

**WORK SESSION AGENDA
WYOMING CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS**

Monday, April 10, 2023, 5:30 P.M.

- 1) Call to Order**
- 2) Student Recognition**
- 3) Public Comment on Agenda Items (3 minute limit per person)**
- 4) 2024 Budget Review**
 - General Fund**
 - Parks & Recreation**
 - Community & Economic Development**
- 5) CDBG Annual Action Plan**
- 6) CDBG Rehabilitation Program Manual Revisions**
- 7) Kent Industrial Center**
- 8) City Council Preparation Session**
- 9) Any Other Matters**
- 10) Acknowledgement of Visitors/Public Comment (3 minute limit per person)**

City of Wyoming
Community & Economic
Development
FY 2024 Budget
Overview



Community. Safety. Stewardship.

Today's Goals

Introduction to CED Department

Review Budget Goals

Review FY24 CED Budget

City Center

36th Street Market





Introduction to CED



Community and Economic Development

**PLANNING
(GENERAL
FUND)**

**ECONOMIC
DEVELOPMENT
(GENERAL FUND)**

**ZONING
BOARD OF
APPEALS
(GENERAL
FUND)**

**BUILDING
INSPECTIONS**

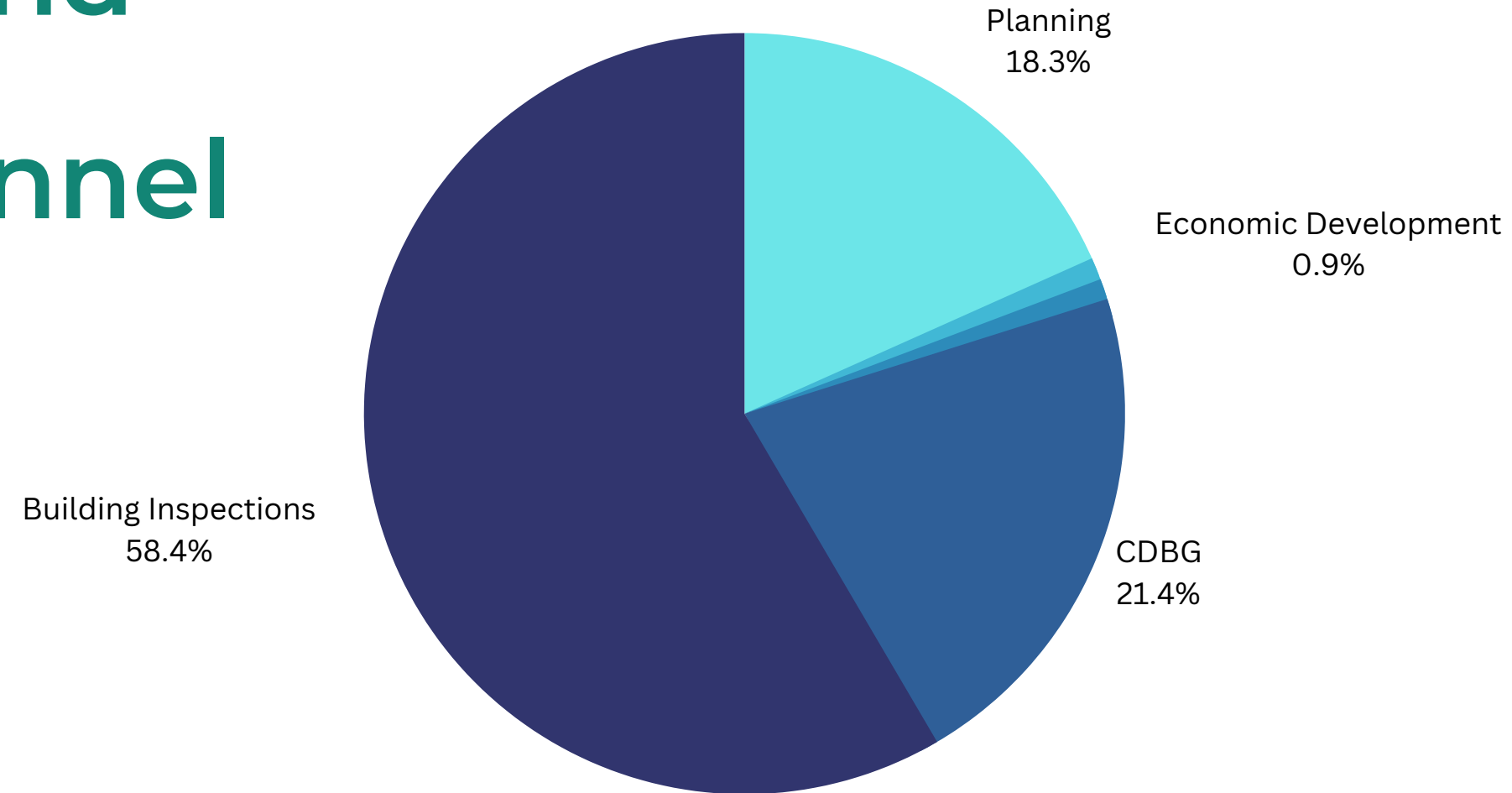
**COMMUNITY
DEVELOPMENT
BLOCK GRANT**

Budget HIGHLIGHTS

3.4 million budgeted in FY24

\$690,327 General Fund

\$1.97 million in personnel expenses



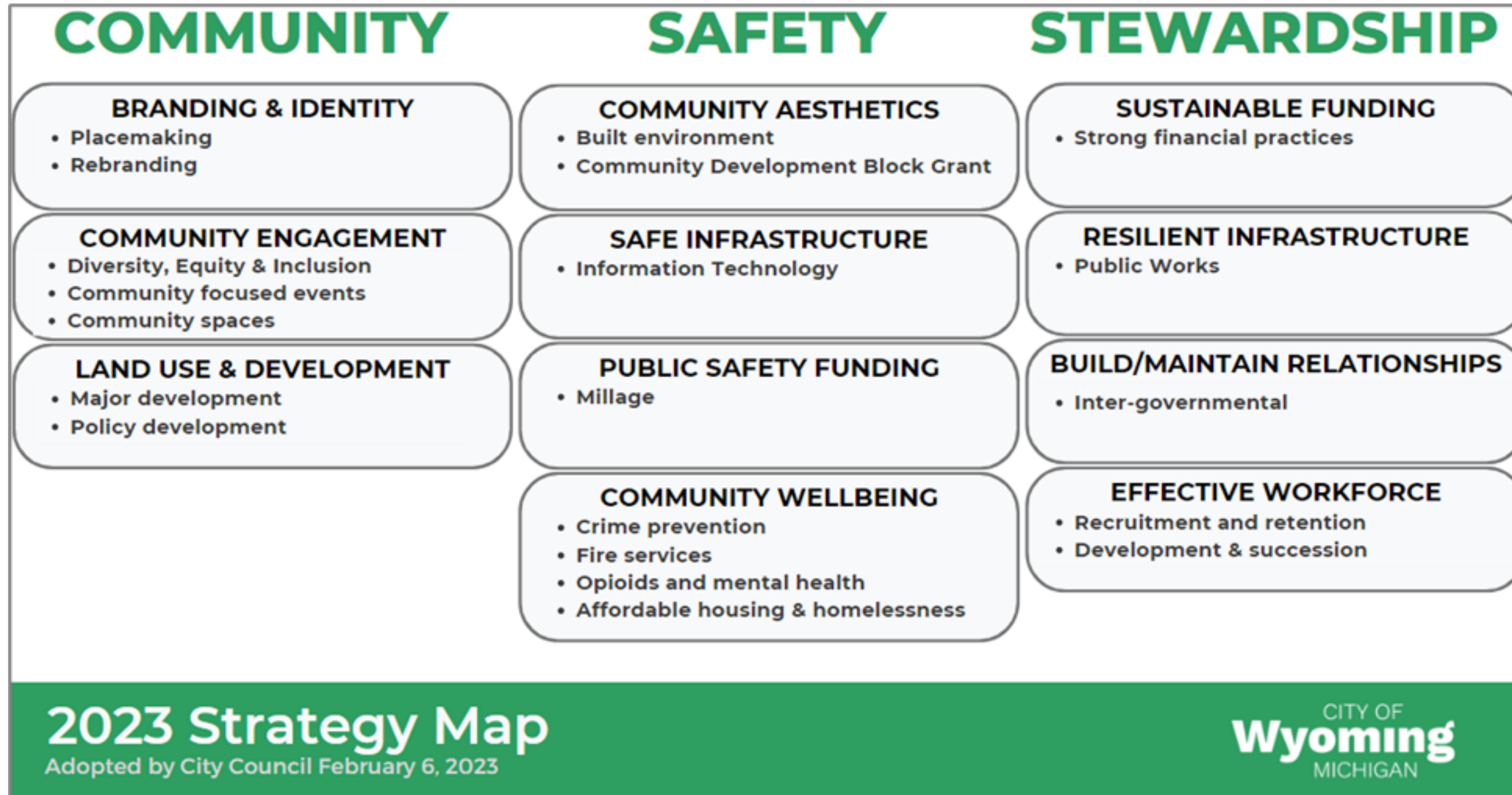
Questions?



Budget Goals



Budget GOALS



CED **GOALS**

- Community Aesthetics - emphasis on commercial corridor code enforcement (new position)
- Effective Workforce - Investments in our people (tuition reimbursements; trainings)
- Land Use & Development- Funding for zoning revisions on hold



FY24 CED Budget



CED **PLANNING/ECONOMIC DEV/ZONING**

- Planning and Zoning are status quo
 - Includes joint training with Council, Planning Commission and Board of Zoning Appeals (RRC requirement)
- New to FY24 is a Economic Development budget
 - Designed to foster new relationships with business community and stakeholders

CED **BUILDING INSPECTIONS**

- Building Inspections
- Code Enforcement
- Rehab
- Rental



CED **BUILDING INSPECTIONS**

- Evolving development patterns
- Largely infill
- 2022 revenue exceeded projected 2022 estimates
- Handful of priority sites expected to develop in next few years

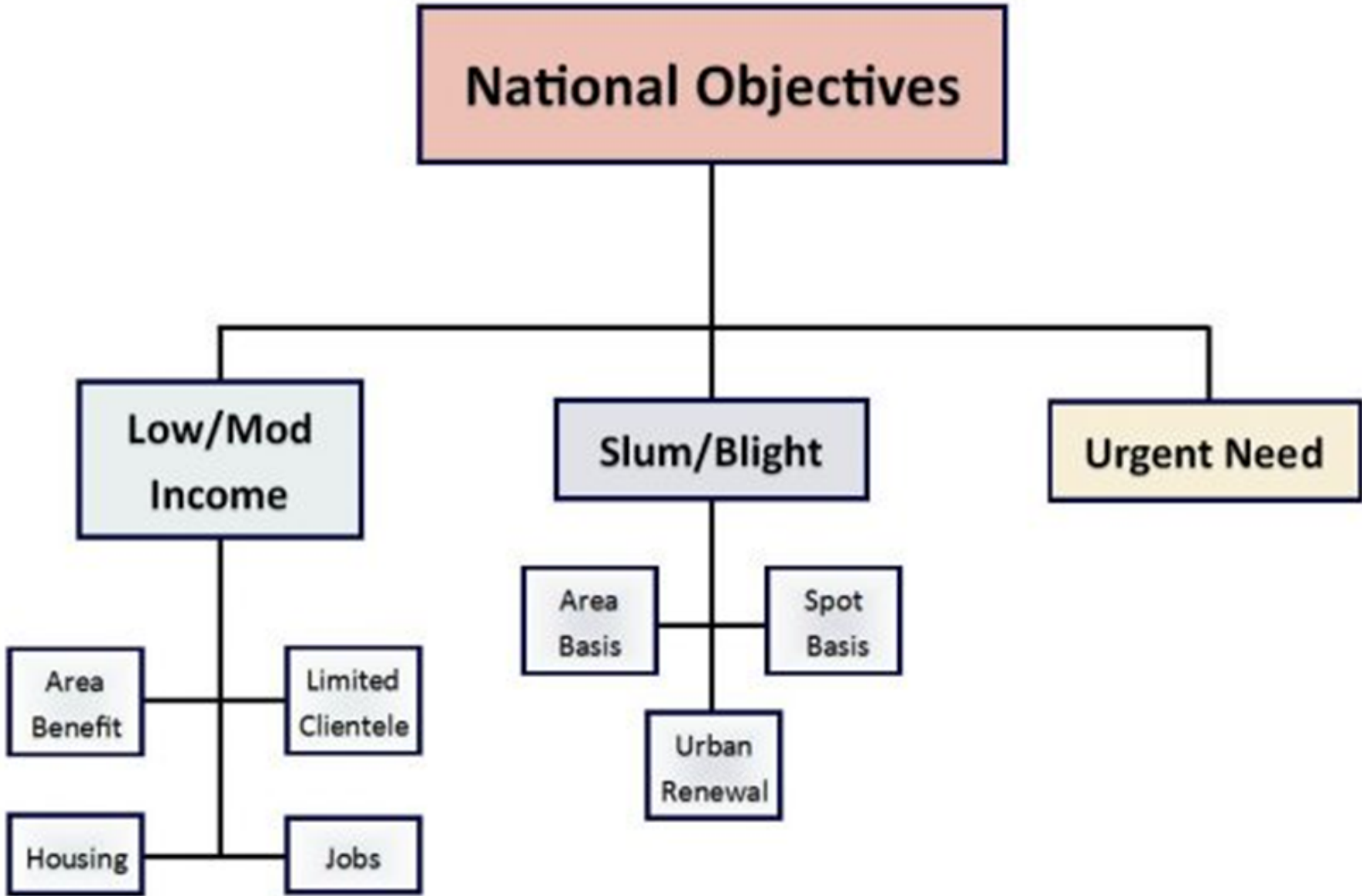


CED **COMMUNITY DEVELOPMENT BLOCK GRANT**

- City receives annual allocations from HUD to advance three basic goals:
 - to provide decent housing;
 - to provide a suitable living environment; and
 - to expand economic opportunities.

CED **COMMUNITY DEVELOPMENT BLOCK GRANT**

CDBG funding allocation is based on meeting one of three National Objectives



CED **COMMUNITY DEVELOPMENT BLOCK GRANT**

CONSOLIDATED PLAN

2021-2026

*ADOPTED BY COUNCIL
JANUARY 2021*

CED **COMMUNITY DEVELOPMENT BLOCK GRANT**

CONSOLIDATED PLAN

2021-2026

*ADOPTED BY COUNCIL
JANUARY 2021*

- 10 priority needs identified
- 5 goals
 - increase access to affordable housing
 - provide suitable living environments
 - enhance infrastructure and public facilities
 - increase access to vital public services
 - increase economic opportunities

CED **COMMUNITY DEVELOPMENT BLOCK GRANT**

CONSOLIDATED PLAN

2021-2026

*ADOPTED BY COUNCIL
JANUARY 2021*

**ANNUAL ACTION PLAN YEAR 1
PROGRAM YEAR 2021**

**ANNUAL ACTION PLAN YEAR 2
PROGRAM YEAR 2022**

**ANNUAL ACTION PLAN YEAR 3
PROGRAM YEAR 2023**

**ANNUAL ACTION PLAN YEAR 4
PROGRAM YEAR 2024**

**ANNUAL ACTION PLAN YEAR 5
PROGRAM YEAR 2025**

CED **COMMUNITY DEVELOPMENT BLOCK GRANT**

CONSOLIDATED PLAN

2021-2026

*ADOPTED BY COUNCIL
JANUARY 2021*

**ANNUAL ACTION PLAN YEAR 1
PROGRAM YEAR 2021**

**ANNUAL ACTION PLAN YEAR 2
PROGRAM YEAR 2022**

**ANNUAL ACTION PLAN YEAR 3
PROGRAM YEAR 2023**

**ANNUAL ACTION PLAN YEAR 4
PROGRAM YEAR 2024**

**ANNUAL ACTION PLAN YEAR 5
PROGRAM YEAR 2025**

- **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IS BUDGETED THROUGH THE ANNUAL ACTION PLAN (AAP)**
- **AAP IS A COMPONENT OF THE ADOPTED 2021-2026 CONSOLIDATED PLAN**
- **PUBLIC HEARING ON AAP AT MAY 1ST COUNCIL MEETING**
- **COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDED APPROVAL AT MARCH 15, 2023 MEETING.**

CED **CDBG**

- CDBG funding often carries over multiple grant years.
- Carryovers must be spent according to the budgets from their program years.

Carryover by Program Year	
2022	\$410,664.45
2021	\$410,282.63
2020	\$24,114.14
2019	\$7,265.00
2018	-
Total Carryover Entitlement *estimate as of 3/31/23	\$852,726.22
CV	\$96,922.21
Total (w/CV)	\$949,249.13

- The budget that you will be reviewing focuses on the 2024 Program Year Estimates.

CDBG Funding Allocations	
<i>Total Carryover Entitlement</i>	\$949,249.13
Estimated 2024 Entitlement	\$550,000.00
Estimated FY23 Program Income	\$176,933.95
2024 Program Year	\$726,933.95
Total 2024 Funding Available	\$1,676,183.08

CED CDBG

- Spending on Public Services is capped at 15% of the CDBG funding amount and the program income generated in the previous program year.
- Staff budgeted under the cap.

Public Service Activities	
ICCF Rehousing	\$10,000.00
Family Promise Rehousing	\$15,000.00
Family Promise Stabilization	\$10,000.00
Fair Housing Center - Enforcement Services	\$5,000.00
Fair Housing Center - Writing to Right Wrong	\$3,750.00
Legal Aid West Michigan	\$60,000.00
Public Services Total	\$103,750.00

- Property Acquisition and Disposition are new items.
- Rehab loans are budgeted at \$0 for the 2024 Program Year. The most significant carryovers are in rehab loans, so staff will be using \$418,633 of carryover to fund that activity.

Non-Public Service Activities	
Home Repair Services	\$90,000.00
Code Enforcement	\$34,000.00
Demolition Services	\$10,000.00
Capital Outlay	\$207,496.28
Property Acquisition	\$30,000.00
Property Disposition	\$10,000.00
Rehab Loans	-
Non-Public Services Total	\$411,496.28

CED **CDBG**

- Non-rehab admin expenses are capped at 20% of the CDBG funding amount and the program income generated in the previous program year.
- These expenses include personnel costs and reasonable office materials.

Admin Expenses	
United Way Continuum of Care	\$5,000.00
Non-Rehab Admin	\$140,386.73
Rehab Admin	\$66,300.64
Admin Expenses Total	\$211,687.37

CED **CDBG**

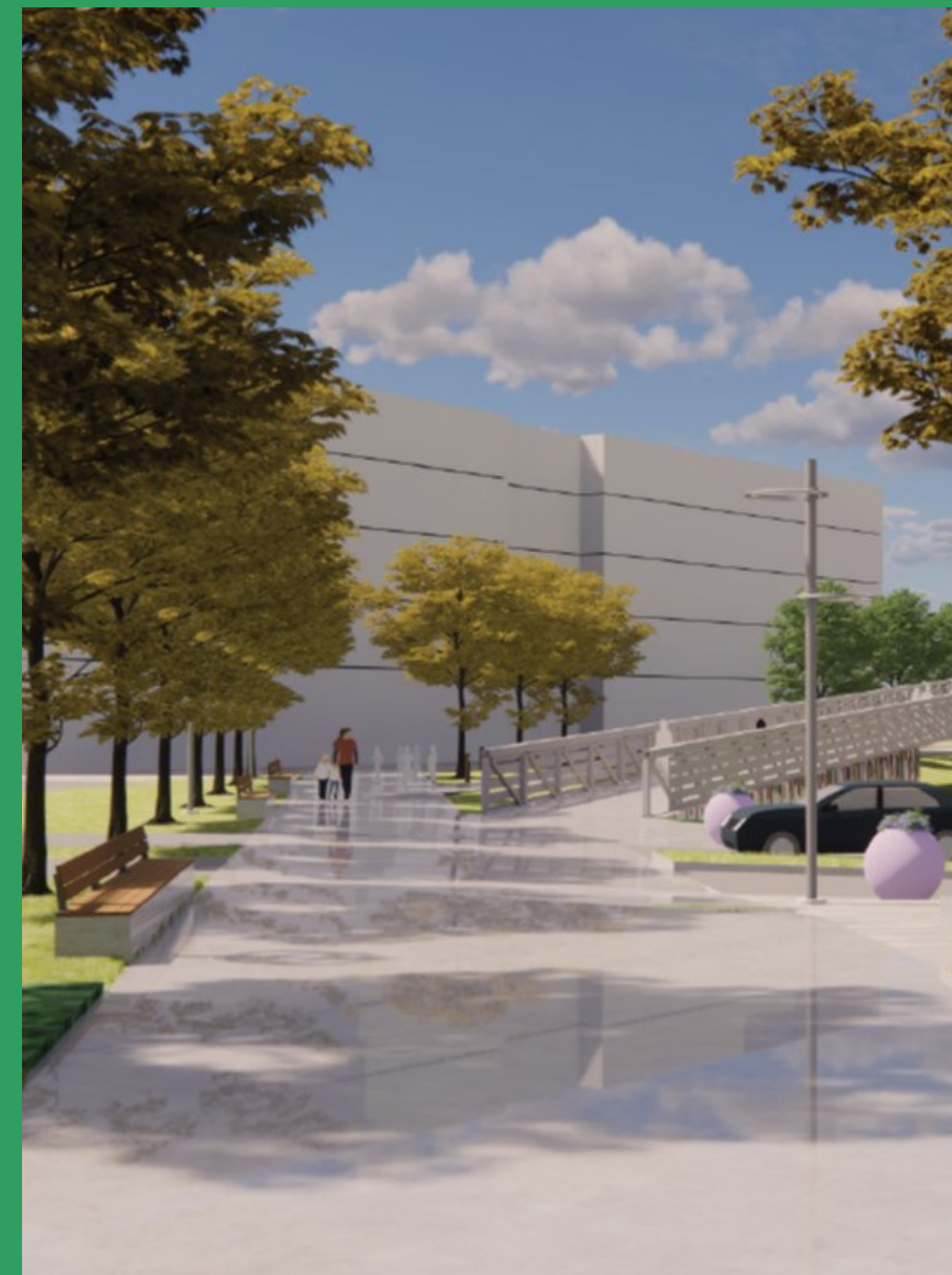
- Public Hearing on AAP in May 1st
 - Budget for estimated award PY24 and estimated program income from 2023 (\$726,934)
- Program is continuing to evolve and learn from best practices of other communities



Questions?



City Center



Wyoming **City Center**

FY 2024

- Bridge operational by Summer 2024
- Trail infrastructure timeline is TBD and pending additional awards
- Utility work will be ongoing based on funding and construction timelines

Wyoming City Center

Cost Classification	Costs	Capital Project Fund	County ARPA	CRP Funds
Real Estate				
Total	\$ 5,962,858.50	\$ 5,962,858.50	\$ -	\$ -
Professional Services				
Total	\$ 710,850.00	\$ 710,850.00	\$ -	\$ -
Utilities - Consumers Energy				
Total	\$ 11,200,000.00	\$ 1,500,000.00	\$ -	\$ -
Bridge				
Total	\$ 6,529,000.00	\$ -	\$ 6,529,000.00	\$ -
Trails - Phase I				
Total	\$ 6,416,218.00	\$ -	\$ -	\$ -
Trails - Phase II				
Total	\$ 3,756,500.00	\$ 1,600,000.00	\$ -	\$ 803,192.00
Legal				
Total	\$ 212,500.00	\$ 12,500.00	\$ -	\$ -
Streetscaping and Other				
Total	\$ 2,160,000.00	\$ -	\$ -	\$ -
Total Project Cost	\$ 36,947,926.50	\$ 9,786,208.50	\$ 6,529,000.00	\$ 803,192.00

Funding Sources

Capital Project Fund	\$ 10,000,000.00	\$ 10,000,000.00	\$ -	\$ -
Kent County ARPA Funds	\$ 6,000,000.00	\$ -	\$ 6,000,000.00	\$ -
Carbon Reduction Funds	\$ 803,192.00	\$ -	\$ -	\$ 803,192.00
State	\$ -	\$ -	\$ -	\$ -
Federal	\$ -	\$ -	\$ -	\$ -
Total Revenue	\$ 16,803,192.00			

Projected Gap	\$ (20,144,734.50)	\$ 231,791.50	\$ (529,000.00)	\$ -
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Wyoming **City Center**

Pending Funding

- State of Michigan Appropriations
- Federal Appropriations
- Department of Transportation RAISE Grant

Wyoming City Center

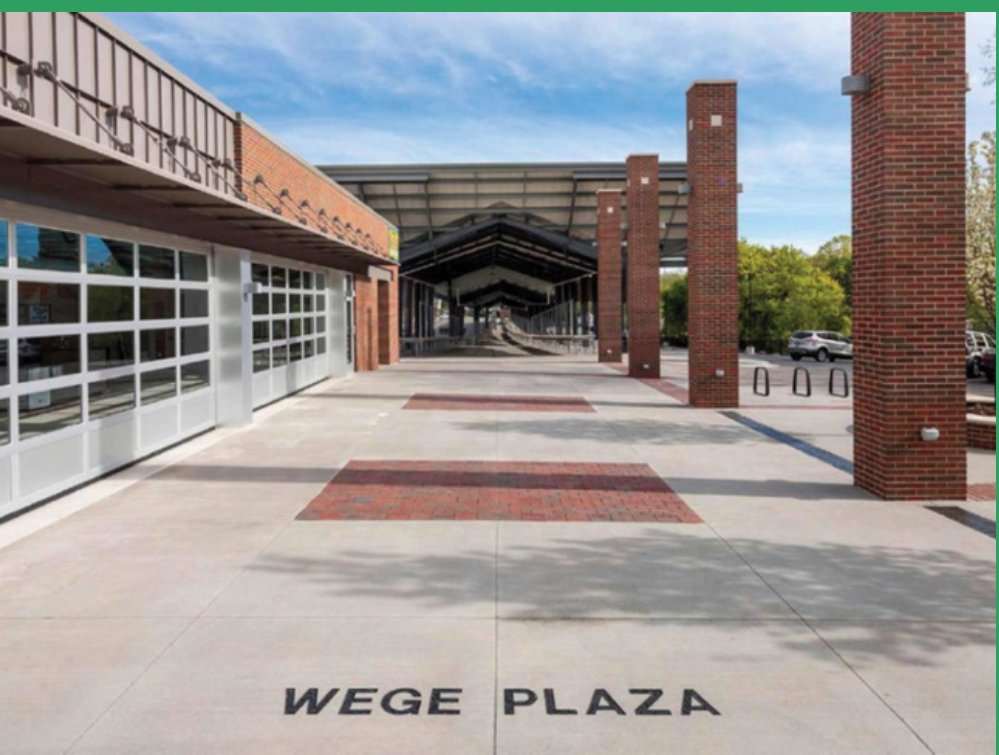


An architectural rendering of a city plaza. The scene features a wide, paved walkway leading towards a large, modern building with a white facade. On the left, a row of mature trees with green and yellowing leaves stands next to a wooden bench. In the center, a multi-tiered fountain with water spraying upwards is visible. To the right, there are more trees, a black car parked, and several large, purple, spherical planters. In the background, a large white dome structure is visible under a blue sky with scattered clouds. The overall atmosphere is bright and clear.

Questions?



36th Street Market



Wyoming **36th Street Market**





Questions?

Key Takeaways

Community and Economic Development

- Consistent year over year budgeting in Planning and Zoning
- Marginal increase in Economic Development funding
- CDBG budget approval part of the Annual Action Plan - Public Hearing May 1st
- New code enforcement position in Building Inspections to meet Council goals for community aesthetics

CITY OF
Wyoming
MICHIGAN



City of Wyoming

Year Three 2023-2024 Annual Action Plan

Community Development Block Grant
Wyoming, Michigan

Executive Summary

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

1. Introduction

The City of Wyoming, along with the City of Grand Rapids and Kent County, adopted the 2021-2026 Wyoming Regional Consolidated Plan. The City of Wyoming's 2023-2024 Third Program Year Action Plan is based upon the adopted Consolidated Plan's goals, objectives and priority needs. This Action Plan outlines the programs to be initiated in the upcoming fiscal year.

The City of Wyoming has \$1,676,183.08 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an annual CDBG entitlement grant from HUD, \$96,922.91 in CDBG-CV entitlement carryover, \$7,265.00 in carryover funds from 2019-2020, \$24,114.14 in carryover funds from 2020-2021, \$410,282.63 in carryover from 2021-2022, \$410,664.45 in CDBG entitlement carryover from fiscal year 2022-2023, and \$176,933.65 from anticipated program income.

The City is filing a substantial amendment to both the 2021-2026 Consolidated Housing and Community Development Plan and the 2023-2024 Year Three Annual Action Plan in line with its adopted Citizen Participation Plan in order to add Property Acquisition into both Plans.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The following is a list of activities to be funded for fiscal year 2023-2024:

Clearance/Demolition: 1 homeowner, with low/moderate-income, will have dilapidated structure demolition grants, including garages, porches and fencing, to provide a suitable living environment.

Public Services- Family Promise Re-Housing Financial Assistance: 10 low-income families moving out of homelessness and into housing will receive short-term rental assistance, to prevent homelessness and provide decent affordable housing.

Public Services – Family Promise Re-Housing Stabilization Services: 10 low-income families shall receive support services to maintain housing and build assets to support self-sufficiency, prevent homelessness and provide decent affordable housing.

Public Services - Fair Housing: 12,196 households, in low and moderate-income areas throughout the City, will have access to fair housing complaint investigations and fair housing training to provide decent affordable housing.

Capital Outlay and Public Infrastructure: 22,616 Wyoming residents in low/moderate-income areas will benefit from enhanced sidewalk crossings and renovations to City park and other public facilities, leading to increased traffic safety, enjoyment of City parks and other City facilities.

Property Acquisition: 22,616 Wyoming residents that live within low/moderate- income areas will benefit from property acquisition activities with the intention to remove blight or allow for the possibility of the addition of new housing units. This is a new activity.

Rehabilitation - Single Unit Residential: 10 housing units, with low/moderate-income families, will have home repair loans and deferred loans to provide decent affordable housing.

Rehabilitation - Home Repair Services: 50 low/moderate-income households will have services such as minor home repairs and accessibility modifications, to provide decent affordable housing.

Rehabilitation - Administration: 11 housing units, with low/moderate-income families, will have affordable administration of housing rehabilitation funding, to provide decent affordable housing.

Code Enforcement: 12,196 households, in low- and moderate-income areas throughout the City, will have the benefit of CDBG to fund code enforcement activities to provide a suitable living environment.

General Administration: All 22,616 Wyoming households will have affordable administration of HUD programs for the purpose of providing a suitable living environment.

HUD Continuum of Care - Administration: All 22,616 Wyoming households will have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing.

Public Services - ICCF Re-Housing Financial Assistance: 3 low-income families moving out of homelessness and into housing, will receive short-term rapid rehousing, rental assistance and case management to prevent homelessness and provide decent affordable housing.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City of Wyoming recognizes that the evaluation of past performance plays a critical role in ensuring that effective programs are implemented that align with its long-range goals. The following includes past spending performance of activities from July 1, 2022 through June 30, 2023. A total of \$496,904.60 was spent.

Rehabilitation-Single Unit Residential: We spent a total of \$97,804.00 for the rehabilitation of 6 low/mod housing units, issuing 3 housing rehab loans and 3 deferred loans.

Public Services- Rental Assistance: We spent a total of \$11,426.00 for short-term rental assistance, administered by The Salvation Army Social Services. A total of 7 low-income persons were assisted.

Code Enforcement: We spent a total of \$64,205.34 to provide households in low/moderate-income areas throughout the City with the benefit of CDBG monies to fund code enforcement activities. There were a total of 541 housing units receiving code violations, with 541 of these corrected.

Clearance/Demolition: We spent \$0 to assist low/moderate income homeowners with free needed dilapidated structure demolition grants. We spent \$0 in CDBG funds on this activity.

Public Services-Family Promise Re-Housing Financial Assistance: We spent a total of \$25,306.93 to assist low-income families moving out of homelessness and into stabilized housing through the benefit of short-term rental assistance. These funds were administered by Family Promise of Grand Rapids. A total of 21 low-income families were assisted.

Public Services-Family Promise Re-Housing Stabilization Services: We spent a total of \$20,000.00 to assist low-income families to help maintain permanent housing and support self-sufficiency. These funds were administered by Family Promise of Grand Rapids. A total of 18 low-income families were assisted.

Public Services-Fair Housing: We spent a total of \$6,189.40 to assist low/moderate-income area households throughout the city to have access to fair housing complaint investigation services and fair housing training.

Rehabilitation-Administration: We spent a total of \$38,151.71 to provide 6 low/moderate-income families with affordable administration of housing rehabilitation funding, issuing 3 home rehab loans and 3 deferred loans.

Rehabilitation-Home Repair Services: We spent a total of \$52,171.25 to provide low/moderate-income households with affordable services such as minor home repairs and accessibility modifications. A total of 49 low/moderate-income households were assisted.

General Administration: We spent a total of \$71,215.43 to assist all Wyoming residents with affordable administration of HUD programs.

HUD Continuum of Care–Administration: We spent a total of \$5,000.00 to assist all Wyoming residents with access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The citizen participation process for the 2023-2024 Year Three Annual Action Plan was completed according to the adopted City of Wyoming Citizen Participation Plan, and consisted of the following:

A public hearing notice was published in the Grand Rapids Press newspaper on March 21, 2023, announcing the upcoming meeting and public hearing of the Wyoming Community Development Committee (WCDC) on March 15, 2023.

The WCDC met on March 15, 2023 and discussed needs, funding and possible activities. A public hearing was held, and there was no public comment. The Committee recommended approval of the 2023-2024 Annual Action Plan to the Wyoming City Council.

On March 20, 2023, the Wyoming City Council met and set the date of May 1, 2023 to hold a public hearing for the Annual Action Plan.

On March 21, 2023 the Availability for Public Review of the One Year Action Plan notice and notice of public hearing on the 2023-2024 One Year Action Plan was published in the Grand Rapids Press newspaper. This notice was also posted at the Wyoming Public Library and sent to 111 interested parties, representing public officials, media (including Spanish speaking radio and newspapers), public service agencies, school districts, subrecipients, minority organizations and other stakeholders, requesting comment and announcing the upcoming public hearing on May 1, 2023 concerning the Annual Action Plan.

On May 1, 2023 a public hearing was held during the City Council meeting. There was no public comment. Accordingly, the City Council approved the 2023-2024 Annual Action Plan on May 1, 2023.

A notice of intent to request release of funds and notice of finding of no significant impact regarding the 2023-2024 Environmental Reviews were published in the Grand Rapids Press newspaper on May 2, 2023, providing the public the opportunity to submit comments regarding the environmental review documentation for 15 days. A notice of the final annual action plan was also published on May 2, 2023, notifying the public that the annual action plan would be submitted no later than 60 days after allocations are released.

No further public comments were obtained.

The citizen participation process for the substantial amendment to the 2023-2024 Year Three Annual Action Plan was completed according to the adopted City of Wyoming Citizen Participation Plan, and consisted of the following:

The Wyoming Community Development Committee approved the proposed amendment at its meeting on November 16th, 2022. On December 5, 2022, the Wyoming City Council set the date of January 16, 2023 as the date of the public hearing on the proposed amendment. The amendments were approved on January 16th, 2023, both amendments were filed.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The citizen participation process for the Annual Action Plan and both amendments were completed according to the adopted City of Wyoming Citizen Participation Plan. A detailed explanation is found in (4) above.

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

No comments were received.

7. Summary

See Summary of public comments above.

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

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

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	WYOMING	
CDBG Administrator	WYOMING	Community Development
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

Table 1 – Responsible Agencies

Narrative

The Lead Agency is the City of Wyoming. The daily CDBG activities will be handled by the Community Services Department’s - Community Development staff. Like typical municipal governments, the City Council acts as the legislative and policy-making voice of the city. As part of its activities, the City Council adopts the Five-Year Regional Consolidated Plan and approves the annual submittal of City Annual Action Plans for CDBG funding. As the chief administrator, the City Manager is responsible for the day-to-day operations of the city, including the implementing of the policies and programs of the City Council.

Community Services Department:

The Director of Community and Economic Development and Community Development Specialist serve as staff to the Wyoming Community Development Committee (WCDC). The Director of Community and Economic Development directs and supervises programs and activities related to the Annual Action Plan and CDBG expenditures. The Community Development Specialist acts as Secretary to the WCDC, advises the Director of Community and Economic Development of, and implements as required, Community Development Block Grant (CDBG) regulations,

recommended best practices, and other regulatory requirements to ensure program compliance with necessary local, state, and federal administrative and statutory law. The Community

Development Specialist and Building Inspector (assigned as the Building Rehabilitation Specialist) work to process cases for Housing Rehabilitation programs. A Rehabilitation Committee, made up of the Community Services Director, Building Inspections Supervisor and City Planner, approve all housing rehabilitation applications and clearance/demolition applications.

Community Development Committee:

Relative specifically to this Annual Action Plan and CDBG funding, the Wyoming Community Development Committee (WCDC), a Council-appointed group made up of Wyoming residents, serves as an advisory body to the Director of Community and Economic Development, the City Manager and the City Council. This group also recommends the approval of the Five-Year Regional Consolidated Plan and recommends the Annual Action Plan and its related annual CDBG budget to the City Council. During the budgeting process, this group interviews sub-recipient applicants and recommends priorities for funding.

Other City Groups:

There is an Interdepartmental Agreement with the City's Inspections office relative to funding Code Enforcement. Relative to other city groups potentially involved with the Annual Action Plan, the list includes the Wyoming Housing Commission, the Downtown Development Authority, the Parks and Recreation Commission, the Public Works Department and Parks and Recreation staff.

Kent County

The City will continue its consortium agreement with Kent County allowing them to receive and administer Wyoming's federal entitlement of HOME dollars.

Consolidated Plan Public Contact Information

Nicole Hofert, Director of Community and Economic Development

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

1. Introduction

During the Consolidated Plan process, there was engagement with residents and community organizations in the identification of housing and community development needs and priorities. This process included stakeholder interviews, surveys and stakeholder focus groups. The City of Wyoming continues to reach out and consult with public and private agencies during the Annual Action Plan process. Our Subrecipients of CDBG funds are non-profit agencies, including the Fair Housing Center of West Michigan who provides fair housing testing and complaint investigative services; Home Repair Services who provides minor home repairs and accessibility modifications; The Heart of West Michigan United Way who provides affordable HUD Continuum of Care administration to support the Coalition to End Homelessness; Legal Aid of West Michigan, who provides legal advice for eviction proceedings and landlord-tenant issues; Family Promise of Grand Rapids who provides re-housing financial assistance and stabilization services for low-income families moving out of homelessness; and the Inner-City Christian Federation (ICCF) who provides re-housing financial assistance for low-income families. Two new activities were added this year. The first is Legal Aid of West Michigan as discussed above. The second addition is property disposition for the purposes of blight remediation and to allow for development of new housing units in a low/moderate income area.

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

The City will continue to work with other City departments, neighboring cities, Kent County and area housing non-profits, such as the Fair Housing Center of West Michigan, Home Repair Services, The Heart of West Michigan United Way, Legal Aid of West Michigan, Family Promise of Grand Rapids and ICCF. The City also works with the Disability Advocates of Kent County. In addition, the Director of Community and Economic Development is active with the Grand Rapids Area Coalition to End Homelessness/HUD Continuum of Care to address issues of homelessness and affordable housing and the Kent County Essential Needs Task Force.

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.

See comments above regarding funding HUD Continuum of Care administration, Family Promise of Grand Rapids and ICCF. The City of Wyoming does not receive ESG funds.

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

The City of Wyoming does not receive ESG funding.

2. Agencies, groups, organizations and others who participated in the process and consultations

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Fair Housing Center of West Michigan
	Agency/Group/Organization Type	Service-Fair Housing Regional organization
	What section of the Plan was addressed by Consultation?	Fair Housing
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Fair Housing Center of West Michigan will provide fair housing complaint investigation services and fair housing training. This organization was previously consulted as part of our updated Regional Consolidated Plan. They also report to the Wyoming Community Development Committee annually and discuss goals and outcomes.
2	Agency/Group/Organization	Home Repair Services of Kent County Inc.
	Agency/Group/Organization Type	Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Rehabilitation
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Home Repair Services provides minor home repairs and accessibility modifications. This organization was previously consulted as part of our Consolidated Housing and Community Development Plan. They also make a presentation to the Community Development Committee annually and discuss goals and outcomes.
3	Agency/Group/Organization	Legal Aid of West Michigan
	Agency/Group/Organization Type	Housing Services - Housing Regional organization

	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Funding will be provided to Legal Aid of West Michigan, who will provide legal assistance to low-income persons pending eviction for the purpose of preventing homelessness. This organization reports to the Community Development Committee and discussed its goals and projected outcomes.
4	Agency/Group/Organization	Heart of West Michigan United Way
	Agency/Group/Organization Type	Housing Services-homeless Regional organization
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Heart of West Michigan United Way provides affordable HUD Continuum of Care administration to support the Coalition to End Homelessness goals. The Director of Community and Economic Development is active with the Grand Rapids Area Coalition to End Homelessness/HUD Continuum of Care. They report annually to the Community Development Committee and discuss goals and outcomes.

5	Agency/Group/Organization	Grand Rapids Area Coalition to End Homelessness
	Agency/Group/Organization Type	Housing Services-homeless Regional organization
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Director of Community and Economic Development is active with this organization. The City of Wyoming supports the Coalition to End Homelessness goals.
6	Agency/Group/Organization	Family Promise of Grand Rapids
	Agency/Group/Organization Type	Housing Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Funding will be provided for low-income families moving out of homelessness and into stabilized housing.
7	Agency/Group/Organization	ICCF NONPROFIT HOUSING CORP
	Agency/Group/Organization Type	Housing Services-homeless Regional organization
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Funding has been provided to ICCF in previous fiscal years as well as this one. This organization reports to the Community Development Committee and discussed its goals and projected outcomes.

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

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	The Heart of West Michigan United Way	Affordable HUD Continuum of Care administration to support the Coalition to End Homelessness goals.

Table 3 - Other local / regional / federal planning efforts

Narrative

Agencies seeking to become Subrecipients made presentations to the Wyoming Community Development Committee during the 2023-2024 Letter of Intent Application process. This process guided the development of the Annual Action Plan and the allocation of funds. In reviewing these applications, the Committee also reviewed the results and outcomes from prior years and the priority needs of the Consolidated Plan. With this information, the Committee and staff developed a preliminary plan and list of projects for public review. A public hearing was conducted by the Wyoming Community Development Committee who made a recommendation to the City Council, who also held a public hearing to accept the Plan and receive additional comments. The City continues to expand its public outreach opportunities to Subrecipients in order to provide greater access to available funding. The request for Letters of Intent was distributed to over 50 local organizations.

AP-12 Participation - 91.401, 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

The citizen participation process for the Annual Action Plan was completed according to the adopted City of Wyoming Citizen Participation Plan. The Citizen Participation Plan was recently amended and includes the implementation of the Assessment of Fair Housing final rule.

The citizen participation process consisted of:

A public hearing notice was published in the Grand Rapids Press newspaper on February 23, 2022, announcing the upcoming meeting and public hearing of the Wyoming Community Development Committee (WCDC) on March 15, 2023.

The WCDC met on March 15, 2023 and discussed needs, funding and possible activities. A public hearing was held, and there was no public comment. The Committee recommended approval of the Annual Plan to the Wyoming City Council.

On March 20, 2023, the Wyoming City Council met and set the date of May 1, 2023 to hold a public hearing for the Annual Plan.

On March 21, 2023 the Availability for Public Review of the One Year Action Plan notice was published in the Grand Rapids Press newspaper. This notice was also posted at the Wyoming Public Library and sent to over 100 interested parties, representing public officials, media (including Spanish speaking radio and newspapers), public service agencies, school districts, subrecipients, minority organizations and other stakeholders, requesting comment and announcing the upcoming public hearing on May 1, 2023 concerning the Annual Action Plan.

A public hearing notice was published in the Grand Rapids Press newspaper on March 21, 2023, which announced that the Annual Plan would be discussed by the Wyoming City Council at the public hearing on May 1, 2023.

On May 1, 2023 a public hearing was held. There was no public comment. Also, on May 1, 2023 the City Council approved the 2023-2024 Annual Action Plan.

On April 18, 2022, the Notice of Finding of No Significant Impact and Intent to Request Release of Funds was published in the Grand Rapids Press, along with instructions on how to provide comment on the Environmental Reviews for fifteen days following this date. No public comment was received.

On April 18, 2022, a notice was published in the Grand Rapids Press newspaper that announced approval of the plan by the City Council and that the plan would be submitted to HUD within 60 days after the date allocations are announced.

A notice of intent to request release of funds and notice of finding of no significant impact regarding the 2023-2024 Environmental Reviews were published in the Grand Rapids Press newspaper on May 30, 2023, providing the public the opportunity to submit comments regarding the environmental review documentation for 15 days. A notice of the final annual action plan was also published on May 30, 2023, notifying the public that the annual action plan would be submitted no later than 60 days after allocations are released.

No further public comments were obtained.

The citizen participation process for the substantial amendment to the 2022-2023 Year Three Annual Action Plan was as follows:

The Wyoming Community Development Committee approved the proposed amendment at its meeting on November 16th 2022. On December 5, 2022, the Wyoming City Council set the date of January 16, 2023 as the date of the public hearing on the proposed amendment. A notice of hearing and notice of availability of the draft amendments was published on December 6, 2022.

The public hearing on the amendment was held at the Council meeting on January 16, 2023, no public comment was received. Council approved the proposed amendment.

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 Hearing	Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community	None	None	None	
2	Newspaper Ad	Non-targeted/broad community	None	None	None	
3	Internet Outreach	Non-targeted/broad community	None	None	None	

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)
4	Letters to Interested Parties	Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	None	None	None	

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	Public Meeting	Non-English Speaking - Specify other language: Spanish Persons with disabilities Non-targeted/broad community Residents of Public and Assisted Housing	None	None	None	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City of Wyoming expects to have \$1,676,183.08 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an annual CDBG entitlement grant from HUD, \$96,922.91 in CDBG-CV entitlement carryover, \$7,265.00 in carryover funds from 2019-2020, \$24,114.14 in carryover funds from 2020-2021, \$410,282.63 in carryover from 2021-2022, \$410,664.45 in CDBG entitlement carryover from fiscal year 2022-2023, and \$176,933.65 from anticipated program income.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	550,000	176,933	949,249.13	1,676,183	2,799,250	Block grant from U.S. Department of Housing and Urban Development to address housing, community development and economic development needs.

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

The City of Wyoming has a consortium agreement with the County of Kent allowing them to receive and administer Wyoming's federal entitlement of HOME dollars as part of the Kent County-Wyoming HOME Consortium. The City of Wyoming has input on its share of the funds and its related applications from area developers. All data related to City of Wyoming HOME funds will be reported by Kent County staff and is not included in this Action Plan in order to avoid duplicate reporting of data to HUD. The County of Kent is responsible, by executed agreement, to obtain all necessary match funds for HOME. The City of Wyoming does provide documentation of match related to public infrastructure investments directly attributed to HOME projects within the City of Wyoming.

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

Not applicable.

Discussion

The City of Wyoming expects to have \$1,676,183.08 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an annual CDBG entitlement grant from HUD, \$96,922.91 in CDBG-CV entitlement carryover, \$7,265.00 in carryover funds from 2019-2020, \$24,114.14 in carryover funds from 2020-2021, \$410,282.63 in carryover from 2021-2022, \$410,664.45 in CDBG entitlement carryover from fiscal year 2022-2023, and \$176,933.65 from anticipated program income.

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	Increase Access to Affordable Housing Options	2021	Nb 22026	Affordable Housing	City-Wide Low/Mod Income Families	Maintain Housing Stock and Housing Rehabilitation Homelessness Access to Affordable Owner Housing Access to Affordable Rental Housing Fair Housing and Consumer Legal Services Supportive and Community Services Clearance of Blighted Structures Community Health and Safety	CDBG: \$143,750	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 12196 Households Assisted Tenant-based rental assistance / Rapid Rehousing: 45 Households Assisted Homelessness Prevention: 75839 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
2	Provide Suitable Living Environments	2021	2026	Affordable Housing Non-Housing Community Development	City-Wide Low/Mod Income Families	Maintain Housing Stock and Housing Rehabilitation Supportive and Community Services Clearance of Blighted Structures Community Health and Safety	CDBG: \$612,633	Homeowner Housing Rehabilitated: 71 Household Housing Unit Buildings Demolished: 3 Buildings
3	Enhance Infrastructure and Public Facilities	2021	2026	Non-Housing Community Development	All Low/Moderate-Income Areas	Community Health and Safety Public Infrastructure and Facility Improvements	CDBG: \$207,496	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 22196 Persons Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Increase Access to Affordable Housing Options
	Goal Description	One of the primary goals of the City is to create, rehabilitate and preserve owner- and renter-occupied housing. This will be accomplished through tenant based rental assistance, rapid rehousing activities, fair housing enforcement, property acquisition, and homelessness prevention. Matrix Codes: 1, 05J, 05Q, 14A, 14F, 14H,
2	Goal Name	Provide Suitable Living Environments
	Goal Description	The City of Wyoming will utilize Code Enforcement, Clearance/Demolition, and home rehabilitation and access modification activities to accomplish this goal. There will be improved public health and safety, reduced blighting influences, and improved property values through code enforcement and clearance of blighted structures along with home rehabilitation. Matrix Codes: 15, 04
3	Goal Name	Enhance Infrastructure and Public Facilities
	Goal Description	Enhance publicly owned facilities and infrastructure that improves the community and neighborhoods, such as parks, streets, sidewalks, streetscapes and other public infrastructure and facilities, including improving accessibility to meet American with Disabilities Act (ADA) standards. Matrix Codes:
4	Goal Name	Increase Access to Vital Public Services
	Goal Description	Enhance access to public services by funding activities that support special needs and low-to-moderate income households in the community.

AP-35 Projects - 91.420, 91.220(d)

Introduction

The City of Wyoming plans to use CDBG funds to accomplish projects in the areas of Housing Rehabilitation, Code Enforcement, Clearance/Demolition, Capital Outlay, and Public Services. Affordable housing and homeless needs have been given high priority.

#	Project Name
1	Clearance/Demolition
2	Public Services-Family Promise Re-Housing Financial Assistance
3	Public Services-Family Promise Re-Housing Stabilization Services
4	Public Services – Legal Aid of West Michigan
5	Public Services - Fair Housing
6	Capital Outlay and Public Infrastructure
7	Rehabilitation-Single Unit Residential
8	Rehabilitation-Home Repair Services
9	Rehabilitation-Administration
10	Code Enforcement
11	General Administration
12	HUD Continuum of Care - Administration
13	Public Services-ICCF Re-Housing Financial Assistance
14	2023-2024 Property Disposition
15	2023-2024 Property Acquisition

Table 7 – Project Information

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

Funding priorities have been outlined in the 2021-2026 City of Wyoming Consolidated Housing and Community Development Plan. All projects to be funded in this Action Plan are ranked as high priority need for the City of Wyoming in the Consolidated Plan. Staff capacity, regulatory requirements and funding limitations are the obstacles to addressing underserved needs.

AP-38 Project Summary
Project Summary Information

1	Project Name	Clearance/Demolition
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Provide Suitable Living Environments
	Needs Addressed	Clearance of Blighted Structures Community Health and Safety
	Funding	CDBG: \$10,000
	Description	1 homeowner with low/moderate-income families, would have free needed dilapidated structure demolition grants, including, but not limited to, garages, porches and fencing, for the purpose of providing a suitable living environment.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	1 homeowner with low/moderate income
	Location Description	The City of Wyoming - households with low or moderate income
Planned Activities	1 homeowner, with low/moderate-income families, would have free needed dilapidated structure demolition grants, including, but not limited to, garages, porches and fencing, for the purpose of providing a suitable living environment.	
2	Project Name	Public Services-Family Promise Re-Housing Financial Assistance
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Homelessness Access to Affordable Rental Housing
	Funding	CDBG: \$15,000
	Description	10 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rental assistance, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
	Target Date	6/30/2024

	Estimate the number and type of families that will benefit from the proposed activities	10 families with low/moderate income
	Location Description	The City of Wyoming - households with low or moderate income.
	Planned Activities	10 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rental assistance, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
3	Project Name	Public Services-Family Promise Re-Housing Stabilization Services
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Homelessness Access to Affordable Rental Housing
	Funding	CDBG: \$10,000
	Description	10 low-income families receive support services to help maintain permanent housing and build assets to support self-sufficiency, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	10 families with low/moderate income
	Location Description	City of Wyoming
Planned Activities	10 low-income families receive support services to help maintain permanent housing and build assets to support self-sufficiency, administered by Family Promise of Grand Rapids, for the purpose of preventing homelessness and providing decent affordable housing.	
4	Project Name	Public Services – Legal Aid
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Homelessness Access to Affordable Rental Housing

	Funding	CDBG: \$60,000
	Description	112 low-income persons or families pending eviction have the benefit of legal services, provided by Legal Aid of West Michigan, for the purpose of preventing homelessness and providing decent affordable housing.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	112 families with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	112 low-income persons or families pending eviction have the benefit of legal services, provided by Legal Aid of West Michigan, for the purpose of preventing homelessness and providing decent affordable housing.
5	Project Name	Public Services - Fair Housing
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Fair Housing and Consumer Legal Services
	Funding	CDBG: \$8,750
	Description	12,196 households, in low/moderate-income areas throughout the City, have the benefit of access to fair housing complaint investigation services and fair housing training for the purpose of providing decent affordable housing.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	12,196 households with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	12,196 households, in low/moderate-income areas throughout the City, have the benefit of access to fair housing complaint investigation services and fair housing training for the purpose of providing decent affordable housing.

6	Project Name	Capital Outlay and Public Infrastructure
	Target Area	All Low/Moderate-Income Areas
	Goals Supported	Enhance Infrastructure and Public Facilities
	Needs Addressed	Community Health and Safety Public Infrastructure and Facility Improvements
	Funding	CDBG: \$207,496
	Description	22,616 Wyoming residents that live within low/moderate-income areas have the benefit of enhanced sidewalk crossings and updates and renovations to City park and other public facilities, leading to increased traffic safety, public enjoyment of City parks and other City facilities.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	22,616 families with low/moderate income
	Location Description	City of Wyoming low/moderate income areas.
Planned Activities	22,616 Wyoming residents that live within low/moderate-income areas have the benefit of enhanced sidewalk crossings and updates and renovations to City park and other public facilities, leading to increased traffic safety, public enjoyment of City parks and other City facilities.	
7	Project Name	Rehabilitation-Single Unit Residential
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Provide Suitable Living Environments
	Needs Addressed	Maintain Housing Stock and Housing Rehabilitation
	Funding	CDBG: \$418,633
	Description	10 housing units, with low/moderate-income families, will have affordable needed housing repair loans and deferred loans for the purpose of providing decent affordable housing
	Target Date	6/30/2024

	Estimate the number and type of families that will benefit from the proposed activities	10 families with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	10 housing units, with low/moderate-income families, will have affordable needed housing repair loans and deferred loans for the purpose of providing decent affordable housing.
8	Project Name	Rehabilitation-Home Repair Services
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Provide Suitable Living Environments
	Needs Addressed	Maintain Housing Stock and Housing Rehabilitation
	Funding	CDBG: \$90,000
	Description	50 low/moderate-income families, have affordable services such as minor home repairs and accessibility modifications, for the purpose of providing decent affordable housing.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	50 families with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	50 low/moderate-income families, have affordable services such as minor home repairs and accessibility modifications, for the purpose of providing decent affordable housing.
9	Project Name	Rehabilitation-Administration
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Provide Suitable Living Environments
	Needs Addressed	Maintain Housing Stock and Housing Rehabilitation
	Funding	CDBG: \$66,300
	Description	10 housing units, with low/moderate-income families, have affordable administration of housing rehabilitation funding for the purpose of providing decent affordable housing.

	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	10 families with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	10 housing units, with low/moderate-income families, have affordable administration of housing rehabilitation funding for the purpose of providing decent affordable housing.
10	Project Name	Code Enforcement
	Target Area	All Low/Moderate-Income Areas
	Goals Supported	Provide Suitable Living Environments
	Needs Addressed	Clearance of Blighted Structures Community Health and Safety
	Funding	CDBG: \$64,000
	Description	12,196 households, in low and moderate income areas throughout the City, have the benefit of CDBG monies to fund code enforcement activities for the purpose of providing a suitable living environment.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	12,196 families with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	12,196 households, in low and moderate income areas throughout the City, have the benefit of CDBG monies to fund code enforcement activities for the purpose of providing a suitable living environment.
11	Project Name	General Administration
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Clearance of Blighted Structures Community Health and Safety
	Funding	CDBG: \$140,386

	Description	All (28,527) Wyoming households have access to affordable administration of HUD programs for the purpose of providing a suitable living environment.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	28,527
	Location Description	City of Wyoming
	Planned Activities	All (28,527) Wyoming households have access to affordable administration of HUD programs for the purpose of providing a suitable living environment.
12	Project Name	HUD Continuum of Care - Administration
	Target Area	City-Wide Low/Mod Income Families
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Homelessness Supportive and Community Services
	Funding	CDBG: \$5,000
	Description	All (28,527) Wyoming households have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	28,527
	Location Description	City of Wyoming
	Planned Activities	All (28,527) Wyoming households have access to affordable administration through the Heart of West Michigan United Way to support the Coalition to End Homelessness goals for the purpose of preventing homelessness and providing decent affordable housing.
13	Project Name	Public Services-ICCF Re-Housing Financial Assistance
	Target Area	City-Wide Low/Mod Income Families

	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Access to Affordable Rental Housing
	Funding	CDBG: \$10,000
	Description	3 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rapid rehousing and rental assistance and case management, administered by the Inner City Christian Federation, for the purpose of preventing homelessness and providing decent affordable housing.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	3 families with low/moderate income
	Location Description	City of Wyoming
	Planned Activities	3 low-income families moving out of homelessness and into stabilized housing receive the benefit of short-term rapid rehousing and rental assistance and case management, administered by the Inner City Christian Federation, for the purpose of preventing homelessness and providing decent affordable housing.
14	Project Name	2023-2024 Property Disposition
	Target Area	All Low/Moderate-Income Areas
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Access to Affordable Owner Housing Access to Affordable Rental Housing
	Funding	CDBG: \$10,000
	Description	Real property in low/moderate income areas purchased with CDBG funds will be conveyed to a non-profit for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	28,527

	Location Description	1038 and 1042 Burton Street, Wyoming, MI, 49509
	Planned Activities	Real property in low/moderate income areas purchased with CDBG funds will be conveyed to a non-profit for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.
15	Project Name	2023-2024 Property Acquisition
	Target Area	All Low/Moderate-Income Areas
	Goals Supported	Increase Access to Affordable Housing Options
	Needs Addressed	Access to Affordable Owner Housing Access to Affordable Rental Housing
	Funding	CDBG: \$30,000
	Description	Real property in low/moderate income areas will be purchased for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	28,527
	Location Description	City of Wyoming low/moderate income areas. Actual parcel addresses are not known at this time.
Planned Activities	Real property in low/moderate income areas will be purchased for the purposes of allowing for the creation of additional housing units and remediate blight in the LMA.	

AP-50 Geographic Distribution - 91.420, 91.220(f)

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

As stated in the Consolidated Plan, the City of Wyoming has a lower median income than the balance of Kent County. Nearly 65% of all Wyoming households have incomes between 0-80% AMI. Of the households that are between 0-80% AMI, 24% are extremely low-income, 26% are low-income, and 48% are moderate-income.

In reference to minority concentration, the Consolidated Plan also states that the concentration of Non-White population is in the downtown and northern areas of the city. 22.8% of Wyoming's population is Hispanic/Latino according to the 2018 Five-Year ACS data, which is a 3.4% increase over the 2000 level.

The northern and eastern areas of the city contain the oldest housing units, and housing rehabilitation does regularly occur in both areas based on need and demand.

Geographic Distribution

Target Area	Percentage of Funds
All Low/Moderate-Income Areas	60
City-Wide Low/Mod Income Families	40
City-Wide	

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Basis of allocating funds in geographic areas:

- Our CDBG housing activities are available only to eligible low/moderate income households throughout the City.
- Clearance of dilapidated structures, including, but not limited to, garages, porches and fencing, are available only to eligible low/moderate income households throughout the City.
- Code Enforcement and Fair Housing activities are only eligible in low/moderate income areas.
- Rental Assistance is available city-wide to low/moderate income persons pending eviction.
- Rapid Re-Housing Financial Assistance and Stabilization Services are available city-wide to low/moderate income families moving out of homelessness and into stabilized housing.
- Other Services - Domestic Violence Counseling is available city-wide to low/moderate income

persons

- Property Acquisition is available only in low/moderate income areas of the City.

Discussion

Geographic distributions of funding are in line with the intended activities' eligibility requirements.

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

The 2020 Stakeholder Housing and Community Development Survey found that the most highly recognized barriers to the development of affordable housing include the Not In My Back Yard (NIMBY) mentality, the cost of land or lot, the cost of labor, and the cost of materials. This was followed by the lack of affordable housing development incentives.

The City's 2020 Analysis of Impediments (AI) and Housing Needs Assessment (HNA) identified the following Impediments to Fair Housing.

In the context of an AI, an impediment to fair housing can be an action or a lack of action that restricts housing choice, or that has the effect of restricting housing choice. This study has identified the impediments as follows.

- The high cost of rental housing and extreme burden those costs place on tenants present a barrier to fair housing choice. While housing costs for homeowners have decreased slightly since 2014, the increase in cost burden for renters is significant and indicates a need to focus specifically on actions that can be taken to assist renter households.
- Negative perceptions toward the term “affordable housing” exist and can undermine public support of housing development and interfere with efforts to increase housing options aligned with household incomes and affordability.
- The Wyoming Housing Commission’s lack of contemporary information about local concentrations of poverty and minority residents prevents the Commission from carrying out its strategy of assisting residents in effective housing searches and may inadvertently exacerbate the growth or persistence of those housing patterns.
- Successful fair housing complaint outcomes, particularly concerning reasonable accommodations for persons with disabilities, may indicate a lack of awareness regarding fair housing issues and compliance that acts as an impediment to housing choice for those with disabilities.
- Geographic boundaries applied to fair housing services due to HUD grant-related requirements and local financial support may limit anti-discrimination enforcement options for residents and would-be residents.
- Unfavorable outcomes in loan originations and denials for loan applications from Hispanic applicants presents an impediment to homeownership for Wyoming’s largest minority population, whether residents or would-be residents.
- Homelessness affecting Wyoming residents indicates the existence of short-term or chronic impediments to housing choice, and an

inability to resolve housing issues for oneself or one's household due to limitations of capacity or circumstances.

- The lack of information regarding racial, ethnic, and geographic characteristics of Boards, Commissions and Committees charged with leadership responsibilities is a barrier to ensuring that the diversity of the Wyoming community is represented at desired levels.

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's 2020 AI contained the following recommendations:

Recommendation #1: Data

Establish Information and data protocols for the City of Wyoming, and the Wyoming Housing Commission to support fair housing goals and strategies.

Recommendation #2: Development

Work with private and community-based entities to align interests and facilitate contemporary housing and mixed-use development in those areas most appropriate for affordability.

Recommendation #3: Renter Households

Support services that focus on Wyoming's rental population to increase access to and maintenance of safe housing as a means of promoting stability and high quality of life.

Recommendation #4: Homelessness

Develop a community-driven framework to guide local actions of City officials, agencies, law enforcement and community groups to address

homelessness.

Recommendation #5: Fair Housing Complaints

Continue to work to ensure support of fair housing services to the entire Wyoming community.

Recommendation #6: Residential Lending

Analyze current individual Home Mortgage Disclosure Act (HMDA) records to inform the understanding of lending patterns and engage area lending institutions in a partnership to formulate steps to eliminate racial or national origin disparities.

Discussion

The City will continue to communicate and collaborate with area stakeholders to establish city and county-wide approaches to developing affordable housing and addressing special needs in the community. The City has partnered with Habitat for Humanity of Kent County and Next Step of West Michigan to leverage public and private resources for neighborhood improvements and the stabilization of property values, while expanding affordable housing opportunities.

City Staff representation will continue on the West Michigan Regional Planning Commission, the Grand Valley Metro Council Technical Committee, the Interurban Transit Partnership, the Division Avenue Business Association, the Grand Rapids Home Builders Association, and the Grand Rapids Rental Property Owners Association. The Director of Community and Economic Development serves as the City's representative to the Kent County Essential Needs Task Force and the HUD Continuum of Care/Grand Rapids Coalition to End Homelessness.

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

See other actions and processes to be carried out in the narrative below.

Actions planned to address obstacles to meeting underserved needs

The City's strategy to reduce poverty relies on promoting current and future programs, which assist low-income families, the elderly, the disabled, and those at risk of becoming homeless.

Actions planned to foster and maintain affordable housing

The 2020 Analysis of Impediments to Fair Housing Choice and Housing Needs Assessment (AI) recommendations and outlined actions to reduce barriers to affordable housing have been described in Section AP-75.

Actions planned to reduce lead-based paint hazards

The City integrates lead hazard evaluation and reduction activities into all CDBG housing rehabilitation programs. The City's Building Rehabilitation Specialist is a State of Michigan licensed lead inspector and lead risk assessor. For each housing rehabilitation project, the Building Rehabilitation Specialist identifies the potential lead hazard, develops a plan for remediation and executes the plan for remediation, in compliance with federal standards. The City will provide CDBG housing rehabilitation applicants with applicable information on the hazards of lead-based poisoning.

Actions planned to reduce the number of poverty-level families

The City's strategy to reduce poverty relies on promoting current and future programs, which assist low-income families and senior citizens. The following programs, administered by the City, assist households in poverty by reducing their expenses for such services and/or obligations:

- Community Development Block Grant -Loans at 3% annual interest are offered to households with incomes between 50% and 80% of the area median. Deferred Loans, at zero interest, repaid at a reduced amount, at the time of sale of the property, are offered to households with incomes below 50% of the area median.
- Senior Center - Free tax preparation services, free low cost recreation and leisure education programs, free legal consultation services and free medical and blood pressure screenings along with other public assistance.
- Poverty Exemptions of Property Taxes -The City allows for an exemption of all or a part of real and personal property taxes to those persons, as determined by the Board of Review, to be in

poverty. Wyoming averages about 50 exemptions each year.

- The City's Public Housing and rent certificates programs provide assistance to low-income families.
- Support of The Salvation Army Social Services in administering subsistence payments for short-term rental assistance for low-income persons pending eviction.
- Support of Family Promise of Grand Rapids in assisting low-income families moving out of homelessness and into stabilized housing. The families receive the benefit of short-term rental assistance and support services to help maintain permanent housing and build assets to support self-sufficiency.
- Support of the Inner City Christian Federation (ICCF) in assisting low- and moderate- income families with rapid rehousing funding and case management.

Actions planned to develop institutional structure

The City continues to work with Kent County and the City of Grand Rapids in the development of regional plans in the HOME Consortium. These efforts are on-going.

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

The City has renewed its annual memorandum of understanding with the Kent County Essential Needs Task Force Governance, which is a collective effort of governmental agencies, non-profits, faith-based organizations, funders and community volunteers who seek to enhance the structure of services and develop and support a sustainable model for the emergency response network for residents throughout Kent County.

Discussion

N/A

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

The City of Wyoming expects to have \$1,488,643.53 available for the Community Development Program during this period, inclusive of both CDBG and CDBG-CV funds. This amount consists of \$550,000.00 in an estimated annual CDBG entitlement grant from HUD, \$384,628.67 in CDBG entitlement carryover funds from fiscal year 2023, \$340,837.63 in CDBG entitlement carryover from fiscal year 2022, \$116,254.32 in CDBG entitlement carryover from fiscal year 2020, \$ 96,922.91 in carryover CDBG-CV funding and \$176,933.65 from anticipated program income

The amount listed in Prior Year Resources is rounded up to the nearest dollar. The 2019-2020 CDBG-CV application for the City will be amended as well to allow for programmatic changes as a response to shifting community needs. \$96,922.91 in CDBG-CV funding will be reallocated in 2023-2024.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(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	176,933
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:	176,933

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%

Discussion

Attachments

MEMORANDUM

DATE: April 5, 2023

TO: John McCarter, Interim City Manager

FROM: Paul Smith, Assistant Director of Community & Economic Development

CC: Nicole Hofert, Director of Community & Economic Development

RE: Revisions to the CDBG Rehabilitation Program Manual

Introduction

The City of Wyoming receives an annual Community Development Block Grant (CDBG) from the US Department of Housing and Urban Development (HUD). Every CDBG expenditure must meet one of the three national objectives for the CDBG program: benefitting low- and moderate-income persons, preventing or eliminating slums or blight, or meeting serious and immediate threats to the health or welfare of the community. Many grantees, including the City of Wyoming, choose to use a portion of these funds to administer a rehabilitation program that offers low-interest or deferred loans to low- or moderate-income property owners. Like any federally-funded program, this rehabilitation program has detailed compliance and reporting requirements.

For this reason, Community Development staff maintains and routinely reviews a manual for the City's Community Development Rehabilitation Program. This manual contains the policies that govern this program and the procedures that staff use to administer the program. Proper use of this manual provides for consistent and equitable treatment of all applicants. From time-to-time, updates are required to ensure that procedures match best practices and to update terminology to match HUD guidance.

Previous Update

The rehab manual was last updated in 2018. At that time, some small procedural changes were made to contractor eligibility requirements and the rehab loan limit was raised from \$20,000 to \$23,000. The contractor eligibility requirements were relaxed to allow more contractors to qualify, and the hope was that this would lead to more competitive bids. The loan limit was increased to address increased construction labor and materials costs that required the Wyoming Rehabilitation Committee to routinely waive the loan maximum.

Summary of Proposed Updates

The majority of the updates were to outdated terminology and technology. Community Development staff changed loan administration software in recent years and there were several references to the obsolete software. Likewise, there were several references to Census terminologies that have not been in use since the 1980s.

The most substantive update is to the loan limit. Much like in 2018, the Wyoming Rehabilitation Committee sees a pattern of bids exceeding the loan limits for even modest rehabilitations of single-

family homes. Supply chain issues, labor shortages, and booming real estate development have driven up prices. The Wyoming Rehabilitation and Community Development committees both recommend that the loan limit be raised to \$40,000, which brings the program's loan limit into alignment with Kent County's program. While the Wyoming Rehabilitation Committee does have the authority to waive the loan limit on a project-by-project basis, waivers can lead to concerns that policies are not being applied consistently and should be reserved for extraordinary circumstances. Raising the loan limit will allow the Wyoming Rehabilitation Committee to process applications more efficiently and more consistently.

Staff looks forward to joining with you in presenting this information at the April 10, 2023 City Council Work Session.

SECTION I

INTRODUCTION

A. DESCRIPTION OF THE COMMUNITY DEVELOPMENT REHABILITATION PROGRAM:

1. Administration:

Since 1975, the Department of Housing and Urban Development (HUD) has annually made available grants to communities for various community improvements under HUD's Community Development Block Grant Program (CDBG). HUD has set national objectives for use of the grant monies, but the individual communities may design their own programs and activities within those national objectives. In Wyoming, the CDBG Program has been guided by the five-year Consolidated Housing and Community Development Plan (CHCDP) that sets goals and priorities for the use of CDBG funding. The City also submits a one-year Annual Action Plan (AAP) each year to apply for CDBG funding within the parameters set forth in the CHCDP.

The Wyoming City Council adopts both the CHCDP and the AAP. These plans are both adopted at the recommendation of the Community Development Committee. City Council appoints a citizens advisory committee known as the Community Development Committee to collect public input and make recommendations to City Council covering the overall CDBG Program and the five-year Plan.

While not involved with recommendations for the CHCDP or AAP, the Rehabilitation Committee reviews and approves site-specific single-family and commercial rehabilitation and demolition projects funded by CDBG. The Rehabilitation Committee is made up of three Community and Economic Development staff members.

Housed within the City of Wyoming's Community and Economic Development Department, the Community Development Office is responsible for the day-to-day administration of the CDBG Program and serves as staff advisor to the City Council, Community Development Committee and Rehabilitation Committee.

The Community Development Office submits both the CHCDP and AAP, manages all CDBG projects, and submits HUD reporting on accomplishments throughout the grant year. Planning Office assist in the identification of blighted areas, land use planning, and housing needs; the Building Inspections Department provides expertise in specialized building rehabilitation; the Engineering Department supervises major construction and capital outlay projects; the Finance Department manages CDBG-related transactions and HUD financial reporting; and the Treasurer's Office acts as the collection agent for loan payments. Other City departments provide periodic assistance as needed.

For a more detailed description of the key committees and Community Development Office staff involved in the CDBG Program, refer to Section VII.

2. Objectives:

Beginning in 1974 and periodically thereafter, studies of the City have been conducted by Community and Economic Development Department staff to determine City and citizen needs within the framework of HUD's national objectives. These studies include a review of demographic data for Wyoming as well as extensive solicitation of resident input into what the overall needs of the community are. This data is translated into a needs assessment and then a list of overall goals and priorities for the funding. This process takes place during the development of both the CHCDP and the AAP. Goals are set for both low/moderate income residents as well as low/moderate income areas within the City. Based on resident input and this data analysis, the following CDBG Program objectives approved by City Council in the most recent CHCDP are:

- a. Increasing access to affordable housing options
- b. Providing suitable living environments
- c. Enhancing infrastructure and public facilities
- d. Increase access to vital public services
- e. Increase economic opportunities

The CHCDP and AAP and subsequent projects reflect these objectives.

B. USE OF THE REHABILITATION MANUAL:

This manual describes those adopted City policies, programs and administrative processes related to the structural rehabilitation portion of the overall CDBG program. This manual does not describe any policies or processes for new construction, capital outlay, public services activities, administration, or other non-rehabilitation activities. An outline of the Manual follows:

I-II:	Introductory Materials
III-VI:	Programs
VII-VIII:	General Administration
IX-XII:	Program Administration
Appendix A:	Classification of Eligible Work Items

C. EFFECTIVE DATE:

This manual supersedes all prior City of Wyoming Rehabilitation Manuals and is effective as of the date of Wyoming City Council adoption as noted on the title page.

SECTION II

DEFINITIONS

The definitions listed here are included to provide full understanding of the guidelines set forth in this Manual. Whenever possible, the definitions of terms are those set forth in the Municipal Codes and Ordinances of City of Wyoming, Michigan. None of the terms listed here are intended to nullify the provisions of any local code or ordinance.

Applicant: A family, person, or other household who is applying for rehabilitation or demolition assistance. HUD income qualification guidelines require all occupants of a home to be included in the household income calculations.

Assessed Value: The value of a piece of property for tax purposes, as determined by the Wyoming City Assessor. Assumed to be one-half of market value.

Code Violations: Those conditions that are not in conformance with applicable Federal, State, County, and City codes, including: health codes, housing codes, building codes, fire codes, housing maintenance codes, zoning codes, and other public standards.

Contract: A written, signed agreement to perform housing improvement or demolition work.

Contractor: Any general contractor, subcontractor, worker, or supplier who performs rehabilitation work for applicants under this program.

Community Development Office: An office of the City of Wyoming's Community and Economic Development Department that is responsible for administering the Community Development Program.

Deferred Loan: An award of Community Development funds to an eligible applicant to be used for home repairs. The required amount of repayment of the funds is decreased by 10 percent each year for the first five years after the execution of the mortgage.

General Improvement Items: Those rehabilitation improvement work items that increase the general value of a residence, such as carpeting, cabinets, interior painting or wall coverings, air conditioning, refrigerator, stove, or oven, but are not code violations.

Annual Gross Household Income: All income according to the HUD definition of "Annual Income", except that past and future overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services shall not be considered if deemed to be nonrecurring according to HUD standards.

Housing Improvement Area: A portion of the City, designated by the Community Development Committee and the City Council, in which funds may be expended for Community Development Program activities.

H.U.D.: An office of the federal government known as the Department of Housing and Urban

Development.

Inspector: A city employee who is responsible for the enforcement of Michigan construction and property maintenance codes and City ordinances.

Incipient Code Violations: Those conditions, in the judgment of the Code Enforcement Inspector, Building Inspector, or Building Rehabilitation Specialist that are likely to deteriorate into actual code violations in the near future.

Liquid Assets: All assets of an applicant, which shall include, but are not limited to, cash, checking and savings accounts, stocks, bonds, mutual funds, IRA's and real estate other than the principal residence.

3 percent Loan: An award of Community Development funds to an eligible applicant to rehabilitate property, which must be repaid in monthly installment payments to the City.

Mortgage: A security document, in favor of the City, placed against the property of a 3 percent loan or deferred loan recipient, which states the repayment terms of the rehabilitation loan or deferred loan listed in the Promissory Note for the loan.

Owner (Legally Authorized Agent): Persons or families who are the fee owners or contract for deed purchasers of eligible properties.

Promissory Note: A security document, in favor of the City, that outlines the repayment, total loan amount, interest rate, and penalties for non-payment of a Wyoming home rehab loan.

Rehabilitation: A repair, replacement, or renewal treatment used to restore or revitalize deteriorating properties.

Severe Code Violations: Those code violations that directly and immediately endanger the public health, safety and welfare.

Target Area: Same as Housing Improvement Area.

SECTION III

SINGLE-FAMILY REHABILITATION PROGRAM

A. PURPOSE:

As a means of maintaining and improving the structural condition of neighborhoods, and to provide housing assistance to low- and moderate-income homeowners, deferred loans and 3 percent loans are available to low- and moderate-income homeowners in the City of Wyoming

B. ELIGIBILITY REQUIREMENTS:

1. Property:

- a. Type/Location: The property shall be an owner-occupied, single-family residence located anywhere in the city.
- b. Zoning: The property must be residentially zoned, according to the Wyoming Zoning Ordinance.
- c. Limit: Only one deferred loan or 3 percent loan may be given per property in any 20-year period.

2. Applicant:

- a. Ownership: The applicant must be an owner-occupant or purchaser-occupant of the residence. A title search will be obtained for the property to verify ownership.
- b. Limit: The applicant may receive no more than one deferred loan or 3% loan in any 20 year period.
- c. Income: For deferred loans, the annual gross household income of applicants shall not exceed 50% of the most current applicable Area Median Income (AMI) figures supplied by HUD for the Grand Rapids-Kentwood Metropolitan Statistical Area (MSA). For 3 percent loans, the gross household income limit shall be 80% of the AMI figure. These figures shall be calculated based on household size limits found in the CDBG Income Limits database released by HUD's Office of Community Planning and Development (CPD) each year.

Income calculations for both deferred and 3% loans shall be based on averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the applicant is ineligible for funds.

d. Ability to Repay (3 percent Loans Only): The City must verify the applicant's ability to repay a 3 percent loan. The following documents shall be submitted:

1. IRS Personal Income Tax Report for previous year.
2. Current Income Verification form from employer(s), three most current payroll stubs and/or other verification of non-wages income.
3. Personal Credit Report (Ordered and reviewed by the Community Development Office).
4. Title Report (Ordered and reviewed by the Community Development Office) verifying proof of home ownership and clear title.
5. Personal Financial Statement/Monthly Budget (The ability to pay index on the PFS must be greater than \$100 a month per household member to qualify for approval of the loan.)

e. Assets: For deferred loan applicants, liquid assets cannot exceed \$15,000. For loan applicants, there are no asset limits.

C. FUNDING LIMITATIONS:

1. Maximum: The actual amount of all eligible work item costs and closing costs shall be the amount of funding to a limit of \$40,000.
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the City and the applicant to cover unforeseen expenditures during construction. The amount may be used to cover legitimate repair costs associated with the original bid items or work specified in the contract. If the added repair costs exceed the 10 percent amount, the owner may escrow the additional monies or the Rehabilitation Committee may approve the added costs, provided that the total costs remain within the maximum funding limits.
3. Overages: Any work completed that was not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and financial obligation of the owner. Overages will be subject to an agreement between the owner and contractor, excluding the City.
4. Existing Debt: Funds shall not be available to refinance existing debt on the property.
5. Change Orders: Change orders may be made to substitute for contract items to comply with the limits set forth in III(C)(1) and III(C)(2), with the written approval of the Director of Community and Economic Development, owner(s) and contractor.

D. MORTGAGE REQUIREMENTS:

1. Mortgage Recording: The city must record a mortgage in the name of the City

against any property for which a deferred loan or loan has been approved. In cases where an applicant will not agree to a mortgage, the Rehabilitation Committee must disapprove the application. For a property under land contract, the contract seller must also sign the mortgage.

2. Transfer of Title: If the title of the property is transferred by the recipient to any party other than his or her spouse, then the outstanding balance of the mortgage shall become due and payable on the closing date of the title transfer.
3. Pre-Payment: There shall be no penalty for prepayment of loans.
4. Term: The term for a deferred loan shall continue indefinitely until the outstanding loan amount is repaid. The applicant may choose to repay the loan or portions thereof at any time. The repayment shall be due upon transfer of title under the conditions of III(D)(2). The portion of the deferred loan to be repaid (with the remainder deemed a grant) shall be according to the following schedule:

<u>Length of Time from the Mortgage Date</u>	<u>Repayment Rate</u>
0-1 Year	100%
1-2 Years	90%
2-3 Years	80%
3-4 Years	70%
4-5 Years	60%
5 or More Years	50%

The maximum term for a 3 percent loan is 15 years, except that the Rehabilitation Committee may require a shorter term. The minimum monthly loan payment is \$25.00.

5. Interest Rate: No interest shall be charged for deferred loans. The annual interest rate for 3 percent loans shall be 3 percent.

E. ELIGIBLE IMPROVEMENTS:

(See Appendix A, "Classification of Eligible Work Items" for a detailed description of Code Violations versus General Improvement Items.)

1. Code Violations: All code violations shall be repaired within the maximum limitations. If costs for these corrections exceed the limits, deletions may be made on certain repairs at the discretion of the Rehabilitation Committee. The committee may require the applicant to escrow additional monies to cover those items, which exceed the limitations prior to the approval of assistance. Garage repairs are also eligible.
2. Incipient Code Violations: The application may include incipient code violation repairs.

3. General Improvement Items: General Improvement Items, as defined in this Manual, not to exceed \$5,000 in total costs, may be included in a 3 percent loan, but not in a deferred loan. All code violations shall be included for correction before approval of any general improvement items as determined by the Rehabilitation Committee.

4. Self-Help: Deferred loans or 3 percent loans shall not be used to finance work performed by the recipient or any unlicensed contractor. All work shall be on a contractual basis between the loan recipient and a contractor approved by the City.

F. DEFERRED LOAN OR LOAN APPROVAL AUTHORITY:

Sole approval of a deferred loan or loan shall rest with the City, through the Rehabilitation Committee. A majority vote of the Rehabilitation Committee is required for the final approval of a deferred loan or loan.

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SECTION IV

COMMERCIAL REHABILITATION PROGRAM

A. PURPOSE:

A deteriorating neighborhood commercial sector is a blighting influence on the nearby residential neighborhood. Inadequate business parking also underserves residents. To maintain a strong neighborhood commercial sector and safeguard the adjoining neighborhood, loans are available to property owners of businesses for property improvement. Policies and rules pertaining to the Commercial Rehabilitation Program follow.

B. LOAN ELIGIBILITY REQUIREMENTS:

1. Property:

a. Location: The business shall be located in a qualified target area designated as part of the Wyoming Community Development Block Grant Program.

b. Zoning: The property must be eligible for commercial uses according to the Wyoming zoning codes.

c. Type of Structure: The structure must be at least 50 percent commercial in structural design and use.

d. Limit: Only one loan may be given per structure per 20 year period.

2. Applicant:

a. Ownership/Unit Eligibility: The applicant must be the owner/purchaser of the structure or unit. A title search will be obtained for the property.

b. Ability to Repay: The applicant must verify to the City the ability to repay the rehabilitation loan. The following documents shall be submitted:

1. Title Report (Ordered and reviewed by the Community Development Office) verifying proof of home ownership and clear title.
2. Personal Financial Statement/Monthly Budget (The ability to pay index on the PFS must be greater than \$100 per month to qualify for approval of the loan).
3. Profit and loss statement (for loans over \$10,000).
4. Personal Income Tax forms (for loans over \$10,000).
5. Personal credit report (Ordered and reviewed by the Community Development Office)

C. FUNDING LIMITATIONS:

1. Maximum: The applicant shall be eligible for a loan up to \$10,000 with no matching private funds required. For project costs exceeding \$10,000, a dollar for dollar applicant match is required of that amount over \$10,000. No Commercial Rehabilitation loan shall exceed \$25,000. Also, no loan may be given if the debt on the property exceeds two times the current City assessed value of the property, except that other types of loan guarantees may be provided, according to Section IV(D).
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the City and the applicant to cover unforeseen expenditures during construction. The amount may be used to cover legitimate repair costs associated with original bid items or work specified in the contract. If the added repair costs exceed the 10% amount, the owner must escrow the additional funding, or the Rehabilitation Committee may approve the added costs provided that the total costs remain within the maximum funding limits.
3. Overages: Any work completed that was not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and financial obligation of the owner. Overages will be subject to an agreement between the owner and contractor, excluding the City.
4. Existing Debt: Funds shall not be available to refinance existing debt on the property.
5. Change Orders: Change orders may be made to substitute for contract items to comply with the limits set forth in IV(C)(1) and IV(C)(2), with the written approval of the Director of Community and Economic Development, inspections staff, owner(s) and contractor.

D. MORTGAGE REQUIREMENTS:

1. Mortgage Recording: The City will record a mortgage in the name of the City against any property for which a rehabilitation loan has been approved. However, the Rehabilitation Committee may accept a mortgage on an alternate property of the applicant, providing that it satisfies the requirements of Section IV(C)(1). In cases where the applicant will not agree to a mortgage, the Rehabilitation Committee must disapprove the loan.
2. Transfer of Title: If the title to the property is transferred by the recipient to any party, other than his or her spouse, then the outstanding balance of the mortgage shall become due and payable on the closing date of the title transfer.
3. Pre-Payment: There shall be no penalty for total prepayment of the loan.

4. Term: The maximum term of a loan is fifteen years. The Rehabilitation Committee may require a shorter term loan. Minimum monthly loan payment shall be \$25.00.

5. Interest Rate: The annual interest rate shall be three percent.

E. ELIGIBLE IMPROVEMENTS:

1. Priority and Types of Improvements: The following types of eligible improvements are listed in order of priority:

a. Correction of severe code violations (See Appendix A) items.

b. Facade improvements.

c. Correction of other code or maintenance items. Items a and b above must be completed first.

d. Repaving of existing parking allowed only when any of the above items are also being done, with a maximum of 50 percent of a loan for repaving.

e. Fencing and landscaping improvements when auxiliary to any of the other above improvements.

2. Self-Help: Loans shall not be used to finance work performed by the recipient. All work shall be on a contractual basis between the loan recipient and a licensed contractor approved by the City.

F. FEDERAL REGULATIONS:

All Federal Regulations shall apply as required by HUD, periodically amended. The following federal requirements, as well as any required updates, shall be adhered to in commercial loan cases:

1. Davis-Bacon Prevailing Wage Rates
2. Copeland "Anti-Kickback" Act
3. Contract Work Hours and Safety Standards Act
4. Section 3 of the Housing and Development Act of 1968
5. Equal Employment Opportunity Statement
6. Affirmative Action Plan (for loans over \$10,000)

7. Open bidding requirements for loans over \$7,500.00 according to the City's purchasing requirements

G. LOAN APPROVAL AUTHORITY:

Sole approval of a loan shall rest with the City, through the Rehabilitation Committee. A majority vote of the Rehabilitation Committee is necessary for the final approval of the loan.

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SECTION V

DEMOLITION PROGRAM

A. PURPOSE:

Certain structures in the City exhibit physical deterioration or obsolescence such that restoration is no longer economically feasible for the owner. Such structures have a blighting influence on the neighborhood. Therefore, non-repayable grants are made available for the demolition of such structures. Policies and rules related to the Demolition Program follow.

B. ELIGIBILITY REQUIREMENTS:

1. Property:

- a. Type/Location: Grants may be given to demolish structures on residential or commercial properties that are deemed by the Rehabilitation Committee to be physically decayed and a blighting influence on the neighborhood. For commercial projects only, obsolescence may also be considered for an improvement project under Section IV of this manual.
- b. Limit: Only one grant may be given per property.

2. Applicant:

- a. Ownership: The applicant must be the owner of the structure to be demolished and the related land area. A title search will be obtained for the property.
- b. Income: For demolition grants, the gross household income of applicants shall not exceed 80% of AMI for the Grand Rapids-Kentwood MSA. These figures shall be calculated based on household size limits found in the CDBG Income Limits database released by HUD's Office of Community Planning and Development (CPD) each year. Income calculations shall be based on averaging the total previous tax year's income with the current projected year's income, based on a normal week's salary. However, if the current projected year's income exceeds the program's income standards, the applicant is ineligible for funds.
- c. Authorization and Release of Liability: All persons and/or organizations with an interest in the property must sign an "Authorization and Release of Liability" form which releases the City from any possible liability resulting from the demolition.
- d. Limit: Only one grant may be given per property owner.

C. FUNDING LIMITATIONS:

1. Maximum: The amount of the grant shall not exceed the costs of demolition of the structure plus related eligible work as defined in Section V D.
2. Contingency: Up to an additional 10 percent of the funding amount of the initial contract may be authorized by the city and the applicant as a contingency to cover unforeseen expenditures during the work. The amount shall be used to cover legitimate repair costs associated with original bid items or work specified in the contract.
3. Overages: Any work completed that was not previously authorized by the City, that exceeds the maximum funding limitations shall be at the discretion and financial obligation of the owner. Overages will be subject to an agreement between the owner and contractor, excluding the City.
4. Change Order: Change orders may be made to substitute for contracted items, with the written approval of the Director of Community and Economic Development, inspections staff, owner(s) and contractor.

D. ELIGIBLE WORK:

1. Eligible Items: The following items may be removed from the site, subject to the approval of the Rehabilitation Committee:
 - a. Building structures, including decks, fences, garages, or other blighted structures.
 - b. Concrete foundations, pads, floors, driveways, sidewalks, etc.
 - c. Trees, stumps, bushes, fencing, etc., located on public property.
2. Self-Help: The grant shall not be used to finance work performed by the recipient. All work shall be on a contractual basis between the recipient and a licensed contractor approved by the City.

E. DEMOLITION APPROVAL AUTHORITY:

Sole approval of a demolition grant shall rest with the City. The Rehabilitation Committee shall have approval authority, by majority vote. For grants of \$8,500 or more, the Wyoming City Council must also approve the demolition.

SECTION VI

HOMEOWNER HOUSING EMERGENCY REPAIR PROGRAM

A. PURPOSE:

The Homeowner Housing Emergency Repair Program allows for the expediting of repair to those housing code violations creating a severe and immediate threat to the homeowner's health and safety while waiting for processing to correct housing code violations in the dwelling under the normal housing rehabilitation process as described in Section III.

B. ELIGIBILITY REQUIREMENTS:

1. Property: The property must satisfy the requirements of Section III(B)(1).
2. Applicant: The applicant must satisfy the requirements of Section III(B)(2), except that household income verification will be based on a preliminary, reduced investigation to allow for a faster decision on the request.
3. Security Requirements: Eligible applicants must sign a mortgage or an assignment of land contract as security.
4. Limit: Emergency repair funds may not be awarded for structures previously repaired within the past 20 years through the Homeowners Housing Rehabilitation Program (Section III).

C. FUNDING LIMITATIONS:

1. Emergency Determination: An emergency repair item shall include but not be limited to the following: Replacement of a roof, replacement of a furnace, electrical failures, foundation failures, and Severe Code Violations as described in Appendix A at B(5)(a).

The Building Rehabilitation Specialist and Community Development Coordinator shall conduct an initial investigation into the conditions of the home and obtain financial eligibility documentation and make a recommendation to the Rehabilitation Committee on the consideration of an emergency case for any other repairs.

2. Other Improvements: Applicants receiving emergency repair funds will be placed at the front of the Community Development Office's waitlist and all other eligible home improvements may be addressed at that time to be included in the home rehabilitation deferred loan or 3 percent loan, according to Section III. The number of emergency cases per year shall be monitored to review any noticeable increases in requests.
3. Disqualification: In cases where formal income verification indicates that the applicant is ineligible for funds, the emergency repair costs shall be deemed as a debt of the applicant to the City and shall become due and payable within 30 days from the date of

disqualification of the application.

D. APPROVAL:

The Rehabilitation Committee shall determine and approve any emergency repair items and the amount of funding.

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SECTION VII

GENERAL ADMINISTRATIVE RESPONSIBILITIES

A. COMMUNITY DEVELOPMENT COMMITTEE:

1. Purpose:

This Committee is formed to provide citizen representation to advise staff and the City Council relative to the overall Community Development Program, including the CHCDP and the AAP.

2. Members:

This Committee shall have nine members, appointed by the City Council and members shall serve for two years. For any City Official appointment (e.g., City Council, Planning Commission), if that City Official is not reelected or reappointed to the respective City Council or Commission, then there shall automatically be a like vacancy on the Community Development Committee, with the City Council charged with appointing a replacement to complete the member's term. Each appointed member shall sign a Conflict of Interest Attestation, stating they will agree and will comply with the Conflict of Interest Clause, as required by 24 CFR 570.611.

When making appointments to the Committee, the Council shall strive to maintain a broadly representative Committee, but with emphasis on the inclusion of such groups as current LMI area residents and businesses, low- and moderate- income families, people of color, elderly residents, women, City Council members, and members of other City commissions related to developmental activities. The Chair of the Committee shall be elected annually by the members, at the first meeting occurring after January 1st. The Director of Community and Economic Development Department shall be an ex-officio member of the Committee. The Community Development Coordinator shall serve as Recording Secretary for this Committee.

3. Duties:

The Community Development Committee shall review and make recommendations to the City Council relative to the following items:

- a. Consolidated Housing and Community Development Plan (CHCDP): Every five years, or sooner if necessitated by changing developmental conditions, a new CHCDP is prepared by the Community Development Office staff. The Committee shall review said Plan, relative to such content as determination of neighborhood needs, general improvements for funding and priorities of funding.
- b. Annual Action Plan: Annually, the City must submit an application for the

coming fiscal year's CDBG funding. The Committee shall work with the Community Development Office staff in the preparation of said application, considering its appropriateness to the priorities contained within the CHCDP. Members also make funding recommendations for all applicants to the City for subrecipient public services activities.

c. Rehabilitation Manual: The Rehabilitation Manual represents City policy, responsibilities, and regulations relative to various Community Development rehabilitation programs. The Committee shall review the Manual, as prepared by the Community Development staff, for its appropriate relationship to items VII A-3, a-b above, overall HUD and City program objectives, and sound administrative practices.

d. Miscellaneous Assistance: The Committee shall provide additional assistance related to the Community Development Program as requested by the City Council or the Community Development Office staff.

4. Meetings:

The Committee shall meet as needed to accomplish Committee business. Minutes shall be kept.

B. THE REHABILITATION COMMITTEE

1. Purpose:

This Committee serves the purpose of reviewing and approving CDBG-funded single family rehab loans, single family housing emergency and corrective repair, and demolition applications. Review responsibilities shall include applicant eligibility, work items, costs and contractor eligibility. The Committee also makes determinations, when requested by the Director of Community and Economic Development, concerning actions to be taken relative to late loan payment cases.

2. Members:

The appointed members of this Committee shall be the Chief Building Official, City Planning staff, and the Director of Community and Economic Development. Each appointed member may authorize a substitute member to attend those meetings when the appointed member will be absent. The substitute member shall have the same voting privileges as the appointed member. There shall be a minimum of two appointed members and three total members at each meeting. The Director of Community and Economic Development shall serve as an ex officio member of the Committee.

3. Duties:

The Rehabilitation Committee shall have, but not be limited to the following duties:

- a. Committee Review: The Committee shall review all CDBG single-family home rehab loans, commercial loan, and demolition applications and make appropriate modifications to contracts where necessary to promote the best interests of the program. Before the Committee shall approve a loan, a minimum of two bids from qualified contractors must be received.
- b. Lowest Bidder: The Committee shall approve the lowest bidder, if qualified, to complete the work in cases of a deferred loan. In loan cases, the Committee shall approve the lowest bidder, if qualified, unless the applicant requests to select a qualified contractor with a higher bid. This higher bid shall be approved by the Committee, provided the applicant escrows with the City prior to the execution of the contract, the difference between the low bid and the higher bid. No bid shall be awarded to any contractor that does not have an active registry with the System for Award Management.
- c. Rebidding: Rebidding to all general contractors shall be conducted when any of the following occurs after formal bidding and prior to contract signing:
1. The applicant requests to include additional work items.
 2. The applicant requests to delete work items, which reduces the low bid by more than 20%.
 3. The applicant and City agree that there is an error in the bid specifications.
 4. If there are only two bidders on a job, and the low bidder withdraws, the applicant may request a rebid.
- d. Costs Exceeding Limits: The Committee shall have the discretion to approve a bid amount that is in excess of the maximum limits set forth in this manual, provided that the applicant escrows with the City, prior to the execution of the contract, the difference between the maximum limits and the selected bid amount.
- e. Late Loan Payments: The Committee shall make determinations, if requested by the Director of Community and Economic Development, concerning actions to be taken in late loan payment cases.
- f. Waiver of Code Violations: The Committee shall have the discretion to waive code violations from being corrected in cases where the repair costs exceed the maximum limits for either a loan or grant, provided all serious code deficiencies are rectified and the applicant is financially unable to sustain the additional financial burden.
- g. Dilapidated Structures: The Committee shall have the discretion to determine whether any highly dilapidated structure shall be provided financial assistance. The Committee may recommend that the structure be acquired for

demolition under the Community Development program or condemned by the City when it becomes vacant.

h. Emergency Repair: The Committee shall have the authority to expend repair monies for Homeowner Housing Emergency Repairs. See Section VI.

i. Corrective Repairs: In instances related to the Homeowner Housing Rehabilitation Program (Section III) where construction problems may arise after closeout of the construction contract that relate either to: 1) incorrect original bid specifications to solve a specific rehabilitation problem, or 2) a contracted improvement proves faulty and the homeowner is unsuccessful in getting the contractor to rectify it, the Rehabilitation Committee may grant up to \$1,000 in Corrective Repair Funds to rectify the construction problem. However, the homeowner must make a written request for such funds within one year of the City Staff's final approval of the work from the original construction contract.

j. Overcrowding: The Committee may approve the renovation of interior habitable space of a dwelling where there is evidence of overcrowding, and a habitation violation will be rectified.

k. Limiting Contractor Work: The Committee shall have the authority to remove a contractor from the bidders list if a contractor is exhibiting poor job performance or other violations of the Rehabilitation Manual. The Committee may limit contractors to no more than five rehabilitation contracts for the City of Wyoming at one time. If a contractor submits bids such that they will have more than five contracts in progress at once, the Committee shall have the discretion to award subsequent bids to the next-lowest bidder.

l. Waiver Clause: The Committee shall have the authority, based on unanimous decision, to waive any standards and requirements in any of the housing and commercial rehabilitation programs in instances where it determines that an emergency repair is needed or where the waivers are of a type determined by the Committee to be within the overall intent of the programs. For any waiver granted, the specific description of the waiver and the reasons for it shall be indicated in the minutes of the Committee.

C. COMMUNITY DEVELOPMENT OFFICE STAFF:

1. Director of Community and Economic Development:

a. Function: The Director is charged with the overall management of the Department, including staffing and performance of the Community Development program.

b. Sample Duties:

1. Liaison with HUD, City Council, Community Development Committee, Rehabilitation Committee, other City Departments and Committees, and citizens.
2. Overall planning, administration, and implementation of all Community Development activities.
3. Chairperson of the Rehabilitation Committee.

2. Community Development Coordinator:

a. Function: This position serves the Director of Community and Economic Development in various administrative aspects of the program, particularly relative to satisfying HUD administrative and reporting requirements. This position processes applications for all rehabilitation and demolition loan programs (Sections III - VI).

b. Sample Duties:

1. Maintains current knowledge of HUD Community Development requirements.
2. Assists in satisfying HUD administrative and reporting requirements.
3. Assists applicants in preparing the necessary forms for CDBG-funded loans.
4. Verifies the correctness of the applicant information, including financial qualifications and performs other required verifications.
5. Prepares the documentation and assists the Rehabilitation Committee in its determination relative to the qualifications of the applicant for funding.
6. Monitors repayment of loan monies, giving special attention to delinquent accounts.
7. Verifies contractors' registrations in the System for Award Management website.
8. Acts as the Recording Secretary of the Community Development Committee.

3. Building Rehabilitation Specialist:

a. Function: The primary function of this position is to operate the structural

inspection and rehabilitation aspects of the Department's Rehabilitation Programs (Sections III- VI).

b. Sample Duties:

1. Performs code inspections for the Community Development Program.
2. Qualifies contractors.
3. Prepares construction specifications and other documents related to job bidding and the structural rehabilitation aspects of the Residential Rehabilitation Program.
4. Monitors contractor performance through job completion.
5. Works with the general contractor and property owner to resolve construction problems.

D. REHABILITATION LOAN RECIPIENT:

1. Responsibilities:

The property owner who receives a loan has a responsibility to ensure that the repair work performed under the rehabilitation program (Sections III-VI) is successful and is undertaken with the full consent and satisfaction of the owner. These duties and responsibilities include:

- a. Asking questions to gain a complete understanding of the program and its eligibility requirements, maximum fund limitations, and eligible repairs.
- b. Assisting the Community Development Coordinator in confirming income, assets, and other required verification by providing employer, wage, dependent, bank, tax, and other information.
- c. Carefully reviewing the work write-up prior to the bidding process and at the time of the preconstruction meeting, so that the scope of items to be repaired is fully understood.
- d. Working with the contractor and Community Development staff in resolving any disagreements in a timely and equitable manner.
- e. Repaying loans according to the contract agreement.

E. REHABILITATION CONTRACTOR:

1. Responsibilities:

Any contractor who participates in the City's single family rehab, demolition, commercial rehab or commercial demolition programs is performing a vital role in improving the appearance, quality, and longevity of structures in Wyoming. Each participating contractor must perform their expected function conscientiously and in a responsible manner so that unnecessary costs, construction delays, poor workmanship and other complications can be avoided. Contractor responsibilities may be amended from time to time in response to City of Wyoming and HUD requirements. At a minimum, the contractor should realize the significance of their contribution and accept the following duties and responsibilities:

- a. Inspecting the property for necessary repairs prior to submitting a bid proposal to minimize change orders whenever possible. Proposed repairs which the contractor is not technically familiar with should be inspected by the appropriate subcontractor.
- b. Ensuring that all workers and sub-contractors have the proper training, skills, and certification.
- c. Supervising subcontractor staff to ensure that work is completed on time and in accordance with acceptable construction standards and procedures.
- d. Contacting the Community Development Office regarding any necessary contract revisions, change orders, or overages. The contractor must receive written permission before providing any additional work or materials.
- e. Taking pride in the job, regardless of the social or economic conditions of the property owner, or that governmental assistance is involved.
- f. Making sure the job site is kept as neat as possible while work is in progress, disposing of unused or discarded materials and cleaning the work site when the job is completed.
- g. Cooperating with the property owner and Community Development Office in resolving problems or complaints.
- h. If a contractor submits the lowest bid on a project, the contractor shall accept the job, unless the contractor provides a written bid withdrawal to the Rehabilitation Committee. If the job is rebid, the contractor may not submit a rebid. If the Rehabilitation Committee feels that a contractor has been misusing this privilege, it may disqualify the contractor from the program.

2. Minimal Qualifications for Selection

- a. Possession of a current Michigan Residential Builders License, with experience in more than one type of residential construction.

- b. At least \$25,000 in annual gross personal income for each of the last two years from residential repair or construction work.
- c. Within the last two years, have completed at least 10 home repair jobs costing a total of at least \$100,000.
- d. As a general contractor, have utilized at least 10 subcontractor contracts.
- e. Possession an active registry in the System for Award Management website.

3. Application Materials:

- a. A copy of the organization's IRS profit and loss statements from the last two years. (Signed form 1040 – Schedule C or Form 1065.)
- b. A proper insurance certificate showing minimum coverage of workman's compensation protection of \$500,000 per occurrence, bodily injury of \$1,000,000 per person and per occurrence and property damage in the full amount of the project. An Indemnification Agreement must also be signed.
- c. A detailed two-year work and training history.
- d. Information concerning any pending lawsuits concerning construction work.
- e. Consent to have the City perform a personal credit review.
- f. Five residential construction references.
- g. Two business or supplier references.
- h. A list of subcontractors intended to be used for electrical, heating, and plumbing work.
- i. Proof of a Unique Entity Identifier and active registry with the System for Award Management.
- j. A City of Wyoming Business License must be obtained, if applicable, and a State of Michigan Builders License.

4. Staff Investigation:

- a. Michigan Department of Licensing and Regulatory Affairs (LARA)
- b. Better Business Bureau
- c. Area Rehabilitation/Inspection Departments

- d. Wyoming Building Inspections Department
- e. Credit Bureau
- f. System for Award Management registry and debarment check

5. Conditions for Continued Contracting:

- a. The contractor will be on probation status until three jobs are satisfactorily completed. No more than three jobs may be undertaken during this probation period.
- b. The contractor must follow all rules as stated in the Rehabilitation Manual.
- c. A contractor may be disqualified from the Program for poor performance, as determined by the Rehabilitation Committee.
- d. If disqualified from the housing rehabilitation program, the contractor may not reapply for 6 months.
- e. A contractor may be disqualified for failure to bid on at least 25% of all rehabilitation jobs bid each fiscal year.

SECTION VIII

APPEALS PROCEDURE

A. PURPOSE:

This Section describes an appeals procedure for anyone not satisfied with decisions made by the Rehabilitation Committee or the Community Development Office Staff involving a Community Development Block Grant-funded program.

B. BASIC RIGHTS AND RULES:

1. Right to Appeal:

A person may file an appeal in any case in which he/she believes that any person or group involved with a Community Development Program has made an unsatisfactory decision.

2. Right to Representation:

The appellant has the right to be represented by legal counsel and to be accompanied by an advisor, attorney, or other representative in any personal appearance in connection with the appeal, but solely at the appellant's own expense.

3. Order of Appeal:

The appellant's request for an appeal must be in writing. It should be presented to the person or group who made the decision (see "Tier Chart"). The appellant may appeal a decision up the tiers, one tier at a time, to the level deemed necessary.

4. Timing of Appeal:

Appeals of decisions made in the Community Development Program should be made within 30 days of the decision, except that complaints about completed rehabilitation work may be submitted to the City at any time within one year from the final inspection date of the rehabilitation project.

5. Content of Appeal:

The appeal request should be in letter form. It should include, at a minimum, the name of the appellant, the nature of the appeal and all applicable details, such as dates and names of all persons or organizations involved.

6. Review of Files:

The Community Development office shall permit the person making a complaint or

appeal to inspect and copy all files and records pertinent to his/her case, except materials deemed by the Director to be confidential. A Freedom of Information Act request must be made through the City Clerk's Office for copies of materials. The Community Development office shall send copies of pertinent information to higher tier persons or groups.

C. REVIEW, DETERMINATION AND NOTIFICATION:

1. Scope of Review:

All persons or groups in the appeal process shall review an appellant's request based on the following considerations:

- a. All applicable rules and regulations.
- b. All materials submitted.
- c. Any other materials not submitted upon which the appeal is based.
- d. Any other available information needed to ensure a fair and full review.

2. Scope of Determination:

A written determination by the persons or groups in the appeal process shall include, but not be limited to, the following:

- a. The person's or group's decision.
- b. The basis upon which the decision was made.
- c. A statement on how any relief will be provided, if applicable.

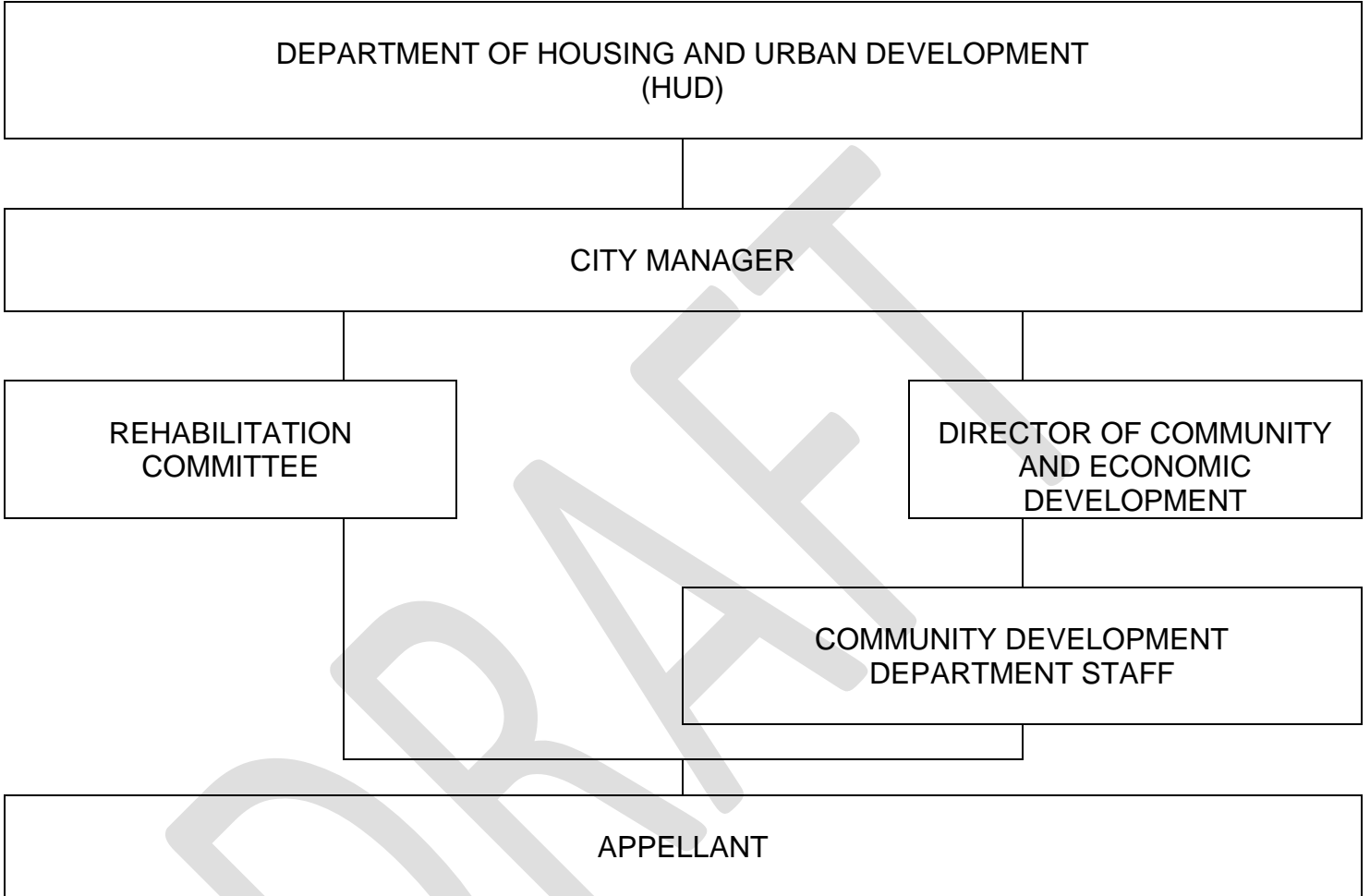
3. Timing and Notification:

The person or group involved in the appeal process shall make a written determination on each appeal within 30 days after receipt of the appeal request and shall furnish the appellant a copy of the decision.

D. JUDICIAL REVIEW:

Nothing in this section shall in any way preclude or limit an appellant from seeking judicial review of an appeal after exhaustion of such administrative remedies as are available under this Section.

COMPLAINT AND APPEALS TIER CHART



SECTION IX

HOMEOWNER HOUSING REHABILITATION PROGRAM ADMINISTRATION

A. INTRODUCTION:

This section is an overview of the administrative aspects of the Homeowner Housing Rehabilitation Program (Section III).

B. APPLICATION PROCESS:

1. Potential Applicants:

Potential applicants shall periodically be notified of the opportunity to participate in the program using mass-mailing of pamphlets, meetings, newspapers, and other community outreach measures.

2. CDBG Rehab Waiting List:

Wyoming residents who contact the Community Development Coordinator regarding the home rehabilitation program will be added to the CDBG Rehab Waiting List. Residents' name, address, telephone number and date of contact will be recorded after first confirming that the caller meets ownership and financial eligibility requirements.

3. Selection of Applicants:

Applicants will be prioritized from the CDBG Rehab Waiting List by date of inquiry, except that cases might be prioritized based on severity of need (e.g., emergency repairs such as those outlined in Section VI).

4. Eligibility Verification:

The Community Development Coordinator shall verify the applicant's eligibility for assistance. The following checks will be performed:

a. Title Search - Verification of property ownership

b. Financial Eligibility Check - Verification of all sources of household income. All persons with income that reside in the home shall have their income included in the eligibility check. Exclusions for certain forms of income, active duty military personnel, and live-in aide may be applicable, and the Community Development Coordinator will review HUD regulations for the most updated income and household exclusions.

c. Asset Check - Verification of savings and other assets.

- d. Credit Report - Confirmation of credit history of the applicant (only for 3 percent loan applicants).
- e. Assessed Valuation Check - Determination of the current value of the property, property taxes owed, age of property and zoning classification.
- f. Employment Verification – Confirmation of employment status, history and current wage rate using the Request for Verification of Employment form and submitting it to each employer for each member of the household.
- g. U.S. Citizenship Verification – Signed confirmation by all household members of U.S. citizenship and/or legal residency. CDBG funds may not be used to assist Wyoming residents who do not have proof of their lawful presence in the United States.

5. Inspection:

A detailed inspection shall be done by the Building Rehabilitation Specialist.

6. Write-Up:

The Building Rehabilitation Specialist shall develop a work write-up which identifies the work required to be done for code violations as well as for general improvements.

7. Applicant Approval of Write-Up:

The applicant may then decide whether to continue with the application by approving the write-up.

8. Work Write-Up Review:

The work write-up may have to be changed due to program funding limitations. The Building Rehabilitation Specialist will review and revise the work write-up if necessary.

9. Applicant's Approval of Final Work Write-Up:

The applicant shall review, approve, and sign the Final Work Write-Up prior to the project's bidding.

C. **BIDDING AND APPROVAL PROCESS:**

1. Prequalified Bidders:

The Community Development Coordinator shall develop and maintain a prequalified contractors list which requires the approval of the Rehabilitation Committee.

The following research is done to approve and qualify contractors:

- a. Credit status
- b. Better Business Bureau Records
- c. Other municipalities' records
- d. City Building Department Inspectors
- e. State Residential Builder's License
- f. Business performance
- g. Client references
- h. System for Award Management registration and debarment check

2. Outreach:

Contractor application packets will be sent annually to the Small Business Administration, the West Michigan Minority Contractors Association and Section 3 Certified Contractors to assure that minority firms, women's business enterprise, and labor surplus area firms are provided the opportunity to bid on and perform work whenever possible.

3. Bid Mailing:

Bid requests shall be sent to those contractors who have been prequalified.

4. Bid Openings:

The sealed bids will be received, publicly opened and read by the City Clerk's Office, using standard City bidding procedure.

5. Contractor and Subcontractor Verification:

The Community Development Coordinator shall check HUD's System for Award Management to verify an active registry and lack of debarment or excluded status prior to contract award.

6. Application Approval by Rehab Committee:

The Community Development Coordinator shall prepare and present the final application and supporting materials to the Rehabilitation Committee for review. The Rehabilitation Committee shall review the application based on the applicant's eligibility, the work items to be done, the cost of the work and the eligibility of the contractor.

D. FINANCIAL SETTLEMENT:

1. Required Documents:

After obtaining Rehabilitation Committee approval, a financial settlement is held. The following documents shall be prepared by the Community Development Coordinator and then received and signed as applicable, during the financial settlement meeting:

- a. Approved Application by Rehabilitation Committee
- b. Order to Proceed
- c. Truth in Lending
- d. Promissory Note
- e. Opportunity to Rescind
- f. Mortgage
- g. Contract
- h. Work Write-up including client decisions on materials if available

2. Contractor's Signature:

If the contractor cannot attend the financial settlement, the Building Rehabilitation Specialist shall obtain the signature of the contractor on the construction contract.

E. CONTRACT MANAGEMENT:

1. Agreement and Order to Proceed:

The Community Development Coordinator shall forward the signed Agreement, Final Work Write-Up, and Order to Proceed to the contractor and applicant.

3. Permits and Final Permit Inspections:

The Building Rehabilitation Specialist shall confirm that the contractor has obtained all required permits prior to commencement of the project.

3. Periodic Inspections:

The Building Rehabilitation Specialist shall make as many periodic inspections as may be required to ensure the quality of the work.

4. Lead-Based Paint Poisoning Prevention in Certain Residential Structures:

The Building Rehabilitation Specialist shall perform a lead inspection prior to the bidding stage and include lead remediation work that is required in the bid. A second lead inspection will be completed after all the appropriate lead remediation work is done at

the home to ensure lead has been encapsulated or removed.

The Building Rehabilitation Specialist will also verify that contractors use the most current lead-safe work practices and that occupancy protections are properly carried out.

5. Final Inspection:

After notification from the contractor that all work has been completed, the Building Rehabilitation Specialist will conduct a final inspection.

6. Applicant's Approval Statement:

Upon approval of the work, the Building Rehabilitation Specialist will obtain the applicant's approval of the completed work.

7. Contractor's Payment Request:

The Community Development Coordinator submit the Contractor's invoice for payment only after obtaining the following documents:

- a. The contractor's invoice
- b. Final Inspection Report
- c. Owner's Completion Report
- d. Loan Adjustment reflecting any additions or subtractions from the final contract amount (only if needed)
- e. Contractor's Affidavit of Completion
- f. Unconditional Waivers of Lien from the general contractor and all subcontractors

F. CASE CLOSE OUT AND REQUIRED RECORDS:

1. Invoice Submittal:

The Community Development Coordinator shall submit the invoice for payment.

2. Loan Adjustment:

If there are increases or decreases in the total amount of the contract due to unforeseen circumstances, or if the contingency amount of the loan agreement is not used (10% of construction costs), a loan adjustment is prepared by the Community Development Coordinator, removing this amount from the mortgage balance. The signed original of the loan adjustment will be filed with the Clerk and shall supersede the mortgage and promissory note amount. A copy of the loan adjustment shall be sent to the Treasurer's

Office, which shall receive the monthly loan payments.

4. Master Servicing File:

The recorded mortgage, promissory note and loan adjustment (if needed) shall be sent to the City Clerk's office for filing in their Master Servicing File.

5. Close Out Documents:

The Community Development Coordinator shall close out the file by preparing a file cover sheet and checking that the following documents are in the file for HUD auditing purposes:

- a. Finalized Rehabilitation Application
- b. Draft Work Write-up and letter, signed only by homeowner
- c. Final Work Write-up
- d. Invoices, Purchase Orders and Change Orders (if any)
- e. Owners Completion
- f. Inspection Report
- g. Loan Adjustment (if applicable)
- h. Recorded Mortgage
- i. Promissory Note
- j. Title Search
- k. Assessor's Card
- l. Legal Documents (if any)
- m. Bid Tab
- n. Approved Bid
- o. Order to Proceed
- p. Contract Agreement
- q. General Agreement
- r. Truth in Lending
- s. Racial /Ethnic/Woman Contract & Subcontract Activity
- t. Affidavit of Contractor
- u. Original Application/Screening Questionnaire/Citizenship Verification
- v. Lead Based Paint/Environmental Protection Act Forms

- w. Income Verification/Financial Eligibility Information
- x. Warranty Information
- y. Historic Form
- z. Statistical Questionnaire
- aa. Lead Based Paint Report
- bb. Contractor Verifications
- cc. Environmental Review

G. MONTHLY LOAN PAYMENTS:

The Community Development Coordinator shall send monthly billing statements the 15th day of each month to borrowers with outstanding loan balances. Payments are received by the Treasurer's Office and the payment records are forwarded to the Community Development Coordinator for posting in the Neighborly database, which is the master database for the Housing Rehabilitation Program. The Community Development Coordinator is responsible for the maintenance of this master database which contains all loans and deferred loans/grants information.

H. LATE LOAN PAYMENTS:

The actions described below will be taken when a loan recipient is delinquent with loan payments:

1. Routine Actions:

- a. Borrowers with outstanding loan balances are notified of past due amounts on a monthly basis on their billing statement.
- b. A report of loan delinquencies will be drafted by the Community Development Coordinator and presented to the Committee on an annual basis. Following review of the report, the Committee may require collection actions to be taken.

2. Other Actions:

- a. Collection: The Committee may initiate any legal action, other than foreclosure, which is deemed necessary to affect collection (eg., temporarily reduce the payments, defer payments, extend the loan, small claims court, wage garnishment, calling the note).
- b. Foreclosure: If foreclosure procedures are deemed necessary, the Committee may recommend such action to the City Council for their approval.

I. SUBORDINATION:

A borrower may receive one subordination of the City's mortgage to a new or refinanced mortgage from a financial institution for any reason, provided that the "cash out" amount does not exceed \$7,000 and the new debt-to-value is no more than 90%. A second subordination will only be considered if there is no cash out and there is an interest rate reduction of at least 1.0%. A charge of \$50 will be assessed to defer the city's costs for the subordination processing.

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SECTION X

COMMERCIAL REHABILITATION PROGRAM ADMINISTRATION

A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Commercial Rehabilitation Program (Section IV).

B. APPLICATION PROCESS:

1. Potential Applicants:

Potential applicants shall be notified of the opportunity to participate in the program through newspapers, meetings, door-to-door outreach and other advertising measures.

2. Applicants:

Interested applicants shall notify the Community Development Coordinator.

3. Work Write-Up:

The applicant shall submit a proposal along with a work write-up listing the necessary improvements for their commercial building. The Community Development Coordinator shall verify the loan eligibility of the improvement items.

4. Final Work Write-Up:

The Building Rehabilitation Specialist will assist in drafting plans and writing specifications if requested, but only in instances where an architect is not required to submit plans for obtaining a building permit. Plans must be approved by the applicant.

5. Eligibility Verification:

The Community Development Coordinator shall verify the applicant's eligibility. The following checks will be performed:

- a. Credit Report
- b. Financial Report
- c. Profit and Loss Report (for loans over \$10,000)
- d. Income Tax Report (for loans over \$10,000)

6. Pre-Application Approval by Applicant:

The applicant shall approve the pre-application. The Rehabilitation Committee shall review the pre-application, based on the applicant's eligibility and the work to be done.

C. BIDDING AND APPROVAL PROCESS:

1. Bid Packages:

A bid package will be prepared by the Community Development Coordinator. The bid package shall contain:

- a. Plans or Work Write-Up
- b. Sample contract
- c. Applicable federal regulations
- d. Requirements for System for Award Management registry
- d. Required Davis-Bacon wage rates
- e. Required City specifications
- f. Bid Proposal form

2. Applicant Receipt of Bids:

The applicant shall send out and receive bids from contractors of his choice. Two or more bids shall be obtained. The applicant shall select a contractor and submit the selection to the Community Development Coordinator along with bid information from at least one other bidder.

3. Applicant Approval of Final Application:

The applicant shall approve the final application form.

4. Final Application Approval by City:

The Rehabilitation Committee shall review the final application, considering in particular any changed work items, the final cost of the work and the selected contractor.

D. FINANCIAL SETTLEMENT:

1. Required Documents:

The following documents shall be received and signed, as applicable, during the financial settlement meeting:

- a. Order to Proceed

- b. Truth in Lending
- c. Promissory Note
- d. Opportunity to Rescind
- e. Mortgage
- f. Contract

2. Contractor's Signature:

The Building Rehabilitation Specialist shall obtain the signature of the contractor on the contract.

E. CONTRACT MANAGEMENT:

1. Proceed Order:

The proceed order shall be sent to the contractor.

2. Building Permits:

The Building Rehabilitation Specialist shall obtain a copy of any required building permits.

3. Non-Permit Items - Final Inspection:

Upon notification from the contractor that all non-permit items are completed, the Building Rehabilitation Specialist will make a final inspection of those items.

4. Permit Items - Final Inspection:

Upon notification from the contractor that all permit items are completed, the Building Inspections Office will make a final inspection of those items.

5. Applicant's Approval Statement:

The Building Rehabilitation Specialist will obtain the applicant's approval and Owners Completion Reports.

6. Contractor's Payment Request:

The following shall be received prior to processing the contractor's payment request:

- a. Invoice
- b. Final Inspection and Owners Completion Reports

c. Loan Adjustment (if needed)

F. CASE CLOSE OUT AND REQUIRED RECORDS:

The Community Development Coordinator shall be responsible for the case close out and required records according to the guidelines mentioned in Homeowner Housing Rehabilitation Program Administration (Section IX).

G. LATE LOAN PAYMENTS:

The same procedure concerning late loans will be used as stated in Homeowner Housing Rehabilitation Program Administration (Section IX).

H. SUBORDINATION:

A borrower may receive one subordination of the City's mortgage to a new or refinanced mortgage from a financial institution for any reason, provided that "cash out" does not exceed \$7,000 and the new debt-to-value is no more than 90%. A second subordination will only be considered if there is no cash out and there is an interest rate reduction of at least 1.0%. A charge of \$50 will be assessed to defer the city's costs for the subordination processing.

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SECTION XI

DEMOLITION PROGRAM ADMINISTRATION

A. INTRODUCTION:

This Section is an overview of the administrative responsibilities of the Demolition Program (Section V).

B. APPLICATION PROCESS:

1. Potential Applicants:

Interested applicants should notify the Community Development Coordinator, who shall determine financial eligibility and ownership of the property, a field inspection by the Building Rehabilitation Specialist, and review of the program requirements.

2. Demolition Work Write-Up:

The Building Rehabilitation Specialist shall develop a detailed demolition work write up which identifies the required demolition work to be done, including the structures, foundations, trees and other items to be removed.

3. Applicant Approval of Work Write-Up:

The applicant shall approve and sign the demolition work write-up.

C. BIDDING AND APPROVAL PROCESS:

1. Pre-Qualified Bidders:

The Building Rehabilitation Specialist shall pre-qualify contractors and maintain a demolition contractors list. However, contractors may be removed from the list, by action of the Rehabilitation Committee, based on poor performance. A State license is required for residential demolitions. The experience of the contractor shall determine qualifications for commercial demolition.

2. Bid Mailings:

Bid requests are sent to contractors in accordance with the City's purchasing department requirements based upon the estimated cost of the project and to contractors on the demolition contractors list.

3. Bid Openings:

The sealed bids will be received, publicly opened and read by the City Clerk's Office,

using standard City bidding procedure.

4. Applicant Approval of Final Application:

The Building Rehabilitation Specialist shall obtain final approval of the applicant on the final demolition application form.

5. Application Approval by City:

The Rehabilitation Committee shall review the application, the work items, the cost of the work and the contractor prior to approving the demolition project.

D. SETTLEMENT DOCUMENTS:

1. Required Documents:

The following documents must be executed by the applicant if the demolition project is not part of a commercial improvement project:

- a. Waiver of Claim to Personal Property
- b. Authorization and Release for the Removal of Real Property
- c. Proceed Order
- d. Contract

2. Contractor's Signature:

The Community Development Coordinator shall obtain the signature of the contractor, City Manager, and City Attorney on the demolition contract after City Council approval of the expense if applicable.

E. CONTRACT MANAGEMENT:

1. Utilities:

The Building Rehabilitation Specialist shall verify appropriate utility displacement. However, full responsibility for utility shut off or removal, as appropriate, shall rest with the owner and contractor prior to work being started.

2. Proceed Order:

The Community Development Coordinator shall forward the demolition contract and Order to Proceed to the contractor and applicant.

3. Demolition Permit:

The contractor shall obtain the proper permit from the Building Inspections Office.

4. Project Management:

Any problems during the demolition work are to be worked out with the Building Rehabilitation Specialist, and/or the Building Inspections Office, as appropriate.

5. Final Inspection:

After notification from the contractor that all work has been completed, the Building Rehabilitation Specialist shall do a final inspection.

6. Applicant's Approval Statement:

Upon doing the final inspection and the approval report, the Building Rehabilitation Specialist shall obtain the applicant's written approval of the demolition work.

7. Contractor's Payment:

A request for payment will not be processed until the following executed documents are received:

- a. Contractor's invoice
- b. Final Inspection Completion form
- c. Owners Completion Report

F. CASE CLOSE OUT AND REQUIRED RECORDS:

1. Submittal of Invoice:

The Community Development Coordinator shall submit the invoice for payment.

2. Master Demolition File:

A record shall be posted to the file of the completed demolition work.

3. Close Out Documents:

The Community Development Coordinator shall close out the case file by preparing a file cover sheet and checking that the following documents are in the file:

- a. Owner's request letter

- b. Inspection's "Dangerous Building" form, if applicable
- c. Approved application
- d. Contract
- e. Demolition Work Write-Up
- f. Invoices, Purchase Orders and Change Orders (if applicable)
- g. Proceed Order
- h. Inspections Report
- i. Applicant's Approval Statement
- j. Environmental Review

DRAFT

SECTION XII

HOMEOWNER HOUSING EMERGENCY REPAIR PROGRAM ADMINISTRATION

A. INTRODUCTION:

This Section is an overview of the administrative aspects of the Single Family Emergency Rehabilitation Loan Program (Section VI). The same administrative guidelines as discussed in Section IX (Homeowner Rehabilitation Administration) of this Manual shall apply for this Program, except for the additional waiver allowances listed below.

B. WAIVER ALLOWANCES:

Under emergency conditions, the Rehabilitation Committee may waive formal eligibility procedures and the formal bidding process. The work may be assigned by the Building Rehabilitation Specialist to a qualified contractor who can accomplish the job in a timely manner. Additional non-emergency repairs must meet the administrative guidelines as discussed in Section IX (Homeowner Rehabilitation Administration).

DRAFT

APPENDIX A

CLASSIFICATION OF ELIGIBLE WORK ITEMS

REHABILITATION PROGRAMS III, IV, VI

A. INTRODUCTION:

For a rehabilitation project, the Building Rehabilitation Specialist will make a determination on a final list of eligible work items using this classification system. In the event that all items on the list cannot be repaired due to maximum loan limits, deletions will be made based on the following described criteria. Severe code violations will not be deleted. Deletions of other items and/or violations shall be made in the following order:

1. General Improvement Items
2. Garage Repairs
3. Incipient Code Items
4. Code Violations

B. WORK ITEM CLASSIFICATIONS:

1. General Improvement Items:

These are improvements to residential property, other than code or incipient code items, that relate to the primary dwelling. Final approval of all general improvement items will be made by the Rehabilitation Committee.

Ineligible general improvement items include, but are not limited to:

- | | |
|-------------------------|-------------------------------------------------|
| Barbecue Pit | Kennels |
| Bath House | Tree Surgery (Other than a hazardous condition) |
| Burglar Alarms and Bars | Swimming Pools |
| Dishwashers | T.V. Antenna |
| Flower Boxes | |
| Green Houses | |

2. Garage Repairs:

These are any item qualified under the Homeowner Housing Rehabilitation Program (Section III, Part E), except for general improvement items. Any new siding or roofing materials must match those on the house where feasible.

3. Incipient Code Items:

These are code items that, in the opinion of the Building Rehabilitation Specialist, will likely deteriorate into actual code violations in the near future.

4. Code Violations:

These are City Property Maintenance Code Violations not covered under the "Severe Code Violations" classification.

Included in this category shall be items required under the Michigan Building Code (MBC) and Michigan Residential Code (MRC), and Michigan State Energy Code to ensure the adequate and efficient conservation of energy.

5. Severe Code Violations Listing:

These are City Housing Code violations that directly and immediately endanger the public health, safety and welfare. The following sections explain those situations considered to be extreme. These repairs must be done prior to that of any other repairs or improvements.

a. ELECTRICAL: An electrical deficiency shall be deemed severe if it contributes to any of the following:

1. Severe over-loading.
2. Non-insulated wiring in close proximity to heat runs, plumbing systems or appliances.
3. Completely failed system.
4. Failed system connected to electrically operated heating plants.
5. Unprotected (not fused or no breaker) circuits.
6. Ungrounded or improperly grounded circuits or systems.
7. Outlets, switches or fixtures that contribute to immediate shorts, shocks, sparks or possible fire.
8. The accumulation of water near electrical equipment appliances or fixtures.

b. PLUMBING: A plumbing system deficiency shall be deemed severe if it contributes to any of the following:

1. Severely leaking supply lines.

2. Severely leaking or obstructed waste lines, vents or traps.
 3. Lack of an operable flush toilet.
 4. Lack of operable washing and/or bathing facilities.
 5. Cross connection of supply and waste lines.
 6. Failed septic tanks and dry wells.
 7. Water heaters that are unsafe due to: a leaking heat exchanger or tank, lack of proper or obstructed venting, connection to an unsafe fuel supply, inoperable or lack of proper safety valves, switches or other safety controls.
 8. Any plumbing system deficiency causing a sewer gas leak into the interior of the structure.
- b. HEATING: A heating system deficiency shall be deemed severe if it contributes to any of the following:
1. Burned or rusted out heat exchanger.
 2. Obstructed or lack of proper venting.
 3. Connection to an unsafe fuel supply.
 4. Inoperable or lack of proper safety valves, switches and other safety controls.
 5. Incapable of adequately heating the living space.
- d. STRUCTURAL: A structural deficiency shall be deemed severe if it contributes to any of the following:
1. The structural system (walls, chimney, roof, foundation, ceilings and floors) not safely carrying design imposed loads- or exhibiting extensive sagging due to material decay, fracturing or improper design.
 2. The structural system in potential danger of collapse
 3. The structural materials being excessively deteriorated or damaged allowing animals or excessive amounts of water to enter the interior of the structure, excluding open porches or steps.
 4. Water drainage causing significant damage or seepage into the structure.

e. SANITATION: A sanitation deficiency shall be deemed severe if it contributes to any of the following:

1. The presence of sewage above ground level from a failed or improperly maintained septic or other waste system.
2. Dangerous infestation of the structure or exterior from insects or rodents.
3. The dangerous accumulation of litter, garbage, debris or abandoned vehicles, endangering the occupants of the dwelling unit or other structures.

DRAFT

MEMORANDUM

To: Hon. Mayor and City Council Members
From: Jennifer Stowell, City Manager's Office
Scott Smith, City Attorney
Date: April 4, 2023
Subject: Kent Industrial Center Special Assessments
Meeting: April 10, 2023 Work Session

What is now Roger B. Chaffee Memorial Drive was once the main runway for Kent County's airport that operated from 1919 until the mid-1960's. Beginning in 1966, Kent County platted that property as an as two Kent Industrial Center Plats. Soil was placed over parts of the runway to form the medians in Roger B. Chaffee Memorial Drive. At some points, holes were excavated and/or drilled in the runway under those islands for planting trees. An irrigation system was installed, and grass and other vegetation was planted. Until recently, the county retained ownership of the medians, entry signage and some buffer strips.

A recorded amendment to the covenants and restrictions covering Kent Industrial Center and Kent Industrial Center No. 2 requires payments by owners of property within the plats to pay costs determined by the Kent Industrial Center Association of Property Owners (the "Association") board of directors "to be necessary for the maintenance of landscaped buffer strips, medians, and entrances" allocated by a formula based on the number of units assigned each parcel as follows:

For each parcel in a median	5 units per acre
For each parcel fronting on Roger B. Chaffee to a depth of 400 feet	3 units per acre
Any other property in the plat	1 unit per acre
Parcel size to be figured to the nearest 1/10 acre	

A 1977 amendment to its articles of incorporation states that the Association is a nonprofit corporation formed in 1969 for the following corporate purposes:

This organization is formed exclusively for non-profit purposes as those terms are used in Section 501(c)(4) of the Internal Revenue Code of 1954, as amended, (or the corresponding provisions of any future United States Internal Revenue Law). Consistent with the foregoing, the purposes are as follows:

(1) To provide for the maintenance of buffer strips, medians, entrances, and identification structures in the Kent Industrial Center (the term "Kent Industrial Center" as used herein shall include property platted as Kent Industrial Center and Kent Industrial Center No. 2), whether or not such areas are located within the boundaries of a dedicated street or not.

(2) To take title to such landscaped buffer strips, medians, and entrances and such other real estate as shall be appropriate to the purposes of this corporation.

(3) To secure compliance with the protective covenants of record affecting Kent Industrial Center.

(4) To establish, maintain, and operate an information office in Kent Industrial Center; provided, however, no such office shall be established unless prior written approval is obtained from the County of Kent.

The articles of incorporation also provide for member votes and for the powers of its board of directors as follows:

community • safety • stewardship

CITY COUNCIL

Robert Arnoys Tommy Brann Sheldon DeKryger Renee Hill Marissa Postler Robert Postema
Kent Vanderwood, Mayor

ARTICLE IX.

Membership

Membership in this corporation is limited to owners or lessees of real property within the Kent Industrial Center, whether such owner be an individual, a partnership, or a corporation, as further defined and described in the by-laws. Each member is entitled to be represented at any membership meeting by any person designated by the owner for that purpose. Voting power at corporation meetings shall be based upon the acreage owned by each owner within the Kent Industrial Center, one vote per acre or part thereof. Each owner shall have at least one vote, no matter how small his parcel of land. The membership shall have at least one meeting per year and such additional meeting or meetings as shall be called by the Board of Directors. The time and place of such membership meeting shall be set by the by-laws.

ARTICLE X.

Board of Directors

The management and control of this corporation shall rest in a Board of Directors to be selected by the membership. The Board of Directors shall consist of not less than three nor more than seven members. The terms of office of directors, number and selection of officers, and time and place of meetings shall be determined by the By-laws of the corporation. All the powers of the corporation shall be exercisable by the Board of Directors and no action other than election of directors shall require a vote of the membership, except where action by the membership is required by law. The Board of Directors shall have the power to adopt and amend By-laws; provided, that the Board of Directors shall not make nor alter any by-laws fixing their qualifications, classifications, or term of office.

All property owners have a vote at an annual meeting. The numbers of votes they have is based on the acreage they own. The elected board of directors is empowered to make decisions for the association. As in the plat documents, the allocation of costs, billing and collection is provided for in the Association's articles of incorporation as follows:

(1) Any expense determined by the Board of Directors of this corporation to be necessary for the maintenance of landscaped buffer strips, medians, and entrances shall be paid by the members on the basis of the property which they own in Kent Industrial Center in the following proportion:

For each parcel in a median	-----	5 units per acre
For each parcel fronting on Roger B. Chaffee Blvd. to a depth from the front lot line of 400 feet	-----	3 units per acre
Any other property in the plat	-----	1 unit per acre

The Board of Directors of said Corporation shall determine the total number of units and shall divide the total expense by the number of units, and it shall notify each member of the dollar amount of his obligation and the date by which it must be paid. If any member fails to make the payment at the time required, the corporation may bring suit to collect said amount or may ask that the appropriate municipality shall levy a special assessment to thereafter maintain the landscaped areas, and the Association is hereby granted the irrevocable authority to sign on behalf of all members and to vote on behalf of all members in favor of such special assessment, and to do any other acts on behalf of all members which may be necessary or useful in establishing such special assessment district. This allocation of expense shall be done for the expense for maintenance for the calendar year 1969 and all years thereafter.

As often occurs in such organizations, very few persons have carried the organizational load. Dan DeRyke of Bouma Corporation initially got involved decades ago at the direction of his boss and has continued to provide the annual billing and collection. He reports that despite having 125 parcels (a number

MEMORANDUM

Kent Industrial Center Special Assessments

April 4, 2023

Page 3 of 4

that varies with lot splits and combinations), at some annual meetings there are only about 7 persons attending. In addition, the billing and collection is time consuming and vexatious. Some property owners are shocked they have this payment obligation even though it is clearly provided for in the plat documents. Some property owners are large corporations that can't seem to get the annual billing to the right department and right person to make payment. Owners of some property that has no Roger B. Chaffee Memorial Drive frontage argue they should not be assessed even though this obligation is clearly providing in the plat documents. This means a number of the annual bills remain unpaid.

Operation of the irrigation system is also time consuming and increasingly difficult. There are 14 well pits with valves that have to be manually turned on and turned off. Parts are no longer made for the system so, from time-to-time, parts are specially fabricated. Therefore, the sprinkling system will soon need replacement. Median trees matured and blew down or were removed due to their decay. While some property owners are individually willing to contribute to replacements, it is difficult to discern exactly where the holes in the pavement are so trees will grow.

Consequently, as contemplated in the plats and the Association's articles of incorporation and bylaws, Association leaders asked the city to specially assess the maintenance costs. However, because the county owned the medians, city staff was reluctant to undertake the special assessments. The city cannot legally assess the county without the county's consent and it seemed possible the board of commissioners may consent to one year's assessment but not to an assessment in a subsequent year.

Therefore, with City Council consent, in 2022, the county conveyed the medians to the city along with \$10,000 and the city reconveyed both the medians and the funds to the Association. City staff along collaborated with Association leaders to initiate the special assessment process. Because the Association now owns the medians, the median owner's share of the costs will be spread among other property owners in accordance with the second two factors in the allocation formula.

City staff members attended a February Association meeting which was attended by dozens of property owners/representatives and at which the special assessments were discussed. Sentiment generally seemed to be understanding and accepting.

The initial special assessment resolution (setting a public hearing on creating the special assessment district) will be on the April 17, 2023, City Council agenda. It is intended the final resolution will be adopted at the May 15 meeting so the special assessment can be billed on the July summer tax bills. To minimize the costs of the assessments (notices of the two public hearings need to be mailed and published) and to minimize the burden on the Council, city staff, and Association members, it is proposed that the assessments be for a 5-year period based on cost projections and some added amounts to be accumulated to fund irrigation system replacement. The city assessor's office prepared a map of the proposed special assessment district showing the parcels affected by the 400-foot depth factor is attached on the following page.

The assessor's office prepared the following tabular summaries of the special assessments:

Special Assessment Roll Year	2023	2024	2025	2026	2027
Annual Landscape & Sprinkler Services	\$ 86,082	\$ 86,082	\$ 86,082	\$ 86,082	\$ 86,082
Sprinkling System Upgrade	<u>\$ 16,000</u>	<u>\$ 16,000</u>	<u>\$ 16,000</u>	<u>\$ 16,000</u>	<u>\$ 16,000</u>
Total	\$102,082	\$102,082	\$102,082	\$102,082	\$102,082
Special Assessment Roll Statistics					
Number of Parcels in the Special Assessment District	125				
Average Assessment	\$816.66				
Lowest Assessment	\$37.95				
Highest Assessment	\$4,547.40				

The 2023 assessed amount will be a bit higher to cover mailing and publication costs for the public hearing notices.

