



**Neighborhood  
Services**

# **2023 Annual Action Plan**

**One-Year Implementation Plan for  
Community Development  
PY 2023-2024**

## **Executive Summary**

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

#### **1. Introduction**

The City of Tyler (the City) is a federal entitlement community under the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership. As a HUD entitlement community, the City is required to prepare an Annual Action Plan to implement the CDBG and HOME program that funds housing, community development and economic development within the community. The City of Tyler Annual Action Plan covers the period from October 1, 2023 to September 30, 2024.

The City of Tyler will receive \$754,440.00 in CDBG funds and \$389,456.00 in HOME funds for the 2023-2024 program year. This is the fifth (5th) year to implement the high priority needs that are identified in the City of Tyler's Five (5) Year Consolidated Plan (2020-2024). In this fifth (5th) year, CDBG and HOME funds are allocated to Homebuyer's Down Payment Assistance, Code Enforcement, Demolition, New Construction, Public Facilities and Improvements and Program Administration. During the development of this plan, the City used an effective citizen participation process in compliance with the regulations set forth in 24 CFR Part 91.

The City's Community Participation Plan encourages and empowers citizens to participate in the development of viable urban programs. The City utilizes the public input received to help establish strategies and priority needs to guide the development of the Annual Plan.

Two (2) public hearings were held to solicit input from residents, developers, contractors, and social service providers in Tyler. There were no public comments received regarding allocating 2023-2024 funding to address community needs and potential partnerships to leverage resources.

The projects and programs described in the Annual Action Plan are aligned with the Strategic Plan, as outlined in the 2020–2024 Consolidated Plan. The Annual Plan for the 2023– 2024 Program Year will place considerable emphasis on improving public infrastructure by leveraging public funds and entitlement funds. In addition to the alignment to the Strategic Plan, other federal requirements will be considered to determine if a project is eligible for CDBG and HOME funding. Any project or activity must meet the one of the three (3) National Objectives to be eligible [24 CFR 570.200 (a)]: 1) Benefit low to moderate income persons, or 2) Prevent slum or blight; or 3) Meet an urgent need.

#### **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 Action Plan defines the fifth-year activities in relationship to the five (5) year goals and objectives of the Consolidated Plan covering fiscal years 2020-2024. The Action Plan provides a brief description of the programs and projects of the City of Tyler in Fiscal Year 2023-2024, as well as funding announcements for the CDBG and HOME program. The City established four (4) priorities based on the analysis of market and community conditions, and input from Tyler residents and service providers:

1. Decent Affordable Housing
2. Public Facilities and Infrastructure
3. Code Enforcement
4. Demolition

Furthermore, the City of Tyler is using the three (3) main components of the HUD Outcome Performance Measurement System: Objectives, Outcomes, and Indicators.

The HUD's Performance Measurement System is closely related to the objectives. The program outcome helps further refine the grantee's objective and is designed to capture the nature of the change or the expected result of the objective that a grantee seeks to achieve. The three (3) outcomes are: Availability, Affordability and Sustainability.

There are some common indicators that will be reported for nearly all program activities. The four common indicators are:

1. Amount of money leveraged from other Federal, State, Local and private sources, per activity.
2. Number of persons, households, businesses, units, or beds assisted as appropriate.
3. Income levels of persons or households by 30 percent, 50 percent, 60 percent, or 80 percent of area median income.
4. Race, ethnicity, and disability rate for activities that currently report these data elements.

In accordance with the priorities identified and outlined in the City's Consolidated Plan, public infrastructure projects, Down Payment Assistance Program (to assist at least 10 families), Demolition Program (assist in eliminating at least 10 buildings causing slum and blight, New Construction for decent, affordable housing, Public Facility and Infrastructure Programs were identified for PY23 allocation. The project/programs will serve low to moderate income areas and households within the City. The project/programs meet national goals and support ongoing efforts in the community to address the growing population.

The city will monitor the performance measures and outcomes of each project and program by utilizing internal tracking systems and HUD's Integrated Disbursement and Information System.

### **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 has assessed the effectiveness of its performance in the achievement of its Annual Action Plan strategies, objectives, and priorities; and has concluded that the City is currently meeting its expected annual performance measures. Of importance to the health of the City, there have been programs that address the conditions of the housing stock and dilapidated homes within the City. The City has been able to promote safety and wellness through the tagging and demolishing of homes and infrastructure projects. Emphasis has also been placed on citizens to improve their home and property once it has been tagged. These continued efforts should ensure that the City will be able to continue to achieve substantial progress in meeting its neighborhood revitalization goals.

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

The City of Tyler's goal for citizen participation is to ensure a broad participation of City residents, housing, economic and service providers in the planning and implementation of community development and housing programs. The City also seeks valuable input from citizens regarding the lack of affordable housing and homeless needs of low-income and moderate-income residents. Citizen Participation takes the form of advertised public hearings. The consultation and public participation process for the development of this year's Annual Action Plan consisted of two (2) public hearings. Public notice of the meetings was publicized in local newspaper in the accordance with the Community Participation Plan. In addition, staff met with City officials to identify projects and possible partnerships for funding.

#### **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.

*On June 29th and July 6, 2023, from 6-8 PM, Neighborhood Services held two (2) public hearing in efforts to obtain citizen comments regarding community needs and priorities for affordable housing prior to developing the Draft Annual Action Plan. A third public comment period was also held during the City Council meeting on July 12 to obtain citizen comments regarding the Draft Annual Action Plan prior to the City adopting the Annual Action Plan. No comments were made. Below are some of the programs/projects that were mentioned during the public hearing.*

- *New construction for the phase 2 development of Hidden Palace Home where four (4) affordable single homes will be built*
- *First-Time Homebuyers where five (5) homes will be sold to families of the completed homes in Phase 1 of Hidden Palace development.*
- *Public Facilities - park improvements or street improvements in low-mod income areas*
- *Demolition and clearance of substandard properties*
- *Transitional Homes by partnering with area agencies to address homelessness*

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

Although there was previous valuable input provided by the citizens, some of the ideas were not achievable due the City funding allocation and capacity.

## **7. Summary**

The Community Development Block Grant and HOME Investment Partnership grant, including the HOME-ARP Grant at this time, is provided through the US Department of Housing and Urban Development (HUD) Office of Community Planning and Development. Due to its size and composition, the City of Tyler is classified as an entitlement community and participating jurisdiction. This means that Tyler does not apply for the CBDG and HOME grants but are awarded CDBG and HOME funds at levels based on a HUD formula involving population and demographics. To receive CDBG and HOME funds, the City must complete a Consolidated Plan every five (5) years and Annual Action Plan each year, based on the Consolidated Plan that details the uses of funds.

The City of Tyler reviewed its 5-Year Consolidated Plan as well as assessed the needs of the community to identify program/activities that will be beneficial to the low to moderate communities. All citizen's input were taken into consideration when staff selected program and activities for this fiscal year The City is committed to providing programs that will enrich the community and encourage affordability, accessibility, health, and wellness of the population we serve.

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

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

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

Agency Role	Name	Department/Agency
Lead Agency	TYLER	
CDBG Administrator	TYLER	City of Tyler Neighborhood Services
HOPWA Administrator		
HOME Administrator	TYLER	City of Tyler Neighborhood Services
HOPWA-C Administrator		

**Table 1 – Responsible Agencies**

### Narrative (optional)

The City of Tyler's Neighborhood Services Department is responsible for preparing the Consolidated Plan. The Department's Administrator and Community Development Manager administer both the CDBG and HOME grant.

### Consolidated Plan Public Contact Information

Neighborhood Services is to receive inquiries and comments from the public and other stakeholders regarding the Annual Action Plan. The phone number is 903-531-1303. The fax number is 903-531-1333. The address is 900 W Gentry, Tyler, Texas, 75703. The email address is nbsreception@tylertexas.com . Website: <https://www.cityoftyler.org/government/departments/neighborhood-services>

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

### **1. Introduction**

The development of the 2023 Annual Action Plan included many opportunities for citizen and stakeholder input. Not only with two public hearings on June 29th and July 6th, there were various public sessions and meetings with agencies where input could be provided. The draft plan was posted on the City's website, and copies were available at the office of Neighborhood Services for anyone to pick up for review. Additionally, a 30-day period was open for citizens to send by email, written responses and/or suggestions to gather input for the draft Annual Action Plan.

### **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's 2020 - 2024 Consolidated Plan Non-Housing Objective 4 included objectives and specific strategies related to meeting the needs of homeless and populations with special needs, including efforts related to ending chronic homelessness. A major component of the City's strategy includes the continued participation in the East Texas Human Needs Network (ETHNN) and support of the various agencies and organizations that provide supportive services and emergency, transitional, and permanent housing. The City has received HOME-ARP Funding that is also being utilized for this cause and the City is working diligently to utilize the fund in the best manner for the City and its participants and will continue with these efforts as described in the Consolidated Plan.

### **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.**

The City of Tyler did not apply for ESG funds. Coordination with Texas Balance of States COC takes place with East Texas Human Needs Networks, PATH, Salvation Army, Gateway to Hope (Hwy 80 Rescue Mission), and Mayor's Veteran Roundtable to end homelessness for the City's jurisdiction. The Texas Balance of States COC administers the operations of the HMIS system.

### **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 Tyler did not apply for ESG funds. Coordination with Texas Balance of States COC takes place with East Texas Human Needs Networks, PATH, Salvation Army, Gateway to Hope (Hwy 80 Rescue

Mission), and Mayor's Veteran Roundtable to end homeless for the City's jurisdiction. The Texas Balance of States COC administers the operations of the HMIS system.

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



**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	The Salvation Army - Tyler
	<b>Agency/Group/Organization Type</b>	Housing Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Tyler has an on-going relationship with Salvation Army-Tyler. During the year, Neighborhood Services often receive calls from residents asking for information on resources for immediate shelter. The City works throughout the year with Salvation Army - Tyler via community boards to meet the needs of those who are homeless. The anticipated outcome will be to assist as many individuals and families with immediate shelter as possible.
2	<b>Agency/Group/Organization</b>	PATH
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Elderly Persons Services-homeless Services-Health Services-Employment Neighborhood Organization

	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Tyler has an on-going relationship with PATH. During the year the City receives calls regarding rental, utility, and food and prescription assistance. The City works to meet the needs of those clients by referring the clients to PATH whose non-profit organization has numerous programs to assist low-income families such as food pantry, transitional housing, rental assistance and prescription assistance. The anticipated outcome will be to reduce the number families facing homelessness, hunger, eviction and health issues by services provided by PATH.
3	<b>Agency/Group/Organization</b>	Tyler Housing Agency
	<b>Agency/Group/Organization Type</b>	Housing PHA Services - Housing Services-Elderly Persons Services-Persons with Disabilities Services-homeless Services-Education Services-Employment Service-Fair Housing Grantee Department
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Tyler Housing Agency currently has 1,008 tenant-based Housing Choice Vouchers to assist with subsidizing rent. The Agency also administers the Family Self Sufficiency program which assist with goals to complete college degrees, homeownership and start businesses. The City has worked closely with clients who participated in the homeownership program by providing down payment and closing cost assistance. The anticipated outcome is to continue to partner with the agency on housing and educational resources for those who participate in the programs.
4	<b>Agency/Group/Organization</b>	Camp V
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Persons with Disabilities Services-homeless Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homelessness Needs - Veterans Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City of Tyler establishing relationship with Camp V for their efforts as a Community Assisting Military Personnel and Veterans. The agency's goal is to help veterans who may be suffering, in need help and are on the verge of becoming homeless. Discuss way to help with strategies and possible use of HOME-ARP funds to work together in efforts to prevent homelessness.

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

All applicable agency types were consulted. Tyler Agency is in continuous communication with business leaders, civic leaders, nonprofit organizations etc... throughout the year in an effort to identify how the federal CDBG and HOME programs can assist the community. We specifically set focus meetings with agencies, during the production of the annual action plan, that provide services which are inline or directly support the objectives identified in the 5-year consolidated plan.

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

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care	Texas Balance of States	The efforts to end homelessness including chronic homelessness overlap. Providing affordable housing to homeless persons and special needs populations also overlap.
Comprehensive Economic Strategy Plan	East Texas Council of Government	An effort to bring together the public and private sectors in the creation of an economic roadmap to diversity and strengthen economies.
Veterans Strategic Plan	Mayor's Veterans Roundtable	Leverage resources between social service organizations to provide assistance to low/mod families who are veterans.
Comprehensive Community Needs Assessment	East Texas Needs Human Needs Network	Work together to strengthen programs, connection and improved awareness of services that meet essential human needs such as housing, employment, healthcare and transportation.
Homeless Strategy	Camp V	Work together supportively to reduce homelessness for veterans who may be suffering to adjust to normal life and need assistance.

**Table 3 – Other local / regional / federal planning efforts**

**Narrative (optional)**

## **AP-12 Participation – 91.105, 91.200(c)**

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

The policies and procedures in the Citizen Participation Plan assisted in the development of the 2023 Annual Action Plan. The Citizen Participation Plan details procedures to follow for public hearings, plan amendments, reporting information and public accountability. In general, the stages or events include:

1. Needs Assessment Public Hearing are held twice a year to obtain citizen's views on Annual Action Plan.
2. Adoption of a Consolidated Plan, a plan is adopted every five years that assesses community characteristics and needs, identifies priorities in addressing community needs, and establishes specific objectives that the City intends to initiate or complete during the following five-year period.
3. Adoption of an Annual Action Plan

The public participation process assisted in the development and completion of the City's 2023 Annual Action Plan which provides valuable input and citizen comments regarding the lack of affordable housing and critical public service and homeless needs of low-income and moderate-income residents. Two public hearings were held during the initial development phase. Public notice of the meetings was publicized in the local newspaper and City website in accordance with the Community Participation Plan. In accordance with HUD's initiative to increase the involvement of citizens, especially those of lower-income, in the planning and development stages of the Annual Action Plan, public hearings were held in person at the Neighborhood Services building located prominently at the corner of Palace and Gentry Parkway and at the Glass Recreation Center located in the heart of a low to moderate income community. Meetings were held during daytime and nighttime hours with a bi-lingual person (staff) present in order to accommodate and encourage the attendance of non-English speaking individuals, persons with disabilities, and low-income individuals. The meetings were opened with a summary outlining the need and purpose of the public meetings and the requirements for the Annual Action Plan. Information was made available regarding the City's past, existing, and proposed programs and the availability of funding for affordable housing programs. A brief review was prepared regarding the draft proposed goals and objectives to be included in the 2023 Annual Plan.

The meetings were scheduled to be opened to participants' comments, questions, and discussion and to receive comments on the Annual Action Plan processes, community needs, and eligible projects and activities. The public hearings were scheduled to close after all comments were received and the meeting adjourned. No one attended the public hearings. However, staff received phone calls and requests to meet with City administration during the review period.

The Notice of Public Hearing and Request for Citizen Input for the City of Tyler 2023 Annual Action Plan was published in the Tyler Morning Telegraph newspaper. The notice provided the public with a 30-day comment period prior to the final public hearing on July 6, 2023. The final FY 2023 Annual Action Plan was presented at the City Council meeting held on July 12th, with the request for City Council to approve the Plan. An additional timeline up to July 31, 2023 was added for citizens to have added opportunities to submit comments and suggestions about the Annual Plan. All comments received from the public were addressed before submitting the plan to the U.S. Department of Housing and Urban Development.

### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community	The meetings were attended by a total of 0 persons.	The comments received pertained to Reconstruction		<a href="http://www.cityoftyler.org/Departments/NeighborhoodServices/UpcomingEvents.aspx">http://www.cityoftyler.org/Departments/NeighborhoodServices/UpcomingEvents.aspx</a>
2	Newspaper Ad	Non-targeted/broad community	There were no responses directly related to the newspaper ad.	There were no comments directly related to the newspaper ad.		

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Non-targeted/broad community	There were no responses	There were no comments		<a href="http://www.cityoftyler.org/Departments/NeighborhoodServices/UpcomingEvents.aspx">http://www.cityoftyler.org/Departments/NeighborhoodServices/UpcomingEvents.aspx</a>

**Table 4 – Citizen Participation Outreach**

## **Expected Resources**

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

#### **Introduction**

The City of Tyler receives funding for the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME). During Program Year 2023, the City expects to receive \$754,440.00 in CDBG funds, \$543,580.00 of deobligated funding from prior and \$389,456.00 in HOME funds. Additionally, due to certain ongoing HOME projects, the City anticipates receiving approximately \$600,000 in HOME Program Income from the sale of single-family homes and \$1,312,072.00 in HOME- ARP Funding. CDBG and HOME funds will be used primarily for administration, public facility activities, clearance and demolition, code enforcement, new construction, and providing down payment



assistance.

## 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	754,440	0	543,580	1,298,020	0	CDBG funds will be used for admin and AFFH planning, demolition & clearance, first time homebuyer and public facilities.
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	389,456	0	0	389,456	0	HOME funds will be used for admin and planning, homeowner new construction, and first-time homebuyer.

**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**

Federal funds will be leveraged through the ability of service organizations to raise program funds through outside sources, other adjustments by the City for housing development activities and underdeveloped and low-mod areas, such as waiver of fees for water, sewer, permits, etc. Additionally, consider establishment of neighborhood empowerment zones in partnership with participating entities.

Other sources of funding expected to be received within the region are HUD Housing Choice Voucher Program, Low Income Housing Tax Credit (LIHTC), Federal Home Loan Bank, State funds, private lender financing, private foundation funds, non-profit organizations, for-profit developers, and local contributors. Leveraging will also be accomplished through coordination of programs with non-profit partners and volunteer work groups who will provide labor and assistance.

For the region's HOME participation match requirements, the City considers funding projects that require local match funds. Some of the sources of local match will include:

- Local funds, City or County donated properties, resources by other City departments with fee waivers, reduction, waiver of permit fees, etc.

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

The City will make lots available to developers through the housing infill program (HIP) who will be committed to build affordable housing in the north end revitalization planning area. Priority is given to projects that intend to revitalize neighborhoods and stimulate economic development within the city.

The City of Tyler is proposing to utilize 2023-24 year resources to assist with the infrastructure improvement project, park project or street improvements in a low/mod income area.

**Discussion**

The City of Tyler is proposing to utilize proposed 2023-24 year resources to assist with the infrastructure improvement project and to look at utilizing some CDBG Funding for the creation of a new Affirmatively Furthing Fair Housing and Five Year Consolidated Plan for the Community Development Department that will help guide the City in the next five years of CDBG, HOME and other initiatives that will focus on the Low/mod income areas of town and the persons and families that are in the low/mod income percentage.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Homebuyers	2020	2024	Affordable Housing	City of Tyler	Decent and Affordable Housing	CDBG: \$0 HOME: \$200,000	Direct Financial Assistance to Homebuyers: 10 Households Assisted
2	Public Facilities	2020	2024	Homeless Non-Housing Community Development	City of Tyler	Non-Housing Community Development	CDBG: \$952,132	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 485 Persons Assisted
3	New Construction	2020	2024	Affordable Housing New Construction	Hidden Palace Surrounding Area	Decent and Affordable Housing	HOME: \$150,510	Homeowner Housing Added: 4 Household Housing Unit
5	Reducing Substandard Structures	2020	2024	Housing Community Development	City of Tyler	Reducing Substandard Structures	CDBG: \$70,000	Buildings Demolished: 10 Buildings
6	Public Service	2020	2024	Public Housing Homeless Non-Housing Community Development	City of Tyler	Decent and Affordable Housing	CDBG: \$125,000	Public service activities for Low/Moderate Income Housing Benefit: 1000 Households Assisted

**Table 6 – Goals Summary**

## Goal Descriptions

1	Goal Name	Homebuyers
	Goal Description	Funds will be used to assist 10 households through down payment assistance.
2	Goal Name	Public Facilities
	Goal Description	Rehabilitation and reconstruction of Parks in the City of Tyler Low/Mod Areas.
3	Goal Name	New Construction
	Goal Description	This budget will be related to four (4) new construction projects only.
5	Goal Name	Reducing Substandard Structures
	Goal Description	Funds will be used to provide demolition services to 10 dilapidated single-family structures.
6	Goal Name	Public Service
	Goal Description	An Affermativly Furthing Fair Housing Study and Guide Creation.

## Projects

### AP-35 Projects – 91.220(d)

#### Introduction

The City will make the HOME Program funds available for affordable housing activities throughout the City, with no geographic preference. However, every effort will be made to distribute the funds in a manner that addresses the priorities of needs identified in this plan. This includes distributing the funding throughout a variety of projects and activities that serve the maximum number of low-income, elderly, and special need households.

In accordance with the successful past targeting of federal funds in identified annual target areas, the City has made available a percentage of the CDBG funds for a public infrastructure project located in an “Annual Target Area” of the City. The selection criteria for annual target areas included an analysis of the following: number and percentage of low-income residents, number and percentage of occupied dwelling units needing rehabilitation or reconstruction, opportunities for investment (i.e., availability of infill lots), condition of infrastructure, availability and condition of recreational areas, and/or possible street improvements, past target area designation, existence of active neighborhood associations, interest of residents in forming neighborhood associations, and other information determined by the City to be relevant to the concentrating of neighborhood revitalization funds.

The City of Tyler is proposing to utilize proposed 2023 year resources to assist with the infrastructure improvement project. The projects are set to improve and rehabilitate/ reconstruct parks and if necessary possible street improvements in the low/mod Income Area of the City of Tyler.

#### Projects

#	Project Name
1	CDBG Admin
2	HOME Admin
3	Substandard Structure Program
4	Public Facilities
5	Affirmatively Furthering Fair Housing (AFFH) Study and Guide
6	First Time Home Buyer
7	New Construction

**Table 7 - Project Information**

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

Allocation priorities were based upon the Needs Assessment undertaken as part of the planning process and demand for projects and services in the past. The City identified low-to-moderate income

neighborhoods to address the needs of the lack of proper infrastructure needed to sustain health and wellness. The City has several areas that are have a lack of proper infrastructure. The primary obstacle to addressing underserved needs is the limited resources available to address such needs throughout the City.

The City will continue with efforts to support and facilitate supportive services provided by non-profit organizations. The City of Tyler has CDBG and other funding sources that may be utilized to support non-housing community development needs, including the provision of public facilities, program administration, demolition and clearance, code enforcement, first-time homebuyer, sidewalk improvement projects and other CDBG eligible activities. These funds and services will be expended on priority community needs as described further in this Annual Plan.

**AP-38 Project Summary**  
**Project Summary Information**



1	<b>Project Name</b>	CDBG Admin
	<b>Target Area</b>	City of Tyler
	<b>Goals Supported</b>	Homebuyers Public Facilities New Construction Reducing Substandard Structures Public Service
	<b>Needs Addressed</b>	Non-Housing Community Development Decent and Affordable Housing Reducing Substandard Structures Addressing Homelessness
	<b>Funding</b>	CDBG: \$150,888
	<b>Description</b>	Administration of day to day activities of CDBG funds
	<b>Target Date</b>	9/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1497
	<b>Location Description</b>	900 Gentry, Tyler Texas
	<b>Planned Activities</b>	Administration of CDBG Funded Activities
2	<b>Project Name</b>	HOME Admin
	<b>Target Area</b>	City of Tyler
	<b>Goals Supported</b>	Homebuyers New Construction
	<b>Needs Addressed</b>	Decent and Affordable Housing Addressing Homelessness
	<b>Funding</b>	HOME: \$38,946
	<b>Description</b>	Administrations of HOME Funded Activities
	<b>Target Date</b>	9/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	14
	<b>Location Description</b>	900 Gentry Pkwy, Tyler Texas
	<b>Planned Activities</b>	Administration of HOME Funded Activities

3	<b>Project Name</b>	Substandard Structure Program
	<b>Target Area</b>	City of Tyler
	<b>Goals Supported</b>	Reducing Substandard Structures
	<b>Needs Addressed</b>	Reducing Substandard Structures
	<b>Funding</b>	CDBG: \$70,000
	<b>Description</b>	Reducing the number of substandard structures with in the City Limits of Tyler Texas through the collaboration of Code Enforcement and Neighborhood Services
	<b>Target Date</b>	9/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	10
	<b>Location Description</b>	Within the City limits of Tyler Texas
	<b>Planned Activities</b>	Reducing the number of substandard structures with in the City Limits of Tyler Texas through the collaboration of Code Enforcement and Neighborhood Services
4	<b>Project Name</b>	Public Facilities
	<b>Target Area</b>	City of Tyler
	<b>Goals Supported</b>	Public Facilities
	<b>Needs Addressed</b>	Non-Housing Community Development
	<b>Funding</b>	CDBG: \$952,132
	<b>Description</b>	Rehabilitation and Reconstruction of Parks or Streets in Low/Mod Income Areas of the City of Tyler
	<b>Target Date</b>	9/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	485
	<b>Location Description</b>	Within the City Limits of the City of Tyler
	<b>Planned Activities</b>	Rehabilitation and Reconstruction of Parks of Streets in Low/Mod Income Areas of the City of Tyler
5	<b>Project Name</b>	Affirmatively Furthering Fair Housing (AFFH) Study and Guide
	<b>Target Area</b>	City of Tyler

	<b>Goals Supported</b>	Public Service
	<b>Needs Addressed</b>	Non-Housing Community Development Decent and Affordable Housing Reducing Substandard Structures Addressing Homelessness
	<b>Funding</b>	CDBG: \$125,000
	<b>Description</b>	Creating a new guide and study of Affirmatively Furthering Fair Housing (AFFH)
	<b>Target Date</b>	8/31/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1000
	<b>Location Description</b>	900 Gentry Pkwy, Tyler Texas
	<b>Planned Activities</b>	Creating a new guide and study of Affirmatively Furthering Fair Housing (AFFH)
6	<b>Project Name</b>	First Time Home Buyer
	<b>Target Area</b>	City of Tyler
	<b>Goals Supported</b>	Homebuyers
	<b>Needs Addressed</b>	Decent and Affordable Housing
	<b>Funding</b>	HOME: \$200,000
	<b>Description</b>	Homeownership Assistance - excluding Housing Counseling under 24 CFR 5.100 Down Payment and Closing Cost Assistance for Low/Mod Income Homebuyers
	<b>Target Date</b>	9/30/2024
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	14
	<b>Location Description</b>	900 Gentry Pkwy., Tyler Texas
7	<b>Planned Activities</b>	Homeownership Assistance - excluding Housing Counseling under 24 CFR 5.100 Down Payment and Closing Cost Assistance for Low/Mod Income Homebuyers
	<b>Project Name</b>	New Construction
	<b>Target Area</b>	Hidden Palace Surrounding Area

	<b>Goals Supported</b>	New Construction
	<b>Needs Addressed</b>	Decent and Affordable Housing
	<b>Funding</b>	HOME: \$150,510
	<b>Description</b>	New Construction of Affordable Single Family Structures in the Hidden Palace Target Area
	<b>Target Date</b>	9/30/2025
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	4
	<b>Location Description</b>	1104, 1108, 1112, 1116 Heiress Ct., Tyler Texas
	<b>Planned Activities</b>	New Construction of Affordable Single Family Structures in the Hidden Palace Area

## **AP-50 Geographic Distribution – 91.220(f)**

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

The City of Tyler is proposing to utilize proposed 2023 year resources to assist with the infrastructure improvement project of park land. The projects are set to improve rehabilitate, reconstruct Parks in Low/Mod Income Area of the City of Tyler. The community surrounding the infrastructure project, according to the American Community Survey 2019, Census Tract 48423000201, Smith County, Texas

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
City of Tyler	100
Hidden Palace Surrounding Area	0

**Table 8 - Geographic Distribution**

### **Rationale for the priorities for allocating investments geographically**

Based on the information gained during the development of the Consolidated Plan, the City will make the CDBG Program funds available for public facilities activities located in a proposed development area in the low-mod census tract this also includes distributing the funding for the purpose of promoting health and wellness.

The City of Tyler estimates that 70-90% of the funds will be dedicated to projects in the target areas and will be used to assist a large number of low to moderate income residents.

Target Area: Low to Moderate (LMI) Areas

Percentage of Funds: 70-90%

### **Discussion**

N/A

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

The City maintains a strong commitment to preserving and maintaining the existing supply of affordable housing, as well as increasing the availability of affordable housing opportunities through facilitating and funding new construction efforts. HOME funds specifically target housing activities for low-income persons and families with assistance being provided for homebuyers, homeowners, and new construction activities. CDBG funds are also made available to provide direct assistance with homebuyer and also to fund infrastructure that allow for the new development of infill housing.

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

**Table 9 - One Year Goals for Affordable Housing by Support Requirement**

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

**Table 10 - One Year Goals for Affordable Housing by Support Type**

#### Discussion

The City of Tyler plans to construct four new housing units for homebuyers in the new affordable housing neighborhood, Hidden Palace. The City operates a First Time Home Buyer program and plans to provide down payment assistance for ten first time home buyers.

## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

Tyler does not have an official public housing authority or public housing units.

The City participates in HUD's Housing Choice Voucher Program (HCV) and currently manages a total of 1,022 vouchers, of which 39 allocated for Veterans Affairs Supported Housing (VASH) assistance. The City's HCV Program inspectors ensure that the subsidized housing units continue to meet Housing Quality Standards (HQS) through initial, annual, biennial, and special inspections.

The Housing Choice Voucher Program continues to help through the use of Housing Vouchers for mortgage payments. The Homeownership program is currently assisting several homeowners with their mortgages.

The City's waiting list was opened in 2019 and again in 2021. The City of Tyler currently has 311 people active on the waiting list.

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

Strategy 1.2.4: Coordinate with the Housing Choice Voucher Program (HCVP) to identify homeownership opportunities through their subsidized funds.

Output: Meet with Housing Choice Voucher Program Manager at least annually to discuss homeownership opportunities for participants.

Outcome: HCVP participants that transition into homeownership.

Indicator: The number of HCVP participants that transition into homeownership.

The City of Tyler provides support from its local general fund to assist with economic development activities to attract and retain new businesses and job opportunities that are available to low-income and underserved populations. The City of Tyler's HCV Program has partnered with the local Workforce to develop a job-based curriculum program to enable participants to become gainfully employed while obtaining the experience and skill set to ensure they are marketable within the workforce.

The goal for the participants, who are currently unemployed and/or are seeking better employment, is to become a Qualified & Certified Job Seeker through collaboration with Workforce Solutions East Texas (WSET). This process consists of participants participating in WSET's Qualified Job Seeker Curriculum which occurs through workshop facilitation and the following components/sessions:

1. Effective Job Search-The use and functionality of Work in Texas job search matching system, includes information surrounding the local and national Labor Market;
2. Creating a Dynamic Resume- How to develop and construct a resume, also includes Labor Market Information;
3. Interviewing-The Purpose, the Sell, the Seal. How to communicate verbally and non-verbally;
4. Get Prep'd-Taking initiative, remaining focused on the job, being dependable, problem-solving skills, etc.

Once a participant is Job-Seeker Certified he/she will receive priority service by Industry Team

Professionals. Priority service equates to priority access to available jobs and priority to Job Fairs.

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

The City of Tyler has no public housing. The City administers the Housing Choice Voucher (HCV) Program and the Family Self-Sufficiency (FSS) Program. The FSS program provides participants with opportunity to enter homeownership and achieve personal and professional goals. Participants are able to use their subsidy to pay a portion of their mortgage. To date there are 28 families seeking assistance in the FSS program where the City will help in homeownership with the assistance of the CDBG/HOME funded First-Time Homebuyer's Assistance Program with down payment and closing cost assistance. Community Development staff meets with the FSS and Homeownership staff regularly to strategize how to leverage program and homeownership funds. The meetings are designed to initiate 360-Thinking for participants leading to a decreased dependence on subsidy programs. Staff will continue to provide affordable housing expertise, down payment and closing cost assistance, and programming initiatives to promote self-sufficiency to the program participants. The FSS program serves twenty-eight (28) families currently participating in the Housing Choice Voucher Program who have completed or in the process of completing the following goals:

- Obtaining or maintaining employment
- Created own source of income by opening businesses
- Pursuing higher education
- Entering homeownership

In addition to supporting the HCV FSS and Homeownership Program, the City will continue to provide and expand affordable housing programs to reduce the economic impact of rent and homeownership burdens on low-income households.

- Continue to support local non-profit organizations that provide educational courses in homebuyer and homeowner responsibilities, home maintenance, budgeting, nutrition, parenting, affordable rental units, and other health and human services.
- Continue to provide and expand the Housing Choice Voucher Homeownership Program and apply each year for the Family Self-Sufficiency Program funding. Continue to provide economic development incentives utilizing local funds to encourage the retention and creation of employment opportunities available to low income residents.
- Continue to include and enforce requirements of Section 3 in applicable contracts utilizing federal funds.
- Encourage and initiate efforts to promote collaboration and reduce duplication of effort amongst the region's entities and public service providers.
- Actively participate with other local initiative designed to provide supportive services and environments to assist homeless and special need populations.

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



**provided or other assistance**

The City of Tyler Housing Choice Voucher Program holds a “High Performance” rating status under HUD’s Section Eight Management Assessment Program (SEMAP).

**Discussion**

N/A

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

### **Introduction**

The City's 2020 - 2024 Consolidated Plan Non-Housing Objective 4 included objectives and specific strategies related to meeting the needs of homeless and populations with special needs, including efforts related to ending chronic homelessness. A major component of the City's strategy includes the continued participation in the Texas Balance of States CoC and support of the various agencies and organizations that provide supportive services and emergency, transitional, and permanent housing. The City will continue with these efforts as described in the Consolidated Plan and specific objectives contained in the 2023-2024 Annual Plan.

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

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

The City of Tyler are not recipients of ESG funds, nor will public service funds be allocated to address ending homelessness. However, the City will continue to support homeless providers with leveraging resources through supplying a continuum of services. This will be accomplished through attending at least 3 meetings and support at least one (1) outreach effort to support homeless efforts. Staff will continue to provide assistance for subcommittees, homelessness counts, and Continuum of Care development. Staff also meets with the East Texas Human Needs Network to address homelessness

The following agencies reach out to homeless persons and assess their individual needs such as the need for temporary shelter, transitional housing and other services:

- East Texas Crisis Center offers a short-term, transitional housing program that helps families transitioning out of the center. The center is a 50-facility based bed center servicing a specialized group of individuals who require immediate assistance and protection of identity.
- The Salvation Army of Tyler offers short-term housing to homeless individuals. The shelter is a 172-facility based bed center servicing the Tyler area.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

The City participates with numerous local non-profit organizations in the Texas Balance of States CoC and continue with efforts to increase coordinated services for the homeless and reduce duplication of effort. A special focus of the organization has been on efforts to prevent homelessness by active and appropriate referral services and community education efforts. Other efforts to prevent homelessness includes the continued on-going technical assistance to local service providers to increase their organizational capacity and ability to provide effective services.

Member organizations include East Texas Crisis Center, PATH, Salvation Army, United Way, East Texas

Cares Resource Center, The Andrews Center, and Habitat for Humanity, Meals on Wheels, East Texas Food Bank, and others. These organizations continued to provide emergency shelter and transitional housing needs, in addition to actively identifying and seeking other resources.

During the development process of the 2020-2024 Consolidated Plan, these organizations actively assisted with addressing shelter and health and human service needs of the City's homeless population. This process included the identification of homeless needs, homeless providers, and gaps in services, and resulted in the formulation of goals and objectives to be implemented and accomplished during the next 5-year period.

The coalition continues to make progress in implementing the goals and strategies contained in the Continuum of Care, including the development of by-laws, informal agreements, the solicitation of additional partners, and networking/information-sharing amongst agencies.

Local non-profit organizations that provide services to the homeless are successful in maintaining their resources through active fund-raising, grant-writing, and seeking donations from trusts and foundations. Tyler City Council appointed a Mayor's Veterans Roundtable to develop and implement a Community Blueprint for supporting and enhancing Veterans services in the community. The current focus of the Roundtable priority is to increase housing opportunities for disabled veterans. The City and its support services partners are pursuing new grant opportunities to promote a project specific voucher program and the development of other supportive housing services for veterans.

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

The City of Tyler actively participates with local initiatives designed to provide supportive services and environments to assist homeless and special need populations. Consultation with Texas Balance of States COC takes place with ETHNN, PATH, Salvation Army, Gateway to Hope and Mayor's Veteran Roundtable to end homeless for the City's jurisdiction. These organizations help provide permanent supportive housing and assists with linking the clients to services to include independent living skills. The City has non-HUD funds that it uses to provide needed public services from non-profit agencies to the community that would include assistance to the homeless and chronically homeless.

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

**employment, education, or youth needs.**

Homebuyer education and counseling is provided to voucher holders and other low-income families in order to facilitate homeownership opportunities for low-income and minority households. The City will continue to provide and expand the Housing Choice Voucher Homeownership Program and apply each year for the Family Self-Sufficiency Program funding which is designed to provide supportive and educational services leading to a decreased dependency on subsidy programs; Continue to provide economic development incentives utilizing local funds to encourage the retention and creation of employment opportunities available to low-income residents; Continue to include and enforce requirements of Section 3 in applicable contracts utilizing federal funds; Encourage and initiate efforts to promote collaboration and reduce duplication of effort amongst the region's entities and public service providers; Actively participate with other local initiative designed to provide supportive services and environments to assist homeless and special need populations.

**Discussion**

Coordinated efforts to provide funding and facilities to the non-profit agencies providing housing and services to the homeless population in the City of Tyler are on-going.

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

### **Introduction:**

The Analysis of Impediments to Fair Housing Choice provides a list of impediments to fair housing in Tyler. These impediments are identified in the Analysis of Impediments completed on August 15th, 2015. The City will be evaluating the recommending remedial actions and will continue its implementation of those recommendations that are feasible during FY 2023. In the City of Tyler, the primary barriers to affordable housing are not created through local policies. The City has made a concerted effort to streamline the development process and offer fee waivers for some development fees.

### **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 has executed and continue to develop the following Action Plan items: To remove the barriers identified through the 2015 Analysis of Impediments to Fair Housing Choice, the City proposes the following Action Plan: 1) Continue to work with local developers and non-profit organizations to expand the stock of affordable housing. 2) Increase homebuyer outreach and education efforts to increase the number of low to moderate income individuals who apply for mortgage loans. 3) Partner with lending institutions to ensure that banking services are extended to all low-income census tracts and to provide greater outreach to the low-income communities to lessen the use of predatory lenders. 4) Encourage the Chamber of Commerce or another local entity to consider establishing a consumer hot line for receiving complaints relative to industry practices cited. 5) The Chamber of Commerce should continue to work on expanding job opportunities through the recruitment of corporations, the provision of incentives for local corporations seeking expansion opportunities, assistance with the preparation of small business loan applications, and other activities aimed at reducing unemployment and expanding the base of higher income jobs. 6) The City of Tyler, in conjunction with the Chamber of Commerce, should become more active in supporting recruiting industries that match the demographics of the populations most unemployed, as a means of decreasing poverty rates, and increasing incomes and home ownership rates in the city. 7) Design and implement a Centralized Program of Self-Help Initiatives based on volunteers providing housing assistance to designated elderly and indigent property owners and assist them in complying with municipal housing codes. 8) Increase fair housing education and outreach. 9) Continue to disseminate regularly, fair housing materials with a focus on the protected groups. 10) Continue to hold community events to bolster awareness and assist residents to obtain affordable housing. In the 2023-24 Program year the city proposes to complete a study to update the

AFFH and 5 Consolidated Year Plan.

**Discussion:**

The City of Tyler will further remove barriers to Fair Housing Choice by improving Fair Housing visibility on the City's website. The City's website will contain general information about discrimination in the sale or rental of housing, discrimination in financing of housing, discrimination in provision of brokerage service, complaints, investigation, hearing, legal proceedings, cooperation with federal officials, and unlawful intimidation.

## **AP-85 Other Actions – 91.220(k)**

### **Introduction:**

The City continues to make available a significant portion of the federal grants to benefit low-income residents with affordable housing. The City provides private housing developers with technical assistance and assistance with requests for data to research additional funding opportunities. The City will continue to support the Family Self Sufficiency through in-house housing and credit counseling in collaboration with Homebuyer Specialist position to assist families in achieving self-sufficiency, and thereby break the generation welfare cycle. These efforts were geared toward providing homebuyer education for low-income families, leadership development in low-income neighborhoods, and demolition projects to assist in revitalization efforts.

### **Actions planned to address obstacles to meeting underserved needs**

The lack of a coordinated community effort to reduce gaps in services and duplication of effort amongst service providers hinders the ability to provide effective and efficient services that meet the identified needs of low income and special need populations. The City will partner with local non-profit groups who provide human needs resources to leverage services and collaborate to deploy resources.

### **Actions planned to foster and maintain affordable housing**

The City maintains a strong commitment to preserving and maintaining the existing supply of affordable housing, as well as increasing the availability of affordable housing opportunities through facilitating and funding new construction efforts. HOME funds specifically target housing activities for low-income persons and families with assistance being provided for homebuyers, homeowners, and new construction activities. CDBG funds are also made available to provide direct assistance with homebuyer activities, and also to fund infrastructure and public facilities that allow for the new development of infill housing.

The continued affordability of housing units assisted through the City's programs is ensured using liens with designated occupancy and affordability requirements. The City also continues to develop its relationship with non-profit housing and service providers and local lending institutions to improve the quality and quantity of its affordable housing stock.

The City of Tyler, through the implementation of the 2020-2024 Consolidated Plan and the FY 2023-2024 Annual Plan, will continue its efforts to foster decent housing for residents. Specifically, the City will:

- Continue to enforce building and housing codes that set forth the standards for all affordable housing programs administered and/or supported by the City
- Continue to provide educational opportunities and training for its staff administering affordable housing programs that provide housing meeting building and housing codes
- Continue to support the efforts of other entities and non-profit organizations providing affordable and standard housing
- Continue to enforce the Construction Specifications adopted by the Neighborhood Services

Department that specifies the quality of materials and acceptable workmanship standards to be utilized on all CDBG and HOME funded projects

- Continue to make available technical assistance and funding in support of other projects and activities that remove health and safety hazards
- Continue to make available technical assistance and funding in support of public facility and infrastructure improvements for the Britton Avenue project in order to encourage new development of affordable and decent housing opportunities and to improve the overall quality of life for low income residents

### **Actions planned to reduce lead-based paint hazards**

The City recognizes that older homes are potential sources of lead-based paint hazards, which can have detrimental effects on young children. As noted in the Homeless Needs Assessment, a considerable portion of the housing stock in Tyler has the potential of containing lead-based paint hazards.

The City is aware of the possible dangers of lead poisoning and will continue to monitor available health data to identify incidences of the problem. The City will distribute information to the public regarding the hazards of lead paint in addition to continuing the testing of lead paint on housing units being considered for CDBG or HOME assistance.

The following actions will be undertaken:

- Policies and procedures will be updated as required and all contractors are required to complete the certified renovator training certification as well. Continue to develop technical capacity within the City to manage lead-paint impacted projects.
- Provide public information and education regarding lead-based paint,
- Integrate lead hazard evaluation and reduction activities into housing activities when applicable,
- Monitor regular reports from the Northeast Texas Public Health District and Texas Department of State Health Services to track the level of reported lead poisoning, and
- Encourage local construction contractors to become certified as lead paint inspectors, removers, and those to abate lead based paint.

### **Actions planned to reduce the number of poverty-level families**

In an effort to promote and encourage economic and social self-sufficiency, the City will undertake the following actions:

- Continue to provide and expand the Housing Choice Voucher Homeownership Program and the Family Self Sufficiency Program (FSS) with funding received for FY 2023. The FSS Program is designed to provide supportive and educational services leading to a decreased dependence on subsidy programs,
- Continue to provide and expand affordable housing programs to reduce the economic impact of rent and homeownership burdens on low-income households,
- Continue to provide economic development incentives utilizing local funds to encourage the retention and creation of employment opportunities available to low income residents,
- Continue to include and enforce requirements of Section 3 in applicable contracts utilizing federal



funds,

- Encourage and initiate efforts to promote collaboration and reduce duplication of effort amongst the region's entities and public service providers, and
- Actively participate in the Texas Balance of States CoC for the Homeless and other local initiatives designed to provide supportive services and environments to assist homeless and special need populations.

### **Actions planned to develop institutional structure**

The City of Tyler will coordinate and administer the identified goals, objectives, and strategies discussed in this document through its Neighborhood Services Department. The City will utilize and administer its CDBG, HOME, and other local, state, and federally-funded programs, if available, to support numerous affordable housing programs and other community development activities to assist low-income citizens and revitalize declining neighborhoods.

The City will also consider and offer letters of support when appropriate to other organizations and agencies seeking grant or state/federal funding. Neighborhood Services Department staff shall act as liaisons to coordinate with volunteer groups who offer free labor assistance to low-income homeowners, other public and private groups providing housing assistance, and public and private groups who provide supportive services to low-income families. In addition, the City will continue to provide technical assistance to health and public services previously funded.

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

The City continues to pursue funding opportunities that provide assistance to public and private agencies and other public service providers. The City will continue to provide technical assistance, assist in securing other funding sources (federal and non-federal), and break down barriers in an effort to streamline processes and increase local coordination efforts.

### **Discussion:**

N/A

## **Program Specific Requirements**

### **AP-90 Program Specific Requirements – 91.220(I)(1,2,4)**

#### **Introduction:**

The City of Tyler has no other form of investments beyond what is identified in the HOME regulations. Based on the information gained during the development of the Consolidated Plan, the City will make the HOME program funds available for affordable housing activities throughout the City, with no geographic preference. However, every effort will be made to distribute the funds in a manner that addresses the priorities of needs identified in this plan. This includes distributing the funds throughout the variety of projects and activities that serve the maximum number of low-income, elderly, and special need households. The process of how the City accepts applicants is explained below.

A. The NSD will provide public notice and advertisements regarding the availability of the program funds in accordance with the requirements contained in the City's approved Citizen Participation Plan.

Interested applicants will be given an application and verification forms and instructions for completion. Staff will be available to assist with completion of required forms.

B. Applications must be submitted in via the identified method (online application). Household income and other eligibility criteria will be determined and certified by examining source documents such as wage statements from employers, interest statements, and Warranty Deeds. Any changes in information must also be made in writing by the applicant. Selection for most programs are based on first-come, first-served basis of eligible applicants that are submitted within the published deadline dates. Projects will be conducted city-wide however preference and priority will be given to those activities that will benefit low-to moderate-income individuals and families.

C. NBS staff will provide technical assistance to program participants. This assistance will include explaining the procedures used to process applications, briefing on program requirements; communicating directly with the contractor at owner's request; and assisting the homeowner in making inspections of construction in progress. This technical assistance may include referral of homeowner to social service agencies, etc., as appropriate.

D. NSD will inform and furnish information to program participants about processes involved in rehabilitation, new construction, home purchase and homeownership.

Eligibility criteria is further explained in separate documentation for each program administered by NBS. The general public can obtain detailed information about eligibility, applications, selecting proposals, and process for solicitation at Neighborhood Services office located at 900 W. Gentry Parkway, or this information can be obtained by calling and contacting the Community Development Office (903) 531-1303.

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

### **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.	80.00%

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

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:  
  
The City of Tyler has no forms of investments being used beyond those identified in Section 92.205.
2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:  
  
See attached document for description of resale recapture provision.
3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:  
  
Recapture Policy [24 CFR 92.254(a) (5) (ii) (1)-(7)]  
The City of Tyler's first time homebuyers [FTHBs]) that receive direct down payment, closing cost, principal buy down assistance and/or a reduction of the sales price to below the market value to make the unit(s) affordable, will meet the affordability period if they remain in the home for the full  

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required period of affordability as determined by the amount of the assistance received (five to fifteen years). The actual required period of affordability will be based on the total amount of the direct HOME assistance provided as noted below. The effective date of the beginning of the required period of affordability is the date all completion data is entered into IDIS (See: §92.2, Definitions, “Project Completion”) and as documented by a fully executed Closing Disclosure (CD), a copy of which has been placed in each individual homebuyer’s and/or homeowner’s file. Should there be instances where a Closing Disclosure is not executed [e.g., the 1st mortgage loan is carried by the PJ or another entity] substitute the name of the document(s) replacing the Closing Disclosure. The federal assistance will be provided in the form of a 0% interest, deferred payment loan (DPL) and will be secured by a HOME Written Agreement, fully executed and dated by all applicable parties and a Promissory Note and Deed of Trust which will be recorded in the land records of Smith County. Under “Recapture”, if the home is SOLD prior to the end of the required affordability period [the homebuyer or the property owner may sell to any willing buyer at any price] a portion of the net sales proceeds from the sale, if any, will be returned to the City of Tyler to be used for other HOME-eligible activities. The portion of the net sales proceeds that is returned to the City of Tyler is equal to the amount of HOME funds invested in the property less the amount for each FULL month that the residence was occupied by the homebuyer or property owner as his/her/their principal residence. Any funds remaining after the distribution of the net sales proceeds to all lien holders, including the City of Tyler, will be returned to the homebuyer or homeowner. In the event of a sale, short sale or foreclosure, the amount recaptured will be limited to the amount of ‘net sales proceeds’ available at the time of such occurrence. Additional information pertaining to the “Recapture Provisions” is detailed in the written policies and procedures of the City of Tyler. If there are insufficient funds remaining from the sale of the property and the City of Tyler recaptures less than or none of the recapture amount due, the City of Tyler must maintain data in each individual file that provides the amount of the sale and the distribution of the funds. This will document that:

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

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

The City does not intend to use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds. In addition, the funds will not be used to refinance multifamily loans made or insured by any federal program. The City is aware that HOME funds cannot be used to refinance multifamily loans made or insured by any federal program,

including CDBG.

5. If applicable to a planned HOME TBRA activity, a description of the preference for persons with special needs or disabilities. (See 24 CFR 92.209(c)(2)(i) and CFR 91.220(l)(2)(vii)).

No HOME TBRA Projects are planned with HOME Funds.

6. If applicable to a planned HOME TBRA activity, a description of how the preference for a specific category of individuals with disabilities (e.g. persons with HIV/AIDS or chronic mental illness) will narrow the gap in benefits and the preference is needed to narrow the gap in benefits and services received by such persons. (See 24 CFR 92.209(c)(2)(ii) and 91.220(l)(2)(vii)).

N/A

7. If applicable, a description of any preference or limitation for rental housing projects. (See 24 CFR 92.253(d)(3) and CFR 91.220(l)(2)(vii)). Note: Preferences cannot be administered in a manner that limits the opportunities of persons on any basis prohibited by the laws listed under 24 CFR 5.105(a).

N/A

For the upcoming year, HOME funds will only be directed to new construction, the infrastructure of the Hidden Palace Neighborhood project.

## Attachments

# Tyler Morning Telegraph CLASSIFIED

## LEGAL NOTICES

## LEGAL NOTICES

## LEGAL NOTICES

## NOTICE OF PUBLIC HEARINGS REQUEST FOR CITIZEN INPUT ON THE CITY OF TYLER Fiscal Year 2023-2024 ANNUAL PLAN FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING NEEDS

The City of Tyler anticipates receiving an estimated \$754,440 in Community Development Block Grant (CDBG) funds, and approximately \$389,456 in HOME Investment Partnership (HOME) grant funds from the United States Department of Housing and Urban Development for the fiscal year beginning October 1, 2023.

As required by federal regulations, CDBG funds must be used to meet one of three National Objectives - 1) Eliminate slum and blight; 2) Assist low-income citizens; or 3) Urgent need/disaster relief. HOME grant program funds are available to address affordable housing needs. The Consolidated Plan is the comprehensive planning document that details how the City will expend its federal funds.

In accordance with the Housing and Community Development Act of 1974, as amended, and with 24 CFR, Part 91, and in furtherance of the City of Tyler's commitment to facilitating the exchange of information between the City and its citizens, the City has established a series of public hearings and opportunities for citizen input and comments regarding the development of the Fiscal Year 2023-2024 Annual Plan. The Consolidated Plan is a 5-year strategic community development and housing plan that will identify community needs and details how the City will expend its federal funds. The 2023-2024 Annual Plan will detail the proposed usage of the CDBG and HOME funds for the next year in accordance with the 5-year priorities and strategies.

Two public hearings will be held to obtain citizen comments regarding community needs and priorities for affordable housing will be held for citizens to attend. The hearings will provide information regarding the amount of assistance the City expects to receive (including anticipated program income) for the next fiscal year, the range of activities that are expected to be undertaken, the estimated amount of funds that will be utilized to benefit low/moderate income persons, and the City's policy on minimizing displacement of any person. Citizens are encouraged to attend any or all of the public hearings to offer input.

The hearings will be held at the following dates, times, and locations in Tyler:

Date	Time	Locations	Address
June 29, 2023	6:00 pm	City of Tyler Neighborhood Services Dept.	900 W. Gentry Parkway
July 6, 2023	6:00 pm	City of Tyler Neighborhood Services Dept.	900 W. Gentry Parkway

Written comments regarding the Annual Plan, identified needs, strategies, or the proposed usage of funds should be sent to Larry Everett, Neighborhood Services Department, City of Tyler, 900 W. Gentry Pkwy, Tyler, TX 75702, or by email to [levrett@tyler-texas.com](mailto:levrett@tyler-texas.com) by July 31, 2023. Written responses will be provided if a name and return address are included.

All public hearings are held in facilities that are wheelchair accessible and provide handicapped parking. Interpretive services for deaf or non-English speaking citizens can be available with an advance notice of 48 hours. Arrangements for such services can be made by calling the City of Tyler at 903-531-1303 or TDD at 1-800-735-2889.

## MERCHANDISE

### GUN/KNIFE SHOWS

ALL ROADS IN TEXAS LEAD TO A

## PREMIER GUN SHOW

### TYLER GUN SHOW

JUNE 17th & 18th at  
Brookshire  
Conference Center.

Sat 9am-5pm  
Sun 10am-4pm

\$10 Day  
\$15 Weekend Pass

Please call us at  
817-732-1194  
[PremierGunShows.com](http://PremierGunShows.com)

### MISCELLANEOUS

Metal File Cabinets  
Two 4 drawer letter size  
One 5 drawer legal size  
Two 2 drawer letter size

## Department Goals – FY 2023-2024

- **Project 1** – Sell the 5 completed homes in Hidden Palace
- **Project 2** – Construction of 4 New Homes in Phase II of Hidden Palace
- **Project 3** – Assist with Improvement of another Public Park
- **Project 4** – Partner with local agencies to provide shelter & or housing for the homeless with HOME-ARP funding support
- **Project 5** – Assist 10 Families with Down Payment Assistance
- **Project 6** – Demolish 10 Substandard Homes in Low-Mod Areas





# Tyler Morning Telegraph

An M. Roberts Media Company | Integrity, Respect and Fairness

06/15/23

100 E. Ferguson, Suite 501  
Tyler, TX 75702

Phone: 903-587-8111 Fax:

Email: nblakeley@news-journal.com

## AFFIDAVIT OF PUBLICATION

State of Texas)

County of Smith)

This Affidavit of Publication for the Tyler Morning Telegraph newspaper of general circulation, print certifies that the attached legal notices in said newspaper on 6/16/23 each paper in which said Public Notice by carriers to the subscribers of said newspaper is a regular and customary mode of business in this office.

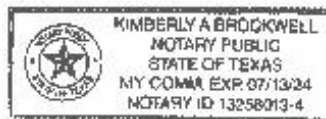
*Jessie Garrett*  
for the Tyler Morning Telegraph

The above Affidavit and Certificate of sworn to before me by the above-named person known to me to be the identical on this 16th day of June.

*Kimberly A. Brockwell*

Notary Public in and for  
State of Texas)  
County of Smith)

My commission expires 07-13-24



## NOTICE OF PUBLIC HEARINGS REQUEST FOR CITIZEN INPUT ON THE CITY OF TYLER FISCAL YEAR 2023-2024 ANNUAL PLAN FOR COMMUNITY DEVELOPMENT AND AFFORDABLE HOUSING NEEDS

The City of Tyler anticipates receiving an estimated \$154,446 in Community Development Block Grant (CDBG) funds, and approximately \$392,455 in HOME Investment Partnerships (HOME) grant funds from the U.S. Department of Housing and Urban Development for the fiscal year beginning October 1, 2023.

As required by federal regulations, CDBG funds must be used to meet one of three National Objectives: 1) Eliminate blight and blight; 2) Assist low-income citizens; or 3) Urgent need/disaster relief. HOME grant program funds are available to address affordable housing needs. The Consolidated Plan is the comprehensive planning document that details how the City will expend its federal funds.

In accordance with the Housing and Community Development Act of 1974, as amended, and with 24 CFR, Part 91, and in furtherance of the City of Tyler's commitment to facilitating the exchange of information between the City and its citizens, the City has established a series of public hearings and opportunities for citizen input or comments regarding the development of the Fiscal Year 2023-2024 Annual Plan. The Consolidated Plan is a 5-year strategic community development and housing plan that will identify community needs and details how the City will expend its federal funds. The 2023-2024 Annual Plan will detail the proposed usage of the CDBG and HOME funds for the next year in accordance with the 5-year priorities and strategies.

Two public hearings will be held to obtain citizen comments regarding community needs and priorities in affordable housing will be held for citizens to attend. The hearings will provide information regarding the amount of assistance the City expects to receive (including anticipated program income) for the next fiscal year, the range of activities that are expected to be undertaken, the estimated amount of funds that will be utilized to benefit low-to-moderate income persons, and the City's policy on minimizing displacement of persons. Citizens are encouraged to attend any of the public hearings to offer input.

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RECEIVED

JUN 21 2023

Neighborhood Services

ad d. 1774477

# Tyler Morning Telegraph

A.M. Roberts Media Company | Honesty, Respect and Fairness

06/15/23

100 E. Ferguson, Suite 501  
Tyler, TX 75702

Phone: 903-597-8111 Fax:

Email: nblakeley@news-journal.com

## AFFIDAVIT OF PUBLICATION

State of Texas)

County of Smith)

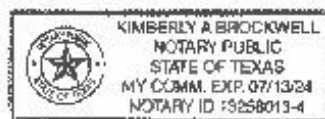
This Affidavit of Publication for the Tyler Morning Telegraph, a daily newspaper of general circulation, printed and published at Tyler hereby certifies that the attached legal notice, ad # 1774477, was published in said newspaper on 6/16/23, and that copies of each paper in which said Public Notice was published were delivered by carriers to the subscribers of said paper, according to their accustomed mode of business in this office.

Joseette Garrett  
for the Tyler Morning Telegraph

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above-named Joseette Garrett, who is personally known to me to be the identical person in the above certificate on this 16th day of June, 2023.

Kimberly A Brockwell  
Notary Public in and for  
State of Texas)  
County of Smith)

My commission expires 07-13-24



ad id: 1774477

RECEIVED  
JUN 27 2023  
Neighborhood Service

ORDINANCE NO. O-2023-61

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROPOSED FY 2023-2024 BUDGET AND ANNUAL ACTION PLAN AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, for many years, the U. S. Department of Housing and Urban Development has allocated funds through grant applications to the City of Tyler for housing rehabilitation and neighborhood improvement programs, along with administrative costs associated with such programs; and

**WHEREAS**, the City of Tyler has obtained statistical demographic and research information, solicited citizen input, and developed a strategic plan to address identified community needs; and

**WHEREAS**, it is in the public interest that such proposed budget for FY 2023-2024 be approved by Council, subject to approval and actual allocation by the U. S. Department of Housing and Urban Development;

**WHEREAS**, The City of Tyler is proposing implementation of its FY 2023-2024 Community Development Block Grant (CDBG) and HOME Programs and FY 2023-2024 Annual Plan; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**Part 1:** That the proposed budget for 2023-2024 Community Development Block Grant and HOME Grant funds, attached hereto as Exhibit "A" and made a part hereof for all purposes, is hereby approved, subject to approval and allocation by the U. S. Department of Housing and Urban Development.

**Part 2:** That the City of Tyler grants and designates the City Manager with the authority to execute and submit all documentation and certifications necessary to the U.S. Department of Housing and Urban Development in order to receive CDBG and HOME program funding to be utilized to provide eligible services and programs for low-income residents in the City on or before the submission deadline of August 15, 2023.

**Part 3:** That this ordinance shall take effect immediately upon adoption.

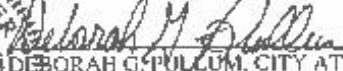
**PASSED AND APPROVED** this 12<sup>th</sup> day of July, A. D., 2023.

  
DONALD P. WARREN, MAYOR  
CITY OF TYLER, TEXAS

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

  
DEBORAH G. PULLUM, CITY ATTORNEY



**ORDINANCE NO. O-2023-61  
EXHIBIT "A"  
FUNDING CHART**

**Proposed FY 2023-2024 CDBG & HOME Budget**

Funding Resources				Project/Activity	Eligible Location
CDBG	HOME	OTHER	Total Funds		
\$150,869	\$38,946		\$189,814	Administration of CDBG and HOME Programs and other eligible activities that benefit low- to moderate-income citizens, with services provided by staff, contractors, non-profits, &/or consultants for management, planning, and capacity building activities.	City-wide
\$70,000	Not Eligible		\$70,000	Clearance and Demolition - reducing the number of substandard structures within the city limits of Tyler through the collaboration of Code Enforcement and Neighborhood Services for removal of dilapidated structures and clearance activities (including direct costs and project delivery costs).	City-wide
Not Eligible	\$150,510	\$672,000 Program Income	\$822,510	New Construction-HOME program allows for new construction/reconstruction of modest and affordable dwelling for low-income households.  Population Served: Low-income households	City-wide
\$408,552	Not Eligible		\$408,552	Public Facilities- funds used for the rehabilitation and reconstruction of Parks in Low/Mod Income Areas of the City.	Target Areas
\$0	\$200,000		\$200,000	1st Time Homebuyer - provide down payment/costs for low/mod income homebuyers (including direct & project delivery costs).	City-wide
\$125,000	\$0		\$125,000	Public Service - create a new guide and study of Affirmatively Furthering Fair Housing (AFFH).	City-wide
<b>\$754,840</b>	<b>\$389,456</b>	<b>\$672,000</b>	<b>\$1,815,696</b>	<b>FY 2023-2024 CDBG &amp; HOME Proposed Budget Allocations</b>	

FINAL Rev. 7.13.17

**Recapture Policy [24 CFR 92.254(a)(5)(ii)(1)-(7)]**

The City of Tyler's first time homebuyers (FTHBs) that receive direct down payment, closing cost, principal buy down assistance and/or a reduction of the sales price to below the market value to make the unit(s) affordable, will meet the affordability period if they remain in the home for the full required period of affordability as determined by the amount of the assistance received. The actual required period of affordability will be based on the total amount of the direct HOME subsidy that enabled the homebuyer to purchase the dwelling unit as described in the below chart. The effective date of the beginning of the required period of affordability is the date all completion data is entered into IDIS (See: §92.2, Definitions, "Project Completion") and as documented by a fully executed HUD-1, a copy of which has been placed in each individual homebuyer's and/or homeowner's file. Should there be instances where a HUD-1 is not executed (e.g., the 1<sup>st</sup> mortgage loan is carried by the PJ or another entity) substitute the name of the document(s) replacing the HUD-1.

Amount of Direct Subsidy	Affordability Period
Under \$15,000	5 years
Between \$15,000 and \$40,000	10 years
Over \$40,000	15 years

The federal assistance will be provided in the form of a 0% interest, deferred payment loan (DPL) and will be secured by a HOME Written Agreement, fully executed and dated by all applicable parties and a Promissory Note and Deed of Trust which will be recorded in the land records of Smith County. Under "Recapture," if the home is **SOLD** prior to the end of the required affordability period [the homebuyer or the property owner may sell to any willing buyer at any price] a portion of the net sales proceeds from the sale, if any, will be returned to the City of Tyler to be used for other HOME-eligible activities. The portion of the net sales proceeds that is returned to the City of Tyler is equal to the amount of the direct HOME subsidy that enabled the homebuyer to purchase the dwelling unit, but excludes the development subsidy, if any, less the amount for each FULL month that the residence was occupied by the homebuyer or property owner as his/her/their principal residence.

If the net proceeds are not sufficient to recapture the direct HOME subsidy described above plus enable the homeowner to recover the amount of the homeowner's down and any capital improvement investment made by the owner since purchase, the net proceeds will be shared. Net proceeds are the sales price minus loan repayment (other than HOME funds) and closing costs. In this instance, the net proceeds will be divided proportionally as set forth:

$((\text{HOME Investment})/(\text{HOME Investment plus Homeowner Investment}))$  multiplied by Net Proceeds equals HOME amount to be recaptured

$((\text{Homeowner Investment})/(\text{HOME Investment plus Homeowner Investment}))$  multiplied by Net Proceeds equals amount to homeowner

If there are insufficient funds remaining from the sale of the property and the City of Tyler recaptures less than or none of the recapture amount due, the City of Tyler must maintain data in

each individual file that provides the amount of the sale and the distribution of the funds. This will document that:

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


## Grantee SF-424's and Certification(s)

OMB Number: 4040-3904  
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424			
<b>* 1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		<b>* 2. Type of Application:</b> <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	
		<b>* If Revision, select appropriate letter(s):</b> <input type="text"/> <b>* Other (Specify):</b> <input type="text"/>	
<b>* 3. Date Received:</b> <input type="text"/>		<b>4. Applicant Identifier:</b> <input type="text"/>	
<b>5a. Federal Entity Identifier:</b> <input type="text"/>		<b>5b. Federal Award Identifier:</b> <input type="text"/>	
<b>State Use Only:</b>			
<b>6. Date Received by State:</b> <input type="text"/>		<b>7. State Application Identifier:</b> <input type="text"/>	
<b>8. APPLICANT INFORMATION:</b>			
<b>* a. Legal Name:</b> <input type="text"/>			
<b>* b. Employer/Taxpayer Identification Number (EIN/TIN):</b> <input type="text"/>		<b>* c. Organizational DUNS:</b> <input type="text"/>	
<b>d. Address:</b>			
<b>* Street1:</b> <input type="text"/>			
<b>Street2:</b> <input type="text"/>			
<b>* City:</b> <input type="text"/>			
<b>County/Parish:</b> <input type="text"/>			
<b>* State:</b> <input type="text"/>			
<b>Province:</b> <input type="text"/>			
<b>* Country:</b> <input type="text"/>			
<b>* Zip / Postal Code:</b> <input type="text"/>			
<b>e. Organizational Unit:</b>			
<b>Department Name:</b> <input type="text"/>		<b>Division Name:</b> <input type="text"/>	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>			
<b>Prefix:</b> <input type="text"/>		<b>* First Name:</b> <input type="text"/>	
<b>Middle Name:</b> <input type="text"/>			
<b>* Last Name:</b> <input type="text"/>			
<b>Suffix:</b> <input type="text"/>			
<b>Title:</b> <input type="text"/>			
<b>Organizational Affiliation:</b> <input type="text"/>			
<b>City of Tyler:</b> <input type="text"/>			
<b>* Telephone Number:</b> <input type="text"/>		<b>Fax Number:</b> <input type="text"/>	
<b>* Email:</b> <input type="text"/>			

Application for Federal Assistance SF-424	
<b>* 9. Type of Applicant 1: Select Applicant Type:</b> <input type="text" value="City or Township Government"/>	
<b>Type of Applicant 2: Select Applicant Type:</b> <input type="text"/>	
<b>Type of Applicant 3: Select Applicant Type:</b> <input type="text"/>	
<b>* Other (specify):</b> <input type="text"/>	
<b>* 10. Name of Federal Agency:</b> <input type="text" value="U.S. Department of Housing and Urban Development"/>	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <input type="text" value="14.216"/>	
<b>CFDA Title:</b> <input type="text" value="Community Development Block Grants/Other Assisted Grants"/>	
<b>* 12. Funding Opportunity Number:</b> <input type="text" value="D-23-MC-430-9020"/>	
<b>* Title:</b> <input type="text" value="Community Development Block Grant"/>	
<b>13. Competition Identification Number:</b> <input type="text"/>	
<b>Title:</b> <input type="text"/>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <input type="text"/> <div> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>	
<b>* 15. Descriptive Title of Applicant's Project:</b> <input type="text" value="Community Development Block Grant Activities"/>	
Attach supporting documents as specified in agency instructions. <div> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </div>	



Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant: TX-001	* b. Program/Project: TX-001
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
17. Proposed Project:	
* a. Start Date: 10/01/2021	* b. End Date: 09/30/2022
18. Estimated Funding (\$):	
* a. Federal	754,440.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	754,440.00
19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/>	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
20. Is the Applicant Delinquent On Any Federal Debts? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes," provide explanation and attach	
<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
21. "By signing this application, I certify (1) to the statements contained in the list of certifications;" and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances" and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)	
<input checked="" type="checkbox"/> I AGREE	
* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix: <input type="text"/> * First Name: Edward	
Middle Name: <input type="text"/>	
* Last Name: Broccard	
Suffix: <input type="text"/>	
* Title: City Manager	
* Telephone Number: 903-531-1253 Fax Number: 903-531-1166	
* Email: abroccard@cityofcrosstexas.com	
* Signature of Authorized Representative:  * Date Signed: 08/15/2021	

Application for Federal Assistance SF-424		
<div> <div> * 1 Type of Submission:  <input type="checkbox"/> Preapplication  <input checked="" type="checkbox"/> Application  <input type="checkbox"/> Changed/Corrected Application </div> <div> * 2 Type of Application:  <input checked="" type="checkbox"/> New  <input type="checkbox"/> Continuation  <input type="checkbox"/> Revision </div> <div> * If Revision, select appropriate letter(s):  <input type="text"/>  * Other (Specify):  <input type="text"/> </div> </div>		
* 3 Date Received: <input type="text"/>		4. Applicant Identifier: <input type="text"/>
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/>
State Use Only:		
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>
<b>B. APPLICANT INFORMATION:</b>		
* a. Legal Name: <input type="text"/>		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text"/>		* c. UEI: <input type="text"/>
* d. Address:		
* Street1: <input type="text"/> * Street2: <input type="text"/> * City: <input type="text"/> * County/Parish: <input type="text"/> * State: <input type="text"/> * Province: <input type="text"/> * Country: <input type="text"/> * Zip/Postal Code: <input type="text"/>		
<b>e. Organizational Unit:</b>		
Department Name: <input type="text"/>		Division Name: <input type="text"/>
Neighborhood Services		Community Development
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: <input type="text"/> First Name: <input type="text"/> Middle Name: <input type="text"/> Last Name: <input type="text"/> Suffix: <input type="text"/> Title: <input type="text"/> Organizational Affiliation: <input type="text"/> City of Tyler - Neighborhood Services Dept. Telephone Number: <input type="text"/> Fax Number: <input type="text"/> Email: <input type="text"/>		

Application for Federal Assistance 5F-424	
<b>* 9. Type of Applicant 1: Select Applicant Type:</b> <input type="text" value="City or Township Government"/>	
<b>Type of Applicant 2: Select Applicant Type:</b> <input type="text"/>	
<b>Type of Applicant 3: Select Applicant Type:</b> <input type="text"/>	
<b>* Other (specify):</b> <input type="text"/>	
<b>* 10. Name of Federal Agency:</b> <input type="text" value="U.S. Department of Housing and Urban Development"/>	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <input type="text"/>	
<b>CFDA Title:</b> <input type="text" value="Community Development Block Grants/-subelement R-9018"/>	
<b>* 12. Funding Opportunity Number:</b> <input type="text" value="H-SMCC-48-0029"/>	
<b>* Title:</b> <input type="text" value="HOME Investment Partnership Program"/>	
<b>13. Competition Identification Number:</b> <input type="text"/>	
<b>Title:</b> <input type="text"/>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <input type="text"/> <div> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>	
<b>* 15. Descriptive Title of Applicant's Project:</b> <input type="text" value="HOME Investment Partnership Program Activities"/>	
Attach supporting documents as specified in agency instructions. <div> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </div>	

Application for Federal Assistance SF-424	
16. Congressional Districts: <b>OE</b>	
* a. Applicant: <b>TX-001</b>	* b. Program/Project: <b>TX-001</b>
Attach an additional list of Program/Project Congressional Districts if needed. <div style="display: flex; justify-content: space-between; align-items: center;"> <input style="width: 40%;" type="text"/> <div> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div> </div>	
17. Proposed Project:	
* a. Start Date: <b>10/01/2023</b>	* b. End Date: <b>09/30/2024</b>
18. Estimated Funding (\$):	
* a. Federal	355,455.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	355,455.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process? <input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input style="width: 100px;" type="text"/> <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review <input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," provide explanation and attach <input style="width: 150px;" type="text"/> <div style="display: flex; justify-content: space-between; align-items: center;"> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>	
21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)  <input checked="" type="checkbox"/> ** I AGREE  <small>** The list of certifications and assurances, or an internal site where you may obtain this list, is contained in the announcement or agency specific instructions.</small>	
Authorized Representative:	
Prefix: <input style="width: 100px;" type="text"/>	* First Name: <b>Edward</b>
Middle Name: <input style="width: 200px;" type="text"/>	
* Last Name: <b>Brussard</b>	
Suffix: <input style="width: 100px;" type="text"/>	
* Title: <b>City Manager</b>	
* Telephone Number: <b>(903) 531-1253</b>	Fax Number: <b>(903) 531-1196</b>
* Email: <b>edbrussard@tyler.texas.gov</b>	
* Signature of Authorized Representative:	* Date Signed: <b>08/15/2023</b>

## CERTIFICATIONS

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

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

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-L.L.L., "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

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

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701e) and implementing regulations at 24 CFR Part 135.

  
Signature of Authorized Official

08/15/2023  
Date

City Manager  
Title

### Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

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

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

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

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

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

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

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

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

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

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

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

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

**Compliance with Laws** – [it will comply with applicable laws.

  
Signature of Authorized Official

08/15/2023

Date

City Manager

Title



**OPTIONAL Community Development Block Grant Certification**

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

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

  
Signature of Authorized Official

08/15/2023  
Date

City Manager  
Title



**Specific HOME Certifications**

The HOME participating jurisdiction certifies that:

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

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

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



Signature of Authorized Official

08/15/2023

Date

City Manager

Title

## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:**

#### **Lobbying Certification**

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

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


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

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

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

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 800, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 86-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11980; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 175(c) of the Clean Air Act of 1955 as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1988 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11583 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§489a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1998 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE City Manager
APPLICANT ORGANIZATION City of Tyler, TX	DATE SUBMITTED 03/15/2023

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### ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

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

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

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

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4726-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972 as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Control and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1942 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.


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Prescribed by OMB Circular A-102



9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a-1 to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11735; (c) protection of wetlands pursuant to EO 11860; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1986 (P.L. 99-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1998 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	City Manager
APPLICANT ORGANIZATION	DATE SUBMITTED
City of Tyler, TX	08/15/2023

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