



Louisville/Jefferson County Metro Government
Program Year 2019 Action Plan
2015-2019 Citizen Participation Plan



Third Amendment
November 11, 2020

Prepared by Develop Louisville
Division of Compliance and Administration
Jeff O'Brien – Director, Develop Louisville



**DEVELOP LOUISVILLE
LOUISVILLE, KENTUCKY**

**GREG FISCHER
MAYOR**

**JEFF O'BRIEN
DIRECTOR**

DATE: November 11, 2020

RE: Third Amendment to the 2019 Annual Action Plan for HUD Entitlement Funds to Incorporate CDBG CARES Act funding for COVID-19 Relief Programming

This is Louisville/Jefferson County Metro Government’s third amendment to the 2019 Annual Action Plan. This amendment defines new projects to be undertaken during Program Year 2019 (July 1, 2019 – June 30, 2020) with federal entitlement funds received through the Coronavirus Aid, Relief and Economic Security Act (CARES Act). This is the third such Amendment to the 2019 Action Plan, and specifically addresses additional Community Development Block Grant funding announced September 11, 2020.

This amendment is available electronically at: <https://louisvilleky.gov/government/housing/public-notice-federal-plans-and-project-compliance>

A 5-day public comment period was held on this amendment, as allowed by HUD’s waiver of requirement 24 CFR 91.105(c)(2). This public comment period began Tuesday, September 29, 2020 and concluded Tuesday, October 6, 2020. A virtual public meeting was held on Thursday, October 1, 2020 at 2:00pm to discuss the amendment and receive citizen comment. All comments received during this period, along with Louisville Metro Government’s response, are included in the appendices.

This amendment was submitted to the U.S. Department of Housing and Urban Development (HUD) on November 11, 2020.

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Executive Summary

Substantial Amendments to the Annual Action Plan (24 CFR 91.505)

Louisville/Jefferson County Metro Government’s 2019 Action Plan, submitted to the U.S. Department of Housing and Urban Development (HUD) on June 12, 2019, outlined projects and programs intended to address the goals identified in the 2015 - 2019 Consolidated Plan. The 2019 Action Plan was approved by HUD on September 17, 2019.

Louisville/Jefferson County Metro Government’s Citizen Participation Plan was designed to encourage active citizen participation in both the identification of needs within the community and the development of Louisville Metro’s goals and strategies to address those needs. This plan, which provides guidelines for all phases of the consolidated planning process, including amendments to approved plans, states that an amendment to the Action Plan is warranted given substantial changes which include the addition of an activity not previously included in the Consolidated Plan, the deletion of an activity previously included in the Consolidated Plan, changes to the location of an activity which affect the original scope of the project, changes to the scope of an activity which affect the original beneficiaries, changes in the scope of an activity due to a modification in funding level totaling 30% or more in a Program Year Action Plan budget for the project, or a series of changes representing a cumulative total of more than 20% or more in a Program Year Action Plan budget.

Program Year 2019 Action Plan – Second Proposed Amendment

This substantial amendment to the 2019 Action Plan is created in response to new federal funding received through the Coronavirus Aid, Relief and Economic Security Act (CARES Act). On June 9, 2020, Louisville Metro Government was allocated funding in the following amounts from the Office of Housing and Urban Development:

Community Development Block Grant (CDBG):	\$2,941,014
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This funding is in addition to the CBDG, ESG, and HOPWA funding that was received via the first tranche of CARES Act funding on April 2, 2020, and additional ESG funding that was received via the second tranche of funding on June 9, 2020. The amendment herein proposes projects to be undertaken with this third tranche of CDBG funding during in direct response to the COVID-19 pandemic crisis.

Citizen Participation

2015 – 2019 Citizen Participation Plan Amendment

The 2015-2019 Citizen Participation Plan has been amended to include provisions for HUD waivers which may vary the public comment period requirements and allow for virtual public meetings.

Utilization of Federal Waiver

Louisville Metro Government's Citizen Participation Plan has been modified pursuant to the memorandum Availability of Waivers of Community Planning and Development Grant Programs and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19, and in accordance with 24 CFR 5.110:

- Citizen Participation Public Comment Period for Consolidated Plan Amendment - *24 CFR 91.105(c)(2) and (k); 24 CFR 91.115(c)(2) and (i); 24 CFR 91.401*
- Citizen Participation Reasonable Notice and Opportunity to Comment - *24 CFR 91.105(c)(2) and (k); 24 CFR 91.115(c)(2) and (i); 24 CFR 91.401*

Requests for use of these waivers was submitted to the U.S. Department of Housing and Urban Development Kentucky Field Office, Region IV, on April 8, 2020. A copy of the Waiver Request is included in this amendment.

Public Comment Period

This waiver allows Louisville Metro Government to provide a public comment period of no less than 5 days on substantial amendments relating to CARES Act funding. The public comment period for the amendment proposed in this document began on Tuesday, September 29, 2020, and concluded on Tuesday, October 6, 2020.

The public comment period also included a public meeting, held virtually per social distancing precautions as mandated by Executive Order 2020-002. This virtual public meeting was held on Thursday, October 1 at 2:00pm via WebEx videoconference and Facebook Live stream. All comments received during this period, along with Louisville Metro Government's response, are included in the appendices.

Details of Proposed Projects

CDBG Proposed Project

\$2,941,014 Expected CARES Allocation

Small Business Loan NOFA.....\$2,941,014

Project Name	Small Business Loan Program
Description	Work with partner organizations to provide microloans and working capital loans.
Consolidated Plan Needs Addressed	Small Business Development
Consolidated Plan Goals Supported	Microenterprise development Small business development
Target Area	Metrowide
Target Date	6/30/21
Funding	CDBG \$2,941,014
Estimated number and type of families that will benefit	120-150 businesses
Planned Activities	<p>The goal of the program is to provide small business loans in low-moderate-income census tracts Program will be administered by a third party chosen through a competitive Notice of Funding Availability (NOFA). Funds would be structured as a revolving loan pool, awarded to small businesses at low interest rates. The third-party administrator would be able to revolve these funds but would be required to comply with all CDBG program rules, including but not limited to Program Income and reporting requirements.</p> <p>This funding will be added to a previous commitment to the Small Business Loan Program. The first Action Plan Amendment, created in response to the first tranche of CARES funding announced on April 2, 2020, committed \$1,500,000 to the Small Business Loan program. The first Amendment was submitted to HUD on May 21, 2020. This third Amendment proposes to commit an additional \$2,941,014 to this program, resulting in a total commitment of \$4,441,014 to the Small Business Loan Program.</p>

Program Year 2019 Action Plan 2015-2019 Citizen Participation Plan



Third Amendment Appendices

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Appendix A

**Affidavit and Legal Notice as published in
the Courier Journal on September 30, 2020**

A GANNETT COMPANY

Advertiser:

LOUISVILLE FORWARD
444 SOUTH FIFTH STREET, STE 500

LOUISVILLE KY 40202

AFFIDAVIT OF PUBLICATION

**State of Wisconsin
County of Brown**

**LEGAL NOTICE
ATTACHED**

RE: Order # 0004397348

Account #:5025744608
Total Cost of the Ad \$610.34

This is not an invoice

of Affidavits 1

I, of The Courier-Journal, a newspaper published and printed in the State of Kentucky, County of Jefferson, and having general circulation in the County of Jefferson, who being duly sworn, depose that the advertisement of which the annexed is a true copy and has been published in the said newspaper, once in each issue as follows:

09/30/2020

.....
Martha Stewart
Subscribed and sworn to before me this 30th day of September, 2020

Shelly Hora
Notary Public

8-25-23
Commission expires

SHELLY HORA
Notary Public
State of Wisconsin

**PUBLIC COMMENT NOTICE FOR CITIZEN INPUT ON PROPOSED USE
OF CDBG CARES ACT FUNDING**

Louisville Metro Government will hold a VIRTUAL public hearing on Thursday, October 1, 2020 at 2pm to receive citizen comments on the draft amendment to the 2019 Action Plan, which proposes use of CDBG CARES Act funding for COVID-19 response. This hearing will be held on both WebEx and Facebook Live. Access can be found at louisvilleky.gov/government/housing/public-notices-federal-plans-and-project-compliance.

The draft amendment to the 2019 Action Plan is available beginning Tuesday, September 29, 2020 online at the address above. A hard copy is available upon request. The public comment period is open until Monday, October 5, 2020. Citizens may submit written comments on the draft via email to Michelle.Rodgers@louisvilleky.gov or via US Mail to Develop Louisville, 444 S 5th St, 5th Floor, Louisville, KY 40202. For further information or to ensure reasonable accommodations are made for persons with disabilities or persons who are Limited English Proficient, please call Michelle Rodgers at (502) 574-4608.

Appendix B

Wavier Notifications Sent to HUD



**OFFICE OF RESILIENCE AND COMMUNITY SERVICES
LOUISVILLE, KENTUCKY**

GREG FISCHER
MAYOR

TAMEKA LAIRD
DIRECTOR

April 8, 2020

Renee Ryles, Acting Director
U.S. Department of Housing and Urban Development
Louisville Field Office
601 West Broadway, Room 110
Louisville, KY 40202

Re: Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19

Requestor: Tameka Laird, Director, Louisville-Jefferson County Metro Government Office of Resilience and Community Services, (502) 574-3929

Date Grantee Anticipates First Use of Waiver Flexibility: 04/08/2020

List of Waivers the Grantee Will Use:

1. Fair Market Rent for Individual Units and Leasing Costs
 2. Program Disability Documentation for Permanent Supportive Housing
 3. Limit on Eligible Housing Search and Counseling Service
 4. Program Permanent Housing – Rapid Re-housing Monthly Case Management
 5. Program Housing Quality Standards (HQS) – Initial Physical Inspection of Unit
 6. Program HQS Annual Re-Inspection of Units
 7. Program One-year Lease Requirement
 8. Citizen Participation Public Comment Period for Consolidated Plan Amendment
 9. Citizen Participation Reasonable Notice and Opportunity to Comment
 11. Re-evaluations for Homelessness Prevention Assistance
 12. Program Housing Stability Case Management
 13. Program Restriction of Rental Assistance to Units with Rent at or Below FMR
 14. HOPWA – Self-Certification of Income and Credible Information on HIV Status
 15. HOPWA – FMR Rent Standard
 16. HOPWA – Property Standards for TBRA
- Waiver 10 is not included because Louisville Metro Government is not the CoC HMIS lead.

Thank you,

Tameka Laird, Director
Office of Resilience and Community Services

WWW.LOUISVILLEKY.GOV

701 WEST ORMSBY AVENUE, SUITE 201 LOUISVILLE, KENTUCKY 40203

*Louisville-Jefferson County Metro Government
Amendment – 2019 Action Plan
November 11, 2020*

Appendix C

Louisville Executive Order 2020-002

Mandating that Public Hearings must be held virtually



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

EXECUTIVE ORDER

NO. 2020-002

March 24, 2020

CONTINUATION OF STATE OF EMERGENCY RELATING TO PREPARATIONS AND RESPONSIVE MEASURES FOR THE NOVEL CORONAVIRUS (COVID-19) PANDEMIC

WHEREAS, I issued Executive Order 2020-001 on March 13, 2020 that declared a state of emergency due to the novel coronavirus (COVID-19) that expires on April 12, 2020; and

WHEREAS, updated guidelines issued by the Centers for Disease Control ("CDC") have been modified to recommend the cancellation of gatherings of 10 or more people until May 10, 2020; and

WHEREAS, the coronavirus (COVID-19) continues to pose a threat to the public health and safety of the residents of Louisville Metro;

WHEREAS, the impact of the coronavirus (COVID-19) and attendant consequences are being felt all over Louisville Metro and the continuation of the measures announced previously remain necessary to address the challenges that we are facing today along with potential additional measures as necessary; and

WHEREAS, as Mayor, I intend to invoke any and all powers at my disposal to combat the spread of this virus and to contain it as much as possible in order to protect the residents of Louisville Metro; and

WHEREAS, the law of the Commonwealth of Kentucky vests the Chief Executive Officer of a consolidated local government with the authority to declare and continue the state of emergency for as long as the emergency exists to protect our residents; and

WHEREAS, this medical pandemic makes it prudent and necessary to continue the state of emergency and implement additional measures designed to contain the spread of the coronavirus

(COVID-19) in the manner previously set forth in Executive Order 2020-001; and

WHEREAS, in order to meet its obligations to its residents, Louisville Metro may have the need to request or mandate employees to perform work outside their designated classification and scope of work, including in other areas of their own agency or in other Louisville Metro agencies, that may be subject to the Scope and/or Recognition, and classifications of other ratified Collective Bargaining Agreements; and

NOW, THEREFORE I, Greg Fischer, as Mayor of Louisville/Jefferson County Metro Government and, pursuant to Chapters 39A and 39B of the Kentucky Revised Statutes, HEREBY EXTEND THE DECLARATION OF EMERGENCY within Louisville Metro related to the public health of our citizens due to the coronavirus (COVID-19). To that end, I hereby ORDER AND DIRECT THE FOLLOWING:

1. That, this Order fully extends and incorporates the state of emergency and all of the provisions contained in Executive Order 2020-001 until May 10, 2020.
2. That, all Metro hosted events are cancelled and/or postponed until after May 10, 2020;
3. That, effective today, Louisville Metro agencies are hereby empowered to request or, as needed, require employees to work in other areas of their agencies or in other Louisville Metro agencies that may be subject to the Scope and/or Recognition of ratified Collective Bargaining Agreements, while retaining their current rate of pay, benefits, and other rights according to their current Collective Bargaining Agreement and/or Louisville Metro policies;
4. That, effective today, the times designated in Collective Bargaining Agreements for responses to Grievances shall be extended an additional 10 days at the agency level and 30 days for all other Steps in the Grievance procedures;
5. That, effective today, the notice to employees and unions and the implementation of new or revised regulations, rules, policies, and procedures may be simultaneous, and times such designated in Collective Bargaining Agreements and Louisville Metro policies shall be held in abeyance for the duration of this Order.
6. That, effective at 5:00 pm today, March 24, 2020 and until May 10, 2020 at 8:00 am, I have ordered the following:
 - a. All Metro park playgrounds, soccer fields and basketball courts will be closed;
 - b. All portable toilets shall be closed and removed from the parks;
 - c. The campground at Jefferson Memorial Forest shall be closed;
 - d. The Department of Parks will continue to clean all open, permanent restrooms at this time,

pick up garbage and mow grass;

e. All dog parks where dogs are allowed to roam free without a leash shall be closed. Dogs on leashes are still permitted where allowed .

f. Group activities such as soccer games, basketball games, tennis, pickleball or any activity that promotes congregation in the parks are strongly discouraged because of the inability to properly social distance from others;

g. All golf courses may remain open but shall abide by the "Clubhouse Coronavirus Protocol" posted at every golf course. The clubhouses may remain open, except for the retail area so long as patrons and employees practice social distancing.

7. That, all Metro agencies are directed to review their authorities regarding the suspension of interest and penalties during this pandemic in consultation with the Jefferson County Attorney's Office; and

8. That this Executive Order shall be interpreted, if necessary, to be consistent and in harmony with any and all ORDERS issued by the Governor of the Commonwealth of Kentucky.

GREG FISCHER

MAYOR

APPROVED FOR FORM & LEGALITY

MICHAEL J. O'CONNELL

JEFFERSON COUNTY ATTORNEY



DATE: _____

03/24/2020

