, groups, organizations who participated

1	**Agency/Group/Organization**	FARGO HOUSING AND REDEVELOPMENT AUTHORITY
	Agency/Group/Organization Type	Housing PHA Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to learn about specific housing needs and populations most in need of quality affordable housing; to partner on understanding housing-related issues and developing housing solutions together
2	**Agency/Group/Organization**	YWCA CASS CLAY
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to continue building relationship between City and homeless service provider; to better understand the needs of women and children fleeing domestic violence in this community; to create a safer community and assist in providing safe places for women and children experiencing violence

OMB Control No: 2506-0117 (exp. 09/30/2021)

3	**Agency/Group/Organization**	UNITED WAY OF CASS CLAY
	Agency/Group/Organization Type	Local Service Funder Foundation
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand the needs of local non-profits assisting persons who are homeless or at risk of homelessness
4	**Agency/Group/Organization**	CITY OF FARGO PUBLIC HEALTH DEPARTMENT- GLADYS RAY SHELTER, HARM REDUCTION CENTER, DOWNTOWN ENGAGEMENT CENTER
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to build departmental relationship; to understand the needs of people who are experiencing homelessness; to problem solve together to identify solutions to help end and prevent homelessness; provide a safe shelter option for those who are homeless
5	**Agency/Group/Organization**	BEYOND SHELTER, INC.
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis

OMB Control No: 2506-0117 (exp. 09/30/2021)

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand housing needs; to develop complex housing solutions together; to assist in developing quality affordable housing for Fargo residents.
6	**Agency/Group/Organization**	NEW LIFE CENTER
	Agency/Group/Organization Type	Services - Homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand the needs of the homeless population served by New Life Center; to problem solve together where relevant
7	**Agency/Group/Organization**	SOUTHEASTERN NORTH DAKOTA COMMUNITY ACTION AGENCY
	Agency/Group/Organization Type	Services – Housing Services - Children
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand the needs of SENDCAA and their clients; to end and prevent homelessness; to problem solve together where relevant
8	**Agency/Group/Organization**	ADMINISTRATION PLANNING & DEVELOPMENT CITY OF FARGO

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Agency/Group/Organization Type	Other Government - Local
	What section of the Plan was addressed by Consultation?	Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to improve departmental relationships and knowledge of community development needs
9	**Agency/Group/Organization**	FARGO PUBLIC SCHOOLS
	Agency/Group/Organization Type	Services – Education Services - Children
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Anti-Poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Virtual Public Input Meeting; Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to grow relationship; to better understand educational needs of Fargo's youth; to better understand the needs of homeless youth
10	**Agency/Group/Organization**	LAKE AGASSIZ HABITAT FOR HUMANITY
	Agency/Group/Organization Type	Services – Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to maintain and grow relationship; to better understand the needs of low to moderate income households wanting to become homeowners; to build homes together
	Agency/Group/Organization	CASS CLAY COMMUNITY LAND TRUST (CCCLT)

OMB Control No: 2506-0117 (exp. 09/30/2021)

11	**Agency/Group/Organization Type**	Services – Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Virtual Public Input Meeting; Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to maintain and grow relationship; to better understand the needs of low to moderate income households wanting to become homeowners; to build homes together
12	**Agency/Group/Organization**	PRESENTATION PARTNERS IN HOUSING
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Virtual Public Input Meeting; Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand the needs of PPiH and their clients; to end and prevent homelessness; to problem solve together where relevant
13	**Agency/Group/Organization**	GREAT PLAINS FOOD BANK
	Agency/Group/Organization Type	Services - Children Services – Elderly Persons Services – Homeless
	What section of the Plan was addressed by Consultation?	Non-Housing Community Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Periodic Communication Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand food needs of people in poverty
	Agency/Group/Organization	FAITH4HOPE

OMB Control No: 2506-0117 (exp. 09/30/2021)

14	**Agency/Group/Organization Type**	Services – Children Services – Education
	What section of the Plan was addressed by Consultation?	Market Analysis Non-Housing Community Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand the needs of the BIPOC community and the needs of low-income households/individuals
15	**Agency/Group/Organization**	REBUILDING TOGETHER
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Virtual Public Input Meeting; Email Outreach Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand housing needs
16	**Agency/Group/Organization**	WOMEN INITIATIVE NETWORK OF LIBERIA IN FARGO, ND (WIN-LIBERIA)
	Agency/Group/Organization Type	Services - Housing Services - Children Services – Education
	What section of the Plan was addressed by Consultation?	Market Analysis Non-Housing Community Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Virtual Public Input Meeting; Email Outreach Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand the employment needs of and barriers for New Americans in the workforce, as well as housing, education and childcare needs

OMB Control No: 2506-0117 (exp. 09/30/2021)

17	**Agency/Group/Organization**	NEIGHBORHOOD CHURCH AND COMMUNITY CENTER (MADISON NEIGHBORHOOD)
	Agency/Group/Organization Type	Services – Neighborhood Public Engagement
	What section of the Plan was addressed by Consultation?	Neighborhood Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Virtual Public Input Meeting; Email Outreach Anticipated outcome/areas or areas for improved coordination: to build relationship; to identify needs within the Madison/Unicorn Park neighborhood to problem solve together where relevant

Identify any Agency Types not consulted and provide rationale for not consulting

The City compiled an extensive list of agencies and organizations, and did not deliberately omit any from the process. Some agencies did not respond to the City's outreach process.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	North Dakota Coalition for Homeless Persons	Coordinate homeless housing and support programs in the State of North Dakota
Core Neighborhood Plan	Fargo Dept. of Planning & Development	Improve future planning within core neighborhoods of Fargo, many of which are low to moderate income areas or LMAs.
GO2030 Comprehensive Plan	Fargo Dept. of Planning & Development	Strengthen neighborhoods, improve efficiency, upgrade infrastructure, and provide more housing solutions
2020 State of Homelessness Report	FM Homeless Coalition	Assess conditions and determine needs of those experiencing homelessness

OMB Control No: 2506-0117 (exp. 09/30/2021)

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Statewide Housing Needs Assessment	North Dakota Housing Finance Agency	Highlights the need for more housing for seniors and low-income households.
ND Statewide Housing Needs Assessment	ND Housing Finance Agency	Improve affordable housing options

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

The City works with various state agencies, including the North Dakota Department of Commerce and Housing Finance Agency, to support affordable housing and community development activities. These partnerships are intended to help invest in housing, enhance physical and social infrastructure, support quality-of-life, and encourage public-private housing partnerships. This coordination brings much needed capital to the local housing stock. Funding through the federal Low-Income Housing Tax Credits, the National Housing Trust Fund, and the ND Housing Incentive Fund are used to supplement HOME and private equity financing in projects.

The City of Fargo coordinates with the Fargo-Moorhead Metropolitan Council of Governments (Metro COG) to develop long-range transportation solutions for the area. The City works to ensure that the regional transportation system provides access to jobs, education, business, and services.

OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

Stakeholder participation is important to the City in identifying community development needs, assessing the effectiveness of ongoing housing and community development programs, and developing community development priorities. It is important to use all available methods to determine community development needs, assess effectiveness of existing programs, and develop community development plans. The City of Fargo obtains citizen input through meetings with people, consultation with housing and service providers, and adjacent units of local government in an effort to better ascertain Fargo's community development needs. The City encourages and seeks participation from all citizens and emphasizes the involvement of low and moderate-income persons, residents of blighted areas, residents of predominantly low- and moderate-income neighborhoods, minority populations, non-English speaking/limited English proficiency persons, and persons with disabilities. Many of the organizations working with these populations received plan development information and the Notice of Funding Opportunity. See attachment for a list of these organizations and which ones predominately serve racial/ethnic minorities, non-English speaking persons, persons with disabilities, and protected classes that are historically discriminated against.

Prior to the solicitation and selection of the 2023 community development projects, staff met with representatives of area municipalities, local governments, community-based organizations, and service and housing-related agencies. A citywide public input meeting was held on to inform the public about the CDBG and HOME programs and 5-Year goals, timelines, community development assets and needs, types of projects eligible for funding, and the process for selecting projects. The low-moderate income population in Fargo is not in one concentrated area. For that reason, the public input meeting was held virtually and the public hearing was held at City Hall, which is accessible to people with disabilities. Alternative formats of the information or reasonable accommodations for persons with disabilities or limited English proficiency, including the availability of interpretation and translation services were available upon request through the Planning and Development Department. Auxiliary aids or other services were also offered upon request to hearing or sight-impaired residents to enable full participation in the citizen participation process.

A February 22, 2023 publication in *The Forum,* news release (available in 133 languages), emails to interested parties, and website posting announced Fargo's Notice of Funding Opportunity (NOFO) Request for Proposals for program year 2023 Community Development Block Grant (CDBG) and HOME programs. Proposals were due on March 17, 2023.

OMB Control No: 2506-0117 (exp. 09/30/2021)

Community Development staff gathered input in the months leading up to submission of the plan. The Consultation section lists organizations that have been in contact with the City regarding 2023 HUD funding, as well as those who provided input at the March 10, 2023 virtual public input meeting. Notice of this meeting was publicized through news media contacts, emails, and online announcements to provide further opportunity for public input on Fargo's greatest community needs.

Announcement of the City of Fargo's 2023 Annual Action Plan was published as a public notice in *The Forum*, emailed to persons interested in housing and community development, and publicized through a media release and the City's website (www.FargoND.gov) on May 10, 2023. The notice explains the contents and purposes of the plan, locations of where it is available for review, and how to obtain a copy. Public notices on the City's website are accessible for translation into over 130 languages. The Annual Action Plan was available during the public comment period on the City's website, and was also distributed to area libraries and Fargo Housing and Redevelopment Authority for viewing. The City provides a reasonable number of free copies of the plan to citizens or groups as requested.

No comments were received on the proposed plan during the 30-day public comment period, which was from May 11 to June 9, 2023. On May 30, 2023, the City Commission held a public hearing on the proposed Plan. On June 12, 2023, at which time the Commission reviewed and considered all comments received during the public comment period and at the public hearing, Fargo City Commission approved the 2023 Annual Community Development Action Plan and directed submittal of the plan to HUD.

The citizen participation outreach process for the 2023 Action Plan was added to the chart below.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-targeted/broad community	On February 22, 2023, a notice was published in *The Fargo Forum* announcing a virtual public input meeting for housing and homeless community development needs, as well as non-housing and non-homeless community development needs, for the 2023 Action Plan. A two-week notice was provided.	N/A	N/A	

OMB Control No: 2506-0117 (exp. 09/30/2021)

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Meeting	Non-targeted/broad community	On March 10, 2023, a virtual meeting was held to provide opportunity for public input on priorities related to homeless and housing community development needs, as well as non-housing and non-homeless community development needs. This was an open meeting and the public was notified.	More affordable housing opportunities; homeowner opportunities (specifically for large and multi-generational families); the continued need for rehabilitation of homes; emergency rental assistance; supportive services, including, but not limited to: staffing supports, homeless prevention/diversion supports, housing stabilization, case management, navigators, and fair housing/mediation; affordable childcare and activities for youth; and capital improvement funding were expressed as priority needs.	All comments were considered in the prioritization of needs process.	

OMB Control No: 2506-0117 (exp. 09/30/2021)

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Newspaper Ad	Non-targeted/broad community	On May 10, 2023, a notice was published in *The Fargo Forum* seeking comment on the 2023 Action Plan. May 11, 2023 was the first day of the 30-day comment period.	N/A	N/A	
4	News Release	Non-targeted/broad community	On May 10, 2023, a news release was distributed to media contacts.	N/A	N/A	
5	Internet Outreach	Non-targeted/broad community	On May 10, 2023, a City of Fargo website posting announced the 2023 Action Plan public comment period.	N/A	N/A	
6	E-mail	Non-targeted/broad community	May 10, 2023, the Community Development Committee members and interested parties were e-mailed information for review and comment of the 2022 Action Plan.	No comments received.	N/A	

OMB Control No: 2506-0117 (exp. 09/30/2021)

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
7	Public Hearing	Non-targeted/broad community	On May 30, 2023 the Fargo City Commission held a public hearing to review the draft 2023 Action Plan for the City of Fargo (on regular agenda). This is an open meeting and the public was notified.	No public comments received.	N/A	
8	Public Meeting	Non-targeted/broad community	On June 12, 2023, the City Commission met for final consideration and approval of the 2023 Action Plan (on consent agenda).	No public comments received.	N/A	

Table 4 – Citizen Participation Outreach

OMB Control No: 2506-0117 (exp. 09/30/2021)

Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

In the past, the City has combined its federal CDBG and HOME allocations with funding from other public and private sector sources to address priority needs. In addition, many non-profit and for-profit organizations in the community apply for other federal, state, and foundation grants. Although the nature and amount of such funding is unknown at this time, the City fully intends to meet the challenges addressed in the 5-year Consolidated Plan and meet increased demand and local community development needs. The City of Fargo anticipates a total of $1,555,917.77 in combined resources to address priority needs for the 2023 program year. This amount is comprised of actual CDBG and HOME award amounts, prior year resources, and program income estimates.

OMB Control No: 2506-0117 (exp. 09/30/2021)

Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
CDBG	public - federal	Acquisition Admin and Planning, & Fair Housing Housing Multifamily Rental New Construction Public Improvements Public Services	840,957	0	80.38	841,037.38	730,240.63	The City of Fargo is in its fourth year of its 2020-2024 Consolidated Plan. Expected resources have been allocated for 2023 activities. Unanticipated program income may result in a substantial amendment to amend activities and budgets in accordance with Fargo's Citizen Participation Plan. To match actual 2023 allocation amounts and any increase in program income, funding will be applied to affordable housing projects if needed or the contingency line item if less than $5,000. Any unused funds will be reallocated in an amendment or the following year's action plan, either of which require a 30-day public comment period. Because these funding sources are subject to annual Congressional appropriations and potential changes in funding distribution formulas, the expected amount available for the remainder of the Con Plan, which includes program income estimations, is subject to change with availability of funding.

OMB Control No: 2506-0117 (exp. 09/30/2021)

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: $	Program Income: $	Prior Year Resources: $	Total: $		
HOME	public - federal	Acquisition Admin and Planning Housing Multifamily Rental New Construction	549,768	59,664.50	105,447.89	714,880.39	958,039.05	The City of Fargo is in its fourth year of its 2020-2024 Consolidated Plan. Expected resources have been allocated for 2023 activities. To match actual 2023 allocation amounts, funding will be applied to affordable housing projects if needed or the contingency line item if less than $5,000. Any unused funds will be reallocated in an amendment or the following year's action plan, either of which require a 30-day public comment period. Because these funding sources are subject to annual Congressional appropriations and potential changes in funding distribution formulas, the expected amount available for the remainder of the Con Plan, which includes program income estimations, is subject to change with availability of funding.

Table 5 - Expected Resources – Priority Table

OMB Control No: 2506-0117 (exp. 09/30/2021)

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Through its partnerships with its subrecipients and developers, the City combines its federal entitlement allocations with funding from other public and private sector sources to address its priority needs.

Upon becoming a HOME Participating Jurisdiction, the City of Fargo became responsible for documenting appropriate match in conjunction with receiving HOME funds. For the 2020-2024 Consolidated Plan, $100,000/year in matching fund liability is anticipated. For 2023, the sources of match may include local payments in lieu of taxes. The City also anticipates $50,000/year in HOME program income and no CDBG program income.

Additional funding that is expected to be available includes the public housing capital fund, housing vouchers, and state resources including those from the ND Housing Finance Agency, tax credits and incentives, and PILOT and Capital Bonds.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City will consider the use of publicly-owned land or other property located within the jurisdiction for the construction of affordable housing for low-to-moderate income households, public green or park space, and community centers/public facilities.

In February of 2023, the City utilized Community Development Block Grant (CDBG) funds and American Rescue Plan Act (ARPA) funds to purchase two adjacent parcels located at 802 32 Street North and 3129 7 Avenue North in Fargo. In later months, neighborhood outreach will occur and a Request for Proposals for affordable housing development will be brought to City Commission for issuance. In addition, the City acquired a vacant, residential, single-family lot located at 1714 5 Avenue South through a tax forfeiture in February 2023. This lot will be the location of a HOME-funded project, in partnership with Lake Agassiz Habitat for Humanity, for new construction of affordable, single-family

OMB Control No: 2506-0117 (exp. 09/30/2021)

housing.

Discussion

In 2023, the City will use CDBG and HOME in partnerships to leverage private, state and local funds to address goals and strategies outlined in Fargo's Consolidated Plan. The City will also continue to identify strategies to be used for a variety of activities with respect to affordable housing and community development.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing	2020	2024	Affordable Housing	City Wide	Housing Needs	CDBG: $285,000 HOME: $650,000	Homeowner Housing Added: 5 Household Housing Units (2 CDBG and 3 HOME) Rental units constructed: 41 Household Housing Units (40 CDBG and 1 HOME)
2	Ending and Preventing Homelessness	2020	2024	Homeless	City Wide	Homeless and Special Needs	CDBG: $125,000	Public service activities other than Low/Moderate Income Housing Benefit: 150 Persons Assisted
3	Neighborhood Improvements and Initiatives	2022	2024	Non-Housing Community Development	City Wide	Non-Housing Community Development Needs	CDBG: $255,000	Buildings Demolished: 4 Buildings

Table 6 – Goals Summary

Goal Descriptions

OMB Control No: 2506-0117 (exp. 09/30/2021)

1	**Goal Name**	Affordable Housing
	Goal Description	**Affordable Housing** – Create and maintain affordable housing options and increase homeownership in Fargo • Work with local partners to create new housing and/or rehabilitate existing affordable housing throughout the community, including the preservation and replacement of the existing subsidized housing (i.e., activities may include acquisition, rehabilitation, and/or new construction) • Increase public awareness of affordability concerns and the needs of at-risk populations • Increase homeownership rates for minority populations
2	**Goal Name**	Ending and Preventing Homelessness
	Goal Description	**Ending and Preventing Homelessness** – Participate in collaborative efforts to reduce and prevent homelessness in the community • Support a continuum of housing and emergency solutions for Fargo's population facing homelessness
3	**Goal Name**	Neighborhood Improvements and Initiatives
	Goal Description	**Neighborhood Improvements and Initiatives** – Ensure that all Fargo neighborhoods are neighborhoods of choice • Eliminate blighted/hazardous structures and properties in deteriorated condition, including those under the City's abatement/code enforcement authority when the owner has not complied • Foster the establishment of strong neighborhoods through the implementation of revitalization efforts

Table 7 – Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

The City of Fargo is proposing an allocation of $150,000 in CDBG funds for acquisition of land for multifamily rental development. In addition, $100,000 in HOME 'set aside' funds will be utilized for the HOME CHDO project. It is anticipated a total of 40 rental units will be constructed (with 1 unit being a HOME unit). The City anticipates units to be rented to individuals who qualify under HOME as extremely low-income, low-

OMB Control No: 2506-0117 (exp. 09/30/2021)

income, and moderate-income.

Also, $135,000 in CDBG funds will go towards a budget increase for the 2022 Core Neighborhood Affordable Housing Development project. It is estimated at least two households will be provided with affordable housing from this increase (in addition to the five households already noted under the 2022 Action Plan, for a total of seven households under the 2022 Core Neighborhood Affordable Housing Development project).

Lastly, the City of Fargo is proposing $550,000 in HOME funds for “Affordable Single-Family Housing for Ownership.” It is anticipated that at least three households, with incomes at or below 80% of the area median income, will be provided with affordable, owner-occupied housing.

At least 46 low-to-moderate income households will be provided with affordable housing through the 2023 Action Plan.

AP-35 Projects – 91.220(d)

Introduction

The City of Fargo is a Community Development Block Grant (CDBG) entitlement community and a HOME participating jurisdiction. This Action Plan will address the following topics related to the use of CDBG and HOME funds in the City of Fargo in the 2023 program year (May 1, 2023 to April 30, 2024).

- Source of Funds, including expected grant and program income receipts
- Specific Consolidated Plan Objectives met by 2023 activities
- Summary of 2023 budget and programmatic expenditure limits
- Description of projects included in 2023 budget
- Geographic distribution of the projects
- A summary of special considerations, including discussion on the topics of homeless and other special populations, public housing, poverty reduction strategies, lead paint hazards, minority concentrations, underserved needs, removal of barriers to affordable housing, partnerships, and efforts to further fair housing.
- Local plans for monitoring sub-recipients and HUD-funded activities in general
- All of the anticipated 2023 HOME funds will benefit low/mod households and, an estimated 68 percent of 2023 Community Development Block Grant (CDBG) funds will provide a low/mod benefit. The majority of activities address the HUD objective of safe, affordable, and decent housing. The following table summarizes the distribution of Fargo's FY2023 projects by HUD Performance Measure System.

#	Project Name
1	CDBG Planning and Administration
2	HOME Planning and Administration
3	Downtown Engagement Center Operations
4	Core Neighborhood Deteriorated Structure Removal
5	Affordable Single-Family Housing for Ownership
6	Acquisition for Multi-Family Rental Development
7	Community Housing Development Organization (CHDO) Project
8	Core Neighborhood Affordable Housing Development
9	Contingency

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The 2023 Action Plan projects focus on housing, homelessness, and neighborhood goals. CDBG funds will be used for projects related to elimination of deteriorated structures and blighted conditions in core neighborhoods, public services for homeless engagement operations, acquisition for future construction

of affordable housing, fair housing, and a budget increase for the 2022 Core Neighborhood Affordable Housing Development project. HOME-funded projects will include the addition of single-family housing to be occupied by low-to-moderate income homebuyers and affordable multi-family rental housing. Allocation priorities are a result of citizen participation and outreach as described in the Consultation and Participation sections of this plan.

Obstacles to addressing underserved needs related to affordable housing creation and slum and blight removal will most likely be issues tied to the construction industry, such as supply and materials availability, contractor availability and interest in bidding on laborious HUD-funded projects, labor availability, and cost increases. These issues will most likely impact project timelines, budgets, and potentially the “bottom line” for the subsidy. Such issues have the potential to delay a project and in cases of higher than normal construction costs, terminate a project entirely.

Obstacles to addressing underserved needs related to providing homeless services will be issues related to worker shortage and/or burnout. Many service providers are finding it difficult to keep and/or find staff, especially when the work is related to homelessness, mental health, and poverty. Workers are “burning out” due to the mental demands of the job, the chronic crisis that clients are in, the long hours, the low pay, and the under-appreciation experienced by professionals in these fields. In some cases, workers are struggling with mental health challenges themselves as a result of their jobs, which intensifies the problem.

Another obstacle is the one time funding that resulted from the pandemic. Providers are indicating that the problems are worse now than they were prior to the pandemic, especially related to mental health and maintaining housing. Also, providers have indicated that many people are still accessing services for the first time. The result of one-time funding will likely impact programs, beneficiaries, and staff numbers.

Projects

AP-38 Projects Summary

Project Summary Information

Table 9 – Project Summary

1	**Project Name**	CDBG Planning and Administration
	Target Area	City Wide
	Goals Supported	Affordable Housing; Ending and Preventing Homelessness; Neighborhood Improvements and Initiatives
	Needs Addressed	Housing Needs; Homeless and Special Needs; Non-Housing Community Development Needs
	Funding	CDBG: $160,000
	Description	Funds are used for the administration of the CDBG program. Expenses are related to the development of program plans, reports, studies, and fair housing education as part of the requirement to affirmatively further fair housing under the Fair Housing Act (42 U.S.C. 3601-20). *National Objective: Not applicable for administration.* *CDBG Matrix Code: 21A General Program Administration. Eligibility 24 CFR Part 570.206.* • High Plains Fair Housing Center: $5,000 *CDBG Matrix Code: 21D Fair Housing Activities (subject to 20% Admin. Cap). Eligibility 24 CFR Part 570.206(c).*
	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	n/a
	Planned Activities	n/a
2	**Project Name**	HOME Planning and Administration
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	HOME: $54,000

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Description	Funds are used for the administration of the HOME program. Expenses are related to the development of program plans, reports, and studies. *National Objective: Not applicable for administration.*
	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	n/a
	Planned Activities	n/a
3	**Project Name**	Downtown Engagement Center Operations
	Target Area	City Wide
	Goals Supported	Ending and Preventing Homelessness
	Needs Addressed	Homeless and Special Needs
	Funding	CDBG: $125,000
	Description	CDBG funds will be utilized to provide operational support at Fargo's Downtown Engagement Center, which serves people who are at risk of homelessness, recently homeless, or who are currently homeless. *National Objective: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)]. CDBG Matrix Code: 03T Operating Costs of Homeless/Aids Patient Programs, Eligibility 24 CFR Part 570.201(e).*
	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 150 homeless persons will be assisted.
	Location Description	City Wide
	Planned Activities	Provide operating funding for the Downtown Engagement Center.
4	**Project Name**	Core Neighborhood Deteriorated Structure Removal
	Target Area	City Wide
	Goals Supported	Neighborhood Improvements and Initiatives
	Needs Addressed	Non-Housing Community Development Needs
	Funding	CDBG: $255,000

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Description	CDBG funds will be used for demolition to address and eliminate blighted conditions at approximately four properties located in the Jefferson/Carl Ben, Madison, and Washington core neighborhoods of Fargo. Activities will be carried out by the Cass Clay Community Land Trust (CCCLT) in support of affordable housing development. The locations of the four properties have been identified and are located at 1345 4 Avenue South; 1822 3 Street North; 317 19 Street North; and 1109 University Drive South. *National Objective: Slum and Blight Spot [24 CFR Part 570.208(b)(2)]. CDBG Matrix Code: 04 – Clearance and Demolition, Eligibility 24 CFR Part 570.201(d).*
	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Address and eliminate slum and blight conditions at approximately four properties.
	Location Description	1345 4 Avenue South; 1822 3 Street North; 317 19 Street North; 1109 University Drive South
	Planned Activities	Provide neighborhood improvements by eliminating slum/blight conditions; possibly preparing lot for future affordable housing development.
5	**Project Name**	Affordable Single-Family Housing for Ownership
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	HOME: $550,000
	Description	Add three units of affordable single-family housing for ownership, to be occupied by low-to-moderate income households. Activities may include acquisition, demolition, rehabilitation if built after 1978, and/or new construction and will be carried out by Lake Agassiz Habitat for Humanity. The location of one housing unit has been identified and is located at 1714 5 Avenue South. The activity will include new construction of affordable, single-family housing on land that will be donated by the City of Fargo. The proposed HOME allocation for this site is up to $200,000. *HOME Eligible Activity under 92.205(a)(1).*

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Provide 3 affordable, single-family household housing units to be occupied by low-to-moderate income households.
	Location Description	1714 5 Avenue South and other properties to be determined.
	Planned Activities	Activities may include acquisition, demolition, rehabilitation if built after 1978, and/or new construction.
6	**Project Name**	Acquisition for Affordable Multi-Family Rental Housing Development
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	CDBG: $150,000
	Description	CDBG funds will be utilized for acquisition of land for new construction of an affordable, multi-family rental housing complex in partnership with Beyond Shelter, Inc. A public comment period will occur at a later date when a project location is identified. *National Objective: Low-Mod Housing Benefit [24 CFR Part 570.208(a)(3)]* *CDBG Matrix Code: 01 Acquisition of Real Property - Eligibility 24 CFR Part 570.201(a)*
	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	It is estimated 40 households will benefit from the affordable housing development.
	Location Description	To be determined.
	Planned Activities	Provide funds for land acquisition.
7	**Project Name**	Community Housing Development Organization (CHDO) Project
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	HOME: $100,000

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Description	The City will partner with a Community Housing Development Organization to create affordable housing with the HOME set-aside funds in Fargo. *HOME Eligible Activity under 92.205(a)(1).*
	Target Date	4/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Provide 1 HOME unit in Fargo for a household at or below 60% AMI (for a total of 1 HOME unit between the Acquisition for Multi-Family Rental and CHDO projects).
	Location Description	To be determined.
	Planned Activities	Construct affordable housing units to serve households at or below 60% AMI.
8	**Project Name**	Core Neighborhood Affordable Housing Development
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	CDBG: $135,000 (in addition to $756,695 in CDBG from the 2022 Action Plan)
	Description	Additional funds are needed for this major development project (project approved in the 2022 Action Plan). Funds will be used in part to secure a consultant to assist in the development of the project, neighborhood outreach, drafting and implementation of the developer bid packet, and developer review/selection. Funds may also be used to secure additional administrative and project management assistance on this project. The location of the project is at 3129 7 Avenue North and 802 32 Street North in Fargo, ND. *National Objective, Eligibility, & Regulation Citation: Low-Mod Housing Benefit [24 CFR Part 570.208(a)(3)].* *Associated CDBG Matrix Codes include: 01 Acquisition of Real Property - Eligibility 24 CFR Part 570.201(a) and 02 Disposition of Real Property – Eligibility 24 CFR Part 570.201(b).*
	Target Date	4/30/2027
	Estimate the number and type of families that will benefit from the proposed activities	Provide 2 affordable household housing units (in addition to the 5 household housing units already noted under the 2022 Action Plan, for a total of 7 units for this 2022 project) to be occupied by low-to-moderate income households.

OMB Control No: 2506-0117 (exp. 09/30/2021)

	Location Description	3129 7 Avenue North and 802 32 Street North
	Planned Activities	Activities may include acquisition, demolition, rehabilitation, and/or new construction.
9	**Project Name**	Contingency
	Target Area	n/a
	Goals Supported	n/a
	Needs Addressed	n/a
	Funding	CDBG: $16,037.38 and HOME: $10,880.39
	Description	Unallocated funds to be used for cost-overruns and unanticipated expenses related to existing activities.
	Target Date	No Target Date
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	n/a – contingency only
	Planned Activities	n/a – contingency only

OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

While there are no specified "Target Areas" identified in the 2023 Action Plan, the City of Fargo does prioritize its community development activities to neighborhoods that are predominately low-to-moderate income areas. There is also specific focus on core neighborhood areas within Fargo, including activities in recent and current Annual Action Plans. In Fargo, most of the low-to-moderate areas are concentrated in the core neighborhoods of the city. The City of Fargo adopted the Core Neighborhoods Plan in 2021, which will bring together neighborhood stakeholders to collaboratively expand planning efforts to the city's core neighborhoods and will likely incorporate HUD-related activities. In 2022, the City hired a Neighborhood Planner to help implement work done in the core neighborhoods.

Geographic Distribution

Target Area	Percentage of Funds
City Wide	100

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

n/a

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Housing needs in Fargo are projected to increase, particularly those related to affordability. The 2023 action plan helps to meet affordable housing needs for both renter and homebuyer households. Additionally, the City works to increase public awareness of affordability concerns on a regular basis. This occurs through regular housing meetings with partners, housing studies, and housing agenda topics at public meetings. Collaborative efforts and multi-discipline discussions surrounding housing solutions across the housing continuum are ongoing, spanning from homeless sheltering, supportive housing, rentals, affordable homeownership, and market rate housing.

Affordable housing availability also ties into preventing and ending homelessness. The City has been focused on the need for supportive services to keep people housed after experiencing homelessness. As part of this focus, federal dollars have been used to hire housing navigators for its Gladys Ray Shelter housing programming. The City has also contributed expertise and funding for a pointed housing study, which was finalized for the downtown area and includes information on low to moderate income people and people experiencing homelessness. Using this tool and others, the overarching goal within the next 3 years is to develop a housing strategy that will address housing for low-to-moderate income households and people at risk of homelessness or experiencing homelessness, including those who are chronically homeless. A housing strategy plan would replace the City's expired 10-Year Plan to End Homelessness since homelessness continues to be an issue in the community, one that has intensified as a result of the pandemic. Over the next few years, the City will be implementing its HOME ARP homeless assistance funds, which will help address housing and homelessness issues within our community.

FM Metropolitan Council of Governments (MetroCOG) conducted a metropolitan statistical area (MSA) regional housing study to evaluate the status of housing in our community. The primary finding from the draft study is that more housing for all socio-economic households are needed in all price points to meet the demands of our growing community and economy.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	46
Special-Needs	0
Total	46

Table 11 - One Year Goals for Affordable Housing by Support Requirement

OMB Control No: 2506-0117 (exp. 09/30/2021)

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	46
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	46

Table 12 - One Year Goals for Affordable Housing by Support Type

Discussion:

The one year goals listed above are associated with 2023 activities, but the completion and reporting of those activities will happen within the next two years due to construction schedules being longer than a program year. A total of 46 non-homeless people will benefit from federal HUD funds being used to construct five affordable homeownership units (3 HOME and 2 CDBG) and 40 rental units (CDBG), 1 rental unit will be a HOME-designated unit.

AP-60 Public Housing – 91.220(h)

Introduction

The Fargo Housing & Redevelopment Authority (FHRA) manages 450 units of Public and Affordable housing and 1,950 vouchers. FHRA has an approximate annual budget of $16 Million, with funding from the Department of Housing and Urban Development (HUD), NDHFA, and private funds. Their primary housing program is the Housing Choice Vouchers (HCV) program, which allows its low-income residents to pay only 30% of their income towards rent. Payments from the HCV program are made directly to the landlords. Other programs include its Resident Opportunity and Self Sufficiency (ROSS) Program for residents, Medical Respite Program which serves people who are homeless and in need of safe shelter after being discharged from a hospital (e.g., following surgery, chemo, etc.), and finally the Family Self Sufficiency (FSS) Program which helps residents with HCVs to increase their income and graduate from public assistance and rental subsidies, while also saving money by putting increased rent amounts (due to increased earnings) into an escrow account that they can access after they complete the program.

Actions planned between May 1, 2023-April 30, 2024 to address the needs to public housing

The FHRA will continue to manage its inventory of public housing units and assisted housing units, which is detailed in the Consolidated Plan.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The FHRA works to engage, educate, and empower residents by providing opportunities for personal development, economic stability, education, health, and fostering family and community life. For every 100 residents in a property, there is a resident advisory board which is convened to review annual plans, proposed policy changes, etc. Members receive a monetary stipend for participation and feedback.

The FHRA is not currently accepting new participants for a homeownership program. However, it still has seven participants in the homeownership voucher program, which accepted new participants until 2009. This program targeted disabled tenant households who can use their voucher to pay their mortgage, taxes, utilities, etc. indefinitely until they no longer need it.

The FHRA also still monitors 39 participants who have not yet sold their soft second mortgage as part of its 1999 5H Homeownership Program, in which public housing units were sold by FHRA to 59 low-income tenants with soft second mortgages payable upon resale of the property.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The FHRA is considered “troubled” due to a clerical issue. Additional financial assistance is not needed for the FHRA to resume normal status. While working on its recovery plan with HUD’s Denver regional

OMB Control No: 2506-0117 (exp. 09/30/2021)

office FHRA meets all criteria and indicators to be deemed a standard performer. Due to HUD postponing all PHAS due to COVID-19, rescoring will be completed for physical year 2022 in 2023.

OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City's Consolidated Plan identifies "Ending and Preventing Homelessness" and "Assistance for Vulnerable Populations" as priority goals. The City will support these goals through activities outlined below. In addition, the City regularly coordinates with the FM Coalition to End Homelessness (FM Homeless Coalition), local service and housing providers, and the North Dakota Continuum of Care to evaluate needs and determine next steps in metro-wide strategic efforts to prevent and end homelessness in the community.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The North Dakota Continuum of Care's (ND CoC) annual Point-in-Time (PIT) Count, which is coordinated locally by the FM Homeless Coalition, is the primary data piece that the City uses to identify the numbers and needs of people experiencing homelessness in Fargo. The PIT count involves outreach by several partners to survey all individuals who are sheltered and unsheltered on one given night. This year's count occurred on January 25. In the recent past, the City has partially funded independent count studies coordinated by the FM Homeless Coalition and will continue to do so when conducted. The FM Homeless Coalition also has launched and continues to develop a live data dashboard for demographic data pulled from HMIS for Cass and Clay counties, available at https://www.fmhomeless.org/data.

The City will continue to fund its operations for the Gladys Ray Shelter's Mobile Outreach Program, which assists unsheltered people in crisis, typically related to mental health and substance use issues. All staff of the Mobile Outreach Program are trained in administering the Housing Prioritization Tool and VI-SPDAT assessment tool to help assess a person's individual needs and connect to appropriate housing or detox interventions. Staff continue to utilize the region's coordinated entry system CARES, which stands for Coordinated Access Referral Entry and Stabilization System.

The City will continue to fund its operations of the current Downtown Engagement Center. This centralized drop-in center helps facilitate outreach to homeless persons by providing a team of case managers, outreach workers, housing navigators, and various service agencies that can assess needs and encourage applying for mainstream benefits without needing to travel to different locations.

Addressing the emergency shelter and transitional housing needs of homeless persons

Emergency shelter needs are addressed through a network of public and non-profit partners, including seven shelters that each specialize in particular household types. Total emergency shelter capacity in Cass and Clay County combined is 348 beds, however, there are an estimated 1,022 individuals

experiencing homelessness in the FM area on any given night, including unsheltered people actively seeking a shelter bed and individuals doubled up (i.e., staying with a friend or family member temporarily). Transitional housing needs are addressed through a network of public and non-profit partners. Total transitional housing capacity in Cass and Clay County combined is 143 units, but this number will be increasing through the YWCA's Lantern Light rehabilitation project which will provide apartment units to 23 families (approximately 60 individuals).

The City will continue to invest in the city-owned and operated Gladys Ray Shelter, which primarily relies on general funds and other grants. It can serve up to 25 adult males and 10 adult females.

The City will continue to meet consistently with homeless service providers to assess emergency shelter demands and how to allocate resources accordingly. It recently hired two, two-year full-time positions to lead in coordination of the City's homeless crisis prevention and response planning, including response plans in the case of a cold weather emergency.

The City will also be supporting emergency shelter and transitional housing needs of homeless persons with approximately $1.7 million in HOME-American Rescue Plan dollars. These activities are outlined in a separate allocation plan.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City will continue to administer its HUD funds for operational support for homeless prevention, diversion, rapid rehousing, housing navigation, and emergency housing assistance. Partners include Presentation Partners in Housing, SouthEastern North Dakota Community Action Agency (SENDCAA), and its own Gladys Ray Shelter, Downtown Engagement Center, and Harm Reduction Center programming.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The City will continue to invest in its Gladys Ray Shelter, Downtown Engagement Center, and its Harm Reduction Center. This City is one of several key partners that support the needs of at-risk individuals

exiting institutions and advocates for housing to be incorporated into discharge planning.

The City will continue to administer CDBG funds for operational support for homeless prevention and diversion efforts. This operational support continues to be carried out by two local agencies, which are SouthEastern North Dakota Community Action Agency (SENDCAA) and Presentation Partners in Housing (PPiH). This activity helps preserve/maintain affordable housing for those at risk of homelessness.

The City continues to administer CDBG funds for eviction prevention efforts to ensure that residents facing eviction have legal support and eviction prevention resources.

Discussion

One year goals for the number of households to be provided housing through the use of HOPWA for:
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
Tenant-based rental assistance
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds
Total

OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-75 Barriers to affordable housing – 91.220(j)

Introduction

The 2023 Action Plan demonstrates support for the creation of affordable housing in the community.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In 2020, the City finished its Analysis of Impediments to Fair Housing Choice (AI), which includes a review of public policies for potential negative impacts to affordable housing access and steps toward mitigation. In tandem, the City continues to support the development of more affordable housing. Availability of both new and existing units of affordable housing has been an increasing challenge in Fargo, both for renters and owners. Fargo's approach to addressing affordability includes local regulatory review and coordination and the development of local financing alternatives.

Significant effort has been made to ensure that local regulation does not act as a barrier to housing affordability, including the recent analysis of the City's Land Development Code and the development of the Core Neighborhood Plan. The City's tax policies, zoning controls, building inspections and housing-related incentives do not act as a barrier to affordable housing creation/preservation.

Tax Policies

The City has a two-year property tax exemption for newly constructed owner-occupied housing that is weighted more heavily toward affordable units. Fargo also has a property tax exemption for home remodeling projects that freezes the pre-rehab value for a period of 3-5 years, depending on the age of the home. In addition, the State of North Dakota has a Homestead Tax Credit that is designed to reduce the property tax burden on low-income elderly and disabled homeowners. One potential issue with the homestead credit is the limit established by statute on the value of eligible property. The current statute says that only the first $100,000 of a property's value is eligible for exemption.

The City is examining its Tax Increment Financing (TIF) policy to focus local incentive dollars on encouraging affordable housing development; previously, the policy was for any housing development, which often resulted in higher end, more expensive rental housing development. Additionally, the City has begun training and educating local developers on the use of 4% LIHTCs, which are rarely used throughout the state.

Zoning and Land Use Controls

Fargo currently is studying its future growth with consideration that the FM Area Diversion flood protection project may become a growth ring boundary, and is trying to encourage smart growth to allow for more efficient use of existing infrastructure systems. The Fargo Land Development Code

outlines several categories of residential zoning that allow for variation in lot sizes and densities. The City of Fargo adopted a zoning category (SR-5) for the specific purpose of providing developers with an opportunity to build housing on smaller lots, with the end result often being an increase in affordability. The Code also allows for cluster housing development and other alternative development models, facilitating the efficient use of land for the development of housing.

The process of applying zoning to property is an area that can prove challenging to developers, particularly developers interested in building affordable housing. The community often displays fears of density, in general, and affordability, in particular. This can prompt changes in subdivision design that negatively affect project affordability. This is a topic that will be addressed as part of the updated Land Development Code.

Building Codes, Fees, or Charges

The Building Inspections Department adopted the International Residential Code (IRC) (2021 edition) to govern rehabilitation of existing residential properties. The IRC has helped to address some of the concerns that had been expressed about the application of new construction codes to older residential properties.

Also, the Fargo Rental Inspection Program works with and enforces the 2021 International Property Maintenance Code (IPMC). From a cost/process perspective, when compared to other communities, Fargo's building inspection and plan review process is both affordable and expedient. This means that the process itself is not a barrier to housing affordability. Also, the Fargo Rental Inspection Program works to ensure that the community's rental housing stock is safe, sanitary and decent; fees are only applied if a property owner refuses to correct code violations. Some advocate that this is an impediment to continued affordability of certain units, but it is the City's position that affordability cannot come at the expense of safety. Within the Core Neighborhood Plan, a Rental Registration program is being promoted and suggested, which will increase the safety of Fargo's rental tenants.

AP-85 Other Actions – 91.220(k)

Introduction

The City of Fargo will continue to develop partnerships and programs to support people with underserved needs.

Actions planned to address obstacles to meeting underserved needs

Obstacles to addressing underserved needs were outlined in the Projects section of this Action Plan. Those obstacles included:

Obstacle 1: Regarding affordable housing creation and slum and blight removal, obstacles will most likely be issues tied to the construction industry, such as supply and materials availability, contractor availability and interest in bidding on laborious HUD-funded projects, labor availability, and cost increases. These issues will most likely impact project timelines, budgets, and potentially the "bottom line" for the subsidy. Such issues have the potential to delay a project and in cases of higher than normal construction costs, terminate a project entirely.

Action to Address Obstacle 1: Work in detail with subrecipients and contractors to identify their obstacles and set realistic timelines and budgets based on the information provided. Foresee worst-case scenarios, discuss and outline consequences and/or plans of action should they be realized.

Obstacle 2: Regarding homeless services, obstacles will be issues related to worker shortage and/or burnout. Many service providers are finding it difficult to keep and/or find staff, especially when the work is related to homelessness, mental health, and poverty. Workers are "burning out" due to the mental demands of the job, the chronic crisis that clients are in, the long hours, the low pay, and the under-appreciation experienced by professionals in these fields. In some cases, workers are struggling with mental health challenges themselves as a result of their jobs, which intensifies the problem.

Action to Address Obstacle 2: Discuss with subrecipients and partners ongoing issues and possible solutions, particularly for increasing worker pay and benefits, nurturing and rewarding workers, and ensuring that they have easily accessible options for mental healthcare.

Obstacle 3: Regarding one time funding that resulted from the pandemic, obstacles will be the problems that are worse now for households than they were prior to the pandemic (as reported by providers), especially related to mental health and maintaining housing. Providers have also indicated that many people are still accessing services for the first time. The result of one-time funding will likely impact programs, beneficiaries, and staff numbers.

Action to Address Obstacle 3: The City has been forewarning providers, particularly those

OMB Control No: 2506-0117 (exp. 09/30/2021)

funded through the City with one-time funding, of the impending ripple effect that one-time funding will have (e.g., hiring new staff, adding new programs, providing more direct benefits, etc.) on their agencies and their partners. It has been an ongoing discussion and the only action the City can take to address this obstacle is to assist providers in finding new funding streams to maintain their staff, programs, and benefits that are needed to ensure that people who are homeless, at-risk of homelessness, and low income households can maintain their housing and ultimate self-sufficiency. The City can also connect providers to local funders, provide letters of support or recommendations for grant applications, and/or provide gap or match funding if available, however, this obstacle is an issue that the whole nation is facing and a long-term or permanent federal funding option is needed for maintaining services at the level they were offered during the pandemic.

Additionally, the City further outlines action steps to take to mitigate housing obstacles in its Analysis of Impediments (AI) to fair housing.

Broadband Access: Broadband access is required for multi-family rental properties that are new construction, funded with HOME, and have four or more units.

The City of Fargo evaluated broadband needs of low- and moderate-income households, as affordable access to internet is an increasingly essential component to community development. Per 2020 ACS 5-Year Estimates:

- 82.3% have a desktop or laptop
- 89.5% have a smartphone
- 85.8% have some type of broadband access
- 14% are without an internet subscription

Approximately 30.7% of households earning less than $20,000 are without an internet subscription, as compared to 15.5% of households earning between $20,000 to $74,999 and 6.3% of households earning over $75,000.

Residents without a computer and/or broadband subscription may obtain access at any of the public libraries, including:

- Fargo Public Library: 102 3rd St N
- Dr. James Carlson Library: 2801 32nd Avenue South
- Northport Library: 2714 North Broadway

According to the latest data available from the Federal Communications Commission (FCC) Fixed Broadband Deployment Map, over 98% of Fargo residents have access to 3 or more broadband providers for standard 25/3 Mbps speed.

Actions planned to foster and maintain affordable housing

Most of the City's affordable housing inventory is owned and managed by non-profit housing providers. There is little risk that projects will be lost from the affordable housing inventory, with the exception of single-family owner-occupied homes involving City funds. Generally when these homes are sold, they are no longer considered part of the affordable housing inventory. Some partners have implemented 'right of first refusal to purchase' policies to maintain affordability. In the 2023 Action Plan, the City will partner with local housing organizations to provide affordable, multi-family housing for low-to-moderate income households.

Resiliency: Fargo is increasingly concerned with mitigating the threats of natural hazards, especially as climate change poses to amplify them and as low- to moderate-income residents are disproportionately impacted. The greatest natural hazard risks faced by residents of Fargo are: flooding, severe storms, strong winds, and droughts.

As part of the 2019-2023 Cass County Multi-Hazard Mitigation Plan, the City has several capital improvements plan projects underway, including permanent flood levee projects per Fargo's Revised Comprehensive Flood Mitigation Plan; storm water retention ponds as development occurs; and several lift station raises with permanent generator installations. Additionally, the $2.75 billion FM Area Diversion is under construction, which is a comprehensive flood management system being constructed jointly by the U.S. Army Corps of Engineers and the Metro Flood Diversion Authority. The diversion is expected to add 19 new bridges, 4 railroad bridges, a 30 mile inlet channel, a 20 mile embankment, 3 gated control structures, 2 aqueduct structures, and protect 235,000 residents within 70 square miles of existing infrastructure in the communities of Fargo, Moorhead, West Fargo, Horace, and Harwood.

In addition, the City of Fargo continues to develop policies that promote infill and density within areas that are already developed and are protected by a flood resiliency strategy (GO2030). In 2021, the City also re-activated its Sustainability and Resiliency Committee to make recommendations to the City Commission for actions or policy adoptions related to climate resiliency, renewable energy, emissions reductions, energy efficiency, and environmental stewardship. This committee was expanded in early 2023 to add four new committee members consisting of two public at-large members and two City staff members. Issues addressed have included electric vehicle readiness, landfill carbon dashboard, and creation of a sustainability work plan.

Actions planned to reduce lead-based paint hazards

The City will continue to address lead-based paint hazards for all HUD-funded housing rehabilitation projects on homes built before 1978. Lead-based paint hazards will be identified through lead-based

paint testing and hazard evaluations. All hazards found from the lead-based paint testing will be addressed by a lead-certified contractor, either through interim controls or abatement. In addition, the City will continue to provide educational information about the hazards of lead-based paint to residents and subrecipients of federal funds on projects involving lead-based paint.

Actions planned to reduce the number of poverty-level families

The City continues to support the efforts of nonprofit and public agencies that work to reduce the number of families living in poverty, including the efforts of the Fargo Housing and Redevelopment Authority (FHRA), the City's Public Housing Authority (PHA). The FHRA provides a number of self-sufficiency programs that are aimed at increasing a family's economic independence and works closely with Job Service of North Dakota to provide necessary training opportunities to poverty-level families. The City will continue to coordinate anti-poverty efforts with local service providers and social service agencies.

Actions planned to develop institutional structure

The City is a partner in identifying ways to coordinate and improve the effectiveness of the institutional systems, housing, and community development needs. The City will continue to work with all housing and human service agencies to coordinate and improve communications.

A challenge for Fargo's Community Development Division over the next five years is to effectively adapt its institutional structure to meet changing needs and a challenging fiscal environment. Due to Federal budget increases resulting from the pandemic, the Community Development Division has had to further refine its ability to implement programming efficiently and effectively to expend funds quickly. The increase in funds has also lead to an increase in projects. Additionally, individual project budgets have increased in order to match staff capacity. Program administration funds may also become available for adding grant funded staff to assist with project management and the disbursement of funds if necessary.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will continue to support the efforts of housing and social service agencies in the community. The City is also an active participant in the FM Homeless Coalition, statewide Continuum of Care Planning Committee, the ND Interagency Council on Homelessness, as well as other community-wide partnerships that discuss a variety of housing issues facing the metropolitan area. The City also continues to provide technical assistance to housing-related nonprofits whenever possible to support their organizational capacity and link them to potential partner agencies.

The Downtown Engagement Center model offers a centralized location for agencies to operate and coordinate, which is included in the 2023 Action Plan. The Emergency Subsistence Payments program

relies on ongoing close communication between the two subrecipients, SouthEastern North Dakota Community Action Agency (SENDCAA) and Presentation Partners in Housing, and the several housing and social service agencies they help connect clients to for resources. This includes improved coordination with FirstLink (2-1-1), the area's crisis and resource hotline, to streamline the process to connect citizens to the appropriate resources. While there are no activities in the 2023 action plan for Emergency Subsistence Payments, the City is still working closely with partner agencies to expend COVID-19 CDBG dollars.

The City also occasionally works with connecting private developers to public housing and social service agencies on collaborative projects. Oftentimes, the requirements of federal funding cause private developers to lose interest in developing affordable projects and/or withdraw project proposals.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction

The City has prepared specific requirements for the use of CDBG and HOME program income, as well as HOME resale and recapture provisions for the development of homebuyer housing. All HOME-funded ownership projects in Fargo's 2023 Action Plan are subject to the City's recapture/resale policy. The City must use the resale method if no direct subsidy has been provided to the original buyer of a HOME-assisted unit. The HOME-funded 2023 Action Plan ownership projects are subject to the resale provision, as opposed to the recapture provision.

Community Development Block Grant Program (CDBG)
Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	89.00%

OMB Control No: 2506-0117 (exp. 09/30/2021)

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)

1. **A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:**

   The City uses no other form of investment beyond those identified in Section 92.205.

2. **A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:**

   As the 2020-2024 Consolidated Plan includes more HOME-funded, single-family homebuyer activities than in past plans, the City of Fargo has revised its resale and recapture policies to better reflect HUD guidance and best practices. The City also incorporates these resale or recapture requirements into any HOME written agreement it would enter into with developers and/or homeowners. For projects using HOME funds for homebuyer assistance or for the rehabilitation of owner-occupied single-family properties, the City uses the HOME affordable homeownership limits provided by HUD for newly-constructed housing and for existing housing (24 CFR 92.254(a)(2)(iii)). These limits are based on 95% of the median purchase price for the area. The City does not plan to limit the beneficiaries or give preferences to a segment of the low-income population.

   The subrecipients of the HOME-funded ownership projects have their own processes for determining eligible applicants, soliciting and funding applications/proposals, and information on where their information can be obtained.

   The local housing organization who is carrying out the Affordable Single-Family Housing for Ownership project in the 2023 Action Plan has a Family Selection Committee that is responsible for marketing the application process, reviewing all applications received, ensuring applicants meet selection criteria, and preparing the final recommendation. The subrecipient considers its target audience to be renters who want to make the transition to homeownership, providing many types of assistance to lower-income households. The subrecipient qualifies applicants whose incomes range from a minimum of 30% AMI to 60% AMI. Information is made available to the public through a variety of means including, but not limited to: 1) distributions of flyers to area businesses; 2) sending applications/brochures to area churches, non-profits, and social service agencies; 3) providing application orientation session information in area community calendars; 4) sending application announcements to area media; and 5) posting information on social media.

3. **A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:**

   For HOME-assisted homebuyer activities, the City must use the resale method if no direct subsidy has been provided to the original buyer of a HOME-assisted unit. The HOME-funded 2023 Action Plan ownership projects are subject to the resale provision, as opposed to the recapture provision. The remaining HOME-funded projects are rental projects. The City typically enforces the resale provisions through the use of a Land Use Restrictive Agreement (LURA). The LURA provides details on the resale requirements, including the applicable affordability period for the project, and is recorded on the HOME-assisted property.

OMB Control No: 2506-0117 (exp. 09/30/2021)

4. **Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:**

   Fargo does not intend to use HOME funds to refinance existing debt that is secured by housing that is being rehabilitated with HOME funds (as per 92.206(b)).

Discussion

Please see the attached City of Fargo Resale and Recapture Policy under AD-26, Administration of the Annual Action Plan, Grantee Unique Appendices.

Attachments

OMB Control No: 2506-0117 (exp. 09/30/2021)

City of Fargo
2023 Annual Action Plan
Citizen Participation Comments and Process

Citizen Participation Comments

No comments were received on the original proposed 2023 Action Plan during the 30-day public comment period, which was from May 11 - June 9, 2023.

For a summary of comments received from the public input meeting, which was held on Friday, March 10, 2023 at 12:00 p.m. (virtual meeting), please see *Section AP-05 Executive Summary*, Question #4.

Documentation from the citizen participation processes is included in the plan, including the attachments.

Community Development 2023 Notice of Funding Opportunity Mailing List – Outlines Organizations *Predominately Serving Racial/Ethnic Minorities, Non-English Speaking Persons, Persons with Disabilities, & Protected Classes Historically Discriminated Against*

CT	Organization	FHEO Categories of Populations Served (4 Types)
1	Action Aid Program	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
2	African Immigrant and Minority Services	Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities
3	African Initiative Program and Development	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
4	Afro American Development Association	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Non-English speaking persons
5	American Civil Liberties Union	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
6	American Red Cross	
7	American Red Cross Dakotas Region	
8	Bethlehem Lutheran Church	
9	Beyond Shelter, Inc.	
10	Cass Clay Community Land Trust	
11	Cass County Housing Authority	Community-based and regionally-based organization that represents protected traditionally discriminated against class members

12	Cass County Human Services Zone	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
13	Cass County Sheriff's Office	
14	Catholic Charities North Dakota	Persons with disabilities
15	Catholic Health Initiatives	
16	Centre, Inc.	Racial/ethnic minorities Non-English Speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
17	Chira Global Development Organization	Racial/ethnic minorities Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
18	Chisom Housing Group	
19	Churches United for the Homeless	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
20	Community Living Services	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
21	Community Uplift Program	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
22	Creative Plains Foundation	Racial/ethnic minorities
23	Cultural Diversity Resources	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Non-English speaking persons
24	Dakota Boys and Girls Ranch	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
25	Dakota Medical Foundation/Impact Foundation	
26	Downtown Community Partnership	
27	Emmanuel Evangelical Church	

28	Emergency Food Pantry	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
29	Essentia Health	
30	Ethnic Self Help Alliance for Refugee Assistance (ESHARA)	Non-English Speaking persons Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
31	Express Employment Professionals	
32	F5 Project	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
33	Faith4Hope	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
34	Families United for Self-Empowerment (FUSE)	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
35	Family Healthcare Center	Racial/ethnic minorities Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
36	Fargo Adult Learning Center	Non-English speaking persons Racial/ethnic minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
37	Fargo Cass Public Health	
38	Fargo City Commission	
39	Fargo Community Development Committee	
40	Fargo Housing and Redevelopment Authority (FHRA)	
41	Fargo Human Relations Commission	
42	Fargo-Moorhead Metropolitan Council of Governments	

43	Fargo Native American Commission	
44	Fargo Neighborhood Coalition and Fargo Planning Commission	
45	Fargo Park District	Racial/ethnic Minorities Non-English speaking persons
46	Fargo Police Department	
47	Fargo Public Schools	Racial/ethnic minorities Non-English speaking persons Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
48	Fargo School District	Children and Youth Racial/ethnic minorities Non-English speaking persons Persons with disabilities
49	Fargo Veterans Administration (VA)	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
50	Fargo VA Health Care System	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Persons with disabilities
51	Fargo Youth Commission/Boys & Girls Club of RRV	
52	FirstLink	
53	FM Area Foundation	
54	FM Coalition to End Homelessness	Racial/ethnic minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
55	FM Dorothy Day House of Hospitality	
56	Fraser, Ltd.	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Persons with disabilities
57	Freedom Resource Center	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members

58	Furniture Mission of the Red River Valley	
59	Great Plains Food Bank	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
60	Greater Fargo Moorhead EDC	
61	Growing Together	
62	Handi-Wheels Transportation, Inc.	Persons with disabilities
63	High Plains Fair Housing Center	Racial/ethnic minorities Non-English speaking persons Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
64	Home Builders Association of Fargo Moorhead	
65	Hospice of The Red River Valley	
66	Immigrant Development Center	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Non-English speaking persons
67	Indigenous Association	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities
68	Integra Property Group	
69	Islamic Society of Fargo Moorhead	Racial/ethnic minorities Non-English speaking persons
70	Jail Chaplains	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
71	Jasmin Child Care and Preschool	
72	Jeremiah Program	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
73	Kirat Cultural Society of North Dakota	Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities

74	Kondial Kel International	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
75	Kurdish American Development Organization	Racial/ethnic minorities Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
76	Lake Agassiz Development Group	
77	Lake Agassiz Habitat for Humanity	
78	Lakes & Prairies Community Action Partnership	Racial/ethnic minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
79	Legacy Children's Foundation	Racial/ethnic minorities Non-English speaking persons
80	Legal Services of North Dakota	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
81	Lutheran Immigration and Refugee Service	Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities
82	Madison Neighborhood	
83	Mandan, Hidatsa and Arikara (MHA) Nation (a.k.a. the Three Affiliated Tribes) – Fargo Satellite Office	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
84	Motherland Health	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
85	Mountain Plains Equity Group	
86	MWF Properties, LLC	
87	Native Inc.	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities
88	ND Caring Foundation	

89	New American Consortium for Wellness and Empowerment	Racial/ethnic minorities Non-English speaking persons
90	New American Development Agency	Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities
91	New Life Center	Racial/ethnic minorities Persons with disabilities
92	North Dakota Coalition for Homeless People	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
93	North Dakota Disability Health Project	Persons with disabilities
94	North Dakota Human Rights Coalition	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
95	North Dakota Legislative Branch	
96	North Dakota State College of Science (NDSCS)	Racial/ethnic minorities
97	One Family Christian Center	
98	PATH ND	Racial/ethnic minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
99	Prairie St. John's	
100	Presentation Partners in Housing	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
101	Pride Collective and Community Center	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
102	Project HART	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Persons with disabilities
103	Project Hero	Community-based and regionally-based organization that represents protected traditionally discriminated against class members

104	Rape & Abuse Crisis Center	Racial/ethnic minorities Non-English Speaking minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
105	Rebuilding Together	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
106	Red River Children's Advocacy Center	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
107	Red River Human Services Foundation	Persons with disabilities
108	River Keepers	
109	Rural Kids Development Alliance	Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities
110	SENDCAA	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
111	Sharehouse	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
112	Soma Employment Solutions	Non-English speaking persons Racial/ethnic minorities
113	Somali Community Development of ND	Racial/ethnic minorities Non-English speaking persons
114	South Sudan Lutheran Church	Racial/ethnic minorities Non-English speaking persons
115	South Sudanese Foundation	Non-English speaking persons Racial/ethnic minorities
116	Southeast Human Service Center	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
117	State Bar Association of North Dakota	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
118	Sudanese Community of Fargo-Moorhead Area	Racial/ethnic minorities Non-English speaking persons
119	Temple Beth El	
120	The Arbors at McCormick Park	
121	The Arts Partnership	

122	The Commonwealth Companies	
123	The Forum	
124	The Young Shepherds	Non-English speaking persons Racial/ethnic minorities
125	Tu'Deako Group	Racial/ethnic minorities Persons with disabilities
126	Valley IT Solutions	
127	Valley Senior Services	Persons with disabilities
128	Village Family Service Center	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
129	Women Initiative Network of Liberia (WIN-Liberia)	Non-English speaking persons Racial/ethnic minorities
130	Youthworks	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
131	YWCA of Cass Clay	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members

City of Fargo
2023 Notice of Funding Opportunity (NOFO)
for CDBG and HOME Funds

Notice of Virtual Public Input Meeting & FY 2023 Notice of Funding Opportunity (NOFO)
City of Fargo

The City of Fargo is soliciting public input and seeking proposals for the development of its 2023 Community Development & Housing Action Plan. This plan allocates the City's annual entitlement funds from the Department of Housing and Urban Development (HUD). The primary purpose of these funds is to benefit low and moderate income individuals and households.

Program
Department of Housing & Urban Development (HUD)

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships Program

Funding Opportunity Title
"2023 HUD Grants NOFO"

Virtual Public Input Meeting
March 10, 2023, 12:00 – 1:00 PM (Central)
Meeting Link: https://meet.goto.com/173077949
Dial-In Phone Option: 1 (408) 650-3123 – Access Code: 173-077-949
Comments and suggestions from the public are also encouraged through email and telephone. The existing plans are available online at www.fargond.gov/planninganddevelopment/plansandstudies or by request through the Planning and Development Department at (701) 241-1474.

Due Date for Proposals
March 17, 2023 by 4:30 p.m.

Submission Instructions
All proposals must be submitted electronically. Full instructions, NOFO, application materials, eligibility requirements, and the submission link are located online at: https://fargond.gov/work/bids-rfqs-rfps.

Questions, Comments, or Suggestions
Call 701-476-4144 or email tbraseth@fargond.gov with questions, comments, or suggestions.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

Accessibility – Fargo City Hall is serviced by public transit, accessible and can accommodate persons who are disabled. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be made upon request. The contact information to arrange for services (a 48 hour notice may be needed) is City of Fargo's Section 504/ADA Coordinator Bekki Majerus – 701.298.6966. To access TTY/ND Relay service – 800.366.6888 or 711.

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. If services are needed, the contact information is provided above.

ND Affidavit No. 195595

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA
ss.
COUNTY OF CASS

Taylor Herbold, The Forum of Fargo-Moorhead, being duly sworn, states as follows:

1. I am the designated agent of The Forum of Fargo-Moorhead, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspaper listed on the attached exhibit.

2. The newspaper listed on the exhibit published the advertisement of: ***Legal Notice; (1) time: Wednesday February 22, 2023***, as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Dated this 22nd day of February, 2023

Legal Clerk

Notary Public

NICHOLE SEITZ
Notary Public
State of North Dakota
My Commission Expires Jan. 3, 2024

NOTICE OF VIRTUAL PUBLIC INPUT MEETING & FY 2023 NOTICE OF FUNDING OPPORTUNITY (NOFO)
City of Fargo

The City of Fargo is soliciting public input and seeking proposals for the development of its 2023 Community Development & Housing Action Plan. This plan allocates the City's annual entitlement funds from the Department of Housing and Urban Development (HUD). The primary purpose of these funds is to benefit low and moderate income individuals and households.

Program
Department of Housing & Urban Development (HUD)
-Community Development Block Grant (CDBG)
-HOME Investment Partnerships Program

Funding Opportunity Title
"2023 HUD Grants NOFO"

Virtual Public Input Meeting
March 10, 2023, 12:00–1:00 PM (Central)

Meeting Link
https://meet.goto.com/173077949

Dial-In Phone Option: 1 (408) 650-3123 – Access Code: 173-077-949

Comments and suggestions from the public are also encouraged through email and telephone. The existing plans are available online at www.fargond.gov/planninganddevelopment/plans-and-studies or by request through the Planning and Development Department at (701) 241-1474.

Due Date for Proposals
March 17, 2023 by 4:30 p.m.

Submission Instructions
All proposals must be submitted electronically. Full instructions, NOFO, application materials, eligibility requirements, and the submission link are located online at: https://fargond.gov/work/plan-nfp-rfps.

Questions, Comments, or Suggestions
Call 701-475-4144 or email firstnath@fargond.gov with questions, comments, or suggestions.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

Accessibility – Fargo City Hall is serviced by public transit, accessible and can accommodate persons who are disabled. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be made upon request. The contact information to arrange for services (a 48 hour notice may be needed) is City of Fargo's Section 504/ADA Coordinator Bekki Majerus – 701.298.6065. To access TTY/ND Relay service – 800.366.6888 or 711.

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. If services are needed, the contact information is provided above.

(Feb. 22, 2023) 195595

City News Room

Notice of Virtual Public Input Meeting & FY 2023 Notice of Funding Opportunity Community Development Block Grant and Home Investments Partnerships

The City of Fargo is soliciting public input and seeking proposals for the development of its Community Development Block Grant and Home Investment Partnerships Program 2023 Annual Action Plan

02/22/2023

The City of Fargo is seeking public input and proposals for its 2023 Community Development & Housing Action Plan. This plan allocates annual entitlement funds from the Department of Housing and Urban Development (HUD), which are distributed through the City's Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) programs. The primary purpose of these funds is to benefit low and moderate income individuals and households.

Plan goals are established in the 2020-2024 Consolidated Plan and focus on affordable housing, ending and preventing homelessness, neighborhood improvements and poverty reduction. All proposals will be evaluated based on low-to-moderate income benefit, project readiness, cost reasonableness and impact, activity management, experience, past performance and current resources.

The Notice of Funding Opportunity (NOFO) period runs from Thursday, February 22, through Friday, March 17, with proposals due no later than **4:30 p.m. on Friday, Mar. 17**. All proposals must be submitted electronically. Full instructions, NOFO, application materials, eligibility requirements and the submission links can be found on The City of Fargo RFP page.

For more information, view the full public notice published in The Forum newspaper on February 22, 2023. For translation services on the public notice, NOFO, or application materials, contact the City of Fargo at 701.241.1474.

शहर समाचार
कोठा

भर्चुअल पब्लिक इनपुट बैठकको सूचना र FY 2023 कोष अवसर सामुदायिक विकास ब्लक अनुदान र गृह लगानी साझेदारीको सूचना

फार्गो शहरले सार्वजनिक इनपुट माग्दै छ र यसको सामुदायिक विकास ब्लक अनुदान र गृह लगानी साझेदारी कार्यक्रम 2023 वार्षिक कार्य योजनाको विकासको लागि प्रस्तावहरू खोजिरहेको छ।

०२/२२/२०२३

फार्गो शहरले आफ्नो 2023 सामुदायिक विकास र आवास कार्य योजनाको लागि सार्वजनिक इनपुट र प्रस्तावहरू खोजिरहेको छ। यो योजनाले आवास र शहरी विकास विभाग (HUD) बाट वार्षिक हकदार कोषहरू छुट्याएको छ, जुन शहरको सामुदायिक विकास ब्लक अनुदान (CDBG) र गृह लगानी साझेदारी कार्यक्रम (HOME) कार्यक्रमहरू मार्फत वितरण गरिन्छ। यी कोषहरूको प्राथमिक उद्देश्य न्यून र मध्यम आय भएका व्यक्तिहरू र घरपरिवारहरूलाई फाइदा पुऱ्याउनु हो।

योजना लक्ष्यहरू 2020-2024 समेकित योजनामा स्थापित गरिएका छन् र किफायती आवास, घरबारविहीनताको अन्त्य र रोकथाम, छिमेक सुधार र गरिबी न्यूनीकरणमा केन्द्रित छन्। सबै प्रस्तावहरू कम-देखि-मध्यम आय लाभ, परियोजना तयारी, लागत व्यावहारिकता र प्रभाव, गतिविधि व्यवस्थापन, अनुभव, विगतको कार्यसम्पादन र वर्तमान स्रोतहरूको आधारमा मूल्याङ्कन गरिनेछ।

कोष अवसरको सूचना (NOFO) अवधि विहीवार, फेब्रुअरी 22 देखि शुक्रवार, मार्च 17 सम्म चल्छ, प्रस्तावहरू शुक्रवार, मार्च 17 मा बेलुका 4:30 बजे भन्दा पछि नपर्ने गरी । सबै प्रस्तावहरू इलेक्ट्रोनिक रूपमा पेश गर्नुपर्छ। पूर्ण निर्देशनहरू, NOFO, आवेदन सामग्रीहरू, योग्यता आवश्यकताहरू र सबमिशन लिङ्कहरू द सिटी अफ फार्गो RFP पृष्ठमा फेला पार्न सकिन्छ ।

थप जानकारीको लागि, फेब्रुअरी 22, 2023 मा फोरम अखबारमा प्रकाशित पूर्ण सार्वजनिक सूचना हेर्नुहोस्। सार्वजनिक सूचना, NOFO, वा आवेदन सामग्रीहरूमा अनुवाद सेवाहरूको लागि, 701.241.1474 मा फार्गो शहरलाई सम्पर्क गर्नुहोस्।

E-mail Notification for 2023 NOFO
Community Development Partners

From: Planning E-mails
Sent: Wednesday, February 22, 2023 11:29 AM
Subject: 2023 Notice of Funding Opportunity (NOFO)

To Our Community Development Partners:

The 2023 Notice of Funding Opportunity (NOFO) is now open for this program year's HUD funds. You'll find the full RFP notice on our website: https://fargond.gov/work/bids-rfqs-rfps
No Public Service funds will be made available as part of this year's NOFO. All funds that are typically capped for Public Services ($115k) will be proposed to be used at the Downtown Engagement Center (DEC).
Please let us know if you have any questions.

Thank you

Planning & Development
City of Fargo

E-mail Notification for 2023 NOFO
Community Development Committee

From:	Tia Braseth
Sent:	Monday, February 27, 2023 9:25 AM
To:	Chris Brundgardt; Cindy Graffeo; John Strand; Ken Enockson; Linda Klebe; Michael Redlinger; Robin Nelson; Rocky Schneider; Samantha McDonald; Thomas Hill; Tim Mahoney
Cc:	Nicole Crutchfield; Kristi Sylskar
Subject:	2023 Notice of Funding Opportunity CDBG & HOME

Hi CD Members,

The 2023 Notice of Funding Opportunity (NOFO) for HUD funds has been issued and will be open through March 17. To see the full notice and RFP, please visit the following:

https://fargond.gov/news-events/city-news-room/post-detail?id=63f6638d3fda3bedd6b841fd

Please let me know if you have any questions or comments. Thank you!

Tia Braseth, *(She/Her)*, Assoc. AIA, LEED BD+C
Planning Coordinator | Community Development Division Head
Planning & Development Department
City of Fargo | 225 4th St. N. | Fargo, ND 58102
Office: (701) 241-1474 | Direct: (701) 476-4144

1

REQUEST FOR PROPOSALS

FY 2023 Notice of Funding Opportunity (NOFO)

U.S. Department of Housing & Urban Development (HUD)
Community Development Block Grant (CDBG)
HOME Investment Partnership Program

2/21/2023

Contents

I. Overview 84

II. Funding Opportunity Description 84

A. Program Description & Purpose 84

B. Award Information 84

C. Eligibility Information 85

D. Project Types 85

III. Applicant and Submission Information 87

IV. Review Criteria & Selection Process 88

V. Award Administration Information 88

VI. Schedule 88

A. MINIMUM SUBMISSION REQUIREMENTS: ____ / 10 91

B. FUNDING INFORMATION: ____ / 35 91

C. PROJECT/PROGRAM OVERVIEW: ____ / 50 93

D. ORGANIZATION CAPACITY AND HISTORY: ____ / 30 95

E. CITY STAFF CAPACITY AND CONSIDERATIONS: ____ / 25 96

Program:
Department of Housing & Urban Development (HUD)

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships Program

Funding Opportunity Title: "2023 HUD Grants NOFO"

Due Date for Proposals: March 17, 2023 by 4:30 p.m.

I. Overview

The City of Fargo issues this Notice of Funding Opportunity (NOFO) to invite proposals from eligible applicants for the program and purpose described within this NOFO. Prospective applicants should carefully read all instructions in all sections to avoid submitting an incomplete or ineligible proposal. All proposals will be evaluated using the Exhibit B Score Sheet.

During the selection process, the City of Fargo is prohibited from disclosing 1) information regarding any applicant's relative standing, 2) the amount of assistance requested by an applicant, and 3) any information contained in the application. Prior to the application deadline, the City of Fargo may not disclose the identity of any applicant or the number of applicants that have applied for assistance.

For further information or questions regarding the specific requirements of this NOFO, please contact planning@fargond.gov or call 701-241-1474.

II. Funding Opportunity Description

A. Program Description & Purpose

The City's 2023 Community Development & Housing Action Plan allocates the City's annual entitlement funds from the Department of Housing and Urban Development (HUD). Plan goals are established in the 2020-2024 Consolidated Plan, which focus on affordable housing, ending and preventing homelessness, neighborhood improvements, and poverty reduction. The primary purpose of these funds is to benefit low and moderate income individuals, households, and neighborhoods/areas.

B. Award Information

Available Funds – The City of Fargo estimates a combined CDBG & HOME award of $1,328,194 for the 2023 Program Year (May 1, 2023- April 30, 2024), $915,000 of which will be made available through this NOFO. The total amount of funds actually awarded through this NOFO will depend on proposals received, City of Fargo staff capacity, City of Fargo programs funded by HUD, corresponding staff, and other grant administration costs (e.g., Gladys Ray Shelter & Downtown Engagement Center). **Proposals must request a minimum of $150,000.**

Number of Awards – The City of Fargo may make as few as 1 award or up to 3 awards through this NOFO, or may make no awards based on current program operations and/or insufficient response to this NOFO.

Period of Performance – Estimated Project Start Date is September 1, 2023 (actual start date depends on when funds are available from HUD); Estimated Project End Date is September 2024, unless otherwise approved. Period of Performance will be project dependent as some projects are multi-year phased.

Minimum/Maximum Award Information – Note that Community Housing Development Organization (CHDO) Set-Aside of $100,000 is not included in HOME amounts listed below. Applicant's CHDO certification status must be current prior to applying for CHDO funds. To learn more about CHDO status, please visit the HUD Exchange online or contact the City of Fargo Planning & Development Department. **Proposals must request a minimum of $150,000.**

NOFO AWARD INFORMATION	CDBG	HOME
Estimated Available:	$545,000 +/-	$270,000 +/-
Minimum Award Amount:	$0	$0
Maximum Award Amount:	$545,000 +/-	$270,000 +/-

C. Eligibility Information

Eligible Applicant – To be eligible, applicants must be a public or private non-profit agency or organization, including institutions of higher learning if carrying out eligible activities. Additionally, registration in the System of Award Management (www.sam.gov) must be complete showing no debarments.

Eligible Activities – All activities must serve low to moderate income households, individuals, or neighborhoods and address one or more of the goals/project types listed in this section.

Ineligible Activities – Financing for political activities, maintenance costs or activities (unless associated with a public service), income payments.

D. Project Types

Solicited Project Types – Proposals must be for one of the following project types.

AFFORDABLE HOUSING DEVELOPMENT

May include acquisition, construction assistance (HOME program only), blight removal, and/or site preparations (excluding special assessments costs).

1. Homeownership development projects (i.e., building single family or lower density housing for homeownership, 4 or fewer units)
2. Multi-family rental projects (i.e., includes 5 or more units); preference given to projects serving families with children and those targeting 30% AMI or less
3. Rehabilitation of public housing units through Rental Assistance Demonstration (RAD) conversions.

NEIGHBORHOOD IMPROVEMENTS

Improvements to public facilities and spaces serving neighborhoods with 51% or more low income households. These neighborhoods primarily include: Downtown, Horace Mann, Roosevelt, Madison/Unicorn Park, Jefferson/Carl Ben, Hawthorne, Westgate, Brunsdale, West Acres, Willow Park, Village West, Trollwood, and Northport. Projects may include acquisition, new construction, rehabilitation of existing facilities and/or spaces, and demolition. Examples include playgrounds, parks or open green space, swimming pools, splash pads, skate parks, sledding hills, bike paths, basketball courts, hockey rinks, recreational or neighborhood centers, tornado shelters for mobile home parks, community gardens, non-residential historic restoration, etc.

If project serves a specific population (e.g., youth, elderly, etc.) rather than the entire neighborhood, use the "Non-Homeless, Non-Housing Capital Improvements" category below.

NON-HOMELESS, NON-HOUSING CAPITAL IMPROVEMENTS

Improvements to public facilities and spaces serving populations with low income and who may be considered vulnerable (e.g., elderly, disabled, victims of violence and trafficking, people living with substance use disorders and/or mental illnesses, and/or HIV/AIDS, etc.). These projects do not have to tieback to a specific neighborhood. Projects may include acquisition, new construction, rehabilitation of existing facilities and/or spaces, and demolition. Examples include abuse and crisis centers, mental health facilities, independent living centers, accessibility improvements, supportive service and resource centers, senior centers, food banks, etc.

Applicants awarded under this category must be able to collect data on race, ethnicity, and income of all beneficiaries of the project. A portion of income documentation collected must be provided by 3rd parties (i.e., employers, income statements for benefits, retirement accounts, bank, etc.). There are some exceptions on income data collection depending on the populations served. If all project beneficiaries belong to a group as defined by HUD below, they are presumed to have low incomes and income documentation is not required (race and ethnicity still required).

Presumed Low Income Populations by HUD

- Abused children, battered spouses, elderly persons, severely disabled adults, illiterate adults, persons living with AIDS and migrant farm workers.

Projects awarded under this category must also keep the facility open to the public during normal working hours if the facility is owned by a non-profit.

Projects under this category may not primarily serve homeless populations because there is a separate category for funding homelessness projects in the City's 5-Year Plan. Homelessness will be addressed as part of a larger effort with homeless service providers and Public Health, and not through this NOFO.

Projects may not include capital improvements that are considered maintenance and repair (i.e., filling potholes, repairing cracks in sidewalks, replacing old equipment, etc.).

III. Applicant and Submission Information

I. Instructions

- **A.** Submit proposal (as a single PDF) no later than 4:30 p.m. on March 17, 2023, at https://fileshare.fargond.gov/index.php/s/L5QERsjx4Lq26dp
- **B.** PDF file title must include your organization's name (e.g., "Audubon Society_ 2023 NOFO Proposal")
- **C.** Incomplete proposals will not be accepted

II. Content & Format of Proposals

A. NOFO Cover Form (see Exhibit A)

B. Cover Letter (1 page): Include organization's basic information, brief summary of proposed project, the amount requested, project location, project lead person, sub-consultants that would be involved in project if applicable, and contact information.

C. Project Summary (1 page): Include the full project description, beneficiary information in terms of how many people the project will serve, and who you intend to serve.

D. Development Budget: Provide budget for the proposed project **with the amount to be requested included.** Indicate any funding already secured with amounts and sources. Include pending sources.

E. Project Timeline: Include start/finish dates and milestones.

F. Project Experience: Provide details about your experience with CDBG or HOME funds and similar projects (i.e., grant amount, projects, dates, etc.).

G. Project Team: Indicate lead manager and any consultants that will be used.

H. References: Only required if either of the following conditions exist:

1. Your organization has never received HUD (HOME or CDBG) funds from the City of Fargo.
2. Your organization has received HUD (HOME or CDBG) funds from the City of Fargo in the past, but this is a new project type for which you are seeking City of Fargo funds.
    i. If either of these conditions exist, please include references for 3 most recent (within past 5 years) similar projects; include contact information. If proposal is program based, provide 3 references from funders.

I. Proof of SAM Registration: Include current registration status in the System for Award Management (See below).

III. System for Award Management (SAM) and Unique Entity Identifier (UEI) Number.

A. SAM Registration Requirement

1. Applicants must have active registration status in the System of Award Management https://www.sam.gov/ before submitting their proposal.
2. UEI Number Requirement
   i. Applicants must provide a valid UEI number, registered and active at https://sam.gov/content/entity-registration.

VI. Review Criteria & Selection Process

I. Review Criteria

A. See Scoring Sheet in Exhibit B.

II. Selection Process

A. Project selection will be based on Scoring Sheet results and availability of funds.

IV. Award Administration Information

HUD funds are subject to many federal requirements. Applicants are expected to be experienced with federal environmental review regulations, fair labor laws including Davis Bacon Prevailing Wage requirements, Section 3 economic opportunities for low income workers, Uniform Relocation Act, accessibility standards, and Build America Buy America (BABA – required in all bid requests – to use American steel, iron, manufactured products, and construction materials).

V. Schedule

Schedule is contingent on availability of funds.

DATE	ITEM
Feb. 22	**Public notice and news release of NOFO & Virtual Public Input Meeting**
Mar. 10	**Virtual Public Input Meeting** March 10, 2023, 12:00 – 1:00 PM (Central) Meeting Link: https://meet.goto.com/173077949 Dial-In Phone Option: 1 (408) 650-3123 – Access Code: 173-077-949 Comments and suggestions also encouraged through email and telephone.
Mar. 17	**Electronic proposals due by 4:30 p.m.**
Mar. 20-24	Proposal scoring/review (estimated)
Mar. 27	Highest scoring proposals identified, organizations notified via email address provided (estimated)

May 11 – Jun. 9	**30 day public comment period for 2023 HUD Action Plan** (includes any selected proposals and award amounts)
May 30	**Public hearing at City Commission meeting**
June 12	**Final consideration at City Commission** (on consent)
June 16	Submit to HUD (estimated)
Aug 1	45 day review by HUD ends (estimated)
Aug 15	Plan approval (estimated)
August	HUD funds awarded to City of Fargo (estimated)
September	Start on 2023 program year projects (estimated)

Exhibit A – Cover Form

COVER FORM

2023 Notice of Funding Opportunity (NOFO)

Instructions: This form must be the first page of your proposal and filled in completely for your proposal to be accepted. Do not leave anything blank. If you have questions, please call the Planning & Development Department at 701.241.1474 or email planning@fargond.gov.

Organization	
Project Title	
Primary Contact Person	
- Phone	**( )**
- Email	
UEI (Unique Entity Identifier Number)	
Requested CDBG Amount	**$**
Requested HOME Amount	**$**
Requested Combined Amount	**$**

Exhibit B – Proposal Score Sheet

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME FUNDS SCORE SHEET

2023 Notice of Funding Opportunity (NOFO)

Organization	
Project Title	
Evaluator	
SCORE (150 points possible)	**/ 150**

a. ***MINIMUM SUBMISSION REQUIREMENTS: ____ / 15***

	Yes – 3	No – 0	Score
1. Complete Proposal Submitted			
2. Proposal Submitted On Time			
3. System for Award Management (SAM) Registration			

b. ***FUNDING INFORMATION: ____ / 35***

BUDGET						
10	7	5	3	1	0	Score
Provided a highly detailed and realistic budget with a strong use of funds		Budget appears to support the project as described. Some gaps in detail identified		Budget is significantly incomplete or insubstantial	No budget provided; budget not reflective of actual costs	

PERCENTAGE OF OVERALL PROJECT BUDGET REQUESTED						
10	7	5	3	1	0	Score
Less than 15%	Between 15-25%	More than 25%	More than 50%	More than 75%	100%	

OTHER FUNDING SOURCES (i.e., fees, donations, other grants) that organization has received or will pursue to support the proposed project						
10	7	5	3	1	0	Score
Significant financial support from other funding sources is demonstrated		Some financial support from other funding sources is demonstrated		Minimal financial support from other funding sources is demonstrated		

FUNDING IMPACT Organization's ability to carry out the project if this request is not funded or only partially funded – these funds are generally available to fill final gaps on projects, but City of Fargo at times will fully fund projects that would not happen at all without HUD funds						
5	4	3	2	1	0	Score
Project will still occur or continue, but it will not thrive at its full capacity without City of Fargo funding or subsidy will be limited		Project will still occur or continue, but its sustainability or long term affordability is at risk		Project will not likely be successful without City of Fargo funding	Project will not happen without City of Fargo funding	

Notes:

c. ***PROJECT/PROGRAM OVERVIEW: ____ / 50***

DEMONSTRATED KNOWLEDGE OF COMMUNITY NEEDS/5-YEAR PLAN GOALS						
15		10		5	0	Score
Project has a clear relationship to the priority needs stated within the City of Fargo's Consolidated Plan; it will fulfill a unique or otherwise unfulfilled goal		Project has a general relationship to the needs stated within the City of Fargo's Consolidated Plan; however, the need is not a priority; it will fulfill a goal		Project has a relationship to the needs stated within the City of Fargo's Consolidated Plan, but the goal has already been met, or is not (or no longer) a priority need	Project is not identified as a community need in any local plans or studies	

PROJECT DESCRIPTION						
10	7	5	3	1	0	Score
Provided a clear summary of the project with specific details		Somewhat clear summary of the project with some specific details		Vague, incomplete, or unclear summary of the project with few details	No details provided	

MEASURES AND OUTCOMES						
10	7	5	3	1	0	Score
Clear definition of success for the project; clear explanation given for demonstrating how outcomes are met		Good understanding of anticipated and specific results of success, but some details are missing		Success is difficult to ascertain, method to measure outcomes is deficient (e.g., untestable or unreportable outcomes)	Measurement of goals and outcomes not described	

NEW OR EXISTING PROJECT/PROGRAM						
5	4	3	2	1	0	Score
Proposed project is new to the area or a necessary increase to an existing service; critical gap will be filled		Proposed project will fill a gap, but it is not a critical gap; meets a need		Proposed project unnecessarily duplicates an existing project; existing projects fully meeting the need	No details provided	

COLLABORATIVE EFFORTS						
5	4	3	2	1	0	Score
Organization clearly demonstrates how the proposed project complements existing services; collaboration with other projects and/or programs is strong		Organization demonstrates possibilities for how the proposed project may complement existing services, but collaboration with other providers in the area is limited		No collaboration with other projects/programs	No details provided	

PROPOSED TIMELINE						
5	4	3	2	1	0	Score
Timeline provided is reasonable and realistic; funds are likely to take 6 months or less to		Timeline provided is sufficient, but some details are missing; funds		Timeline provided is lacking in detail/unrealistic; funds are likely to take 10+ months to expend	No timeline provided	

expend (HOME – 12 months)		may take 7 – 10 months to expend (HOME – 1-2 years)		(HOME – 2+ years)		

Notes:

d. ***ORGANIZATION CAPACITY AND HISTORY: ____ / 30***

ORGANIZATION DEMONSTRATES EXPERIENCE DELIVERING SIMILAR PROJECT/PROGRAM						
5	4	3	2	1	0	Score
Organization demonstrates significant experience or expertise in the field as it relates to proposed project		Organization has gaps in experience or knowledge but demonstrates that it can reasonably bridge gaps to successfully carry out project		Organization does not demonstrate the experience or knowledge to carry out the project	No details provided	

PREVIOUS EXPERIENCE WITH HUD GRANTS AND FUNDING						
5	4	3	2	1	0	Score
Organization is very familiar with HUD grant requirements, received 3 or more HUD grants throughout its lifespan		Organization has some familiarity with HUD grant requirements, received 1 – 2 HUD grants throughout its lifespan		Organization is unfamiliar with HUD grant requirements. Has never received HUD grants before	No details provided	

ORGANIZATION ADMINISTRATIVE CAPACITY						
10	7	5	3	1	0	Score

Organization will likely need minimal oversight from City of Fargo staff to correctly complete all required HUD and City paperwork, documentation and reporting requirements		Organization will likely need some oversight from City of Fargo staff to correctly complete all HUD and City paperwork, documentation and reporting requirements		Organization will likely need extensive oversight from City of Fargo staff to correctly complete all HUD and City paperwork, documentation and reporting requirements	Organization does not demonstrate capacity to carry out project/program; no details provided	

ORGANIZATION GRANT HISTORY						
10	7	5	3	1	0	Score
Organization has received grants from the City of Fargo with a positive history of successfully carrying out and completing projects; has positive outcomes and effective grant management		Organization has received grants from the City of Fargo; demonstrated challenges, but still had successful outcomes and general ability to manage grant requirements		Organization has no grant history with the City of Fargo and limited history with other funders; has poorly executed grant history/management; failed to complete a project within reasonable time.	Has been required to repay or forfeit grant funds, had to cancel a project, has mismanaged grant funds	

Notes:

e. ***CITY STAFF CAPACITY AND CONSIDERATIONS: ____ / 20***

STAFF CAPACITY						
20	16	12	8	4	0	Score
Project will require an average amount		Project will require an additional		Project will require extensive staff time due to	Staff has not carried	

of staff time to oversee; staff are familiar with the federal regulations required for this project and are able to manage it along with other projects		amount of staff time to oversee due to federal regulations and requirements; some consideration would have to be taken for what other projects could be funded if this project was accepted		federal regulations and requirements involved with activity type; the required staff time would significantly impact the office's ability to fund and manage additional and existing projects	out the project and does not foresee ability or time to carry out project type in the 2023 program year	

Notes:

End of Request for Proposals Notice of Funding Opportunity document.

Public Notice for 2023 Action Plan Public Input Meeting and Notice of Funding Opportunity

This was sent to the Fargo Forum for publication on Wednesday, February 22, 2023.

Notice of Virtual Public Input Meeting & FY 2023 Notice of Funding Opportunity (NOFO)
City of Fargo

The City of Fargo is soliciting public input and seeking proposals for the development of its 2023 Community Development & Housing Action Plan. This plan allocates the City's annual entitlement funds from the Department of Housing and Urban Development (HUD). The primary purpose of these funds is to benefit low and moderate income individuals and households.

Program
Department of Housing & Urban Development (HUD)

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships Program

Funding Opportunity Title
"2023 HUD Grants NOFO"

Virtual Public Input Meeting
March 10, 2023, 12:00 – 1:00 PM (Central)
Meeting Link: https://meet.goto.com/173077949
Dial-In Phone Option: 1 (408) 650-3123 – Access Code: 173-077-949
Comments and suggestions from the public are also encouraged through email and telephone. The existing plans are available online at www.fargond.gov/planninganddevelopment/plansandstudies or by request through the Planning and Development Department at (701) 241-1474.

Due Date for Proposals
March 17, 2023 by 4:30 p.m.

Submission Instructions
All proposals must be submitted electronically. Full instructions, NOFO, application materials, eligibility requirements, and the submission link are located online at: https://fargond.gov/work/bids-rfqs-rfps.

Questions, Comments, or Suggestions
Call 701-476-4144 or email tbraseth@fargond.gov with questions, comments, or suggestions.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

Accessibility – Fargo City Hall is serviced by public transit, accessible and can accommodate persons who are disabled. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or

reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be made upon request. The contact information to arrange for services (a 48 hour notice may be needed) is City of Fargo's Section 504/ADA Coordinator Bekki Majerus – 701.298.6966. To access TTY/ND Relay service – 800.366.6888 or 711.

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. If services are needed, the contact information is provided above.

ND Affidavit No. 195595

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA
ss.
COUNTY OF CASS

Taylor Herbold, The Forum of Fargo-Moorhead, being duly sworn, states as follows:

1. I am the designated agent of The Forum of Fargo-Moorhead, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspaper listed on the attached exhibit.

2. The newspaper listed on the exhibit published the advertisement of: ***Legal Notice; (1) time: Wednesday February 22, 2023***, as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Dated this 22nd day of February, 2023

Legal Clerk

Notary Public

NICHOLE SEITZ
Notary Public
State of North Dakota
My Commission Expires Jan. 3, 2024

NOTICE OF VIRTUAL PUBLIC INPUT MEETING & FY 2023 NOTICE OF FUNDING OPPORTUNITY (NOFO)
City of Fargo

The City of Fargo is soliciting public input and seeking proposals for the development of its 2023 Community Development & Housing Action Plan. This plan allocates the City's annual entitlement funds from the Department of Housing and Urban Development (HUD). The primary purpose of these funds is to benefit low and moderate income individuals and households.

Program
Department of Housing & Urban Development (HUD)
-Community Development Block Grant (CDBG)
-HOME Investment Partnerships Program

Funding Opportunity Title
"2023 HUD Grants NOFO"

Virtual Public Input Meeting
March 10, 2023, 12:00– 1:00 PM (Central)

Meeting Link:
https://meet.goto.com/170777049
Dial-In Phone Option: 1 (408) 650-3123 – Access Code: 170-777-049

Comments and suggestions from the public are also encouraged through email and telephone. The existing plans are available online at www.fargond.gov/planning-and-development/community-development/studies or by request through the Planning and Development Department at (701) 241-1474.

Due Date for Proposals
March 17, 2023 By 4:30 p.m.

Submission Instructions
All proposals must be submitted electronically. Full instructions, NOFO, application materials, eligibility requirements, and the submission link are located online at: https://fargond.gov/work/bids-rfqs-rfps

Questions, Comments, or Suggestions
Call 701-476-4144 or email kraseth@fargond.gov with questions, comments, or suggestions.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

Accessibility – Fargo City Hall is served by public transit, accessible and can accommodate persons who are disabled. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be made upon request. The contact information to arrange for services (a 48 hour notice may be needed) is City of Fargo's Section 504/ADA Coordinator Dakki Magnus – 701.298.6065. To access TTY/ND Relay service – 800.366.6888 or 711.

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. If services are needed, the contact information is provided above.

(Feb. 22, 2023) 195595

Attendance for 2023 Action Plan Public Input Meeting

March 10, 2023 Meeting
Trenton Gerads, Cass Clay Community Land Trust (CCCLT)
Samantha McDonald, Cass Clay Community Land Trust (CCCLT)
Sarah Kennedy, Presentation Partners in Housing
Cassie Skalicky, Rebuilding Together Fargo-Moorhead Area
Jessica Miller, Neighborhood Church and Community Center
Mardi Ehrmantraut, The Arbors at McCormick Park
Robin Nelson, Fargo Public Schools
Precious Dweh, WIN-Liberia

THE CITY OF
Fargo
FAR MORE

VIRTUAL PUBLIC INPUT MEETING
HUD 2023 FUNDS
MARCH 10, 2023

Purpose of Meeting

1. Getting your input on current community needs and strengths
2. Increase community knowledge of HUD programs
3. Encouraging community buy-in and support
4. Establish partnerships and align resources
5. Share 2023 allocations and timeline for Annual Action Plan

Agenda

1. Background on HUD Program
2. Priority Needs
3. 2023 Allocation Amounts
4. 2023 Timeline for Annual Action Plan
5. Input on current community needs and strengths

Background

- Fargo is what is called an "Entitlement" community and a "Participating Jurisdiction (PJ)", meaning it receives an annual allocation of federal funds from the Department of Housing & Urban Development (HUD)
- Funds must be used to address housing and community development needs for low-to-moderate income households
- Annual allocations are approximately $1.4 million
- Funds are typically awarded to the City during the summer and projects are awarded in the fall, although it can be earlier or later depending on the federal budget and appropriations process
- All projects and funds go through a citizen participation process, including a 30 day public comment period and a public hearing at City Commission

HUD Programs

There are two separate HUD programs that are funded:

1. Community Development Block Grant (CDBG)

Projects typically include activities to support housing or community programs and facilities, such as property acquisition, public facility construction or rehabilitation, or homelessness services.

2. HOME Investment Partnerships Program (HOME)

Projects are solely focused on housing (i.e., single & multi-family, homeownership & rental). Specific activities typically include property acquisition, construction, rehabilitation, or assistance.

Consolidated Plan (5-Year Plan) & Annual Plan

There are two plans that the City creates and follows, the 5-Year Consolidated Plan and each corresponding Annual Action Plan. We are currently following the 2020-2024 Plan and starting the 2023 Action Plan.

Needs Identified in 5-Year Plan:

1. Housing Affordability
2. Ending & Preventing Homelessness
3. Neighborhood Improvements
4. Assistance for Vulnerable Populations/Poverty Reduction

1

Community Development Block Grant (CDBG)

2023 CDBG Allocation	$840,957
Less Program Administration (20%)	-$165,000
Less Public Services (15%) (for Downtown Engagement Center)	-$127,000
Less Contingency	-$15,000
Total Available for Program Year 2023	**$533,957**

HOME Investment Partnership Program

2023 HOME Allocation	$549,768
Less Program Administration	-$137,000
Less CHDO Set-Aside (15% required)	-$82,465
Total Available for Program Year 2023	**$330,303**

Timeline

Date	Item
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

Public Input

1. Share any input you have about community development and housing.
2. Do today's needs still align with those identified in the 5-Year Plan?
   - [illegible]
   - [illegible]
   - [illegible]
   - [illegible]
3. What are some of the greatest needs you are encountering?
4. What community strengths can we build upon?
5. Ideas, thoughts, or comments about future projects?
6. How can the City of Fargo or the community as a whole do better?
7. Are there other ways you would like us to get your input outside of this meeting? FYI - We will provide email and other contact information after this mtg. If it's a survey, what do you want us to ask you?

Contact Information

City Hall
Planning & Development Department
225 4th St. N., Fargo, ND 58102
Tia Braseth: (701) 476-4144 or tbraseth@fargond.gov
Planning General: (701) 241-1474 or planning@fargond.gov

2

Notice for 2023 Community Development Action Plan

This was sent to the Fargo Forum for publication on Wednesday, May 10, 2023.

City of Fargo
Notice of Public Hearing & Public Comment Period
Community Development Block Grant (CDBG) & HOME Programs

The City of Fargo is opening a 30-day public comment period on May 11, 2023, which also includes a public hearing on May 30, 2023 during the regular Fargo City Commission meeting. Multiple items under the City's HUD programs will be open for comment during this period. All items will be given final consideration at the June 12, 2023 City Commission meeting. Each item is summarized in this notice.

2023 HUD ACTION PLAN DRAFT

The City has prepared a draft version of the 2023 HUD Action Plan. The priorities established within the draft plan result from community meetings and citizen participation in the development of the 2020-2024 Consolidated Plan, and from a public input meeting held on March 10, 2023. The City's 5-Year priorities include affordable housing, ending and preventing homelessness, neighborhood improvements and initiatives, and assistance for vulnerable populations. Comments on this draft should be provided during the public comment period (May 11 – Jun 9).

ESTIMATED RESOURCES FOR 2023
Community Development Block Grant (CDBG):

- **$840,957** 2023 Community Development Block Grant (CDBG) allocation from HUD
- **$80.38** Available for Reallocation at Prior Year-End (unused contingency dollars)

$841,037.38 ***Total CDBG***

HOME Investment Partnerships Program (HOME):

- **$549,768** 2023 HOME PJ allocation from HUD
- **$59,664.50** 2022 HOME PJ Program Income (actual)
- **$0** 2021 HOME State Program Income (actual)
- **$105,447.89** Available for Reallocation at Prior Year-End

$714,880.39 ***Total HOME***

Total = $1,555,917.77 CDBG & HOME

PROPOSED ACTIVITIES FOR 2023

Planning, Administration & Fair Housing

1. **CDBG Planning and Administration** - $155,000 in CDBG funds. Planning, implementation, reporting, and monitoring of CDBG resources. *National Objective: Not applicable for administration. Eligibility & Regulation Citation: 21A General Program Administration, 24 CFR Part 570.206.*
2. **HOME Planning and Administration** - $54,000 in HOME funds. Planning, implementation, reporting, and monitoring of HOME resources. *National Objective: Not applicable for administration.*

3. **High Plains Fair Housing Center** - $5,000 in CDBG funds. Support comprehensive outreach and fair housing education as part of the requirement to affirmatively further fair housing under the Fair Housing Act (42 U.S.C. 3601-20). *Eligibility & Regulation Citation: 21D Fair Housing Activities (subject to 20% Admin. Cap), 24 CFR Part 570.206(c).*

Capital/Neighborhood Improvements

1. **Core Neighborhood Deteriorated Structure Removal -** $255,000 in CDBG funds. Demolition to address and eliminate blighted conditions at approximately four properties located in the Jefferson/Carl Ben, Madison, and Washington core neighborhoods of Fargo. Activities will be carried out by the Cass Clay Community Land Trust in support of affordable housing development. The locations of the four properties have been identified and are located at 1345 4 Avenue South; 1822 3 Street North; 317 19 Street North; and 1109 University Drive South. *National Objective, Eligibility, & Regulation Citation: Slum and Blight Spot (SBS) [24 CFR Part 570.208(b)(2)], 04 Clearance and Demolition, 24 CFR Part 570.201(d).*

Public Service

1. **Downtown Engagement Center Operations** - $125,000 in CDBG funds. Provide operational support for homeless and housing-related services at the Downtown Engagement Center (DEC) located in downtown Fargo. *National Objective, Eligibility, & Regulation Citation: Low-Mod Clientele (LMC) Benefit [24 CFR Part 570.208(a)(2)], 03T Operating Costs of Homeless/Aids Patient Programs, 24 CFR Part 570.201(e).*

Affordable Housing

1. **Acquisition for Multi-Family Rental Housing Project** - $150,000 in CDBG funds. Acquisition of land for new construction of an affordable multi-family rental housing complex, in partnership with Beyond Shelter, Inc. The location of this project is not yet determined. A public comment period will occur at a later date when a project location is identified. *National Objective, Eligibility, & Regulation Citation: Low-Mod Housing Benefit (LMH) [24 CFR Part 570.208(a)(3)], 01 Acquisition of Real Property, 24 CFR Part 570.201(a).*
2. **Community Housing Development Organization (CHDO)** - $100,000 in 'set-aside' HOME funds. The City will partner with a Community Housing Development Organization (CHDO) to create affordable housing with the HOME set-aside funds in Fargo. *HOME Eligible Activity under 92.205(a)(1).*
3. **Affordable Single-Family Housing for Ownership** - $550,000 in HOME funds. Addition of three units of affordable single-family housing for ownership, to be occupied by low-to-moderate income households. Activities may include acquisition, demolition, rehabilitation (for properties built after 1978 only), and/or new construction. Activities will be carried out by Lake Agassiz Habitat for Humanity. The location of one housing unit has been identified and is located at 1714 5 Avenue South. Public comment will occur at a later date when additional project locations are identified. *HOME Eligible Activity under 92.205(a)(1).*
4. **Core Neighborhood Affordable Housing Development** – $135,000 in CDBG funds. Additional funds are needed for this major development project (project approved in 2022 Action Plan). Funds will be used in part to secure a consultant to assist in the development of the project, neighborhood outreach, drafting and implementation of the developer bid packet, and developer review/selection. Funds may also be used to secure additional administrative and project management assistance on this project. The location of the project is at 3129 7 Avenue North and 802 32 Street North in Fargo, ND. *National Objective, Eligibility, & Regulation Citation: Low-Mod Housing Benefit (LMH) [24 CFR Part 570.208(a)(3)]. Associated CDBG Matrix Codes*

include: 01 Acquisition of Real Property - Eligibility 24 CFR Part 570.201(a) and 02 Disposition of Real Property – Eligibility 24 CFR Part 570.201(b).

Contingency Funds
Funds held in contingency for issues that may arise during the program year – $16,037.38 CDBG funds and $10,880.39 HOME funds.

CONTINGENCY PROVISIONS/POTENTIAL ADJUSTMENTS TO 2023 ACTIVITIES & BUDGET

- Budget adjustments transferring amounts greater than 10% of the amount allocated to the City's entitlement grant programs for program year 2023 are considered substantial amendments and will be implemented in accordance with Fargo's Citizen Participation Plan (www.fargond.gov)
- Unanticipated program income may result in a substantial amendment to amend activities and budgets in accordance with Fargo's Citizen Participation Plan
- To match actual 2023 allocation amounts and any increase in program income, funding will be applied to affordable housing projects if needed or the contingency line item if less than $5,000. Any unused funds will be reallocated in an amendment or the following year's action plan, either of which require a 30-day public comment period.
- All funding levels indicated above are estimated amounts

PROPOSED AMENDMENT TO 2021 HUD ACTION PLAN

Change of Use for the "After School Matters Youth Center" project - amend National Objective, Matrix Code, and Eligibility/Regulation Citation.

Background – This amendment will allow for a broader service area by opening up the After School Matters Center, located at 1321 19 Avenue North in Fargo, ND, to all ages (not just youth) that live in low-to-moderate income area neighborhoods. Based on existing services, adults and youth are benefiting from programming that occurs at the center (e.g., events, meals, performances, classes, etc.). The broader service areas for this neighborhood facility include Northport, Washington, Roosevelt/NDSU, Trollwood, Longfellow, Horace Mann, Madison/Unicorn Park, Downtown, (census tracts 1.00, 2.03 (formerly 2.01), 2.04 (formerly 2.02), 3.00, 4.00, 5.01, 5.02, 6.01 (formerly 6.00), 6.02 (formerly 6), 7/all block groups). The amendment changes the project's national objective, eligibility code, and regulatory citation (requirements for HUD reporting purposes). These items will change from:

1. *Low-Mod Clientele Benefit (LMC) [24 CFR Part 570.208(a)(2)]; 03D, Public Facilities & Improvements, Youth Center; 24 CFR Part 570.201(c)*
   to
2. *Low-Mod Area Benefit (LMA) [24 CFR Part 570.208(a)(1)]; 03E, Neighborhood Facilities; 24 CFR Part 570.201(c).*

COMMENTS, ACCESSIBILITY, & SCHEDULE

Comments and suggestions from the public are encouraged through a public comment period and/or at the public hearing. Contact information and schedule are provided below:

30-DAY PUBLIC COMMENT PERIOD: May 11 through June 9, 2023

PUBLIC HEARING: Tuesday, May 30, 2023 - 5:15 pm
Fargo City Commission Chambers
225 4th Street North, Fargo, ND 58102

CITY COMMISSION VOTE:	Monday, June 12, 2023 – 5:15 pm
CONTACT INFORMATION:	City of Fargo Planning and Development Department Attn: Community Development Planning Coordinator 225 4th Street North, Fargo ND 58102 701.476.4144 Planning@FargoND.gov
DRAFT PLAN AVAILABLE AT:	www.fargond.gov/planninganddevelopment/plansandstudies OR request through Planning & Development Department

Accessibility – Fargo City Hall is serviced by public transit, accessible and can accommodate persons who are disabled. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be made upon request. Contact information is provided above. The City of Fargo's Section 504/ADA Coordinator Bekki Majerus – 701.298.6966 to arrange for services (a 48 hour notice may be needed). To access TTY/ND Relay service – 800.366.6888 or 711

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. If services are needed, contact information is provided above.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

ND Affidavit No 222189

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA
ss.
COUNTY OF CASS

Taylor Herbold, The Forum of Fargo-Moorhead, being duly sworn, states as follows:

1. I am the designated agent of The Forum of Fargo-Moorhead, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspaper listed on the attached exhibit.

2. The newspaper listed on the exhibit published the advertisement of: ***Legal Notice; (1) time: Wednesday, May 10, 2023***, as required by law or ordinance.

3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

Dated this 10th day of May, 2023

Legals Clerk

Notary Public

NICHOLE SEITZ
Notary Public
State of North Dakota
My Commission Expires

CITY OF FARGO
Notice of Public Hearing & Public Comment Period
Community Development Block Grant (CDBG) & HOME Programs

The City of Fargo is opening a 30-day public comment period on May 11, 2023, which also includes a public hearing on Tuesday, May 30, 2023 during the regular Fargo City Commission meeting. Multiple items under the City's HUD programs will be open for comment during this period. All items will be given final consideration at the June 12, 2023 City Commission meeting. Each item is summarized in this notice.

2023 HUD ACTION PLAN DRAFT

The City has prepared a draft version of the 2023 HUD Action Plan. The priorities established within the draft plan result from community meetings and citizen participation in the development of the 2020-2024 Consolidated Plan, and from a public input meeting held on March 10, 2023. The City's 5-Year priorities include affordable housing, ending and preventing homelessness, neighborhood improvements and initiatives, and assistance for vulnerable populations. Comments on this draft should be provided during the public comment period (May 11 – June 9).

ESTIMATED RESOURCES FOR 2023

Community Development Block Grant (CDBG):

•$840,857 2023 Community Development Block Grant (CDBG) allocation from HUD

•$80.38 Available for Reallocation at Prior Year End (unused contingency dollars)

$841,937.55 Total CDBG

HOME Investment Partnerships Program (HOME):

•$549,768 2023 HOME PJ allocation from HUD

•$59,664.58 2022 HOME PJ Program Income (actual)

•$6 2021 HOME State Program Income (actual)

•$105,447.69 Available for Reallocation at Prior Year-End

$714,886.39 Total HOME

Total = $1,555,917.77 CDBG & HOME

PROPOSED ACTIVITIES FOR 2023

Planning, Administration & Fair Housing

1.**CDBG Planning and Administration** -$168,000 in CDBG funds. Planning, implementation, reporting, and monitoring of CDBG resources. National Objective: Not applicable for administration. Eligibility & Regulation Citation: 24 A General Program Administration, 24 CFR Part 570.206.

2.**HOME Planning and Administration**- $54,000 in HOME funds. Planning, implementation, reporting, and monitoring of HOME resources. National Objective: Not applicable for administration.

3.**High Plains Fair Housing Center** - $5,000 in CDBG funds. Support comprehensive outreach and fair housing education as part of the requirement to affirmatively further fair housing under the Fair Housing Act (42 U.S.C. 3601-20). Eligibility & Regulation Citation: 31D Fair Housing Activities (subject to 20% Admin. Cap), 24 CFR Part 570.206(c).

Capital/Neighborhood Improvements

1.**Core Neighborhood Deteriorated Structure Removal** - $255,000 in CDBG funds. Demolition to address and eliminate blighted conditions at approximately four properties located in the Jefferson/Civil Ben, Madison, and Washington core neighborhoods of Fargo. Activities will be carried out by the Cass Clay Community Land Trust in support of affordable housing development. The locations of the four properties have been identified and are located at 1345 4 Avenue South; 1822 2 Street North; 317 19 Street North; and 1109 University Drive South. National Objective, Eligibility, & Regulation Citation: Slum and Blight Spot (SBS) 24 CFR Part 570.208(b)(2), 01 Clearance and Demolition, 24 CFR Part 570.201(d)

Public Service

1.**Downtown Engagement Center Operations** – $125,000 in CDBG funds. Provide operations support for homeless and housing-related services at the Downtown Engagement Center (DEC) located in downtown Fargo. National Objective, Eligibility, & Regulation Citation: Low-Mod Clientele (LMC) Benefit 24 CFR Part 570.208(a)(2), 05T Operating Costs of Homeless/Aids Patient Programs, 24 CFR Part 570.201(e).

Affordable Housing

1.**Acquisition for Multi-Family Rental Housing Project** - $150,000 in CDBG funds. Acquisition of land for new construction of an affordable multi-family rental housing complex in partnership with Beyond Shelter, Inc. The location of the project is not yet determined. A public comment period will occur at a later date when a project location is identified. National Objective, Eligibility, & Regulation Citation: Low-Mod Housing Benefit (LMH) 24 CFR Part 570.208(a)(3), 01 Acquisition of Real Property, 24 CFR Part 570.201(a).

2.**Community Housing Development Organization (CHDO)** – $100,000 in set-aside HOME funds. The City will partner with a Community Housing Development Organization (CHDO) to create affordable housing with the HOME set-aside funds in Fargo. HOME Eligible Activity under 92.205(a)(1).

3.**Affordable Single-Family Housing for Ownership** - $550,000 in HOME funds. Addition of three units of affordable single-family housing for ownership, to be occupied by low-to-moderate income households. Activities may include acquisition, demolition, rehabilitation (for properties built after 1978 only), and/or new construction. Activities will be carried out by Lake Agassiz Habitat for Humanity. The location of one housing unit has been identified and is located at 1714 5 Avenue South. Public comment will occur at a later date when additional project locations are identified. HOME Eligible Activity under 92.205(a)(1).

4.**Core Neighborhood Affordable Housing Development** – $130,000 in CDBG funds. Additional funds are needed for this major development project (project approved in 2022 Action Plan). Funds will be used in part to secure a consultant to assist in the development of this project, neighborhood outreach, drafting and implementation of the developer set packet, and developer reimbursement. Funds may also be used to secure additional administrative and project management assistance on this project. The location of the project is at 2125 7 Avenue North and 802 32 Street North in Fargo, ND. National Objective, Eligibility, & Regulation Citation: Low-Mod Housing Benefit (LMH) 24 CFR Part 570.208(a)(3). Associated CDBG Matrix Codes include 01 Acquisition of Real Property – Eligibility 24 CFR Part 570.201(a) and 02 Disposition of Real Property – Eligibility 24 CFR Part 570.201(b)

Contingency Funds

Funds held in contingency for issues that may arise during the program year – $18,037.08 CDBG funds and $10,880.39 HOME funds.

CONTINGENCY PROVISIONS/POTENTIAL ADJUSTMENTS TO 2023 ACTIVITIES & BUDGET

• Budget adjustments maintaining amounts greater than 10% of the amount allocated to the City's entitlement grant programs for program year 2023 are considered substantial amendments and will be implemented in accordance with Fargo's Citizen Participation Plan (www.fargond.gov).

• Unanticipated program income may result in a substantial amendment to amend activities and budgets in accordance with Fargo's Citizen Participation Plan.

• To match actual 2023 allocation amounts and any increase in program income funding will be applied to affordable housing projects if needed or the contingency line item if less than $5,000. Any unused funds will be reallocated in an amendment or the following year's action plan, either of which require a 30-day public comment period.

• All funding levels indicated above are estimated amounts.

PROPOSED AMENDMENT TO 2021 HUD ACTION PLAN

Change of Use for the "After School Matters Youth Center" project – amend National Objective, Matrix Code, and Eligibility/Regulation Citation.

Background – This amendment will allow for a broader service area by opening up the After School Matters Center, located at 1321 18 Avenue North in Fargo, ND, to all ages (not just youth) that live in low-to-moderate income area neighborhoods. Based on existing services, adults and youth are benefiting from programming that occurs at the center (e.g., events, meals, performances, classes, etc.). The broader service areas for the neighborhood facility include Northport, Washington, Roosevelt/NDSU, Trollwood, Longfellow, Horace Mann, Madison/Unicorn Park, Downtown, (census tracts 1.00, 2.02 (formerly 2.01), 2.04 (formerly 2.02), 3.00, 4.00, 5.01, 5.02, 6.01 (formerly 6.00), 6.02 (formerly 6), 7(all block groups). The amendment changes the project's national objective, eligibility code, and regulatory citation (requirements for HUD reporting purposes). These items are change from:

1. Low Mod Clientele Benefit (LMC) [24 CFR Part 570.208(a)(2)], 03D, Public Facilities & Improvements-Youth Center, 24 CFR Part 570.201(c)

to

2. Low-Mod Area Benefit (LMA) [24 CFR Part 570.208(a)(1)], 03E, Neighborhood Facilities, 24 CFR Part 570.201(c).

COMMENTS, ACCESSIBILITY, & SCHEDULE

Comments and suggestions from the public are encouraged through a public comment period and/or at the public hearing. Consult information and schedule are provided below:

30-DAY PUBLIC COMMENT PERIOD: May 11 through June 9, 2023

PUBLIC HEARING: Tuesday, May 30, 2023 - 5:15 pm

Fargo City Commission Chambers
225 4th Street North, Fargo, ND 58102

CITY COMMISSION VOTE:

Monday, June 12, 2023 – 5:15 pm

CONTACT INFORMATION: City of Fargo
Planning and Development Department
Attn: Community Development Planning Coordinator
225 4th Street North, Fargo ND 58102
701.476.4144
Planning@FargoND.gov

DRAFT PLAN AVAILABLE AT: www.fargond.gov/planning-and-development/plans/consolidated

OR request through Planning & Development Department

Accessibility – Fargo City Hall is serviced by public transit, accessible, and can accommodate persons who are disabled. Alternative formats of this information (e.g., Braille, American Sign Language, etc.) or reasonable accommodations for persons with hearing/vision impairments and/or other disabilities will be made upon request. Contact City of Fargo's Section 504/ADA Coordinator Beki Mapes at 701.298.6166 to arrange for services (a 48 hour notice may be needed). TO access TTY/ND Relay service – 800.366.6888 or 711.

Limited English – Reasonable steps will be taken to provide persons with limited English proficiency (LEP) meaningful access, including the availability of interpretation and translation services. Contact the City of Fargo Planning and Development Department at 701.241.1474 or Planning@FargoND.gov if services are needed.

Non-Discrimination Notice – In accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, familial status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or condition protected by applicable federal and state laws. The City is an equal employment/equal housing opportunity agency.

(May 10, 2023) 322169

City News Room

Notice of Public Hearing & Public Comment Period for the Department of Housing and Urban Development (HUD) 2023 Action Plan & Budget Proposal and Amendments to the 2021 Action Plan

Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Draft 2023 Action Plan and 2021 Action Plan Amendments Available for Review

05/10/2023

The City of Fargo has prepared a draft version of the 2023 Action Plan and amendments to the 2021 Action Plan for review.

All citizens are welcome to submit comments at any time during the public comment period or at the public hearing. The public comment period runs from May 11 through June 9, 2023, with a public hearing scheduled at the Tuesday, May 30, 2023 City Commission meeting. After final consideration by the City Commission on June 12, 2023 at 5:15 p.m., a recommendation regarding these actions will be forwarded to HUD for their consideration and approval.

Comments submitted by email or telephone are preferred. Communications will be received during the public comment period through June 9, 2023 and should be directed to either Planning@FargoND.gov or by calling 701.476.4144.

For more information, view the full public notice published in The Forum newspaper on May 10, 2023. For translation services on the public notice, draft plan and/or proposed amendments, contact the City of Fargo at 701.241.1474.

Google Translated to: Nepali Show original Options ▼

शहर समाचार
कोठा

आवास र शहरी विकास विभाग (HUD) 2023 कार्य योजना र बजेट प्रस्ताव र 2021 कार्य योजनामा संशोधनहरूका लागि सार्वजनिक सुनुवाइ र सार्वजनिक टिप्पणी अवधिको सूचना

सामुदायिक विकास ब्लक अनुदान (CDBG) र गृह लगानी साझेदारी कार्यक्रम (HOME) मस्यौदा 2023 कार्य योजना र 2021 कार्य योजना संशोधनहरू समीक्षाको लागि उपलब्ध छन्

०५/१०/२०२३

फार्गो शहरले 2023 कार्य योजनाको मस्यौदा संस्करण र समीक्षाको लागि 2021 कार्य योजनामा संशोधनहरू तयार गरेको छ।

सबै नागरिकहरूलाई सार्वजनिक टिप्पणी अवधि वा सार्वजनिक सुनुवाइमा कुनै पनि समयमा टिप्पणीहरू पेश गर्न स्वागत छ। सार्वजनिक टिप्पणी अवधि मे 11 देखि जुन 9, 2023 सम्म चल्छ, मङ्गलबार, मे 30, 2023 को शहर आयोगको बैठकमा सार्वजनिक सुनुवाई तय गरिएको छ। जुन १२, २०२३ बेलुका ५:१५ मा शहर आयोगले अन्तिम विचार गरेपछि, यी कार्यहरू सम्बन्धी सिफारिस उनीहरूको विचार र स्वीकृतिको लागि HUD लाई पठाइनेछ।

इमेल वा टेलिफोन द्वारा पेश गरिएका टिप्पणीहरूलाई प्राथमिकता दिइन्छ। सञ्चारहरू जुन 9, 2023 सम्म सार्वजनिक टिप्पणी अवधिमा प्राप्त हुनेछन् र या त Planning@FargoND.gov मा वा 701.476.4144 मा कल गरेर निर्देशित हुनुपर्छ।

थप जानकारीको लागि, 10 मे, 2023 मा फोरम अखबारमा प्रकाशित पूर्ण सार्वजनिक सूचना हेर्नुहोस। सार्वजनिक सूचना, मस्यौदा योजना र/वा प्रस्तावित संशोधनहरूमा अनुवाद सेवाहरूको लागि, 701.241.1474 मा फार्गो शहरलाई सम्पर्क गर्नुहोस।

Community Development Committee
E-mail Notification for 2023 AAP
Public Comment Period

From: Planning E-mails
Bcc: Tra Braseth; Kristi Sylskar; Jasmine Markusen; Sydney Quinlan; Caitlin Christie; "Chris Brunkhorst"; "Cindy Graffeo"; John Strand; "Ken Enockson"; "Linda Klebe"; Michael Redlinger; "Robin Nelson"; "rocky.schneider@gmail.com"; "Samantha McDonald"; Tim Mahoney
Subject: Draft 2023 Action Plan
Date: Wednesday, May 10, 2023 4:13:00 PM

Good Afternoon,

The City of Fargo has prepared a draft version of the 2023 Action Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME). The draft plan outlines the proposed use of U.S. Housing and Urban Development (HUD) funds and is available for public review. The public comment period runs from May 11 through June 9, 2023. All citizens are welcome to submit comments at any time during the public comment period, or at the public hearing scheduled for the Tuesday, May 30, 2023 Fargo City Commission meeting. Following final City Commission consideration of the 2023 Action Plan on Monday, June 12, 2023, a recommendation regarding these actions will be forwarded to HUD for its consideration and approval.

The draft action plan is available online. For more information, view the full public notice published in *The Forum* newspaper Wednesday, May 10, 2023.

Please let Tra know if you have any questions, TBraseth@FargoND.gov . Thank you!

Community Development Partners
E-mail Notification on 2023 AAP
Public Comment Period

From: Planning E-mails

Bcc: Tia Brasethi; Kristi Sulskar; Jasmine Markusen; Sydney Quinlan; Caitlin Christie; Abdishakur Mohamed; Abdiwali Sharif; Abigail Peterson; Adam Martin; Adele Page; Ahmed Makarasan; Amber; Anna Frissell; Arlette Preston; Blake Strehlow; Brandon Kielden; Bryce Johnson; Cassie Skalicky (cassieskalicky@rebuildingtogetherfma.org); Chandler Esslinger; Cheri Gerken; CHI Friendship; Chris Brunsvardt; Chris Johnson; Chris Porter; Christine Laney; Cindy Graffeo; Cindy Gray; "Cody Schuler"; Cody Severson (cody@communityupliftprogram.org); creativeplains@gmail.com; Dan Hennaber; Dan Madler; Darci Asche; Darrin Murphy; Dave Leker; Dave Piepkorn; Dawn Morgan; Dawn Morgan; Deanna Sperling; Denise Kolpack; Desi Fleming; Diana Hall; Don Arvidson; Dralu Karlo; Emily Schwartz; Emmanuel Issaga Dure; Eric Wilkie (eric@kaasafoundation.org); Erin Dosch; Ezzat Haider; Faith Dixon (faithfhopefund@gmail.com); Fowzia Cadani (fowziainmigrant@gmail.com); Fraser Ltd.; Freedom Resource Center; "Gail Bollinger"; George Anderson; Gerri Leach; Gibson Jenue; Hollie Mackey; Hospice of The Red River Valley; Hukun Daber; Jack Wood; James Peppler; Jasmin Childcare; Jennifer Frueh; Jennifer Illich; Jessica Breewell; Jim Nelson; Joe Raso; John Campbell; John Strand; Jordan McCormick (jordan@furnituremissionmy.com); Jordan Moe; Josh Holmer; Julie Otto; "Julie Rivenes"; Kari Schmidt; Kawar Farouk; Kaylin Frappier; Kim Dar; Kim Kramer; Kim Seeb; Lakes and Prairies Community Action Partnership; Libby Skarin; Linda Hogan; Lindsey Olen; Lisa Faul; Lonnie Pederson; Lori Schwartz; Marcia Paulson; Mary Ann Allen; Mary Jean Dehne; Matt Niemeyer; Matt Yetter; Matuor Aller; Michael Bloom; Michelle Rydz; Mohammed Si Morgan Maire; Mustafa Mustafa; ND Human Rights Coalition; North Dakota Coalition for Homeless People; Pastor Jes; Pastor Tim Stox; Pat Gulbranson; Pat Traynor; Paul Zondo; Phyllis Bross; Prem Rai; Project HART; Project HERO; Rebuilding Together; Red River Children"s Advocacy Center; Rhoda Elmi; Rob Swiers; Robin Nelson; Sandra Leyland; Sarah Bagley; Sarah Hasbargen (sarahh@sendcaa.org); Sarah Kennedy; Sarah Philips; SENDCAA; Shane Walk; Sharon White Bear; Shawna Coiaker; Stacey Peroncello; Stace Loepenno; Sue Koesterman; Tim Mahoney; Imathern; Tonna Horsley; Tonya Sirleaf; Trenton Gerads; Victoria Johnson; William Ahlfeldt; Yoke-Sim Guneratne; Adil Abdelnour; Ahmed Shill; Alanna Zeller; Dayna Del Val; Erin Prochnow; Gad Edward (gadiedward@yahoo.com); Heff Stenseth; Jesse Johner; Joe Pederson ; Julie Haugen; Kathy Gilliam; Kenneth Masunga; Kim Ekart; Lorraine Davis; Mardi Ehrmantraut; Melanie Heitkamp; Paul Grindeland; Precious Dweh; Shauna Eberhardt; Southern Sudan Lutheran Church; State Bar Association of ND; Temple Beth El; Terry Hogan; Thomas Taban

Subject: Draft 2023 Action Plan

Date: Wednesday, May 10, 2023 4:10:00 PM

Community Development Partners,

The City of Fargo has prepared a draft version of the 2023 Action Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME). The draft plan outlines the proposed use of U.S. Housing and Urban Development (HUD) funds and is available for public review. The public comment period runs from May 11 through June 9, 2023. All citizens are welcome to submit comments at any time during the public comment period, or at the public hearing scheduled for the Tuesday, May 30, 2023 Fargo City Commission meeting. Following final City Commission consideration of the 2023 Action Plan on Monday, June 12, 2023, a recommendation regarding these actions will be forwarded to HUD for its consideration and approval.

The draft action plan is available online. For more information, view the full public notice published in *The Forum* newspaper Wednesday, May 10, 2023.

Please let Tia know if you have any questions, TBrasethi@FargoND.gov . Thank you!

Fargo Housing and Redevelopment Authority
E-mail Notification for 2023 AAP
Public Comment Period

From: Emily McCallister
To: Chris Brungardt
Subject: Draft 2023 Action Plan
Date: Wednesday, May 10, 2023 4:16:00 PM

Greetings,

The City of Fargo has prepared a draft version of the 2023 Action Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME). The draft plan outlines the proposed use of U.S. Housing and Urban Development (HUD) funds and is available for public review. The public comment period runs from May 11 through June 9, 2023. All citizens are welcome to submit comments at any time during the public comment period, or at the public hearing scheduled for the Tuesday, May 30, 2023 Fargo City Commission meeting. Following final City Commission consideration of the 2023 Action Plan on Monday, June 12, 2023, a recommendation regarding these actions will be forwarded to HUD for its consideration and approval.

The draft action plan is available online. For more information, view the full public notice published in *The Forum* newspaper Wednesday, May 10, 2023.

Per Fargo's Citizen Participation Plan, the Action Plan is to be made available to the public through various partners, including Fargo Housing Authority. Would you ensure staff know of the availability of the 2023 Action Plan so they can help direct interested persons to the document?

Please let Tia know if you have any questions, TBraseth@FargoND.gov . Thank you!

Fargo Libraries
E-mail Notification for 2023 AAP
Public Comment Period

From: Planning E-mail
To: Beth Bistema; "AskReference@FargoLibrary.org"
Subject: Draft 2023 Action Plan
Date: Wednesday, May 10, 2023 4:17:00 PM

Greetings,

The City of Fargo has prepared a draft version of the 2023 Action Plan for the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME). The draft plan outlines the proposed use of U.S. Housing and Urban Development (HUD) funds and is available for public review. The public comment period runs from May 11 through June 9, 2023. All citizens are welcome to submit comments at any time during the public comment period, or at the public hearing scheduled for the Tuesday, May 30, 2023 Fargo City Commission meeting. Following final City Commission consideration of the 2023 Action Plan on Monday, June 12, 2023, a recommendation regarding these actions will be forwarded to HUD for its consideration and approval.

The draft action plan is available online. For more information, view the full public notice published in *The Forum* newspaper Wednesday, May 10, 2023.

Per Fargo's Citizen Participation Plan, the Action Plan is to be made available to the public through all 3 library sites. Would you ensure library staff know of the availability of the 2023 Action Plan so they can help direct interested persons?

Please let Tia know if you have any questions, TBraseth@FargoND.gov . Thank you!

THE CITY OF Fargo FAR MORE

PLANNING & DEVELOPMENT

FARGO CITY HALL
225 4th Street North
Fargo, ND 58102
Office: 701.241.1474 | Fax: 701.241.1526
Email: Planning@FargoND.gov
FargoND.gov

37

RECEIVED AND FILED BY THE BOARD OF CITY COMMISSIONERS 5/30/23

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: NICOLE CRUTCHFIELD, PLANNING DIRECTOR
TIA BRASETH, COMMUNITY DEVELOPMENT PLANNING COORDINATOR TB

DATE: MAY 24, 2023

RE: PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) / HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) 2023 HUD ACTION PLAN AND PROPOSED AMENDMENT TO 2021 HUD ACTION PLAN

Planning & Development Department staff has prepared the 2023 Action Plan for the use of U.S. Housing and Urban Development (HUD) funds. A total of $1,555,917.77 is anticipated to be available for the 2023 Community Development budget.

In addition, staff are proposing an amendment to the 2021 Action Plan activity titled "After School Matters Youth Center" to allow for a broader service area by opening up the center to all ages (not just youth) that live in low-to-moderate income area neighborhoods. Based on existing services, adults and youth are benefitting from programming that occurs at the center (e.g., events, meals, performance, classes, etc.).

Details of the proposed 2023 Action Plan funding sources and projects are outlined in the attached public notice, which was published in *The Forum* newspaper on May 10, 2023. The public notice also contains information on the proposed 2021 Action Plan amendment. Per the adopted Citizen Participation Plan, this proposal is being presented at the May 30th City Commission meeting as a Public Hearing. The timeline, including the 30-day public comment period, is outlined in the attached public notice. Once approved by citizens and the City, the 2023 Action Plan and 2021 Action Plan amendment will be submitted to HUD for approval.

The 2023 Action Plan has been drafted in compliance with federal regulations and is consistent with the approved 5-Year Consolidated Plan (2020-2024). The draft plans are available on the City website (posted May 10, 2023). To date, no public comments have been received.

Attachment: Notice of Public Hearing & Public Comment Period

Recommended Motion: No action is required at this time; public hearing only. Final consideration of the 2023 Action Plan and 2021 Action Plan amendment is scheduled for June 12, 2023.

EQUAL HOUSING OPPORTUNITY

THE CITY OF Fargo FAR MORE | PLANNING & DEVELOPMENT

FARGO CITY HALL
225 4th Street North
Fargo, ND 58102
Office: 701.241.1474 | Fax: 701.241.1526
Email: Planning@FargoND.gov
FargoND.gov

APPROVED BY THE BOARD OF CITY COMMISSIONERS
6-12-23

28

MEMORANDUM

TO: BOARD OF CITY COMMISSIONERS

FROM: NICOLE CRUTCHFIELD, PLANNING DIRECTOR
TIA BRASETH, COMMUNITY DEVELOPMENT PLANNING COORDINATOR TB

DATE: JUNE 7, 2023

RE: APPROVE THE 2023 ACTION PLAN AND AMENDMENT TO THE 2021 ACTION PLAN, AND AUTHORIZE PLAN SUBMITTALS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Following the required 30-day public comment period and Public Hearing held during the May 30, 2023 City Commission meeting, staff is seeking approval of the proposed 2023 Action Plan for Community Development Block Grant (CDBG) and HOME programming and expenditures. In addition, staff is seeking approval of the proposed amendment to the 2021 Action Plan. The draft plans are available on the City website. No comments were received during the public comment period.

The proposed 2023 Action Plan and amendment to the 2021 Action Plan are in compliance with federal regulations for the Department of Housing and Urban Development (HUD) CDBG and HOME programs and are detailed in the attached public notice, which was published in the May 10, 2023 Forum newspaper. Upon approval by the City Commission, the 2023 Action Plan and amendment to the 2021 Action Plan will be forwarded to HUD for review and final approval.

Recommended Action: Approve the 2023 Action Plan and amendment to the 2021 Action Plan for Community Development Block Grant (CDBG) / HOME Investment Partnership Grant programming and authorize submittal to the U.S. Department of Housing and Urban Development.

EQUAL HOUSING OPPORTUNITY

RESOLUTION APPROVING THE 2023 ACTION PLAN AND AMENDMENT TO THE 2021 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME PROGRAMS

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF FARGO:

WHEREAS, the City of Fargo receives Community Development Block Grant (CDBG) and HOME funds from United States Department of Housing and Urban Development (HUD); and

WHEREAS, in compliance with federal regulations, the City of Fargo has adopted its 2023 Action Plan and amendments to the 2021 Action Plan for the Community Development Block Grant (CDBG) & HOME programs to make available housing and community development resources that primarily address the needs of low to moderate income persons in Fargo and that identify fair housing issues and other contributing factors, and

WHEREAS, the City of Fargo has conducted a required citizen participation process including a draft publication of the 2023 Action Plan, amendments to the 2021 Action Plan, a public hearing, and a 30-day public comment period.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fargo, North Dakota that the Mayor is herein authorized and directed to submit the 2023 Action Plan and amendments to the 2021 Action Plan to the U.S. Department of Housing and Urban Development and enter into and execute contracts and other documents as necessary to effectuate activities identified in the plans.

CERTIFICATE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF CASS)

I, Timothy J. Mahoney, the duly elected, qualified and acting Mayor of the City of Fargo, North Dakota; and

I, Steven Sprague, the duly appointed, qualified and acting City Auditor of the City of Fargo, North Dakota,

DO HEREBY CERTIFY:

That the foregoing is a full, true and correct copy of the original Resolution, and the whole thereof approving the City of Fargo's 2023 Action Plan and amendments to the 2021 Action Plan for the Community Development Block Grant (CDBG) & HOME programs as described in the foregoing Resolution; which Resolution was duly adopted by the Board of City Commissioners of the City of Fargo, North Dakota, at the meeting of the Board held June 12, 2023 at which Regular Meeting all members present voted in favor of the adoption of the Resolution; and

That such Resolution is now a part of the permanent records of the City of Fargo, as such records are now filed in the office of the City Auditor.

(SEAL)

Timothy J. Mahoney,
Mayor of the City of Fargo, North Dakota

ATTEST:

Steven Sprague, City Auditor

On this 12 day of June, 2023, before me, Michelle R Vanyo, a Notary Public in and for Cass County, in the State of North Dakota, personally appeared Timothy J. Mahoney, known to me to be the Mayor of the City of Fargo, North Dakota, and Steven Sprague, City Auditor of the City of Fargo, a municipal corporation under the laws of the State of North Dakota, and they acknowledged to me that they executed the foregoing instrument.

Michelle R Vanyo
Notary Public, Cass County, North Dakota

MICHELLE R. VANYO
Notary Public
State of North Dakota
My Commission Expires Oct. 26, 2026

City of Fargo
2023 Annual Action Plan
Grantee Unique Appendices

City of Fargo Resale/Recapture Policy

Resale & Recapture Policy

Updated & Approved July 2023

Contents

INTRODUCTION TO RESALE & RECAPTURE POLICY 3
RESALE POLICY 4
Notification of Intent to Purchase from Prospective Buyer(s) to the City of Fargo 4
Enforcement of Resale Provisions 4
Fair Return on Investment 5
Affordability to a Range of Buyers 6
Approval of Sales Price and Eligible Buyer 6
Resale Example 7
Termination of Resale Restrictions: 7
RECAPTURE POLICY 8
Amount Subject to Recapture 8
Reduction during Affordability Period 8
Recapture Example 9
Net Proceeds 9
AFFORDABILITY PERIODS 11
CITY OF FARGO SUBORDINATION POLICY 11
MONITORING 11
BASIC TERMINOLOGY 12
EXHIBIT A. NOTIFICATION OF INTENT TO PURCHASE 14

INTRODUCTION TO RESALE & RECAPTURE POLICY

The City of Fargo (City) receives federal funds through the U.S. Department of Housing and Urban Development (HUD), which includes funds under the Home Investment Partnerships Program (HOME). Under this program, the City is considered a HOME Participating Jurisdiction (PJ). The primary purpose of the HOME Program is to provide decent, safe, and affordable housing to lower-income households.

PJs that are implementing HOME-assisted homebuyer activities, including any projects funded with HOME Program Income (PI) (income that is generated by the use of HOME funds), must establish written requirements to ensure long-term affordability for HOME-assisted properties over a specified period of time, referred to as the "Affordability Period". These requirements are known as resale and recapture provisions and PJs must use only one or the other per activity/program.

Property that is assisted with HOME funds must be the principal residence of a low-income owner household during the Affordability Period. If the property does not continue to be the principal residence of an income-qualified household during the Affordability Period (if the owner were to move, sell, die, or transfer their title to someone else), the resale and recapture provisions are used to determine if any financial obligations are required.

These provisions must also be set forth in the PJ's Consolidated Plan. The written resale and/or recapture provisions that a PJ submits in its annual Action Plan must clearly describe the terms of the resale and/or recapture provisions, the specific circumstances under which these provisions will be used (if more than one set of provisions is described), and how the PJ will enforce the provisions for HOME-funded ownership projects. HUD reviews and approves the provisions as part of the annual Action Plan process.

The purpose of this document is to provide the "resale" and "recapture" policies used by the City of Fargo in its HOME-assisted ownership programs. As stated above, HOME requires that PJs utilize resale/recapture provisions to ensure continued affordability for low- to moderate-income homeowners and as a benefit to the public through the wise stewardship of federal funds.

The City of Fargo currently uses HOME funds to assist developers of new ownership housing. In addition, the City of Fargo has included HOME-funded home buyer assistance in its current 2020-2024 Consolidated Plan, to be implemented and outlined in future years. Prior to the implementation of homebuyer assistance programming, the City will update its Resale & Recapture Policy to incorporate related provisions.

RESALE POLICY

This option ensures that the HOME-assisted units remain affordable over the entire affordability period because it requires the owner and any subsequent owners to be below specified income limits throughout the affordability period. The resale method is used in cases where HOME funding is provided directly to a developer to reduce development costs, thereby, making the price of the home affordable to the buyer. Referred to as a "Development Subsidy," these HOME funds trigger the resale requirements that must remain with the property for the length of the affordability period. **The City must use the resale method if no direct subsidy has been provided to the original buyer of a HOME-assisted unit.**

Specific examples where the City of Fargo would use the resale method include:

1. Providing funds to the developer for property acquisition (land or units);
2. Providing funds for permit fees, construction materials, and labor.

Notification of Intent to Purchase from Prospective Buyer(s) to the City of Fargo

The resale policy is explained to the prospective homebuyer(s) prior to signing a purchase agreement/contract to purchase the HOME-assisted unit. The prospective homebuyer(s) sign an acknowledgement that they understand the terms and conditions applicable to the resale policy as they have been explained. This document is included with the executed purchase agreement/contract. (See attached "Notification of Intent to Purchase from Prospective Buyer(s) to the City of Fargo")

Enforcement of Resale Provisions

The resale policy is enforced through the use of a Land Use Restrictive Agreement (LURA) signed by the homebuyer at closing. The LURA will specify:

1. The length of the affordability period (based on the dollar amount of HOME funds invested in the unit: either 5, 10, or 15 years);
2. That the home remain the Buyer's or subsequent Buyers' principal residence throughout the affordability period; and
3. The conditions and obligations of the owner should the owner wish to sell before the end of the affordability period, including:
    a. The owner or their real estate agent must contact the City of Fargo Planning and Development Department, in writing, at least fourteen **(14) days prior to listing** the property if intending to sell the home before the end of the affordability period;
    b. The subsequent Buyer must be low-income at time of purchase as defined by HUD under the HOME Program, and occupy the home as their primary residence for the remaining years of the affordability period.
        i. If the new Buyer receives direct assistance through a HOME-funded program, the affordability period will be re-set according to the amount of assistance provided; and
    c. The sales price must be affordable to the subsequent Buyer; "affordable" is defined as limiting the Principal, Interest, Taxes and Insurance (PITI) amount to no more than 38% of the new Buyer's maximum gross annual income, adjusted to a monthly income. The City of Fargo must determine and approve income eligibility of subsequent Buyers. This process will involve income verification via third party (i.e., employers, bank statements, benefits, etc.).

Fair Return on Investment

The City of Fargo will administer its resale provisions by ensuring that the owner receives a fair return on their investment and that the home will continue to be affordable to a specific range of incomes. "Fair Return on Investment" means the total homeowner investment, which includes the down payment, earnest money, and any approved capital improvement credits, as described below:

1. The amount of the down payment and earnest money paid;

2. The cost of any capital improvements, documented with receipts provided by the homeowner, including but not limited to:
   a. Any additions to the home such as a bedroom, bathroom, or garage;
   b. Replacement of heating, ventilation, and air conditioning systems;
   c. Accessibility improvements such as bathroom modifications for disabled or elderly, installation of wheel chair ramps and grab bars, any and all of which must have been paid for directly by the owner and which were not installed through a federal, state, or locally- funded grant program; and
   d. Outdoor improvements such as a new driveway, walkway, retaining wall, or fence.

   Note: All capital improvements must be inspected by the City and must have been completed by licensed contractors with all required building permits obtained. *The City has the right to deny a property improvement if it is determined it would not add to the value and useful life of the property.* The costs for routine maintenance items, replacement of worn/dated components, and cosmetic changes are not considered capital improvements.

3. The value of the owner's investment will be calculated using the Housing Price Index (HPI) Calculator of the Federal Housing Finance Agency. The change in HPI from the original purchase price to the time of sale will be applied to the value of the owner's investment, so that the value of the improvements is increased or decreased by the amount of increase or decrease in the housing market overall. The HPI Calculator is currently located at https://www.fhfa.gov/DataTools/Tools/Pages/HPI-Calculator.aspx. The calculation shall be performed for the Fargo, ND-MN Metropolitan Statistical Area (MSA).

4. If the market price that provides a fair return to the *initial* homebuyer is too high to be affordable for a *subsequent* Eligible Buyer, the City, at its discretion, may provide additional direct HOME subsidy or other funds, if available, to the subsequent buyer. Such consideration will only be given after the owner has demonstrated they have made all reasonable attempts to sell the unit. The PJ cannot require the homeowner to adjust the resale price in order to achieve affordability for the subsequent Buyer.

It is important to note that in certain circumstances, such as a declining housing market where home values are depreciating, the original homebuyer may not receive a return on their investment because the home sold for less or the same price as the original purchase price. In these situations, this would be considered a fair return.

Affordability to a Range of Buyers

The City will ensure continued affordability to a range of buyers whose total household incomes range from 40% to no greater than 80% of the Area Median Income (AMI).

The subsequent sales price shall be set so that the amount of Principal, Interest, Taxes, and Insurance (PITI) does not exceed 38% of the targeted Buyer's maximum gross annual income. If the subsequent sales price is too high to be affordable for a subsequent Eligible Buyer, the City, at its discretion, may provide additional direct HOME subsidy or other funds, if available, to the subsequent buyer (e.g., down payment assistance, etc.). This is to ensure that the original buyer receives a fair return and the unit is affordable to the defined range of buyers.

Approval of Sales Price and Eligible Buyer

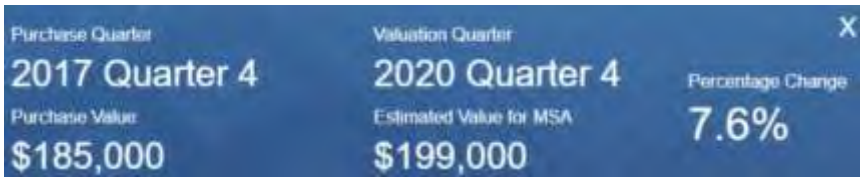
If an owner wants to sell the property, the owner or real estate agent must contact the City of Fargo Planning and Development Department, in writing, at least fourteen **(14) days prior to listing** the property and receive approval for a proposed listing price in accordance with the affordability restrictions.

After receiving approval of the proposed listing price, the Seller may list the property for sale with a real estate agent or broker licensed in the State of North Dakota or the Seller may market the property as a so-called "for sale by owner," and may enter into a purchase agreement/contract for the sale of the property upon such terms and conditions as the Seller deems acceptable, provided that:

1. The amount of Principal, Interest, Taxes, and Insurance (PITI) of the purchase price shall not exceed 38% of the subsequent Buyer's maximum gross annual income. ;
2. The purchase agreement or contract must state, as a contingency, that the Buyer will submit the "Notification of Intent to Purchase from Prospective Buyer(s) to the City of Fargo" (See Attached Form) within three (3) days after the purchase agreement/contract is signed by both parties <u>and</u> that the Seller's obligations under the purchase agreement/contract are expressly contingent upon the City's determination and approval that the Buyer is income eligible to purchase.

Resale Example

A home with a 15-year affordability period was purchased in October 2017 by a person who now wishes to sell in December 2020. The original homeowner purchased through "Entity XYZ", with an original purchase price and mortgage of $185,000 and has made $24,000 in principal payments. In addition, the original homeowner was required to put down $1,000 for the down payment. The current balance of the mortgage is now $160,000. Finally, a total of $10,000 in homeowner improvements has been documented.

Original Purchase Price *(purchased in October 2017)*	**$185,000**
Down Payment *(included as part of Original Purchase Price noted above)*	**$1,000**
Documented Homeowner Improvements	**$10,000**
Total Homeowner Investment *(Down Payment + Improvements)*	**$11,000**
Housing Price Index Change (using HPI Calculator for a December 2020 sale/4th Quarter - https://www.fhfa.gov/DataTools/Tools/Pages/HPI-Calculator.aspx - screenshot below)  *(selling in December 2020)*	**+7.6%**
Fair Return on Initial and Capital Investments (Gain/Loss) *(Total Homeowner Investment x Housing Price Index Change)*	**$836**
Total Fair Return on Investment *(Total Homeowner Investment + Fair Return)*	**$11,836**
Subsequent Sales Price *(Original Purchase Price + Total Fair Return)* *($185,000 + $11,836)*	**$196,836**

Termination of Resale Restrictions

Resale restrictions may terminate upon foreclosure, transfer in lieu of foreclosure, or assignment of FHA mortgage, in order to clear title. The PJ may use purchase options, rights of first refusal, or other preemptive rights to purchase the housing before foreclosure to preserve affordability. The affordability restrictions shall be revived according to the original terms if, during the original affordability period, the owner of record (before the termination event) obtains an ownership interest in the housing.

RECAPTURE POLICY

Under HOME recapture provisions, financial assistance must be repaid if it is provided directly to the buyer or the homeowner. Upon resale, the seller may sell to any willing buyer at any price. The written agreement and other applicable legal documents will disclose the net proceeds percentage, if any, that will be allotted to the homebuyer and what proceeds will return to the PJ. Once the HOME funds are repaid to the Participating Jurisdiction (PJ – City of Fargo), the property is no longer subject to any HOME restrictions. The funds returned to the PJ may then be used for other HOME-eligible activities.

Specific examples where the City of Fargo would use the recapture method include (direct homeowner subsidy):

1. Providing funds for homebuyer assistance
2. Providing funds for a sales-price write down

The (HOME) federal assistance will be provided in the form of a 0% interest, deferred payment loan or grant. A fully executed (by all applicable parties) and dated Written Agreement, Mortgage, Promissory Note, and Land Use Restrictive Agreement (LURA) will serve as the security for these loans or grants. The LURA and Mortgage will be recorded with the Cass County Recorder's Office.

Amount Subject to Recapture

The amount subject to recapture is based on the amount of assistance that enabled the homebuyer to buy the unit (referred to as "Direct Home Subsidy"). The recapture amount of the HOME loan or grant is made solely from the net proceeds of sale of the property (except in the event of fraud or misrepresentation by the Borrower described in the applicable legal documents).

Reduction during Affordability Period

The amount of direct HOME subsidy will be forgiven at a rate equal to the percent of the affordability period that is completed. This will determine how much of the HOME subsidy will be recaptured.
The City of Fargo will calculate the amount of the HOME grant or loan to be forgiven by:

1. Dividing the (number of years the homebuyer occupied the home) by (the affordability period); and
2. Multiplying the resulting number by the total amount of direct HOME subsidy originally provided to the homebuyer to determine the amount to be forgiven. The difference is the recapture amount, which is limited to the net proceeds available.

Recapture Example

A homebuyer received a direct subsidy of $10,000 in HOME funds. The affordability period is five years. After three years, they decide to sell the home at which point 60% (3 years/5 years) of the affordability period has elapsed. A total of $6,000 (60% x $10,000) is forgiven, resulting in a total of $4,000 subject to recapture from the net proceeds of the sale (see next section).

Net Proceeds

Net proceeds consist of the sales price minus loan repayment, other than HOME funds, and closing costs (see calculation table below).

Note: Recapture provisions cannot be used when a project receives only a development subsidy and is sold at fair market value, because there is no direct HOME subsidy to recapture from the homebuyer. Instead, resale provisions must be used.

Net Proceeds Calculation Table

Sales Price		$
Original Superior Lien(s) Payoff Amount(s)	(-)	$
Any reasonable and customary sales expenses paid by the Borrower in connection with the sale (Closing costs)	(-)	$
Net proceeds		**$**
HOME Loan or Grant Prorated Dollar Amount	(-)	$
Equity to Borrower/Seller	=	$

Other than the actual sale of the property, if the homebuyer or homeowner breaches the terms and if the net proceeds of the sale are insufficient to recapture the full amount due at sale (the entire direct HOME subsidy or the reduced amount of the direct HOME subsidy), the City will recapture all net proceeds (up to what is owed). The City is not required to repay the difference between the reduced direct HOME subsidy due and the amount the City is able to recapture from available net proceeds.

When the net proceeds of the sale are insufficient to pay the HOME subsidy balance that is due, the City of Fargo may not personally seek or obtain a deficiency judgment or any other recovery from the Borrower/Seller. If there are no net proceeds, the City of Fargo will receive no share of net proceeds. If funds remain after the City has recaptured the HOME funds, the homeowner will retain any remaining proceeds.

In the event of an uncured Default, the City of Fargo may, at its option, seek and obtain a personal judgment for all amounts payable under the Note or other applicable legal documents. This right shall be in addition to any other remedies available to the City of Fargo. If there are insufficient funds remaining from the sale of the property and the City recaptures less than or none of the recapture amount due, the City must maintain data in each individual HOME loan or grant file that documents the amount of the sale and the distribution of the funds, including:

1. There were no net sales proceeds; or
2. The amount of the net sales proceeds was insufficient to cover the full amount due; and
3. No proceeds were distributed to the homebuyer/homeowner.

Other than actual sale of the property, if the homebuyer or homeowner breaches the terms and conditions for any other reason (e.g., no longer occupies the property as their principal residence), the

full amount of the loan or grant (which does not include any reductions that would have been made during the affordability period, per the City's recapture requirements) is immediately due and payable.

If Borrower/Seller is in Default, the City may send the Borrower/Seller a written notice stating the reason Borrower/Seller is in Default and telling Borrower/Seller to pay immediately:

1. The full amount of Principal then due on the Promissory Note or other applicable legal documents,
2. All of the City's costs and expenses reimbursable for recovery against the Borrower/Seller responsible for the fraud or misrepresentation is not limited to the proceeds of sale of the property, but may include personal judgment and execution thereon to the full extent authorized by law.

The City of Fargo HOME Recapture requirements allow the subsequent homebuyer to assume the HOME assistance (subject to the HOME requirements for the remainder of the Affordability Period) if the subsequent homebuyer meets the income limits, and no additional HOME assistance is provided. However, if the subsequent homebuyer meets the income limits and receives direct assistance through a HOME-funded program (e.g., down payment assistance), the Affordability Period will be re-set according to the amount of assistance provided.

AFFORDABILITY PERIODS

HOME Program Assistance Amount	Affordability Period in Years
Under $15,000	5
$15,000 to $40,000	10
Over $40,000	15

A HOME Written Agreement, Promissory Note (as applicable), Mortgage (as applicable), and LURA will be executed by the Borrower and the City of Fargo that accurately reflects the resale or recapture provisions before or at the time of sale.

CITY OF FARGO SUBORDINATION POLICY

The City of Fargo has a separate Subordination Policy, which is used when homeowners are going to refinance or obtain a home equity loan. The policy outlines the circumstances in which the City would consider subordinating to a position lower than second position.

MONITORING

The City of Fargo will ensure ongoing monitoring of the principal residency requirement is conducted, within the affordability period, for the HOME-assisted projects subject to resale and recapture. The City (or Developer, as applicable) will verify that the property is the principal residence of the current owner (and any subsequent owners) through mailings, records searches, or direct contact with the HOME-assisted owner.

When verification is conducted through mailings, letters will be mailed through certified mail with "do not forward" instructions, to demonstrate whether the buyer is receiving mail at the home. The letters will include information related to the terms of the HOME assistance that was used on the property, including the affordability period.

The principal residency requirement must be verified each year, by one of the methods above, within forty-five (45) days from the anniversary of the closing date (the closing date is noted on the Land Use Restrictive Agreement and other applicable legal documents). If no response and/or documentation verifying principal residency by the owner is received within forty-five (45) days, the owner and/or Developer will be in default of the loan or grant, as well as the Developer and HOME Agreements. Repayment of the HOME funds will then be required as noted below.

For Projects Subject to Recapture Requirements. In the event of noncompliance where the owner is no longer occupying the property during the affordability period, full repayment of the HOME assistance that enabled the homebuyer to buy the unit (the entire direct HOME subsidy, which does not include any reductions that would have been made during the affordability period, per the City's recapture requirements) will be subject to recapture from the owner.

For Projects Subject to Resale Requirements. In the event of noncompliance where the owner is no longer occupying the property during the affordability period, the HOME investment that was provided directly to the developer to reduce the development costs for the HOME-assisted property must be repaid by the City to HUD.

BASIC TERMINOLOGY

Affordability to a Range of Buyers: means ensuring continued affordability to a range of buyers whose total household income ranges from 40% to no greater than 80% of the Area Median Income and the amount of Principal, Interest, Taxes, and Insurance (PITI) of the subsequent sales price does not exceed 38% of the targeted Buyer's maximum gross annual income. If the subsequent sales price is too high to be affordable for a subsequent Eligible Buyer, the City, at its discretion, may provide additional direct HOME subsidy or other funds, if available, to the subsequent buyer (e.g., down payment assistance, etc.). This is to ensure that the original buyer receives a fair return and the unit is affordable to the defined range of buyers..

***Affordable Housing*:** The City of Fargo follows the provisions established in 24 CFR 92.254, and considers that, in order for homeownership housing to qualify as *affordable housing,* it must:

- Be single-family, modest housing;
- Be acquired by a low-income family as its principal residence; and
- Meet affordability requirements for a specific period of time as determined by the amount of assistance provided.

Area Median Income: Annual income limits, published by HUD, that are based on household size and used to determine the maximum household income.

***Capital Improvement*:** means additions to the property that increase its value or upgrades the facilities. These include upgrading the heating and air conditioning system, upgrading kitchen or bathroom facilities, adding universal access improvements, or any other permanent improvement that would add to the value and useful life of the property. The costs for routine maintenance items, replacement of worn/dated components, and cosmetic changes are excluded.

***Capital Improvement Credit*:** means credits for verified expenditures for Capital Improvements.

***City*:** means the City of Fargo

***Direct HOME Subsidy*:** is the amount of HOME assistance, including any program income that enabled the homebuyer to buy the unit. The direct subsidy includes down payment, closing costs, interest subsidies, or other HOME assistance provided directly to the homebuyer. In addition, direct subsidy includes any assistance that reduced the purchase price from fair market value to an affordable price.

***Eligible Buyer*:** means a person, family, or household with: (1) a minimum gross annual income that is no less than 40% of the Area Median Income for Fargo and a maximum gross annual income that is no more than 80% of the Area Median Income for Fargo, and (2) whose proposed monthly housing expense(s) (principal, interest, taxes, and insurance) do not exceed 38% of the maximum gross annual income, adjusted to a monthly income. This definition of Eligible Buyer is to be used solely to calculate the maximum income level of buyers eligible to purchase the property and shall not be construed as in any way limiting the type of lending program or loan terms (except that such terms or conditions shall not be predatory) which an Eligible Buyer may accept to finance the purchase of the property. A person, family, or household who at the time of purchase qualified as an Eligible Buyer shall continue to be deemed so qualified until such time as the property is transferred.

***Fair Return on Investment*:** means the total homeowner investment, which includes the down payment, earnest payment, and any approved capital improvement credits.

***Net proceeds*:** are defined at 24 CFR 92.254(a)(5)(ii)(A) as the sales price minus superior loan repayment (other than HOME funds) and any closing costs.

Participating Jurisdiction (PJ): means the City of Fargo.

Program Income (PI): means income that is generated by the use of HOME funds. Program income is gross income received by the Participating Jurisdiction, State recipient, or a subrecipient directly generated from the use of HOME funds or matching contributions. When program income is generated from the use of HOME funds or matching funds, the income should be prorated to reflect the percentage of HOME funds used.

***Recapture*:** The recapture provisions, established at 24 CFR 92.254(a)(5)(ii), permit the original homebuyer to sell the property to any willing buyer during the period of affordability while the PJ is able to recapture all or a portion of the HOME-assistance provided to the original homebuyer.

Resale: The resale provisions, established at 24 CFR 92.254(a)(5)(i), ensure that the HOME-assisted units remain affordable over the entire affordability period. If the housing does not continue to be the principal residence of the family for the duration of the affordability period, the housing must be made available for subsequent purchase only to a buyer whose family qualifies as a low-income family and will use the property as the family's principal residence. The resale requirement must also ensure that the price at resale provides the original HOME-assisted owner a fair return on investment (including the homeowner's investment and any capital improvement) and ensure that the housing will remain affordable to a reasonable range of low-income homebuyers, whose total household incomes range from 40% to no greater than 80% of the Area Median Income.

EXHIBIT A. NOTIFICATION OF INTENT TO PURCHASE

This document must be included with the executed purchase agreement/contract

NOTIFICATION OF INTENT TO PURCHASE
FROM PROSPECTIVE BUYER(S) TO THE CITY OF FARGO
The [5, 10, or 15]-Year Affordability Period & Land Use Restrictive Agreement (LURA)

I understand that because a certain amount of federal funds were used by [Developer Name] to develop the property at [Property Address], the federal government requires that certain restrictions apply to the occupancy and re-sale of this home for a period of [5, 10, or 15] years. I understand that during that [5, 10, or 15]-year period, those requirements will be enforced through a legally-enforceable document called a "Land Use Restrictive Agreement."

If I choose to purchase this home and execute a purchase agreement/contract, **I will be required to submit income documentation to the City of Fargo** for anyone living in the household who is 18 years of age or older. The City of Fargo must review and verify that my total gross annual household income is no less than 40% of the Fargo Area Median Family Income Limits and no more than 80% of the Fargo Area Median Family Income Limits that are in effect at the time I would buy the home.

At the time the home is sold to me, **I will sign a Land Use Restrictive Agreement,** and it will be filed in the Official Public Records of the Cass County Recorder's Office.

****Please read each statement and initial each line below****

The requirements of the Land Use Restrictive Agreement are:

_____ That **I must occupy the home as my principal residence** during the [5, 10, or 15]-year period in which the LURA is in effect.

_____ If I wish to sell the property before the end of that period, **I am required to sell it to a subsequent buyer whose total gross annual household income is no less than 40% of the Fargo Area Median Family Income Limits and no more than 80% of the Fargo Area Median Family Income Limits** that are in effect for the year I wish to sell the home.

_____ The sales price must be set such that I receive a **fair return**, which shall be defined as:

1. The amount of down payment made and earnest money paid;
2. The cost of any capital improvements, documented with receipts provided by the homeowner, including but not limited to:
   a. Any additions to the home such as a bedroom, bathroom, or garage;
   b. Replacement of heating, ventilation, and air conditioning systems;
   c. Accessibility improvements such as bathroom modifications for disabled or elderly, installation of wheel chair ramps and grab bars, any and all of which must have been paid for directly by the owner and which were not installed through a federal, state, or locally-funded grant program; and
   d. Outdoor improvements such as a new driveway, walkway, retaining wall, or fence.

_____ The sales price must be set so that the monthly principal, interest, taxes and insurance to be paid by the subsequent buyer **will not exceed 38% of that subsequent buyer's maximum gross annual income**, adjusted to a monthly household income.

_____ I will notify the City of Fargo Planning and Development Department, in writing, at least **fourteen (14) days prior to listing** the property to ensure compliance of the above federal regulations.

PROSPECTIVE BUYER(S)

I acknowledge having received this information about the federal requirements involved if I/we decide to purchase this home.

_____	_____
Signature Date	Signature Date
_____	_____
Address	Address (if different)
_____	_____
Phone Number	Phone Number
_____	_____
E-mail Address	E-mail Address

RETURN THIS COMPLETED NOTIFICATION TO:
City of Fargo Department of Planning and Development
225 4th Street North
Fargo, ND 58102
E-mail Address: Planning@FargoND.gov

Grantee SF-424's, SF-424D's, and Certifications

OMB Number: 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☒ New	
☒ Application	☐ Continuation	* Other (Specify):
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received:	4. Applicant Identifier:
7-7-2023	

5a. Federal Entity Identifier:	5b. Federal Award Identifier:
HUD	B-23-MC-38-0001

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Fargo

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. UEI:
45-6002069	K2QJQZVH5PM6

d. Address:

* Street1:	225 4th Street North
Street2:	
* City:	Fargo
County/Parish:	
* State:	ND: North Dakota
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	58102-4817

e. Organizational Unit:

Department Name:	Division Name:
Planning and Development	Community Development

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

Prefix:		* First Name:	Tia
Middle Name:			
* Last Name:	Braseth		
Suffix:			

Title: Planning Coordinator

Organizational Affiliation:

* Telephone Number:	701-476-4144	Fax Number:	701-241-1526

* Email: tbraseth@FargoND.gov

Application for Federal Assistance SF-424

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

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

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

U.S. Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

14-218

CFDA Title:

Community Development Block Grants/Entitlement Grants

*** 12. Funding Opportunity Number:**

* Title:

Community Development Block Grant

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:**

CDBG Program 2023

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: ND
* b. Program/Project: ND

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

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 05/01/2023
* b. End Date: 04/30/2024

18. Estimated Funding ($):

* a. Federal	840,957.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	80.38
* f. Program Income	
* g. TOTAL	841,037.38

*** 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.
- [x] 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
- [x] 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)**

- [x] ** 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:	Dr.
* First Name:	Timothy
Middle Name:	J.
* Last Name:	Mahoney
Suffix:	
* Title:	Mayor
* Telephone Number:	701-241-1310
Fax Number:	701-476-4136
* Email:	tmahoney@FargoND.gov
* Signature of Authorized Representative:	
* Date Signed:	7-7-2023

ASSURANCES - CONSTRUCTION PROGRAMS

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

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

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

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

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

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

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	Mayor
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Fargo	7-7-2023

OMB Number: 4040-0004
Expiration Date: 11/30/2025

Application for Federal Assistance SF-424

* 1. Type of Submission:	* 2. Type of Application:	* If Revision, select appropriate letter(s):
☐ Preapplication	☒ New	
☒ Application	☐ Continuation	* Other (Specify):
☐ Changed/Corrected Application	☐ Revision	

* 3. Date Received:	4. Applicant Identifier:
7-7-2023	

5a. Federal Entity Identifier:	5b. Federal Award Identifier:
HUD	M-23-MC-38-0220

State Use Only:

6. Date Received by State:	7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name: City of Fargo

* b. Employer/Taxpayer Identification Number (EIN/TIN):	* c. UEI:
45-6002069	K2QJQZVH5PM6

d. Address:

* Street1:	225 4th Street North
Street2:	
* City:	Fargo
County/Parish:	
* State:	ND: North Dakota
Province:	
* Country:	USA: UNITED STATES
* Zip / Postal Code:	58102-4817

e. Organizational Unit:

Department Name:	Division Name:
Planning and Development	Community Development

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

Prefix:		* First Name:	Tia
Middle Name:			
* Last Name:	Braseth		
Suffix:			

Title: Planning Coordinator

Organizational Affiliation:

* Telephone Number:	701-476-4144	Fax Number:	701-241-1526

* Email: tbraseth@FargoND.gov

Application for Federal Assistance SF-424

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

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify)

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

U.S. Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

14-239

CFDA Title:

HOME Investment Partnerships Program

*** 12. Funding Opportunity Number:**

* Title:

HOME Investment Partnership 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:**

HOME Program 2023

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: ND
* b. Program/Project: ND

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

Add Attachment | Delete Attachment | View Attachment

17. Proposed Project:

* a. Start Date: 05/01/2023
* b. End Date: 04/30/2024

18. Estimated Funding ($):

* a. Federal	549,768.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	105,447.89
* f. Program Income	59,664.50
* g. TOTAL	714,880.39

*** 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:	Dr.
* First Name:	Timothy
Middle Name:	J.
* Last Name:	Mahoney
Suffix:	
* Title:	Mayor
* Telephone Number:	701-241-1310
Fax Number:	701-476-4136
* Email:	tmahoney@FargoND.gov
* Signature of Authorized Representative:	
* Date Signed:	7-7-2023

ASSURANCES - CONSTRUCTION PROGRAMS

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

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

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

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

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29) U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statue(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statue(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).

18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	Mayor
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Fargo	7-7-2023

CERTIFICATIONS

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

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

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 has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

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.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

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.

Signature of Authorized Official

7-7-2023
Date

Timothy J. Mahoney, Mayor
Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) **2023, 2024, 2025** [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

Signature of Authorized Official

7-7-2023
Date

Timothy J. Mahoney, Mayor
Title

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature of Authorized Official

7-7-2023
Date

Timothy J. Mahoney, Mayor
Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Subsidy layering -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature of Authorized Official

7-7-2023

Date

Timothy J. Mahoney, Mayor

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

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