



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations


June 2, 2021

MEMORANDUM

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Senior Legislative Budget and Policy Analyst

FROM: Warren E. Burris, Sr. 
Senior Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CR-043-2021, FY 2020 Annual Action Plan Amendment – CDBG Funds (DR-1)

CR-043-2021 (*proposed by:* The Chair of the Council at the request of the County Executive;
Introduced by: Council Members Hawkins, Davis, Turner, Glaros, Dernoga, Franklin and Harrison)

Assigned to Committee of the Whole (COW)

A RESOLUTION CONCERNING THE FISCAL YEAR (“FY”) 2020 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT FOR HOUSING AND COMMUNITY DEVELOPMENT for the purpose of amending the Prince George’s County Fiscal Year (“FY”) 2020 Annual Action Plan for Housing and Community Development by approving the restructuring of a Community Development Block Grant (CDBG) Program activity as a result of a change in the location and description of an activity originally described in the FY 2020 Annual Action Plan.

Fiscal Summary

Direct Impact:

Expenditures: None

Revenues: None

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Indirect Impact:

Potentially Positive

Legislative Summary:

CR-043-2021, proposed by the Chair of the Council at the request of the County Executive, and introduced by Council Members Hawkins, Davis, Turner, Glaros, Dernoga, Franklin and Harrison, and co-sponsored by Vice Chair Taveras was introduced and referred to Committee of the Whole (COW) on April 27, 2021 with public hearing held on May 18, 2021.

Current Law/Background:

The Consolidated Plan is designed to help states and local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the Community Planning and Development (CPD) formula block grant programs: Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, Emergency Solutions Grants (ESG) Program, and Housing Opportunities for Persons With AIDS (HOPWA) Program.

The Consolidated Plan is carried out through Annual Action Plans, which provide a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. Grantees report on accomplishments and progress toward Consolidated Plan goals in the Consolidated Annual Performance and Evaluation Report (CAPER).¹

In accordance with 24 CFR § 91.505, and pursuant to Prince George's County Code Section 15A-107, the when amending its approved Consolidated Plan, CR-047-2020, DHCD must complete a Substantial Amendment that has to be approved by HUD. The jurisdiction shall amend its approved plan whenever it makes one of the following decisions:

- To make a change in its allocation priorities or a change in the method of distribution of funds;
- The addition of an eligible activity not originally funded or described in the Annual Action Plan; or
- A change in the location, description, regulatory reference, national objective citation, and status of an eligible activity originally described in the Annual Action Plan; or

¹ [HUDEXCHANGE](#)

- A change in the use of CDBG, HOME, Program Income, or ESG funds, exceeding \$250,000 from one existing activity to another existing eligible activity in any category within applicable program.

Pursuant to 24 Code of Federal Regulations (CFR) § 91.105, the citizen participation plan must specify the criteria the jurisdiction will use for determining what changes in the jurisdiction's planned or actual activities constitute a substantial amendment to the consolidated plan. (See § 91.505.) The citizen participation plan must include, among the criteria for a substantial amendment, changes in the use of CDBG funds from one eligible activity to another. The citizen participation plan must provide community residents with reasonable notice and an opportunity to comment on substantial amendments to the consolidated plan. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, of not less than 30 calendar days, to receive comments on the consolidated plan substantial amendment before the consolidated plan substantial amendment is implemented is submitted to HUD for review. The citizen participation plan shall require the jurisdiction to consider any comments or views of residents of the community received in writing, or orally at public hearings, if any, in preparing the substantial amendment of the consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the substantial amendment of the consolidated plan.

Discussion/Policy Analysis

CR-043-2021 seeks to amend CR-024-2019, Annual Action Plan for FY 2020, by restructuring an activity resulting from a change in location and description of the original activity in the FY 2020 Annual Action Plan. The proposed project description restructure of two hundred nine thousand five hundred dollars (\$209,500) with this legislation includes the following change from the original activity to the newly proposed activity.

- For the original activity, the Housing Authority of Prince George's County (HAPGC) was going to use CDBG funds for interior painting and replacement of flooring at the Rollingcrest Community Center and Cottage City Towers Development and the replacement of HVAC units at the Owens Road Development, where approximately 80 households would have benefited.
- The restructured activity would have HAPGC use CDBG funds to address internal and external American with Disabilities Act (ADA) and Uniformed Federal Accessibility Standards (UFAS) route remediation at the Marlborough Towne and Cottage City public housing projects, where approximately 163 households will benefit.

Potential Benefits of Adopting CR-043-2021

Adoption of CR-043-2021 would provide critical remediate to address federal compliance concerns especially considering the current agreement with HUD to address accessibility concerns in the County.

Potential Costs of Adopting CR-043-2021

Adoption of CR-043-2021 would represent no fiscal impact to the County Expenditures as the \$209,500 funds proposed to support this project are being reallocated from one eligible activity to another eligible activity approved under the FY 2020 Annual Action Plan.

Fiscal Impact:

Direct Impact

Adoption of CR-043-2021 would represent no fiscal impact to the County Expenditures as the \$209,500 funds proposed to support this project are being reallocated from one eligible activity to another eligible activity approved under the FY 2020 Annual Action Plan.

Indirect Impact

Over time, adoption of CR-043-2021, could potential represent a positive impact on the County as critical resources and services are provided to the most in need. These funds provide and fulfil critical accessibility compliance mandates.

Items for Committee Consideration:

- ✓ Pursuant to 24 CFR § 91.105 (a)(2)(i) “the citizen participation plan must provide for and encourage citizens to participate in the development of the consolidated plan, any substantial amendment to the consolidated plan, and the performance report.” As currently written, the citizen’s input comes after the plan for the dollars have already been decided and drafted. This could be perceived as mitigating the publics due process of expenditure of public funds. Consistent with 24 CFR § 91.500, HUD could be perceived as inconsistent with the spirit of the federal legislation².
 - ✓ Is there a way to know how the needs of the 80 residents under the original proposal will be met?
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Resource Personnel:

DHCD Staff
Council Administration

² 24 CFR § 91.500

Effective Date of Proposed Legislation:

The Resolution shall become effective as of the date of its adoption.

If you require additional information, or have questions about this fiscal impact statement, please reach me via phone or email.