

******AN ORDINANCE BY COUNCILMEMBER ANDREA L. BOONE AUTHORIZING THE CHIEF FINANCIAL OFFICER OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO TRANSFER AN AMOUNT NOT TO EXCEED ONE MILLION SEVEN HUNDRED TWENTY-SEVEN THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS AND FIFTY-SEVEN CENTS (\$1,727,823.57) FROM THE FISCAL YEAR 2020 GENERAL FUND BUDGET TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”); TO SATISFY AN OUTSTANDING REPAYMENT FOR DISALLOWED COSTS FROM THE HOME INVESTMENT PARTNERSHIPS PROGRAM (“HOME”); AND FOR OTHER PURPOSES.(THIS LEGISLATION IS A DUAL REFERRED ITEM AND WILL BE FORWARDED TO FINANCE/EXECUTIVE COMMITTEE PENDING A COMMUNITY DEVELOPMENT/HUMAN SERVICES COMMITTEE RECOMMENDATION)**

WHEREAS, the City of Atlanta (“City”) is a Participating Jurisdiction for HOME Investment Partnerships Program (“HOME”) from the US Department of Housing and Urban Development (“HUD”); and

WHEREAS, HUD requires Participating Jurisdiction to meet an annual expenditure deadline for HOME funds; and

WHEREAS, the City’s HOME expenditure deadline for the 2012 HOME program funding year was April 30, 2017; and

WHEREAS, following the submission of the 2017 expenditure supporting documentation, HUD notified the City that certain expenses, totaling One Million Seventy-Three Thousand Eight Hundred and Thirty-Six Dollars and Fifty-Three Cents (\$1,073,836.53) were not allowed under the HOME program; and

WHEREAS, HUD determined that the supporting documentation was insufficient to justify expenditures and that the written agreements were not in general compliance with current statutory rules for the HOME program; and

WHEREAS, 17-R-3389 authorized a HOME contractual agreement between the City and the Center for Working Families, Inc. (“Working Families”); and

WHEREAS, the contract with Working Families specified that work would commence on March 29, 2017 and be completed by April 30, 2018; and

WHEREAS, following the completion of the work under the contract, HUD notified the City that certain expenses totaling Six Hundred Forty-One Thousand Five Hundred and Twelve Dollars and Ninety-Six Cents (\$641,512.96) were not allowed under the HOME program; and

WHEREAS, HUD determined that the official legal start date of the contract was April 21, 2017, and that any project expenses incurred prior to this date were ineligible for reimbursement; and

WHEREAS, the City challenged HUD's findings in its most recent monitoring response, but was unsuccessful in its appeal; and

WHEREAS, 14-R-3265 authorized a HOME contractual agreement with the Pittsburg Community Improvement Association (PCIA); and

WHEREAS, the City drew down funds Twelve Thousand Four Hundred and Seventy-Four Dollars and Eight cents (\$12,474.08) as normal course of action according to the terms of the agreement and performance of work; and

WHEREAS, upon dissolution of PCIA, the properties were returned to the City and Fulton County Land Bank Authority to hold for other eligible bidders; and

WHEREAS, HUD imposed sanctions on the City including limiting access to the HUD reporting system, Integrated Disbursement and Information System ("IDIS"), which limits the ability of the City to properly set up and draw down funds for the HOME program; and

WHEREAS, the City must repay HUD a total of One Million Seven Hundred Twenty-Seven Thousand Eight Hundred Twenty-Three Dollars and Fifty-Seven Cents (\$1,727,823.57) with City funds; and

WHEREAS, the funds must be repaid to HUD, however these funds did support the delivery of housing services to the residents of Atlanta, including rehab services for low income residents; and

WHEREAS, making these payments will allow the City to move forward, beyond these past mistakes, with the plan introduced in June for restructuring the administration and management of grants; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1. The Chief Financial Officer, or his designee, on behalf of the City of Atlanta ("City"), is authorized to transfer an amount not to exceed One Million Seven Hundred Twenty-Seven Thousand Eight Hundred Twenty-Three Dollars and Fifty-Seven Cents (\$1,727,823.57) to the US Department of Housing and Urban Development ("HUD") to repay costs that are not allowed under the HOME Investment Partnerships Program ("HOME").

SECTION 2. The transfer of funds to HUD will be paid from the account below:

| FUND | DEPT/ORG | ACCOUNT | FUNCTION/ACTIVITY | AMOUNT |
|-------------|-----------------|----------------|--------------------------|----------------|
| 1001 | 200101 | 5212001 | 1512000 | \$1,715,349.49 |
| 1001 | 250601 | 5212001 | 7310000 | \$12,474.08 |

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby waived for the purposes of this Ordinance only, and to the extent of the conflict.

**CITY COUNCIL
ATLANTA, GEORGIA**

19-O-1543

SPONSOR SIGNATURES



Andrea C. Boone Councilmember, District 10

CITY COUNCIL
ATLANTA, GEORGIA

19-O-1543

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Workflow List:

| | | |
|--|-----------|---------------------|
| Clerk of Council | Skipped | 09/17/2019 11:01 AM |
| Atlanta City Council | Completed | 09/16/2019 1:00 PM |
| Community Development & Human Services Committee | Pending | 09/24/2019 12:00 PM |
| Finance/Executive Committee | Pending | 09/25/2019 1:00 PM |
| Atlanta City Council | Pending | 10/07/2019 1:00 PM |
| Mayor's Office | Pending | |

RESULT: REFERRED WITHOUT OBJECTION

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| ➔ VOTE RECORD - ORDINANCE 19-O-1543 | | | | | | |
|--|--------------------------|--|--------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input checked="" type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED ON SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED | | | | | | |
| | | | YES/AYE | NO/NAY | ABSTAIN | ABSENT |
| | MICHAEL JULIAN BOND | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | MATT WESTMORELAND | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | ANDRE DICKENS | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | CARLA SMITH | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | AMIR R FAROKHI | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | ANTONIO BROWN | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | CLETA WINSLOW | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | NATALYN MOSBY ARCHIBONG | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | JENNIFER N IDE | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | HOWARD SHOOK | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | JP MATZIGKEIT | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | DUSTIN HILLIS | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | ANDREA L BOONE | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | MARCI COLLIER OVERSTREET | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | JOYCE M SHEPERD | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | |
|--|--|
| <ul style="list-style-type: none"><input type="checkbox"/> FAVORABLE/SUB/AMND/COND<input type="checkbox"/> FAVORABLE/AMND/COND<input type="checkbox"/> FAVORABLE AS AMENDED<input type="checkbox"/> RETURNED AS HELD<input type="checkbox"/> FAVORABLE ON CONDITION<input type="checkbox"/> FAVORABLE/SUB/CONDITION<input type="checkbox"/> QUADRENNIALY TERMINATED<input type="checkbox"/> QUESTION CALLED<input type="checkbox"/> ROUTED TO COW<input type="checkbox"/> SUSTAINED<input type="checkbox"/> OVERRIDEN<input type="checkbox"/> NOT ACCEPTED BY COMMITTEE<input type="checkbox"/> SUSTAINED W/O OBJECTION<input type="checkbox"/> TABLED W/O OBJECTION<input type="checkbox"/> HELD IN COW | |
|--|--|

| Certified by Presiding Officer | Certified by Clerk |
|--|--------------------|
| | |
| <p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p> | |