

BILL NO.: 4850

ORDINANCE NO.: _____

Introduced by: City Manager Debra M. Irvin

**AN ORDINANCE OF THE CITY OF BERKELEY, MISSOURI, AUTHORIZING THE
MAYOR TO EXECUTE THE ATTACHED COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) MUNICIPAL APPLICATION FOR FISCAL YEAR 2022**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BERKELEY,
MISSOURI, AS FOLLOWS:**

Section 1. The Mayor is hereby authorized to execute the attached CDBG Municipal Application for Fiscal Year 2022.

Section 2. The attached agreement is hereby incorporated herein and made a part of this ordinance, as if fully set out herein.

Section 3. This ordinance shall be in full force and effect from and after its passage.

1st Reading this _____ day of _____ 2021

2nd Reading this _____ day of _____ 2021

3rd Reading, PASSED and APPROVED, this _____ day of _____ 2021

Babatunde Deinbo, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved as To Form:
Donnell Smith, City Attorney

Final Roll Call:

Councilwoman Mitchell	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Williams	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Hoskins	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman Anthony	Aye	___	Nay	___	Absent	___	Abstain	___
Councilman Hindeleh	Aye	___	Nay	___	Absent	___	Abstain	___
Councilwoman-at-Large Greene	Aye	___	Nay	___	Absent	___	Abstain	___
Mayor Deinbo	Aye	___	Nay	___	Absent	___	Abstain	___



Community Development Block Grant Program

2022 Municipal Application

Deadline: Monday, August 30, 2021

STOP! BEFORE YOU SUBMIT THIS APPLICATION, DID YOU:

- ☐ Publicize your public hearing at least 10 days in advance?
- ☐ Notify all residents of your public hearing using at least one of the three approved methods? (*Note: The Countian is NOT acceptable, per HUD.*)
- ☐ Use the sample public hearing notice in its entirety?
- ☐ Hold the hearing at an accessible location and time?
- ☐ Sign this application?
- ☐ Include a complete activity description with **EXACT** locations?
- ☐ Complete every question on the Fair Housing Law Compliance pages?

Return completed and signed application to the attention of your assigned CD specialist at:

St. Louis County Office of Community Development
500 Northwest Plaza Drive, Suite 801
St. Ann, MO 63074

St. Louis County Department of Human Services
Office of Community Development
Community Development Block Grant Municipal Application

DIRECTIONS

STEP 1: PLAN AHEAD

- Involving the public in your municipality's planning process is a requirement to receive Community Development Block Grant (CDBG) funds. As such, you must hold a public hearing to consider public comments and suggestions for your annual allocation. You are required to notify the public of this hearing by utilizing one of our approved advertising methods (listed below) at least ten calendar days in advance of your hearing. Plan accordingly!
- Prior to your public hearing, you must develop a plan or list of potential CDBG activities to be funded.
 - Here are a few best practices to consider when selecting an activity:
 - Consider your municipality's capacity and available budget when determining how to allocate CDBG funding.
 - Select an activity that you know your municipality can carry out in the anticipated timeframe. Switching activities results in substantial delays, wasted efforts, and the potential for recaptured funding.
 - We do not recommend splitting your funding into multiple small activities. This lessens the impact of the funding received and increases the administrative requirements that your municipality will need to endure. Please be strategic when splitting CDBG funding into multiple activities.

STEP 2: ADVERTISE YOUR PUBLIC HEARING

- You must utilize the advertisement provided in this application on page 9 **in its entirety**. If you opt to host a virtual hearing, you must include the exact weblink in your advertisement.
- Advertise your public hearing by performing at least one of the following approved advertising methods:
 - Publish your advertisement in the Post-Dispatch (*Note: The Countian is NOT acceptable per HUD.*)
 - Publish your advertisement in a newsletter, flyer, or other publication distributed to every household in jurisdiction
 - Post your advertisement in at least three public sites within jurisdiction
- Additional outreach is strongly encouraged. Feel free to post the advertisement on your municipality's website and/or social media page(s). Posting your advertisement electronically does not count toward completing one of the required advertising methods but it is heavily recommended for expanded outreach.

St. Louis County Department of Human Services
Office of Community Development
Community Development Block Grant Municipal Application

DIRECTIONS (Continued)

STEP 3: **HOLD YOUR PUBLIC HEARING**

- Your public hearing may be part of a regularly scheduled board or council meeting and it may be held virtually.
- Any location used for your hearing must meet ADA accessibility standards. In addition, reasonable accommodations must be made for people with disabilities upon request, and language interpreters provided for non-English speaking participants upon advance request.
- Residents must sign in using the sign-in sheet provided in this application on page 10. If your hearing is held virtually, you must maintain documentation of attendees (via screen shot, manually listing attendants, etc.).
- During the hearing, the municipality must review the eligible activities for CDBG funding. This can be completed by reading aloud from or distributing the handout that describes eligible activities found on page 3 of this application.
- Municipal officials must announce the following items to the public during the hearing:
 - The amount of funding under consideration,
 - What year the funding is for, and
 - The plan or list of potential CDBG activities.
- The municipality must provide an opportunity for citizens to express their comments regarding the use of CDBG funds in the community. The municipality also must accept written comments if citizens are unable to attend the hearing.
- All citizen comments must be clearly described in the hearing minutes. *Any comments that are not incorporated into the municipality's application for CDBG funding must be addressed and explained, with this explanation included in the final application.*

STEP 4: **AFFIRMATIVELY FURTHER FAIR HOUSING (AFFH)**

- AFFH is a provision of the 1968 Fair Housing Act that directs HUD to ensure neither HUD nor the cities, counties, states, and public housing agencies it funds, discriminate in their programs.
- As a recipient of CDBG funding, it is **required** that your municipality affirmatively furthers fair housing. This means **taking meaningful actions**, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.
- Your municipality passed a local fair housing ordinance to receive CDBG funding. We need to ensure that your municipality remains in compliance with this ordinance which is why it is required that you fill out the information located on pages 7 and 8 of this application.
- You must perform at least one activity on page 8 of the application in the upcoming year. We will need proof that your community completed this activity when we perform a monitoring visit.

STEP 5: **COMPLETE AND SUBMIT YOUR APPLICATION**

- You must make your final application available to your constituents upon request for a minimum of 30 days.
- You will be notified of your application's approval by receiving a supplemental agreement closer to the release of funding.

St. Louis County Department of Human Services
Office of Community Development
Community Development Block Grant (CDBG) OVERVIEW

WHAT IS CDBG?

The U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- to moderate-income persons.

NATIONAL OBJECTIVES

All activities funded by the CDBG program must meet one of the following National Objectives:

1. Primarily benefit low- and moderate-income residents.
2. Eliminate slums and blight.
3. Alleviate urgent, serious, and critical community needs that are of recent origin.

ELIGIBLE ACTIVITIES

- **Infrastructure & Public Facilities Improvements** - Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements, such as streets, sidewalks, parks, water and sewer facilities, sanitary sewers, neighborhood centers, parking lots, fire stations, and ADA accessibility enhancements.
- **Clearance Activities** - Clearance, demolition, and removal of buildings.
- **Public Services** - Provision of public services (including labor, supplies, and materials) including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, utility payments, or recreational needs. To be eligible for CDBG assistance, a public service must be either a new service or a quantifiable increase in the level of an existing service above that which has been provided by or on behalf of the unit of general local government. Due to federal restrictions, no more than 15 percent of a municipal allocation may be designated for public service activities without prior Office of Community Development approval. Examples of public services include crime awareness, youth services, neighborhood cleanups, and subsistence payments (rental/utility assistance).
- **Rehabilitation & Preservation Activities** - CDBG funds may be used to finance the rehabilitation of:
 - Privately owned buildings and improvements for residential purposes.
 - Low-income public housing and other publicly owned residential buildings and improvements.
 - Publicly or privately owned commercial or industrial buildings, except that the rehabilitation of such buildings owned by a private for-profit business is limited to improvements to the exterior of the building and the correction of code violations.
 - Nonprofit-owned nonresidential buildings and improvements.

INELIGIBLE ACTIVITIES

- Improvements to buildings used for conduct of government such as a city hall.
Exceptions: Police/fire stations, community centers, ADA improvements to government buildings.
- General government expenses such as regular trash pickup.
- Political activities such as campaigns, voter registration drives.
- Activities that support religious worship or proselytizing.

St. Louis County Department of Human Services
Office of Community Development
2022 Community Development Block Grant Municipal Application

DEADLINE: MONDAY, AUGUST 30, 2021

Municipality CITY OF BERKELEY
Address 8425 AIRPORT ROAD
Contact Name and Title DEBRA IRVIN
Contact Phone Number (314) 400-3705
Contact Email irvin@ci.berkeley.mo.us

REQUIRED ATTACHMENTS CHECKLIST

- ☐ **Documentation of public notice sent at least 10 calendar days in advance of hearing** - Check at least one:
- ☐ Copy of advertisement in the Post-Dispatch (*Note: The Countian is NOT acceptable per HUD.*)
 - ☐ Copy of flyer, newsletter, or other publication distributed to every household in jurisdiction
 - ☐ Photos of posting in at least three public sites within jurisdiction, labelled with address and date
- ☐ **CDBG Public Hearing Sign-in Sheet** (must use the one included in this packet)
- ☐ **Public Hearing Minutes** - Minutes should be signed or approved and clearly describe citizen comments.
- ☐ Minutes are attached
 - ☐ Minutes will follow on date: _____
- ☐ **Written Comments** – Check all that apply:
- ☐ Comments are attached
 - ☐ No comments were submitted
 - ☐ Comments were not incorporated into final application. Explanation attached.
- ☐ **Conflict of Interest Statement** - If any elected official in your jurisdiction will directly benefit from a planned CDBG activity, attach an explanation of how your community selected the planned activity.

Babatunde Deinbo

Printed Name of Chief Elected Official

X
Signature of Chief Elected Official

Mayor

Title of Chief Elected Official

Date

ACTIVITY #1 DESCRIPTION

TYPE OF ACTIVITY: **HOME IMPROVEMENT PROGRAM (HIP)**

SCOPE & LOCATION

- **Infrastructure & Public Facility Improvements:** Use engineering and quantitative descriptions, as necessary. Provide exact locations or addresses below and attach a map. Do not list “various locations throughout municipality;” only specific locations will be accepted.
- **Public Service Activities:** Describe activity locations and indicate how funds will be utilized.
- **Demolition:** Provide exact property addresses and describe any redevelopment plans.
 - **New!** If you are submitting properties to be demolished, you *must* provide photographs of each property.
- **Home Improvement Program (HIP):** *Do not complete scope or location information for this activity.*

For City of Berkeley residents to make repairs to owner occupied homes for a better quality of life. Each resident is allocated \$5,000. The full funding will allow funding for 24 homes.

NATIONAL OBJECTIVE - Select one for the above activity:

- ☐ **Low-Moderate Area Benefit (LMA)** Activity benefits all residents in a particular area where at least 51% of the residents are low-moderate income, as determined by census data. See eligible areas in **GREEN** on the municipal map.
Examples: streets, sidewalks, parks
- ☐ **Low-Moderate Clientele Benefit (LMC)** Activity specifically benefits low-moderate income residents either by certifying income or by targeting a population presumed to be low-moderate income such as abused children, victims of domestic violence, elderly, severely disabled adults, homeless, illiterate adults, persons living with AIDS, and migrant farm workers.
Examples: ADA curb ramps, public services
- ☒ **Home Improvement Program (HIP)** This activity is administered by St. Louis County Office of Community Development. Income documentation is certified by St. Louis County on a confidential case-by-case basis.
- ☐ **Slum & Blight (SBS/SBA)** Activity addresses slums or blight on an area or spot basis.
Example: demolition of dangerous properties

ACTIVITY FUNDING

CDBG Funding Allocated for Activity	\$ 121,600
Other Funding Allocated for Activity	\$ -
Total Allocated for Activity	\$ 121,,600

WILL THIS ACTIVITY CREATE A CONFLICT OF INTEREST?

☒ No ☐ Yes

Example: Activity includes improvements to a street on which an elected official lives.

IF YES, please attach an explanation of how your community selected this planned activity. If any elected official will directly benefit from this activity, he/she should abstain from voting on it, and this should be reflected in the approved public hearing minutes. Contact your CD Specialist for further instruction as soon as possible.

ACTIVITY #2 DESCRIPTION

TYPE OF ACTIVITY: _____

SCOPE & LOCATION

- **Infrastructure & Public Facility Improvements:** Use engineering and quantitative descriptions, as necessary. Provide exact locations or addresses below and attach a map. Do not list “various locations throughout municipality;” only specific locations will be accepted.
- **Public Service Activities:** Describe activity locations and indicate how funds will be utilized.
- **Demolition:** Provide exact property addresses and describe any redevelopment plans.
 - **New!** If you are submitting properties to be demolished, you *must* provide photographs of each property.
- **Home Improvement Program (HIP):** *Do not complete scope or location information for this activity.*

NATIONAL OBJECTIVE - Select one for the above activity:

- ☐ **Low-Moderate Area Benefit (LMA)** Activity benefits all residents in a particular area where at least 51% of the residents are low-moderate income, as determined by census data. See eligible areas in **GREEN** on the municipal map.
Examples: streets, sidewalks, parks
- ☐ **Low-Moderate Clientele Benefit (LMC)** Activity specifically benefits low-moderate income residents either by certifying income or by targeting a population presumed to be low-moderate income such as abused children, victims of domestic violence, elderly, severely disabled adults, homeless, illiterate adults, persons living with AIDS, and migrant farm workers.
Examples: ADA curb ramps, public services
- ☐ **Home Improvement Program (HIP)** This activity is administered by St. Louis County Office of Community Development. Income documentation is certified by St. Louis County on a confidential case-by-case basis.
- ☐ **Slum & Blight (SBS/SBA)** Activity addresses slums or blight on an area or spot basis.
Example: demolition of dangerous properties

ACTIVITY FUNDING

CDBG Funding Allocated for Activity	\$
Other Funding Allocated for Activity	\$
Total Allocated for Activity	\$

WILL THIS ACTIVITY CREATE A CONFLICT OF INTEREST? ☐ No ☐ Yes

Example: Activity includes improvements to a street on which an elected official lives.

IF YES, please attach an explanation of how your community selected this planned activity. If any elected official will directly benefit from this activity, he/she should abstain from voting on it, and this should be reflected in the approved public hearing minutes. Contact your CD Specialist for further instruction as soon as possible.

ANNUAL FAIR HOUSING LAW COMPLIANCE REQUIREMENT

Please answer ALL questions on pages 7-8. Do not leave any questions blank.

- 1) Does your municipality plan to update its Fair Housing Ordinance in the upcoming year?

☒ No ☐ Yes If yes, please provide a copy of the new ordinance when available.

- 2) How are Fair Housing issues addressed in your municipality? Check one:

☐ Human Rights Commission is appointed upon complaint.

☐ Missouri Human Rights Commission is used.

☒ Municipal Human Rights Commission is used. List all members and date their terms expire:

NAME OF MEMBER	COMMISSION EXPIRATION DATE
Babatunde Deinbo	April 2026
Margaret Greene	April 2022
Emmalene Mitchelle (W1)	April 2022
Brenda Williams (W2)	April 2026
Lee Etta Hoskins (W3)	April 2022
Willie Mae Anthony (W4)	April 2026
Elisa Hindeleh (W5)	April 2022

- 3) How many meetings will the Commission hold in the upcoming year? none

- 4) List any funding that will be provided by your municipality in the upcoming year to or for the Human Rights Commission to carry out its responsibilities along with a brief description of the activities funded **or indicate "not applicable."**

Not Applicable

- 5) Are you aware of any unresolved Fair Housing litigation or complaints involving your municipality?

☐ No ☒ Yes

ANNUAL FAIR HOUSING LAW COMPLIANCE REQUIREMENT (Continued)

- 6) Select at least one activity your municipality will undertake in the upcoming year to create and promote a greater choice of housing. Contact your CD Specialist if you have questions.

FAIR HOUSING ACTIVITIES	
<input type="checkbox"/>	Solicit input from your residents about affordable or fair housing challenges and opportunities in your municipality.
<input type="checkbox"/>	Disseminate fair housing information to your community via printed materials, training sessions, a fair housing page on your website, or other methods.
<input type="checkbox"/>	Meet with disability advocates and/or residents with disabilities to better understand disability challenges that may be present in your municipality.
<input type="checkbox"/>	Review and/or update zoning codes to remove barriers to affordable housing.
<input type="checkbox"/>	Amend or repeal nuisance or crime-free ordinances that could result in unjustified discriminatory effects.
<input type="checkbox"/>	Explore partnership with the St. Louis County Housing Authority to encourage local landlords, especially those in high opportunity areas, to participate in the Housing Choice Voucher program.
<input type="checkbox"/>	Partner with an organization such as the St. Louis Apartment Association (SLAA) to offer fair housing outreach and education to landlords.
<input type="checkbox"/>	Create a voucher counseling center to help voucher recipients find housing that is not located in an area of concentrated poverty.
<input checked="" type="checkbox"/>	Attend a fair housing seminar or educational opportunity.
<input type="checkbox"/>	Participate in regional housing initiatives and collaborative efforts.
<input type="checkbox"/>	Develop and integrate appropriate diversity awareness information into staff training.
<input type="checkbox"/>	Support and work with organizations such as InvestSTL that promote diversity throughout metro St. Louis and St. Louis County.
<input type="checkbox"/>	Partner with an organization such as the Metropolitan St. Louis Equal Housing and Opportunity Council (EHOC) to train municipal elected officials and volunteers serving on the plan commission, board of appeals, and other bodies impacting housing in fair housing laws and the requirement to affirmatively further fair housing.
<input type="checkbox"/>	Train "first point of contact" staff to ensure that persons requesting assistance for possible fair housing violations obtain timely and accurate information from anyone who may answer a phone or field fair housing inquiries from the public.
<input type="checkbox"/>	Support and work with organizations providing job training programs designed to raise the skill levels of area residents to match employment opportunities with better pay in that area.
<input type="checkbox"/>	Create a Mixed Income Housing Investment Program, capitalized by lenders, to provide incentive financing to developers who construct sustainable mixed income housing in your municipality.
<input type="checkbox"/>	Publicly praise or otherwise recognize financial institutions with a record of supporting fair housing initiatives.
<input type="checkbox"/>	For municipal financial business, give banks that have not supported fair housing goals a low priority.
<input type="checkbox"/>	Other activity: _____

NOTICE OF PUBLIC HEARING

Publication Date July 1, 2021

The City of Berkeley, MO will hold a public hearing to discuss the estimated allocation of \$ 121,600 in Community Development Block Grant funds which will become available after January 1, 2022. The public hearing will be held at 1:00 ☐ am ☒ pm on July, 19, 2021, at Zoom.us Meeting ID: 853 9772 5603 Passcode: 779702.

To further its commitment to fair and equitable treatment of all citizens, the City of Berkeley has enacted and/or enforces the following:

A Fair Housing Ordinance prohibiting unlawful discrimination against any person because of race, sex, color, religion, disability, familial status or national origin;

A Policy of Nondiscrimination on the Basis of Disability in the admission or access to, or employment in, its federally assisted programs or activities;

A Policy of Equal Opportunity to Participate in Municipal Programs and Services regardless of race, color, religion, sex, age, disability, familial status, national origin, or political affiliation;

A requirement for bidding on CDBG activities that promotes employment opportunities created by HUD funding and that these opportunities be afforded low-income community residents and businesses.

If you would like information regarding the above policies or if you believe you have been unlawfully discriminated against, contact the following municipal official or employee who has been designated to coordinate compliance with the equal employment opportunity requirements referenced above. Additionally, if you are unable to attend the public hearing, you may provide written comments regarding the Community Development Block Grant Program to the following municipal official:

Deanna Jones, City Clerk

NAME/TITLE

8425 Airport Road, Berkeley MO 63134

ADDRESS

CITY

STATE

ZIP

314-400-3756

PHONE

If you are a person with a disability or have special needs in order to participate in this public hearing, please contact _____ no later than _____.

For More Information Call:

VOICE

TDD

1-800-735-2466 RELAY MISSOURI VOICE

1-800-735-2966 RELAY MISSOURI TDD

Equal Opportunity Employer

2022 CDBG PUBLIC HEARING SIGN-IN SHEET

Purpose: To discuss the estimated allocation of \$ 121,600 in Community Development Block Grant funds.

Municipality City of Berkeley

Date July 19, 2021 Time 1:00 pm

Location (name and address) Zoom.us

Please sign in below, even if you do not plan to speak.

Name of Attendee	Address
1.	
2.	
3.	
4.	
5.	
6.	
7.	
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9.	
10.	
11.	
12.	
13.	
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16.	
17.	
18.	
19.	
20.	

☐ No residents in attendance (except municipal representatives, as applicable)