



2021 Annual Action Plan
Housing and Community Development
City of Fargo, North Dakota

Presented to

U.S. Department of Housing and Urban Development
Denver Office of Community Planning and Development

City Commission Approval:

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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). The City uses HUD funds to provide decent housing, suitable living environments and economic opportunities for low-to-moderate income households.

The 2021 Annual Action Plan addresses fair, affordable housing and homelessness care and prevention. This focus expands Fargo's affordable housing by increasing availability of decent and safe housing for Fargo's low to moderate income citizens. Homeless prevention and diversion efforts will be a priority to help alleviate issues compounded by the coronavirus pandemic. This plan was developed in consultation with citizens, housing and service agencies, businesses, schools and other funding partners. It addresses the following topics related to the use of CDBG and HOME funds in the 2021 program year (May 1, 2021 to April 30, 2022).

- Source of Funds, including expected grant and program income receipts
- Specific Consolidated Plan Objectives met by 2021 activities
- Summary of 2021 budget and programmatic expenditure limits
- Description of projects included in 2021 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 100 percent of Community Development Block Grant (CDBG) funds will provide a low/mod benefit. The majority of activities address the HUD objective of decent housing.
- Fair Housing & Civil Rights Progress Report – City will continue its efforts to ensure fair housing in Fargo, including implementation and ongoing changes to policy and procedures (see attached report)
- Summary of Broadband Access, Resiliency, and EnVision Centers (see attachments for more information)

The City of Fargo administers CDBG and HOME funds through its Planning and Development Department (specifically the Community Development Division, or "CD Division"). The CD Division administers the funds to meet the goals and objectives outlined in the Consolidated Plan and Annual Action Plan with the approval of the Fargo City Commission. To carry out these activities, it partners with the Fargo area's nonprofit

community, neighborhood groups, associated businesses, other local government entities and departments, residents and other stakeholders.

SUMMARY		
FY2021 Community Development Budget – proposed		
	CDBG	HOME
Program Administration and Fair Housing		
1. Planning and Administration	30,000	12,000
2. High Plains Fair Housing Center	5,000	
Public Service Projects		
3. Emergency Subsistence Payments/Homeless Prevention and Diversion Efforts	125,000	
4. Eviction Prevention Efforts	10,000	
Acquisition		
5. Downtown Homeless & Housing Services Facility	607,048	
Housing		
6. CHDO Housing Project		100,000
7. Affordable Multi-Family Housing Development (New and/or Rehab)		447,400
Total Budgeted	\$777,048	\$559,400

2. Summarize the objectives and outcomes identified in the Plan

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

1. Affordable Housing
2. Ending and Preventing Homelessness

3. Evaluation of past performance

The following is a summary of accomplishments.

Affordable Housing – Create and maintain affordable housing options and increase homeownership

- Housing rehab (owner and rental), Neighborhood Revitalization Initiative, lead-based paint training
- Downtown projects, rental rehab
- Homebuyer and Tenant Education
- Affordable multifamily rental projects at HomeField 1 and HomeField 2. HomeField 3 began construction in September 2020.
- Habitat for Humanity, FM Homebuilders Care projects, Rebuilding Together, Cass Clay Community Land Trust
- Facility upgrades to Fraser, Ltd.'s Independent Living Program House and Intermediate Care Facility for adults with intellectual and developmental disabilities
- Supportive and Workforce Housing projects

Homelessness – Participate in collaborative efforts to reduce and prevent homelessness in the community

- Emergency Subsistence Payments/Homeless Prevention and Diversion
- Eviction Prevention
- Homelessness policy and planning, partnerships with area shelters, permanent supportive housing at Cooper House, Continuum of Care, YWCA, Family Healthcare Center, FM Homeless Coalition, ShareHouse, Youthworks
- Fargo Housing and Redevelopment Authority, YWCA's transitional housing units, New Life Center
- Homeless count surveys and analysis

Neighborhoods – Ensure that all Fargo neighborhoods are neighborhoods of choice

- Downtown projects, storefront rehab, rental rehab, accessibility improvements
- Neighborhood Revitalization Initiative
- Neighborhood planning, Neighborhood Resource Center, CHARISM Youth Center, Neighborhood Center in Jefferson neighborhood, Madison neighborhood Skate/Bike Park, Agassiz neighborhood playground, Golden Ridge Community Center renovations, Washington Elementary School playground improvements

- Removal of physical barriers at TNT Kid's Fitness facility

Poverty Reduction – Reduce poverty by supporting efforts to increase the self-sufficiency and self-determination of low- and moderate-income households in the community

- Skills and Technology project, CHARISM life skills training, Cultural Diversity Resources' multi-ethnic leadership program and Immigrant Development Center's entrepreneurial training, Nokomis support for the availability of affordable educational child care
- Metro Transportation Initiative - Head Start Program and Adult Education (English Language Learning or GED)
- Emergency Food Pantry relocation
- Snow Removal Assistance
- Trust Engagement

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 hundreds of organizations representing these groups and individuals. Staff also attends gatherings of community groups, neighborhood organizations, and ethnic and senior communities. When the Planning and Development Department is notified that a significant number of non-English speaking persons are interested in participating in a community development meeting, contacts are made to obtain translation assistance. All news releases and City of Fargo website announcement postings are made available to the public in 108 languages.

A September 16, 2020 publication in *The Forum*, news release, and website posting announced Fargo's Notice of Funding Availability (NOFA) Request for Proposals for program years 2020 and 2021 Community Development Block Grant (CDBG) and HOME programs. The NOFA process was presented at a public meeting of the Community Development Committee.

As publicized through news media contacts and online announcements, additional public meetings were held on October 20, 2020 and May 21, 2021 to provide further opportunity for public input on Fargo's greatest community needs.

Notification of the draft Action Plan was published on May 26, 2021 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 May 27 through June 25, 2021 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 June 14, 2021 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 28, 2021 City Commission meeting. See next section for summary of public comments received.

5. Summary of public comments

No comments were received on the 2021 Annual Action Plan.

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 2021 Action Plan for Housing and Community Development.

7. Summary

The City has prepared an Annual Action Plan for FY 2021 (May 1, 2021 to April 30, 2022). This plan identifies the funding for projects that address Fargo's most critical needs in affordable housing and ending and preventing homelessness.

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 any amendments to these documents are distributed to various City boards and commissions and interested members of the public, but 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

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

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 a combination of conversations with community members and organizations, a formal application process, and public meetings to hear about the needs of the community.

Notification of the Action Plan schedule, activities, and budget was published in *The Forum* newspaper, distributed to persons interested in housing and community development and the news media, and posted on the City's website. 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, and 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 and public hearing, followed by final City Commission consideration and approval at the end of June, 2021.

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(I))

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, and other governmental agencies with specific responsibilities to assist homeless individuals and families. 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 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.

City staff works actively with the North Dakota Continuum of Care and local homeless coalition through the City's Department of Planning and Development, the City-operated Gladys Ray Emergency Shelter, and local nonprofit housing, shelter and support partners. Staff participates in regularly scheduled meetings with the CoC and local homeless coalition, and point-in-time surveys. 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

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	NEW AMERICAN CONSORTIUM FOR WELLNESS & EMPOWERMENT
	Agency/Group/Organization Type	Services - Children Services - Education
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email outreach Anticipated outcome/areas or areas for improved coordination: to have more awareness of New American and refugee needs and further strengthen the relationship and connection to our community's New American and refugee population and its leaders
2	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?	Attended Housing Focus Group; 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
3	Agency/Group/Organization	FARGO POLICE DEPARTMENT
	Agency/Group/Organization Type	Other government – Local Services - Victims
	What section of the Plan was addressed by Consultation?	Market Analysis Non-Housing Community Development Needs

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Public Services Focus Group; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to build relationship between City departments because there are issues that are often brought to the Planning & Development Department or its Human Relations Commission or Native American Commission that need to be coordinated with and/or addressed by the Police Department; work together on solutions and programming for underserved and often impoverished adults and youth.
4	Agency/Group/Organization	FARGO CASS PUBLIC HEALTH
	Agency/Group/Organization Type	Services - Health Other government - Local
	What section of the Plan was addressed by Consultation?	Non-Housing Community Needs Homeless Needs – Chronically Homeless
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Public Services Focus Group; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to further build the department relationships; to better understand the healthcare needs of our local citizens who are utilizing affordable healthcare at Public Health; to problem solve together where relevant
5	Agency/Group/Organization	FAMILY HEALTHCARE CENTER
	Agency/Group/Organization Type	Services – Health
	What section of the Plan was addressed by Consultation?	Homeless Needs – Chronically homeless 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 Public Services Focus Group; Phone and Email Outreach Anticipated outcome/areas or areas for improved coordination: to further build the relationship; to better understand healthcare needs of Family Healthcare’s clients, including people experiencing homelessness; to problem solve together where relevant
6	Agency/Group/Organization	SOMALI COMMUNITY DEVELOPMENT
	Agency/Group/Organization Type	Services - Education

	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?	Attended Public Services Focus Group Anticipated outcome/areas or areas for improved coordination: to maintain and grow the City's relationships and connections to the community's New American and refugee population; to better understand the needs of this population; to assist in creating a welcoming and inclusive community for immigrants
7	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?	Phone and 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
8	Agency/Group/Organization	CASS COUNTY SOCIAL SERVICES
	Agency/Group/Organization Type	Child Welfare Agency Other government - County
	What section of the Plan was addressed by Consultation?	Market Analysis

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Public Services Focus Group Anticipated outcome/areas or areas for improved coordination: to establish a relationship in order to better understand the variety of needs that the County hears, with an emphasis on learning more about the community's mental health needs, special populations, foster care; to identify ways for collaboration and problem solving together; to give a voice to residents utilizing Cass County Social Services
9	Agency/Group/Organization	VALLEY SENIOR SERVICES
	Agency/Group/Organization Type	Services - Elderly Persons
	What section of the Plan was addressed by Consultation?	Market Analysis Housing Need Assessment 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?	Participated in Stakeholder Interviews Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand the needs of senior residents; to provide a safe and connected community for Fargo seniors
10	Agency/Group/Organization	LUTHERAN SOCIAL SERVICES
	Agency/Group/Organization Type	Housing Other Support Services
	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?	Participated in Stakeholder Interview; Periodic Communication Anticipated outcome/areas or areas for improved coordination: to maintain and build relationship; to better understand the needs of New Americans and refugees; to help create a welcoming and inclusive community (LSS has since closed in Fargo)
11	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?	Attended Community Focus Groups; 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
12	Agency/Group/Organization	DOWNTOWN COMMUNITY PARTNERSHIP
	Agency/Group/Organization Type	Business and Civic Leaders
	What section of the Plan was addressed by Consultation?	Market Analysis Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Phone and email outreach. Anticipated outcome/areas or areas for improved coordination: to build relationship; to identify areas of need and collaboration to meet the needs of downtown residents and businesses
13	Agency/Group/Organization	FARGO MOORHEAD HOMELESS COALITION (FM HOMELESS COALITION)
	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?	Participated in Stakeholder Interview; Ongoing Communication Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand needs of people who are homeless; to work together on solutions that aim at preventing and ending homelessness in Fargo and the surrounding communities
14	Agency/Group/Organization	NORTH DAKOTA COALITION FOR HOMELESS PEOPLE
	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 Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand needs of people who are homeless; to work together on solutions that aim at preventing and ending homelessness in Fargo and the surrounding communities; to collaborate on local homeless needs that may need state level attention
15	Agency/Group/Organization	GLADYS RAY SHELTER - CITY OF FARGO
	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?	Participated in Stakeholder Interview; 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
16	Agency/Group/Organization	FARGO MOORHEAD METROPOLITAN COUNCIL OF GOVERNMENTS
	Agency/Group/Organization Type	Planning organization
	What section of the Plan was addressed by Consultation?	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 Economic Development Focus Group Anticipated outcome/areas or areas for improved coordination: to build relationship; to identify needs across the communities of Fargo, Moorhead, West Fargo, and Dilworth; to problem solve together where relevant
17	Agency/Group/Organization	RAPE & ABUSE CRISIS CENTER
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Domestic Violence
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Email Outreach Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand the needs of people experiencing violence; to problem solve together and provide a safe and healing space for people to go
18	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
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Housing Focus Group; 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.
19	Agency/Group/Organization	FIRSTLINK
	Agency/Group/Organization Type	Services – all
	What section of the Plan was addressed by Consultation?	Market Analysis

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Phone and email outreach Anticipated outcome/areas or areas for improved coordination: to build relationship; to problem solve response systems together to better meet the needs of those seeking immediate services or assistance
20	Agency/Group/Organization	SKILLS AND TECHNOLOGY TRAINING CENTER
	Agency/Group/Organization Type	Services - Education Services - Employment Services – Narrowing the Digital Divide
	What section of the Plan was addressed by Consultation?	Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Phone and email outreach Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand the needs of and barriers for lower income workforce
21	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?	Phone and 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
22	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?	Participated in Stakeholder Interviews; 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
23	Agency/Group/Organization	GREATER FARGO-MOORHEAD ECONOMIC DEVELOPMENT CORP.
	Agency/Group/Organization Type	Services - Education Services - Employment
	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?	Participated in Stakeholder Interviews Anticipated outcome/areas or areas for improved coordination: to establish and build relationship; to problem solve together on businesses concerns, especially for businesses owned by low income owners or when businesses are serving special populations; to identify needs of entrepreneurs and immigrant-owned businesses and business lending and micro-lending
24	Agency/Group/Organization	SILVER LEAF PROPERTY MANAGEMENT
	Agency/Group/Organization Type	Nonprofit and for-profit developers
	What section of the Plan was addressed by Consultation?	Housing Needs 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 Community Focus Group Anticipated outcome/areas or areas for improved coordination: to identify the needs of and improve landlord/tenant relationships
25	Agency/Group/Organization	BACHMAN CONSULTING
	Agency/Group/Organization Type	Services – Economic Development

	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?	Attended Community Focus Group Anticipated outcome/areas or areas for improved coordination: to better understand economic development-related needs
26	Agency/Group/Organization	GATE CITY BANK
	Agency/Group/Organization Type	Service – Economic Development
	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?	Attended Community Focus Group Anticipated outcome/areas or areas for improved coordination: to better understand economic development-related needs
27	Agency/Group/Organization	ADMINISTRATION PLANNING & DEVELOPMENT CITY OF FARGO
	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?	Attended Housing, Public Services, Residential, and Economic Development Focus Groups Anticipated outcome/areas or areas for improved coordination: to improve departmental relationships and knowledge of community development needs
28	Agency/Group/Organization	FARGO PARK DISTRICT
	Agency/Group/Organization Type	Other Government - Local

	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?	Participated in Stakeholder Interviews Anticipated outcome/areas or areas for improved coordination: to build relationship and better understand park and youth programming needs
29	Agency/Group/Organization	CENTRE, INC.
	Agency/Group/Organization Type	Services - Housing Services - Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Participated in Stakeholder Interview Anticipated outcome/areas or areas for improved coordination: to build relationship and better understand the needs of people recently coming out of correctional facilities
30	Agency/Group/Organization	FARGO MOORHEAD AREA FOUNDATION
	Agency/Group/Organization Type	Nonprofit community foundation
	What section of the Plan was addressed by Consultation?	Housing Needs 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?	Participated in Stakeholder Interview Anticipated outcome/areas or areas for improved coordination: to build relationship and better understand the needs of area non-profits and match/connect people and organizations
	Agency/Group/Organization	KILBOURNE GROUP

31	Agency/Group/Organization Type	Nonprofit and for-profit developers
	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?	Participated in Stakeholder Interview Anticipated outcome/areas or areas for improved coordination: to better understand development needs
32	Agency/Group/Organization	BOYS AND GIRLS CLUB
	Agency/Group/Organization Type	Services - Children
	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?	Participated in Stakeholder Interview Anticipated outcome/areas or areas for improved coordination: to build relationship and better understand underserved youth needs
33	Agency/Group/Organization	FREEDOM RESOURCE CENTER
	Agency/Group/Organization Type	Services - Persons with Disabilities
	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?	Participated in Stakeholder Interview Anticipated outcome/areas or areas for improved coordination: to build relationship and better understand needs of people who have a disability, particularly related to human rights, fair housing, and independence
	Agency/Group/Organization	FARGO PUBLIC SCHOOLS

34	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?	Participated in Stakeholder Interview Anticipated outcome/areas or areas for improved coordination: to grow relationship; to better understand educational needs of Fargo's youth
35	Agency/Group/Organization	DAKOTA MEDICAL FOUNDATION
	Agency/Group/Organization Type	Services - Health
	What section of the Plan was addressed by Consultation?	Homeless Needs- Chronically homeless Housing Need Assessment Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Economic Development Focus Group Anticipated outcome/areas or areas for improved coordination: to grow relationship; person working at DMF who had past experience as Economic Development Director was specifically invited for her knowledge
36	Agency/Group/Organization	FARGO JOB SERVICE
	Agency/Group/Organization Type	Services - Employment
	What section of the Plan was addressed by Consultation?	Economic Development
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Economic Development Focus Group Anticipated outcome/areas or areas for improved coordination: to better understand the employment needs of people accessing Fargo Job Service
	Agency/Group/Organization	LAKE AGASSIZ HABITAT FOR HUMANITY

37	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 Housing Focus Group; 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
38	Agency/Group/Organization	JEREMIAH PROGRAM
	Agency/Group/Organization Type	Services - Housing Services - Children Services - Education
	What section of the Plan was addressed by Consultation?	Housing Need Assessment 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 Housing Focus Group Anticipated outcome/areas or areas for improved coordination: to maintain and build relationship; to better understand the needs of single parent (usually women) households seeking education and building their self-sufficiency; to better understand quality affordable childcare needs
39	Agency/Group/Organization	HIGH PLAINS FAIR HOUSING CENTER
	Agency/Group/Organization Type	Services – Housing Services – Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Housing Focus Group; Periodic Communication Anticipated outcome/areas or areas for improved coordination: to maintain relationship; to better understand human rights and fair housing needs
40	Agency/Group/Organization	EMERGENCY FOOD PANTRY
	Agency/Group/Organization Type	Services – Children Services – Homeless Services – Elderly Persons
	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?	Attended Public Services Focus Group Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand food needs of people in poverty
41	Agency/Group/Organization	SOUTHEAST HUMAN SERVICE CENTER
	Agency/Group/Organization Type	Other Government - State
	What section of the Plan was addressed by Consultation?	Housing Need Assessment 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 Public Services Focus Group Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand homeless and mental health-related needs
42	Agency/Group/Organization	CHISOM HOUSING GROUP
	Agency/Group/Organization Type	Services – Fair Housing

	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Housing Focus Group; Periodic Communication Anticipated outcome/areas or areas for improved coordination: to maintain and build relationship; to better understand the needs of residents at the former Community Homes (now the Arbors at McCormick Park)
43	Agency/Group/Organization	CHARISM
	Agency/Group/Organization Type	Housing Services - Children
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Attended Public Services Focus Group Anticipated outcome/areas or areas for improved coordination: to build relationship; to better understand underserved youth needs; Charism has since closed
44	Agency/Group/Organization	INSTITUTE FOR COMMUNITY ALLIANCES
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Directly via phone or email Anticipated outcome/areas or areas for improved coordination: to obtain HMIS data for Needs Assessment description of at-risk populations.
45	Agency/Group/Organization	FEDERAL COMMUNICATIONS COMMISSION (FCC)

	Agency/Group/Organization Type	Broadband/Digital Inclusion
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Directly via phone or email Anticipated outcome/areas or areas for improved coordination: to obtain data on broadband internet access for Needs Assessment.
46	Agency/Group/Organization	City of Fargo Engineering
	Agency/Group/Organization Type	Natural Disaster Resiliency
	What section of the Plan was addressed by Consultation?	Action Plan Housing Need Assessment AP
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Directly via phone or email Anticipated outcome/areas or areas for improved coordination: to obtain flood-related data for Housing Needs Assessment

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
Current State of Housing in North Dakota	North Dakota Housing Finance Agency	Explore impacts of COVID-19 on housing situation in the state
ND Statewide Housing Needs Assessment	ND Housing Finance Agency	Improve affordable housing options
FM Study on Homelessness – Everyone Counts Survey	FM Homeless Coalition	Point-In-Time study on homelessness in Fargo-Moorhead

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 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.

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 central 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 conversations 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 an application for funds. 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 2021 community development projects, a series of meetings were held. 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 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 meetings and hearings were held at City Hall in the downtown area, which is inclusive of the City's Census Tracts and Block Groups that contain the most sizable population of very-low and low-income residents. All meetings were held in locations 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 September 16, 2020 publication in *The Forum*, news release (available in 108 languages), and website posting announced Fargo's Notice of Funding Availability (NOFA) Request for Proposals for program years 2020 and 2021 Community Development Block Grant (CDBG) and HOME programs. Proposals were due on October 9, 2020, and the NOFA process was presented at the October 20, 2020 public meeting of the Community Development Committee.

Community Development staff gathered input in the months leading up to submission of the plan. The list of consultations in the Consultation section represents the formal contacts made to gather information and to further coordination of program delivery. As publicized through news media, an additional public meeting was held on May 21, 2021 to provide further opportunity for public input on Fargo's greatest community needs.

Announcement of the City of Fargo's 2021 Annual Action Plan was published as a public notice in *The Forum*, distributed to persons interested in housing and community development, and publicized through a media release and the City's website (www.FargoND.gov) on May 26, 2021. 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 100 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 27 to June 25, 2021. On June 14, 2021, the City Commission held a public hearing on the proposed Plan. On June 28, 2021, after final consideration 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 Annual Community Development Action Plan and directed it to be submitted to HUD.

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	Public Meeting	Non-targeted/broad community	On May 21, 2021, a public meeting was held in the City Commission Room at the Fargo City Hall. This was an open meeting and the public was notified.	No public comments received.	All comments were accepted.	
2	Newspaper Ad	Non-targeted/broad community	On May 26, 2021, a notice was published in <i>The Fargo Forum</i> seeking comment on the 2021 Action Plan. May 27, 2021 is the first day of the 30-day comment period.	N/A	N/A	
3	News Release	Non-targeted/broad community	On May 26, 2021, a news release was distributed to media contacts.	N/A	N/A	
4	Internet Outreach	Non-targeted/broad community	On May 26, 2021, a City of Fargo website posting announced the 2021 Action Plan public comment period.	N/A	N/A	

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)
5	E-mail	Non-targeted/broad community	On May 26, 2021, the Community Development Committee members and interested parties were e-mailed information for review and comment of the 2021 Action Plan.	No comments received.	N/A	
6	Public Hearing	Non-targeted/broad community	On June 14, 2021 the Fargo City Commission held a public hearing to review the draft 2021 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	
7	Public Meeting	Non-targeted/broad community	On June 28, 2021, the City Commission met for final consideration and approval of the 2021 Action Plan (on consent agenda).	No public comments received.	N/A	

Table 4 – Citizen Participation Outreach

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 period and meet increased demand and local community development needs. The City of Fargo anticipates a total of \$1,336,448 in combined resources to address priority needs for the 2021 program year. This amount is comprised of actual CDBG and HOME award amounts, prior year resources, and program income estimates.

Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Admin and Planning Public Improvements Public Services	773,298	3,750	0	777,048	2,394,220	The City of Fargo is in its second year of its 2020-2024 Consolidated Plan. Expected resources have been allocated for 2021 activities. Any additional or unforeseen program income (i.e., repayments from loans) will be allocated as needed to meet affordable housing and homelessness goals that benefit low to moderate income individuals/households. 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.

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Planning, Admin & Fair Housing Acquisition Multifamily Rental New Construction	468,708	90,692	0	559,400	2,171,060	The City of Fargo is in its second year of its 2020-2024 Consolidated Plan. Expected resources have been allocated for 2021 activities. Any additional or unforeseen program income (i.e., repayments from loans) will be allocated as needed to meet affordable housing and homelessness goals that benefit low to moderate income individuals/households. 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

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 2021, the sources of match may include local payments in lieu of taxes. The City also anticipates \$150,000/year in HOME program income, as well as \$3,750/year in CDBG program income.

Additional funding that is expected to be available includes the public housing capital fund, housing vouchers, City General Social Service Funds, Neighborhood Revitalization Initiative (NRI) rehabilitation loan funds in partnership with Gate City Bank, state and federal 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.

Discussion

In 2021, 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	HOME: \$547,400	Rental units constructed: 4 Household Housing Units
2	Ending and Preventing Homelessness	2020	2024	Homeless	City Wide	Homeless and Special Needs	CDBG: \$742,048	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted Public Service Activities other than Low/Moderate Income Housing Benefit: 20 Persons Assisted Homelessness Prevention: 150 Persons Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Affordable Housing
	Goal Description	<p>Affordable Housing – Create and maintain affordable housing options and increase homeownership in Fargo</p> <ul style="list-style-type: none"> • 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	<p>Ending and Preventing Homelessness – Participate in collaborative efforts to reduce and prevent homelessness in the community</p> <ul style="list-style-type: none"> • Provide funding for homelessness prevention and outreach, including emergency housing assistance • Support a continuum of housing and emergency solutions for Fargo’s population facing homelessness and encourage supportive housing partnerships

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 has set aside \$547,400 for multifamily rental development using HOME funds (with \$100,000 of that amount set aside for a CHDO reserve project). At least four households will be provided with affordable housing. Funding up to two rental development projects with four rental units in total is anticipated to be set aside as HOME-assisted. Based on HOME monitoring reviews of rental properties in affordability periods, the City of Fargo anticipates these four rental units to be rented to individuals who qualify under HOME as extremely low-income (at or below 30% of area median income).

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 2021 program year (May 1, 2021 to April 30, 2022).

- Source of Funds, including expected grant and program income receipts
- Specific Consolidated Plan Objectives met by 2021 activities
- Summary of 2021 budget and programmatic expenditure limits
- Description of projects included in 2021 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 100 percent of 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 FY2021 projects by HUD Performance Measure System.

#	Project Name
1	CDBG Planning and Administration
2	HOME Planning and Administration
3	Downtown Homeless & Housing Services Facility
4	Emergency Subsistence Payments/Homeless Prevention and Diversion Efforts
5	Eviction Prevention Efforts
6	Community Housing Development Organization (CHDO) Project
7	Multi-Family Rental

Table 8 – Project Information

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

The 2021 Action Plan projects focus on housing and homelessness goals. CDBG funds will be used for projects related to homelessness prevention, direct care/sheltering, and eviction prevention; a homeless and housing-related service facility; and fair housing. HOME-funded projects will include the addition of affordable, multi-family housing through construction and/or rehabilitation. Allocation priorities are a

result of the citizen participation and plan development process, including the impacts of COVID-19.

Until the pandemic, limited resources throughout the community had presented an obstacle in addressing underserved needs. Now, for an unknown amount of time, there is an abundance of funding and shortage of workers (e.g., case managers, housing navigators). Additionally, homelessness has been increasing during the pandemic, so the need for workers is greater than in the past. Another common issue generally heard is that many non-profits and service providers had to expand their missions or deviate from them in order to serve people who were reaching out to them for assistance during the pandemic. Aside from that, CDBG/HUD funding has not increased much over the years. These will all continue to be obstacles for our community as we navigate a post-pandemic time period.

The Community Development Division will continue to work on increasing its capacity to effectively partner with local nonprofit, public, and for-profit organizations to identify emerging community needs and resources. Throughout the 2020-2024 Consolidate Plan program years, the City will carry on its work to support low and extremely-low-income households by focusing community development efforts on working comprehensively in neighborhoods that contain some of the City's most vulnerable populations. By working comprehensively to revitalize entire neighborhoods, the City plans to use funding as effectively as possible.

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	Ending and Preventing Homelessness
	Needs Addressed	Homeless and Special Needs
	Funding	CDBG: \$35,000
	Description	<p>Funds are used for the administration of community development programs and general planning activities. CDBG funds pay for planning and delivery administrative costs of these community development programs, in addition to special plans, 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).</p> <p>The total funding amount for this section includes \$18,000 in contingency, which are funds held for project-related (generally) issues that may arise during the program year.</p> <p><i>National Objective: Not applicable for administration.</i></p> <p><i>CDBG Matrix Code: 21A General Program Administration. Eligibility 24 CFR Part 570.206.</i></p> <ul style="list-style-type: none"> • High Plains Fair Housing Center: \$5,000 <p><i>CDBG Matrix Code: 21D Fair Housing Activities (subject to 20% Admin. Cap). Eligibility 24 CFR Part 570.206(c).</i></p>
	Target Date	4/30/2022
	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: \$12,000
	Description	Funds are used for administration and general planning activities. The total funding amount for this section includes \$5,000 in contingency, which are funds held for project-related (generally) issues that may arise during the program year. <i>National Objective: Not applicable for administration.</i>
	Target Date	4/30/2022
	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 Homeless & Housing Services Facility
	Target Area	City Wide
	Goals Supported	Ending and Preventing Homelessness
	Needs Addressed	Homeless and Special Needs
	Funding	CDBG: \$607,048
	Description	Homeless and housing-related service facility located in downtown Fargo. Activities may include property or land acquisition, building rehabilitation, and feasibility analysis. Facility will serve/shelter/house people who are at risk of homelessness, recently homeless, or who are currently homeless. <i>National Objectives: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)]. CDBG Matrix Codes: 01 Acquisition of Real Property. Eligibility 24 CFR Part 570.201(a). 03E Neighborhood Facilities or 03C Homeless Facilities (not operating costs). Eligibility 24 CFR Part 570.201(c).</i>
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 200 individuals who are at risk of homelessness, recently homeless, or currently homeless will be assisted from the proposed activity.

	Location Description	Downtown Fargo (specific address to be determined)
	Planned Activities	Provide a facility with homeless and housing-related services that will serve, shelter, and house people at risk of homelessness, recently homeless, or currently homeless.
4	Project Name	Emergency Subsistence Payments/Homeless Prevention and Diversion Efforts
	Target Area	City Wide
	Goals Supported	Ending and Preventing Homelessness
	Needs Addressed	Homeless and Special Needs
	Funding	CDBG \$125,000
	Description	<p>CDBG funds will be utilized for temporary emergency housing assistance, housing navigation and operational support for homeless prevention and diversion efforts. Temporary emergency housing assistance includes rent, mortgage, non-City-owned utilities, and other homeless or eviction prevention-type assistance as approved by the City of Fargo, for an allowable time period designated by HUD. Emergency payments will be made directly to the provider of items or services on behalf of an individual or household. Project partners and budgets are identified as:</p> <ul style="list-style-type: none"> • SouthEastern North Dakota Community Action Agency (SENDCAA) - \$62,500 • Presentation Partners in Housing - \$62,500 <p><i>National Objective: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)]. CDBG Matrix Code: 05Q Subsistence Payments. Eligibility 24 CFR 570.207(b)(4). CDBG Matrix Code: 03T Operating Costs of Homeless/Aids Patient Programs. Eligibility 24 CFR Part 570.201(e)</i></p> <p>Several people have been impacted by the COVID-19 pandemic, particularly those who have low income. Many jobs were lost and in some cases, housing was lost. Keeping people housed, rapidly re-housing, or housing people who are currently homeless instantly provides a safe place for quarantine isolation and social distancing. Ultimately, this response reduces the spread of COVID-19 and keeps the community's hospitals from being inundated.</p>
	Target Date	10/1/2022
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 150 individuals who are considered to be homeless or are at risk of becoming homeless will benefit from the proposed activity.

	Location Description	City Wide
	Planned Activities	Prevent, prepare for, and respond to the coronavirus by assisting approximately 150 Fargo residents, who are homeless or are at risk of homelessness, by offering rent assistance, mortgage payments, non-city-owned utilities, and other homeless or eviction prevention-type assistance.
5	Project Name	Eviction Prevention Efforts
	Target Area	City Wide
	Goals Supported	Homelessness
	Needs Addressed	Homeless and Special Needs
	Funding	CDBG: \$10,000
	Description	Funds will be utilized for eviction prevention efforts provided by High Plains Fair Housing Center. This response reduces the spread of COVID-19 and keeps the community's hospitals from being inundated by keeping individuals housed. <i>National Objective: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)]. CDBG Matrix Code: 05K Tenant/Landlord Counseling. Eligibility 24 CFR Part 570.201(e), 24 CFR Part 570.482(c)(2).</i>
	Target Date	4/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	It is estimated approximately 20 households will be assisted with eviction prevention efforts.
	Location Description	City Wide
	Planned Activities	Prevent, prepare for, and respond to the coronavirus by providing eviction prevention efforts to approximately 20 households.
6	Project Name	Community Housing Development Organization (CHDO) Project
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	HOME: \$100,000
	Description	The City will partner with a Community Housing Development Organization to create affordable housing with the HOME set-aside funds in Fargo. <i>HOME Eligible Activity under 92.205(a)(1).</i>

	Target Date	4/30/2023
	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.
	Location Description	To be determined.
	Planned Activities	Construct affordable housing units to serve households at or below 60% AMI.
7	Project Name	Multi-Family Rental
	Target Area	City Wide
	Goals Supported	Affordable Housing
	Needs Addressed	Housing Needs
	Funding	HOME: \$447,400
	Description	The City will partner with a multifamily housing developer to create affordable housing using HOME funds in Fargo. <i>HOME Eligible Activity under 92.205(a)(1).</i>
	Target Date	4/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Provide 3 HOME units in Fargo for households at or below 60% AMI.
	Location Description	To be determined.
	Planned Activities	Provide HOME funds for HOME-eligible activities such as acquisition, demolition, rehabilitation, and/or new construction to construct affordable multi-family rental housing units to serve households at or below 60% AMI.

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 2021 Action Plan, the City of Fargo does prioritize its community development activities to neighborhoods that are predominately low-to-moderate income areas. In Fargo, most of the low-to-moderate areas are concentrated in the core of the city, which are also some of Fargo’s oldest neighborhoods. The City of Fargo Planning and Development Department has been working with a consultant on a Core Neighborhoods Plan, which will bring together neighborhood stakeholders to collaboratively expand planning efforts to the city’s core neighborhoods and will likely incorporate HUD-related activities. Over the course of the Five-Year Plan, the City’s Core Neighborhood Plan will be implemented to some extent and overlap with ConPlan goals.

Geographic Distribution

Target Area	Percentage of Funds
City Wide	100

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City’s strategy for prioritizing community development activities is to target neighborhoods city-wide that are low/mod, where affordable housing is available, and older (developed pre-1920).

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

In 2021, Fargo's affordable housing work involves creating and maintaining housing options and solutions. To do this in 2021, the City will work with local partners to create affordable multifamily housing, increase public awareness of affordability concerns, and work to increase homeownership rates for minority populations. Affordable housing needs go beyond basic housing, it directly ties into preventing and ending homelessness, too. Given that, collaborative efforts surrounding housing solutions across the housing continuum are starting. The continuum spans from homeless shelters, to supportive housing, to rental, to affordable homeownership, market rate housing and beyond.

This work includes ongoing conversations between the City and its housing and homeless partners that cover this spectrum of housing. A pointed housing study is being designed for our target populations, including low to moderate income and/or people experiencing homelessness. As part of this work, the City's Community Development Committee will have a more focused role on housing solutions and the Planning Department is considering adding a person to its staff with expansive housing-related experience within the years of the 5-Year Plan (2020-2024). The overarching goal within this time period will be to develop a housing strategy that will address housing for people at risk of homelessness or experiencing homelessness, including those who are chronically homeless. Housing solutions will also be designed for people who have low to moderate incomes (at most 80% of Area Median Income), including seniors and people with a disability. Housing strategies will include different models for supportive housing, accessible housing, rental, housing for homeownership, multi-family and single-family.

This housing strategy plan essentially replaces the City's (and community's) prior 10-Year Plan to End Homelessness, which ended in 2019 and has not been replaced or updated. Homelessness continues to be an issue in the community and the pandemic has only exacerbated the issue. Additionally, the pandemic pushed the community's homeless prevention and diversion programming to launch earlier than expected, which has since magnified the growing needs, as well as awareness of those needs. In 2021, the City will be awarded with homeless assistance funds through the HOME program, which will be amended into this plan during the 4th quarter of 2021 (estimated). These funds will help address housing and homelessness issues within our community. These funds will also be eligible to be used on other affordable housing development types as indicated earlier (i.e., single family homes, multi-family rental, seniors, etc.)

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	4
Special-Needs	0
Total	4

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

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	4
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	4

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

Discussion:

There are two other prominent, local affordable housing initiatives that fall outside of the City's 2021 CDBG and HOME program, new and long standing, including:

- The Cass Clay Community Land Trust has begun to add homes to its portfolio. By the end of 2021, their goal is to have added 10 affordable homes for homeownership. The City previously partnered with the Cass Clay CLT in the 2020 Action Plan to create two HOME-assisted homeowner units.
- Lake Agassiz Habitat for Humanity continues to be a partner for affordable homeownership in the City of Fargo. The City previously partnered with Habitat for Humanity in the 2020 Action Plan to create two HOME-assisted homeowner units and has a long history with assisting in their builds.
- Rebuilding Together, a local non-profit housing rehabilitation and development organization, has recently partnered with the CLT in constructing new homes for their portfolio. They also assist low income (at 80% area median income or less) households on maintenance rehabilitation projects (e.g., roofing, siding, interiors).

AP-60 Public Housing – 91.220(h)

Introduction

The Fargo Housing and Redevelopment Authority (FHRA) and City continue to address the needs of its public housing inventory and encourage residents to be involved in its operations.

Actions planned during the next year to address the needs to public housing

The Fargo Housing & Redevelopment Authority (FHRA) will continue to relocate residents of Lashkowitz High Rise through December 2021, as part of receiving approval in 2020 from HUD to dispose of the building, North Dakota's largest public housing structure. To relocate residents, FHRA requested and received 247 tenant protection vouchers. Following a successful Request for Proposals (RFP) process in late 2020, FHRA will be contracting with BlueLine Development, Inc. to redevelop the anticipated 110-unit Lashkowitz project. This will include an analysis to determine whether to rehabilitate or demolish the building.

Following a successful RFP process in late 2019 seeking a co-development partner to build Elliott Place, an 84-unit affordable new construction project to be built on a vacant lot acquired by FHRA in early 2017, FHRA staff along with BlueLine Development group further sought a design, engineering, and architectural firm, a general contractor, and a tax-credit syndicator, all through three distinct competitive processes in the first half of 2020. Elliott Place is scheduled for a construction loan closing toward the end of the second quarter of 2021 and, following a 12-month construction schedule, will open its doors to its first tenants in summer 2022. Lease-up will continue through that year.

In addition, in 2021 the FHRA will continue to expand and maintain its portfolio of vouchers through various targeted specialty programs and maintain its high performer status in voucher administration. This includes:

- Administer 47 Emergency Housing Vouchers granted in June 2021
- Administer 92 Tenant Protection Vouchers for 2021 for Lashkowitz High Rise
- Administer 110 Project Based Vouchers to Lashkowitz Riverfront
- Administer 6 VASH Project Based Vouchers for Silver Lining Senior Property, anticipated to open December 2022, and 84 PPV for Elliot Place to open summer of 2022

It will also continue to administer COVID-19 funds for additional security for Lashkowitz High Rise.

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. As mentioned, for every 100 residents in a property, there is a resident advisory board member 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 eight 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. Once the issue is resolved, they will be in compliance.

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

Introduction

Homelessness encompasses a population that is elusive, hidden, highly mobile, and characterized by diverse and complex circumstances. In order to identify the needs of persons who are homeless in Fargo, the City works closely with the local homeless coalition, service and housing providers, as well as the ND Coalition for Homeless People, which manages the Continuum of Care and Homeless Management Information System (HMIS) for North Dakota.

The City Planning and Development Department continues to be involved in local and statewide Continuum of Care efforts and regularly provides CDBG funds to support the planning process. Although the City's "10-Year Plan to End Long-Term Homelessness" has ended, the City continues to be engaged in conversations with public and private partners from the metropolitan area to determine next steps in continued efforts to prevent and end homelessness in the community. Refer to the AP-55 Affordable Housing section to see more detail on planning efforts moving forward.

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 City of Fargo will continue to support the North Dakota Continuum of Care's (ND CoC) annual Point-in-Time Count, which is coordinated locally by the FM Homeless Coalition. It 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 27.

The City will continue to fund 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 VI-SPDAT assessment tool to help assess a person's individual needs and connect to appropriate housing or detox interventions.

The development of the Downtown Homeless & Housing Services Facility for this year will also help facilitate outreach to homeless persons by providing a team of case managers, outreach workers, housing navigators, and various service agencies within the drop-in center to assess needs and encourage applying for mainstream benefits without needing to travel to different locations. A preliminary model of such operations is in its early stages at the former Police Department building downtown (operated by the Gladys Ray Shelter).

The City will also continue to administer CDBG-CV funds for a Mobile Homeless Health Services Outreach program run by Family HealthCare. The mobile unit visits various area homeless shelters and is staffed by a registered nurse delivering direct care and a patient services representative checking

patients in. Homeless Health staff who are employed by Family HealthCare are also located onsite of the former Police Department building downtown.

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 284 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 due to nowhere else to go). This number only includes people who participate in point-in-time counts or are accessing services. The true number is higher and unknown, which is why outreach workers are so important.

The City primarily invests through the city-owned and operated Gladys Ray Shelter, which primarily relies on general funds and other grants. In 2021, the City is also providing funding for two non-profit shelters, New Life Center and Churches United, to enhance their overflow capacity by approximately 30 beds each. The development of the Downtown Homeless & Housing Services Facility may also include shelter beds.

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 109 units. The development of the Downtown Homeless & Housing Services Facility may also include transitional housing units.

In 2021, the City continues to administer 2020 CDBG funding to provide operational support for the FM Homeless Coalition, which promotes overall coordination to appropriate shelter and housing for people experiencing homelessness. It advances ending homelessness through program and project development that results in systemic change, such as education on evidenced-based best practices to reduce homelessness; ongoing innovations to the Coordinated Entry (CARES) system, etc.

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 of Fargo's primary response to helping homeless persons make the transition to permanent housing and independent living continues to be through its ongoing partnerships with area service providers and organizations, including the FM Homeless Coalition, SouthEastern North Dakota Community Action Agency (SENDCAA), Presentation Partners in Housing, area shelters, and the North Dakota Continuum of Care, which organize around the implementation of the Homeless Emergency

Assistance and Rapid Transition to Housing (HEARTH) Act. These agencies focus on planning and delivering housing and services for people who are homeless, including homeless diversion and prevention. Members of the Coalition currently operate in partnership with the local Coordinated Access Referral and Entry Stabilization system “CARES”, which helps to coordinate, prioritize, refer, and evaluate people who are seeking shelter, services, or housing. The information obtained is also used by homeless and housing providers to identify gaps and improve performance.

Local organizations also work with ongoing McKinney-Vento homeless projects to improve outcomes related to transitioning to permanent housing, reducing the number of veterans and families with children that are homeless, assisting youth aging out of foster care, as well as lowering the number of people who become homeless again.

As part of its response to COVID-19, the City of Fargo is utilizing its CDBG-CV funding appropriated by the CARES Act for operational support for homeless prevention, diversion, and emergency housing assistance. This funding, coupled with a 2020 CDBG award, fund Gladys Ray Shelter Housing Navigator positions staffed by Presentation Partners in Housing.

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.

Approximately one-third of the persons experiencing homelessness were identified as chronically homeless in the most recent point-in-time counts. The City operates the Gladys Ray Shelter through its Public Health Department. These efforts, in addition to general fund and human resource support to local shelters, service and housing providers are key to addressing the needs of individuals entering and exiting the criminal justice system, working to incorporate housing into the discharge planning being done by healthcare facilities, and identifying solutions to address concerns of youth homelessness and kids aging out of foster care. This work is critical toward insuring that the issue of homelessness is addressed along a community-wide continuum of prevention and intervention strategies. Representatives from local hospitals Sanford and Essentia work and meet with area homeless providers to coordinate medical discharges, as some of our area shelters have medical respite rooms to be used by people who are being discharged from the hospital.

In response to the impacts of COVID-19, including the loss of jobs and housing, CDBG funds will be used for emergency subsistence payments as well as operational support for homeless prevention and diversion efforts. This emergency assistance and operational support will be carried out by two local agencies, which are SouthEastern North Dakota Community Action Agency (SENDCAA) and Presentation Partners in Housing (PPiH). Keeping people housed, rapidly re-housing, or housing people who are currently homeless has instantly provided (and will continue to) a safe place for quarantine isolation and

social distancing. Ultimately, this response has presumably reduced the spread of COVID-19 and kept the community's hospitals from being inundated. If an outbreak were to occur again, this would continue to minimize the impacts and spread of COVID-19 or any other diseases.

Finally, CDBG funds will also be used for Phase I of developing a Downtown Homeless & Housing Services Facility, which would be a central service hub to serve people who are homeless or at-risk of becoming homeless.

The Downtown Homeless & Housing Services Facility concept over time will strive to implement the pillars of HUD's "EnVision Center" initiative launched in 2018, including 1) economic empowerment; 2) educational advancement; 3) health and wellness; and 4) character and leadership.

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

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

Introduction

The 2021 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

The City is currently drafting its Analysis of Impediments to Fair Housing Choice (AI), which will include 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 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.

In the 2021 Action Plan, HOME funds will be used to create affordable, multi-family housing to be occupied by low-to-moderate income households. Developers will be identified through a Notice of Funding Availability (NOFA) opportunity at a later date in the 2021 Program Year.

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. This has already resulted in one planned development with more being

considered.

Zoning and Land Use Controls

Fargo does not have an outer ring growth boundary but 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.

Building Codes, Fees, or Charges

The Building Inspections Department adopted the International Residential Code (IRC) (2018 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 2018 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.

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

The City will work with funding agencies, including Cass County, United Way of Cass-Clay, FM Area Foundation, Dakota Medical Foundation, and the Impact Foundation to coordinate and meet the needs of the community. The City will seek opportunities to increase funding available for affordable housing. The City will continue to monitor needs that may emerge as a result of COVID-19 recovery and respond as needed. By the end of 2021, the City will also have completed its required Analysis of Impediments (AI) that will further outline action steps for the City to take to mitigate housing obstacles.

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 2021 Action Plan, the City will partner with local housing organizations to provide affordable, multi-family housing for low-to-moderate income households.

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. In a time of Federal budget reductions, the Community Development Division will need to find ways to implement programming efficiently and effectively to meet increasing demands for services and fewer resources.

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 continues to be 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 2021 Action Plan includes activities that will foster enhanced coordination between housing and social service agencies. The Downtown Homeless & Housing Services Facility model offers a centralized location for agencies to operate and coordinate amongst each other. 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.

In addition, in April 2021, the City's Community Development Committee hosted a public meeting featuring presentations from several housing and social service agencies from across the housing continuum, in order to enhance coordination and understanding. The Community Development Committee will continue to be utilized as a platform for coordination between housing and social service agencies.

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. All HOME funded projects in Fargo's 2021 Action Plan are subject to the City's recapture/resale policy.

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.	100.00%

**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.

- 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 2021 Action Plan projects are rental projects (not HOME-funded ownership projects). The City typically enforces the requirements that regulate and restrict the use, occupancy, and transfer of the HOME-assisted property through a Land Use Restrictive Agreement (LURA). The LURA includes the affordability period requirements and is recorded on the HOME-assisted property.

- 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

Citizen Participation Comments

No comments were received on the proposed plan during the 30-day public comment period, which was from May 27 – June 25, 2021. Documentation from the citizen participation process is included in the attachments that follow.

DRAFT

**Community Development 2021 Grant Application 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	African Initiative Program and Development	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Non-English speaking persons
2	Afro American Development Association	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Racial/ethnic minorities Non-English speaking persons
3	American Red Cross	
4	American Red Cross Dakotas Region	
5	Beyond Shelter, Inc.	
6	Bremer Bank	
7	Cass County Government	
8	Cass County Housing Authority	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
9	Cass County Social Services	Racial/ethnic minorities Non-English Speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
10	Catholic Charities North Dakota	Persons with disabilities
11	Centre, Inc.	Racial/ethnic minorities Non-English Speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
12	CHARISM	Racial/ethnic minorities Non-English Speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members

13	Churches United for the Homeless	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
14	Community Living Services	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
15	Community Uplift Program	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
16	Creative Plains Foundation	Racial/ethnic minorities
17	Cultural Diversity Resources	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Non-English speaking persons
18	Dakota Boys and Girls Ranch	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
19	Dakota Medical Foundation/Impact Foundation	
20	Emergency Food Pantry	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
21	F5 Project	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
22	FAITH Café	
23	Family Healthcare Center	Racial/ethnic minorities Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
24	Fargo Adult Learning 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
25	Fargo Neighborhood Coalition and Fargo Planning Commission	

26	Fargo Park District	Racial/ethnic Minorities Non-English speaking persons
27	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
28	Fargo School District	Children and Youth Racial/ethnic minorities Non-English speaking persons Persons with disabilities
29	Fargo Theatre/Street Smart	
30	Fargo Youth Commission/Boys & Girls Club of RRV	
31	FirstLink	
32	FM Area Foundation	
33	FM Homeless Coalition	Racial/ethnic Minorities Persons with Disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
34	F-M Dorothy Day House of Hospitality	Racial/ethnic minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
35	Fraser, Ltd.	Community-based and regionally-based organization that represents protected traditionally discriminated against class members Persons with disabilities
36	Freedom Resource Center	Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
37	Global Youth United	Racial/ethnic minorities Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members

38	Great Plains Food Bank	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
39	Greater Fargo Moorhead EDC	
40	Handi-Wheels Transportation, Inc.	Persons with disabilities
41	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
42	Home Builders Association of Fargo Moorhead	
43	Hospice of The Red River Valley	
44	Humane Society, Inc.	
45	Immigrant Development Center	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members Non-English speaking persons
46	Integra Property Group	
47	Jail Chaplains	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
48	Jeremiah Program	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
49	Job Service North Dakota	Racial/ethnic minorities Non-English speaking persons Community-based and regionally-based organization that represents protected traditionally discriminated against class members
50	Lake Agassiz Development Group	
51	Lake Agassiz Habitat for Humanity	Racial/ethnic minorities
52	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

53	Legacy Children's Foundation	Racial/ethnic minorities Non-English speaking persons
54	Legal Services of North Dakota	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
55	Lutheran Social Services of ND	Racial/ethnic minorities Non-English speaking persons Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
56	MBA	
57	Mental Health America of ND	Persons with Disabilities Ethnic/racial minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
58	Metro Area Mayors Committee for People with Disabilities	Persons with Disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
59	ND Caring Foundation	
60	ND DOL Division of Human Rights	Racial/ethnic minorities Non-English speaking persons Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
61	NDSCS	Racial/ethnic minorities
62	NDSU - Research & Technology Park, Inc.	
63	New Life Center	Racial/ethnic minorities Persons with disabilities
64	North Dakota Coalition for Homeless People	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
65	Northern Plains Botanic Garden Society	
66	Park Company Realtors	

67	PATH ND	Racial/ethnic minorities Persons with disabilities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
68	People's Press Project	Racial/ethnic minorities
69	Prairie Public Broadcasting	
70	Presentation Partners in Housing	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
71	Pride Collective and Community Center	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
72	Project HART	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members
73	Project Hero	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
74	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
75	Rebuilding Together	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
76	Red River Children's Advocacy Center	
77	Red River Human Services Foundation	Persons with disabilities
78	Retired Senior Volunteer Program+ Southern Valley	
79	River Keepers	
80	RSVP+North Dakota	
81	Sanford Medical Center	
82	SENDCAA	

83	SENDCAA Head Start	Low-income children (birth to 5 years old) and their families
84	Sharehouse	
85	Small Business Administration	
86	Somali Community Development of ND	Racial/ethnic minorities Non-English speaking persons
87	South Sudan Lutheran Church	Racial/ethnic minorities Non-English speaking persons
88	St. Francis Thrift Store	
89	St. Vincent de Paul Society	
90	The ARC of Cass County	Persons with disabilities
91	The Arts Partnership	
92	The Children's Museum at Yunker Farms	
93	The Connection Ministry	
94	The Forum	
95	The Kilbourne Group	
96	The Salvation Army	
97	TNT Kid's Fitness	Persons with disabilities
98	Trollwood Performing Arts School	
99	Tu'Deako Group	Racial/ethnic minorities Persons with disabilities
100	United Way of Cass-Clay	Racial/ethnic minorities Non-English speaking persons
101	Valley Senior Services	Persons with disabilities
102	Village Family Service Center	
103	WE Center	Racial/ethnic minorities Non-English speaking persons
104	YMCA	
105	Youthworks	Community-based and regionally-based organization that represents protected traditionally discriminated against class members
106	YWCA of Cass Clay	Racial/ethnic minorities Community-based and regionally-based organization that represents protected traditionally discriminated against class members

City of Fargo
2020 and 2021 Notice of Funding Availability (NOFA)
for CDBG and HOME Funds

DRAFT

Notice of Funding Availability (NOFA)
REQUEST FOR PROPOSALS - 2020 & 2021 Program Years
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME INVESTMENT PARTNERSHIPS

The City of Fargo is seeking proposals for its 2020 & 2021 program years, which run from May 1 through April 30 each year. The City of Fargo receives annual entitlement funds from the Department of Housing and Urban Development, which are distributed through the City's CDBG and HOME programs. Due to COVID-19, HUD has extended the 2020 Action Plan deadline to August 2021. As a result, the timelines for both the 2020 and 2021 program years coincide. This NOFA covers both years.

The primary purpose of CDBG & HOME funds is to benefit low and moderate income individuals and households. Although the 5-Year Consolidated Plan is currently underway, the goals have been established and will continue to focus on affordable housing, homelessness, neighborhoods, and poverty reduction. For 2020 & 2021, proposals addressing COVID-19 response, preparation, and prevention will be prioritized first. All proposals must include information regarding the feasibility and readiness of the project or program because CDBG & HOME funds are generally the last financial component of a project. 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.

NOFA Period

September 16 through October 9, 2020

Submission Instructions

All proposals must be submitted electronically. Proposals are due no later than **11:59 p.m. on October 9, 2020**. Full instructions, NOFA, application materials, and submission links 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. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of interpretation and translation services, will be made upon request (a 48 hour notice is required). Anyone who requires these services or an auxiliary aid to fully participate should contact the Planning and Development Department at 701.241.1474/Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator Brock Morrison at 701.298.6966 to arrange for services. To access TTY/ND Relay service dial 800.366.6888 or 711. 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.

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA

ss.

COUNTY OF CASS

Lana Syttie, *The Forum*, being duly sworn, states as follows:

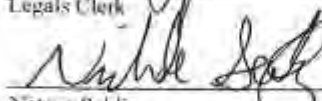
1. I am the designated agent of *The Forum*, under the provisions and for the purposes of Section 31-04-06, NDCC, for the newspaper listed on the attached exhibit.

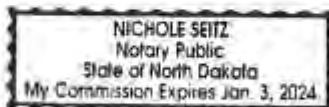
2. The newspaper listed on the exhibit published the advertisement of: **Legal Notice**, (1) time: **Sept. 16, 2020**, as required by law or ordinance.

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 16th day of September, 2020.


Lana Syttie
Legal's Clerk


Nichole Seitz
Notary Public



**Notice of Funding Availability
(NOFA)
REQUEST FOR PROPOSALS - 2020
& 2021 Program Years
COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) & HOME IN-
VESTMENT PARTNERSHIPS**

The City of Fargo is seeking proposals for its 2020 & 2021 program years, which run from May 1 through April 30 each year. The City of Fargo receives annual allotment funds from the Department of Housing and Urban Development, which are distributed through the City's CDBG and HOME programs. Due to COVID-19, HUD has extended the 2020 Active Plan deadline to August 2021. As a result, the timeline for both the 2020 and 2021 program years is extended. This NOFA covers both years.

The primary purpose of CDBG & HOME funds is to benefit low and moderate income individuals and households. Although the 5-year Consolidated Plan is currently underway, the goals have been established and will continue to focus on affordable housing, homelessness, neighborhood, and poverty reduction. For 2020 & 2021, proposals addressing COVID-19 response, preparation, and prevention will be prioritized. All proposals must include information regarding the feasibility and readiness of the project or program to receive CDBG & HOME funds for generally the last financial statement of a project. Proposals will be evaluated based on how to moderate income levels, protect residents, ensure homelessness and impact, active management, response, and performance, and other resources.

NOFA Period
September 16 through October 9, 2020

Submission Instructions
All proposals must be submitted electronically. Proposals are due no later than 11:59 pm, on October 9, 2020. Full instructions, NOFA, application materials, and submission links are located under: <http://www.fargo.gov/cdbg-hdgrps>

Questions, Comments, or Suggestions

Call 701-476-4144 or email ariff@fargo.gov with questions. After review of the information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, ensuring the availability of interpretation and translation services will be made upon request (a 48 hour notice is required). Anyone who requires these services or an auxiliary aid to fully participate should contact the Planning and Development Department at 701-241-1474 (Planning@FargoND.gov) or the City of Fargo's Section 504/ADA Coordinator, Derek Morrison at 701-228-6994 to arrange for services. To access TTY/VO relay service dial 800-568-6888 or 711, in accordance with Federal regulations and City of Fargo policies, services are provided without regard to race, color, religion, sex, disability, limited status, national origin, age, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, health status, or condition imposed by applicable federal and state laws. The City is an equal employment/opportunity housing opportunity agency (Sept. 16, 2020)

2858407

City News
Room

Community Development Block Grant and HOME Investments Partnerships Notice of Funding Availability (NOFA)

09/16/2020

The City of Fargo is seeking proposals for its 2020 & 2021 program years, which run from May 1 through April 30 each year. The City of Fargo receives annual entitlement funds from the Department of Housing and Urban Development (HUD), which are distributed through the City's CDBG and HOME programs. Due to COVID-19, HUD has extended the 2020 Action Plan deadline to August 2021. As a result, the timelines for both the 2020 and 2021 program years coincide. This NOFA covers both years.

The primary purpose of CDBG & HOME funds is to benefit low and moderate income individuals and households. Although the 5-Year Consolidated Plan is currently underway, the goals have been established and will continue to focus on affordable housing, homelessness, neighborhoods, and poverty reduction. For 2020 & 2021, proposals addressing COVID-19 response, preparation, and prevention will be prioritized first. All proposals must include information regarding the feasibility and readiness of the project or program because CDBG & HOME funds are generally the last financial component of a project. 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 NOFA period runs from September 16 through October 9, 2020, with proposals due no later than **11:59 p.m. on October 9, 2020**. Full instructions, NOFA, application materials, and submission links are located online at: <https://fargond.gov/work/bids-rfqs-rfps>. All proposals must be submitted electronically.

For more information, view the [full public notice](#) published in The Forum newspaper on September 16, 2020. For translation services on the public notice, NOFA, or application materials, contact the City of Fargo at [701.241.1474](tel:701.241.1474).

9/17/2020

La ciudad de Fargo - Detalle de noticias



Translated to: [Spanish](#)

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Sala de noticias
de la ciudad



Aviso de disponibilidad de fondos (NOFA) de subvenciones en bloque para el desarrollo comunitario y asociaciones de inversiones HOME

16/09/2020

La ciudad de Fargo está buscando propuestas para sus años de programa 2020 y 2021, que se ejecutan desde el 1 de mayo hasta el 30 de abril de cada año. La ciudad de Fargo recibe fondos de derechos anuales del Departamento de Vivienda y Desarrollo Urbano (HUD), que se distribuyen a través de los programas CDBG y HOME de la ciudad. Debido a COVID-19, HUD ha extendido la fecha límite del Plan de Acción 2020 hasta agosto de 2021. Como resultado, los plazos para los años del programa 2020 y 2021 coinciden. Este NOFA cubre ambos años.

El propósito principal de los fondos CDBG & HOME es beneficiar a las personas y hogares de ingresos bajos y moderados. Aunque el Plan Consolidado de 5 Años está actualmente en marcha, las metas se han establecido y continuarán enfocándose en viviendas asequibles, personas sin hogar, vecindarios y reducción de la pobreza. Para 2020 y 2021, las propuestas que aborden la respuesta, preparación y prevención de COVID-19 se priorizarán primero. Todas las propuestas deben incluir información sobre la viabilidad y preparación del proyecto o programa porque los fondos de CDBG & HOME son generalmente el último componente financiero de un proyecto. Las propuestas se evaluarán en función de los beneficios de ingresos bajos a moderados, la preparación del proyecto, la razonabilidad e impacto de los costos, la gestión de actividades, la experiencia, el desempeño pasado y los recursos actuales.

El período NOFA se extiende desde el 16 de septiembre hasta el 9 de octubre de 2020, y las propuestas deben presentarse a más tardar a las 11:59 p.m. del 9 de octubre de 2020. Las instrucciones completas, el NOFA, los materiales de solicitud y los enlaces de envío se encuentran en línea en: <https://fargond.gov/work/bids-rfq-rfps>. Todas las propuestas deben enviarse electrónicamente.

Para obtener más información, vea el [aviso público completo](#) publicado en el periódico The Forum el 16 de septiembre de 2020. Para servicios de traducción del aviso público, NOFA o materiales de solicitud, comuníquese con la ciudad de Fargo al [701.241.1474](tel:701.241.1474).

<https://fargond.gov/news-events/city-news-room/post-detail?id=5f821c03396bb27c7c60c886>

E-mail to Community Development Committee & Community Development Distribution List

From: Tia Braseth

Sent: Friday, September 11, 2020 4:09 PM

To: John Gunkelman <dakcon@hotmail.com>; John Strand <jstrand@FargoND.gov>; 'Ken Enockson' <kenockson@hotmail.com>; 'Kirsten Stave' <KirstenS@fargohousing.org>; 'Linda Klebe' <lindaklebe@aol.com>; 'Lora Larson' <lora@downtownfargo.com>; 'Mark Puppe' <mark@hbafm.com>; 'Matthew Pike' <mattthew@fargohousing.org>; 'Melissa Brandt' <president@downtownfargo.com>; Michael Redlinger <mredlinger@FargoND.gov>; 'Robin Nelson' <nelsonr@fargo.k12.nd.us>; 'Samantha McDonald' <samanthajomcdonald1@gmail.com>; 'Thomas Hill' <thilli@unitedwaycassdlay.org>; Tim Mahoney <TMahoney@FargoND.gov>

Subject: City of Fargo Notice of Funding Availability (NOFA) -CDBG/HOME Programs

Good Afternoon CD Committee:

This has been sent out to community members on our CD mailing list and will be published in next week's Wed. Forum. We'll also be issuing a news release. Spread the word.

The City of Fargo is now seeking proposals for the 2020 & 2021 Community Development Block Grant (CDBG) and HOME Investment Partnerships program years. Due to COVID-19, much has been delayed, HUD extended the 2020 Action Plan deadline to August 2021 rather than August 2020. As a result, the timelines for both the 2020 and 2021 program years are now running parallel, so this NOFA covers both years. For 2020 & 2021, proposals addressing COVID-19 response, preparation, and prevention will be prioritized first. Please view full instructions, NOFA, application materials, and submission information at: <https://fargond.gov/work/bids-ifs-rfps>. Information should be available at the link later today.

NOFA Period

September 16 through October 9, 2020

Submission Instructions

All proposals must be submitted electronically. Proposals are due no later than **11:59 p.m. on October 9, 2020**.

Tia Braseth, Assoc. AIA, LEED BD+C

Planning Coordinator / Community Development Division

Department of Planning & Development

City of Fargo | 225 Fourth Street North | Fargo, ND 58102

Phone: (701) 475-1344 | Email: TBraseth@fargond.gov



Notice of Funding Availability (NOFA)
REQUEST FOR PROPOSALS - 2020 & 2021 Program Years
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME INVESTMENT PARTNERSHIPS

City of Fargo

The City of Fargo is seeking proposals for its 2020 & 2021 program years, which run from May 1 through April 30 each year. The City of Fargo receives annual entitlement funds from the Department of Housing and Urban Development, which are distributed through the City's CDBG and HOME programs. Due to COVID-19, HUD has extended the 2020 Action Plan deadline to August 2021. As a result, the timelines for both the 2020 and 2021 program years coincide. This NOFA covers both years.

The primary purpose of CDBG & HOME funds is to benefit low and moderate income individuals and households. Five year plan goals have been established and will continue to focus on affordable housing, homelessness, neighborhoods, and poverty reduction. For 2020 & 2021, proposals addressing COVID-19 response, preparation, and prevention will be prioritized first. All proposals must include information regarding the feasibility and readiness of the project or program because CDBG & HOME funds are generally the last financial component of a project. 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.

Additionally, CDBG or HOME funds are subject to all applicable federal environmental and labor requirements, including the provisions of the Fair Labor Standards Act (i.e., the use of Davis Bacon wage rates for affected projects), Relocation and Accessibility standards. Please note, federal regulations now require all subrecipients of federal funds to have a DUNS Number, and be registered on SAM.gov.

NOFA Period

September 16 through October 9, 2020

Proposals Due By

11:59 p.m. on October 9, 2020

Submission Instructions & Required Documentation

Submit proposals electronically at <https://files.share.fargond.gov/index.php/s/Y3aRiqe6MXHJQKc>. All organizations responding to this RFP shall include the following:

- 1. NOFA Application:** See last 2 pages, attached.
- 2. Cover Letter:** Include organization's basic information, brief summary of proposed project or program including the need being addressed, the amount requested, project location, project/program lead, sub-consultants that would be involved in project/program (if applicable), and contact information.
- 3. Project/Program Summary (1 page max.):** Include the full project description and if proposing a program, indicate whether or not it is a new service or an increase to an existing service. Include

beneficiary/client information in terms of how many people the program or project will serve and who you are targeting.

4. **Project/Program Budget:** Provide a detailed project/program budget with the amount to be requested included. Indicate any funding already secured with amounts and sources. Include pending sources.
5. **Project/Program Timeline:** Include start/finish date and milestones.
6. **Project/Program Experience:** Provide details about your experience with CDBG or HOME funds and similar projects (i.e., grant amount, projects/program, dates, etc.).
7. **Project/Program Team:** Indicate lead manager and any consultants that will be used on the project.
8. **References:** 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.
9. **CDBG ONLY: Project/Program Application** (for project/program beneficiaries, reviewed to see what data is collected, such as race, income, household size, etc.).

Selection Process

Proposals will be evaluated based on project/program eligibility, low to moderate income benefit, project readiness, cost reasonableness and impact, activity management, experience, past performance, and current resources. Staff will evaluate all proposals received and select projects/programs that best meet the current needs of the community, evaluation criteria, 5-Year Plan goals, and staff administration capacity.

Estimated Resources

All funding levels indicated in the charts provided (charts have been removed from this attachment) are estimated amounts only. As the year progresses, more will be known about actual amounts, which will be published in the public notice prior to the citizen participation process and public hearing for 2020 and 2021 activities. Actual funds available may be less or more.

Questions, Comments, or Suggestions

Call 701-476-4144 or email tbraseth@fargond.gov with questions, comments, or suggestions. Fargo City Hall is serviced by public transit, accessible and can accommodate persons with disabilities. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of interpretation and translation services, will be made upon request (a 48 hour notice is required). Anyone who requires these services or an auxiliary aid to fully participate should contact the Planning and Development Department at 701.241.1474/Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator Brock Morrison at 701.298.6966 to arrange for services. To access TTY/ND Relay service dial 800.366.6888 or 711. 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.

Notice of Funding Availability (NOFA)
APPLICATION
2020 & 2021 Program Years
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) & HOME INVESTMENT PARTNERSHIPS

1. Which of the following fit your proposal (select all that apply)?

☐ Affordable Quality Housing (mark all that apply below):

☐ New Construction

☐ Rehabilitation

☐ Addressing special needs populations (circle all that apply) – elderly, homeless, veterans, mobility or mentally impaired, victims of domestic violence

☐ Rental housing

☐ Homeless Services and Coordination (mark all that apply below):

☐ Prevention and Diversion Efforts

☐ Community-wide Strategic Homelessness Planning

☐ Data Collection/Point-In-Time Counts

☐ Other: _____

☐ Public Services Addressing (mark all that apply below):

☐ Mental Health and Substance Abuse

☐ Transportation

☐ Discrimination and Diversity

☐ Tenant Advocacy

☐ New American/Immigrant Outreach

☐ After-School Programming

☐ Job Training

☐ Other: _____

☐ Neighborhood Improvements

☐ Other Projects or Programs

2. Does your program or project respond to, prepare for, or help to prevent the spread of COVID-19 in the community?

☐ Yes

☐ No

3. How much HUD funding are you requesting (\$50,000 minimum)?

\$ _____ HOME Investment Partnership Funds

\$ _____ Community Development Block Grant (CDBG) Funds

4. Is your organization registered, active (not expired), and eligible for federal awards in the System for Award Management (www.sam.gov)?

☐ Yes

☐ No (**registration will be required to received funds**)

☐ Underway

5. Does your organization undergo an independent financial audit each year?

☐ Yes

☐ No

6. How many low to moderate income persons OR households do you think this program or project will serve per year?

_____ Persons OR # _____ Households

7. Experience with HUD CDBG or HOME funding:

☐ 3 or more HUD CDBG or HOME grant awards

☐ 1-2 HUD CDBG or HOME grant award(s)

☐ None, but other federal grant awards _____

☐ None, but other non-federal grant awards _____

☐ No grant experience

8. Will the City's HUD funds be the final financial "gap filler" on this project or program?

☐ Yes

☐ No

9. How soon will you spend these funds?

☐ Within 3 months of award

☐ Within 4-6 months of award

☐ Within 7-12 months of award

☐ More than a year

Comments: _____

Public Notice for 2021 Action Plan Public Input Meeting

This was sent to the Fargo Forum for publication on Wednesday, May 5, 2021.

NOTICE OF PUBLIC INPUT HEARING

Community Development Block Grant (CDBG) & HOME Investment Partnerships Program (HOME) 2021 Action Plan

The City of Fargo is soliciting public input in preparation of its 2021 Action Plan for Housing and Community Development. The 2021 Annual Action Plan addresses the 2nd year of the 2020-2024 Consolidated Plan for the Community Development Block Grant (CDBG)/HOME programs, under the Department of Housing and Urban Development (HUD). The plan provides information on the needs of low and moderate income residents in the City. Interested residents, housing providers, support services, and businesses are invited to attend a public meeting on Friday, May 21, 2021 at 12:00 p.m. in the Fargo City Commission Chambers, located at 225 4th Street North, Fargo, North Dakota, 58102. For more information, please contact the Fargo Planning and Development Department at 701.241.1474 or Planning@FargoND.gov.

Comments and suggestions from the public are encouraged through email, telephone, and/or at the public input hearing. The existing plans are available online at www.fargond.gov/planninganddevelopment/plansandstudies or by request through the Planning and Development Department. See contact information above.

City Hall Commission Chambers are accessible and can accommodate persons with disabilities. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of interpretation and translation services, will be made upon request (a 48 hour notice is required). Anyone who requires these services or an auxiliary aid to fully participate should contact the Planning and Development Department at 701.241.1474/Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator Brock Morrison at 701.298.6966 to arrange for services. To access TDD/Relay service dial 701.241.8258. In accordance with Federal regulations and City of Fargo policies, the City of Fargo provides services without regard to race, color, national origin, sex, disability, age, familial status, religion, 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.

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA

ss.

COUNTY OF CASS

Elisabeth Beam, *The Forum*, being duly sworn,
states as follows:

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

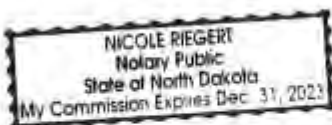
2. The newspaper listed on the exhibit published the advertisement of: **Legal Notice; (1) time: May 5, 2021**, as required by law or ordinance.

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 5th day of May, 2021.


Legal Clerk


Notary Public



NOTICE OF PUBLIC INPUT HEARING

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

2021 Action Plan

The City of Fargo is soliciting public input in preparation of its 2021 Action Plan for Housing and Community Development. The 2021 Annual Action Plan addresses the 2nd year of the 2020-2024 Consolidated Plan for the Community Development Block Grant (CDBG) & HOME programs under the Department of Housing and Urban Development (HUD). The plan provides information on the needs of low and moderate income residents in the City for rental assistance, housing providers, support services, and businesses are invited to attend a public meeting on Friday, May 21, 2021 at 12:00 p.m. in the Fargo City Commission Chambers, located at 225 4th Street North, Fargo, North Dakota, 58101. For more information, please contact the Fargo Planning and Development Department at 701.241.1474 or Planning@FargoND.gov.

Comments and suggestions from the public are encouraged through email, telephone, and/or at the public input hearing. The hearing plans are available online at www.fargo.gov/planninganddevelopment and guides in by request through the Planning and Development Department. See contact information above.

City Hall Commission Chambers are accessible and can accommodate persons with disabilities. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency including the availability of interpretation and translation services, will be made upon request (a 48 hour notice is required). Anyone who requires these services or an auxiliary aid to fully participate should contact the Planning and Development Department at 701.241.1474/Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator, Brock Morrison at 701.288.6006 to arrange for services. To request TDD/Relay service, call 701.241.8258. In accordance with Federal regulations and City of Fargo policies, the City of Fargo provides services without regard to race, color, national origin, sex, disability, age, marital status, religion, marital status, veteran status, sexual orientation, gender identity, public assistance, domestic violence, lawful activity, or conviction protected by applicable federal and state laws. The City is an equal employment/housing opportunity agency. (May 5, 2021) JRM/CFB

2021 Action Plan Public Input Meeting Comments

No comments were received at the public input meeting that was held on Friday, May 21, 2021 at 12:00 p.m. in the Fargo City Commission Chambers, located at 225 4th Street North, Fargo, North Dakota, 58102.

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Notice for 2021 Community Development Action Plan

This was sent to the Fargo Forum for publication on Wednesday, May 26, 2021.

Notice of Public Hearing & Public Comment Period Community Development Block Grant (CDBG) & HOME Programs 2021 Action Plan & Budget Proposal

The City of Fargo has prepared a draft version of the 2021 Annual Action Plan for Housing and Community Development for the Community Development Block Grant (CDBG) and HOME Programs. The priorities established within the draft plan result from community meetings and citizen participation in the development of the 2020-2024 Consolidated Plan. The City's 5-Year priorities include affordable housing, ending and preventing homelessness, neighborhood improvements and initiatives, and assistance for vulnerable populations.

Estimated Resources - During the 2021 program year, the City of Fargo estimates the following resources to be available:

CDBG:

- **\$773,298** 2021 Community Development Block Grant (CDBG) allocation from HUD
- **\$ 3,750** 2021 CDBG Program Income (estimated)
- **\$ 0** Available for Reallocation at Prior Year-End

\$777,048 Total CDBG

HOME:

- **\$468,708** 2021 HOME PJ allocation from HUD
- **\$ 61,910** 2020 HOME PJ Program Income (actual)
- **\$ 28,782** 2020 HOME State Program Income (actual)
- **\$ 0** Available for Reallocation at Prior Year-End

\$559,400 Total HOME

TOTAL RESOURCES \$1,336,448

• PLANNING, ADMINISTRATION & FAIR HOUSING

- **High Plains Fair Housing Center** - \$5,000 in CDBG funds. Support comprehensive outreach, fair housing education.
 - Part of 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)*
- **Planning and Administration** - \$12,000 in CDBG funds and \$7,000 in HOME funds. Planning, implementation, reporting, and monitoring of CDBG and HOME resources.
 - *Eligibility & Regulation Citation: 21A General Program Administration, 24 CFR Part 570.206*

• FACILITIES/CAPITAL, NEIGHBORHOODS

- **Downtown Homeless & Housing Services Facility** - \$607,048 in CDBG funds. Homeless and housing-related service facility located in downtown Fargo. Activities may include property or land acquisition, building rehabilitation, and feasibility analysis. Facility will serve/shelter/house people who are at risk of homelessness, recently homeless, or who are currently homeless.
 - *National Objectives, Eligibility, & Regulation Citations: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)], 01 Acquisition of Real Property, 24 CFR Part 570.201(a); 03E Neighborhood Facilities or 03C Homeless Facilities (not operating costs), 24 CFR Part 570.201(c).*

• PUBLIC SERVICE

- **Emergency Subsistence Payments/Homeless Prevention & Diversion Efforts** – COVID-19 Prevention, Preparation, & Response - \$125,000 in CDBG funds. Temporary emergency housing assistance, housing navigation and operational support for homeless prevention and diversion efforts. Temporary emergency housing assistance includes rent, mortgage, non-City-owned utilities, and other homeless or eviction prevention-type assistance as approved by the City of Fargo. Providers will make emergency assistance payments directly to the payees (i.e., rental office, utility company, etc.) on behalf of an individual or household. \$62,500 each to

project partners: SouthEastern North Dakota Community Action Agency (SENDCAA) and Presentation Partners in Housing

- Several people have been impacted by the COVID-19 pandemic, particularly those who have low income. Many jobs were lost and in some cases, housing was lost. Keeping people housed, rapidly re-housing, or housing people who are currently homeless instantly provides a safe place for quarantine, isolation, and social distancing. Ultimately, this response reduces the spread of COVID-19 and keeps the community's hospitals from being inundated.
- *National Objective, Eligibility & Regulation Citation: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)], 03T Operating Costs of Homeless/Aids Patient Programs, 24 CFR Part 570.201(e) or 05Q Subsistence Payments, 24 CFR 570.207(b)(4)*
- **Eviction Prevention Efforts** – COVID-19 Prevention, Preparation, & Response - \$10,000 in CDBG funds. Eviction prevention efforts. This response reduces the spread of COVID-19 and keeps the community's hospitals from being inundated by keeping individuals housed. Project partner: High Plains Fair Housing Center.
 - *National Objective, Eligibility, & Regulation Citation: Low-Mod Clientele Benefit [24 CFR Part 570.208(a)(2)], 05K Tenant/Landlord Counseling, 24 CFR Part 570.201(e), 24 CFR Part 570.482(c)(2).*
- **HOUSING**
 - **Community Development Housing Organization (CHDO) Project** - \$100,000 in 'set-aside' HOME funds. New construction of affordable housing.
 - *National Objective: Low-Mod Housing Benefit, HOME Eligible Activity under 92.205(a)(1)*
 - **Multi-Family Rental** - \$447,400 in HOME funds. New construction of an affordable multi-family rental housing complex.
 - *HOME Eligible Activity under 92.205(a)(1)*
- **CONTINGENCY FUNDS**
 - Funds held in contingency for issues that may arise during the program year. \$18,000 in CDBG funds, \$5,000 in HOME funds.

Contingency Provisions/Potential Adjustments to 2021 Activities & Budget

- Budget adjustments transferring amounts greater than 10% of the amount allocated to the City's entitlement grant programs for program year 2021 are considered substantial amendments and will be implemented in accordance with Fargo's Citizen Participation Plan
- Unanticipated program income may result in a substantial amendment to amend activities and budgets in accordance with Fargo's Citizen Participation Plan
- All funding levels indicated above are estimated amounts

Comments & Suggestions

Comments and suggestions from the public are encouraged through a public comment period and/or at the public hearing (schedule below) (virtual or live). The 2021 draft plan is available online at www.fargond.gov/planninganddevelopment/plansandstudies or by request through the Planning and Development Department. See contact information below.

The facility is accessible and can accommodate persons with disabilities. Alternative formats of this information or reasonable accommodations for persons with hearing loss, vision loss, disabilities or limited English proficiency, including the availability of interpretation and translation services, will be made upon request (a 48 hour notice is required). Anyone who requires these services or an auxiliary aid to fully participate should contact the Planning and Development Department at 701.241.1474 / Planning@FargoND.gov, or the City of Fargo's Section 504/ADA Coordinator Brock Morrison at 701.298.6966 to arrange for services. To access North Dakota Relay dial 711. In accordance with Federal regulations and City of Fargo policies, the City of Fargo provides services without regard to race, color, national origin, sex, disability, age, familial status, religion, 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.

30-Day Public Comment period: May 27 through June 25, 2021

Send written comments or phone: City of Fargo
Planning and Development Department
Attn: Community Development Planning Coordinator
225 4th Street North, Fargo ND 58102
701.476.4144

Electronic Comments: Planning@FargoND.gov

Public Hearing: Monday, June 14, 2021 - 5:15 pm
Fargo City Commission Chambers
225 4th Street North, Fargo, ND 58102

Final City Commission Consideration: Monday, June 28, 2021 – 5:15 pm

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City of Fargo
2021 Annual Action Plan
Grantee Unique Appendices

DRAFT

Fair Housing & Civil Rights Progress Report

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1. Benefits, Services, and Methods of Administration

City staff will analyze demographic data for race, color, national origin, sex, religion, and disability to determine whether any minority groups appear under-represented in the HUD-funded programs. If the analysis indicates under-representation by any protected group, Fargo will adjust the administration of programs and activities to assure equitable participation. Results will be reported in the 2021 CAPER.

2. Citizen Participation

The City of Fargo amended its Citizen Participation Plan in April 2020. The full plan is available on the City of Fargo's website under the Department of Planning and Development's Plans and Studies page.

3. Limited English Proficiency (LEP)

The City of Fargo will conduct a four-factor analysis, create a Language Access Plan (LAP), and document actions to implement the LAP. The LAP will be provided to subrecipients and compliance will be examined.

The City of Fargo provides interpretation and translation services by request.

4. Recordkeeping

Fargo has taken actions to ensure complete and accurate records are maintained, both at the grantee level and at the subrecipient level. Source documents have been updated to uniformly collect race, ethnicity, and head of household data. These same forms have been updated to ensure accurate records show the extent to which people with disabilities participate in the federally funded activities.

5. Section 504 Effective Communication

The City of Fargo ensures the availability of assistance to those with disabilities or language barriers.

6. Section 504 Coordinator

Brock Morrison continues to be designated as the City of Fargo's Section 504 Coordinator.

7. Section 504 Non-Discrimination Notice

Community and Development staff will continue to work with other departments to ensure that a Section 504 non-discrimination notice is included within all informational materials made available to participants, beneficiaries, applicants, and employees.

8. Section 504 Grievance Procedure

Section 504 requires Fargo to adopt a grievance procedure. The City of Fargo has a general grievance procedure that will be used until a HUD specific grievance procedure is drafted.

9. Affirmatively Furthering Fair Housing (AFFH)

The City of Fargo will continue its efforts to ensure fair housing in Fargo, including implementation and ongoing changes to policy and procedures. The COF is working on an updated Analysis of Impediments to Fair Housing Choice and it is hoping to incorporate many elements associated with an AFFH by the end of calendar year 2021.

Introduction of Broadband Access, Resiliency, & EnVision Centers

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Broadband Access is required for multi-family rental properties that are new construction, funded with HOME, and have 4 or more units.

In addition, 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 [2019 ACS 5-Year Estimates](#), 82.1% of Cass County households have a desktop or laptop and 83.6% have a smartphone. 85.4% have some type of broadband access, including 72.5% with broadband access such as cable, fiber optic, or DSL. 9.3% have a cellular data plan with no other type of Internet connection. 14.4% overall are without an internet subscription. According to the latest data available from the FCC, 89.25% of Cass County residents, which includes Fargo, have access to 3 or more broadband providers for standard 25/3 Mbps speed. ([FCC Broadband Map, 2017](#)).

Access is significantly lower for low and moderate income households. 37.4% of households earning less than \$20,000 are without an internet subscription, as compared to 17.1% of households earning between 20,000 to 74,999 and just 4.4% 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 3rd Avenue South
- Northport Library: 2714 North Broadway

Resiliency

In the wake of recent severe flooding and weather events, 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.

In 2021, 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.

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 it 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.

EnVision Centers

EnVision Centers are a new self-sufficiency concept to HUD, which will ultimately leverage public and private resources. The intent of EnVision Centers is to build self-sufficiency for HUD-assisted households and individuals through a “centralized hub” of support based on four “pillars” as defined by HUD below:

1. Economic Empowerment – designed to improve the economic sustainability of individuals residing in HUD-assisted housing by empowering them with opportunities to improve their economic outlook
2. Educational Advancement – seeks to bring educational opportunities directly to HUD-assisted housing and includes partnering with public and private organizations that approach education in non-traditional ways on non-traditional platforms
3. Health and Wellness – designed to improve access to health outcomes by individuals and families living in HUD-assisted housing
4. Character and Leadership – designed to enable all individuals and families residing in HUD-assisted housing, especially young people, to reach their full potential as productive, caring, responsible citizens by encouraging participation in volunteer and mentoring opportunities

In tandem with HUD’s recently launched EnVision Center initiative, various private and public stakeholders in Fargo have begun researching possibilities for developing a central hub of services for low-income residents. Many in Fargo share a vision of collaborating in order to make a variety of services more efficiently accessible in one central location. Preliminary discussions have included many of the elements of EnVision Centers, such as economic empowerment and health and wellness services.

City of Fargo Resale/Recapture Policy



Resale & Recapture Policy

Updated & Approved April 2021

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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).

Maximum Sales Prices 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 and the maximum sales price cannot exceed 95% of the median purchase price for single-family housing in the Fargo, ND-MN MSA for the current year. The homeownership sales price limits change annually and are provided by HUD.

Approval of Sales Price and Eligible Buyer

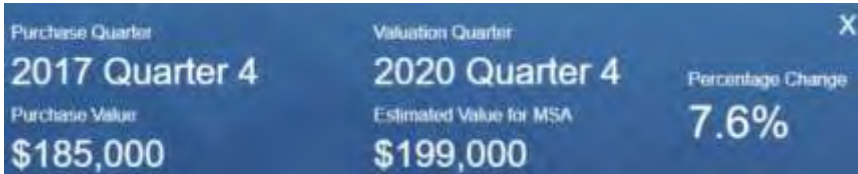
If an owner wants to sell the property, the owner or real estate agent must contact the City of Fargo Planning and Development Department, in writing, at least fourteen **(14) days prior to listing** the property and receive approval for a proposed listing price in accordance with the affordability restrictions. The listing price cannot exceed 95% of the median purchase price for single-family housing in the Fargo, ND-MN MSA for the current year.

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 purchase price shall not exceed the Maximum Sales Price (see the definition of "Maximum Sales Price" under the Basic Terminology section of this policy);
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 and 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/4 th 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 ensuring the Maximum Sales Price is set so the amount of Principal, Interest, Taxes, and Insurance does not exceed 38% of the targeted Buyer's annual gross income.

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 (modest means purchase price does not exceed 95% of median purchase price for the area);
- 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.

Maximum Sales Price: Every transfer of the property by an owner to a Buyer (during the affordability period) shall be for a purchase price which does not exceed the Maximum Sales Price determined as follows: sales prices shall be set such that the amount of Principal, Interest, Taxes, and Insurance does not exceed 38% of the new Buyer's annual gross income, adjusted to a monthly income and the maximum sales price cannot exceed 95% of the median purchase price for single-family housing in the Fargo, ND-MN MSA for the current year. The homeownership sales price limits change annually and are provided by HUD.

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.

Grantee SF-424's, SF424D's, and Certifications

To be attached at end of public comment period and after final consideration and approval by City Commission on June 28, 2021.