



Legislation Text

File #: 0834-2024, **Version:** 1

BACKGROUND: This legislation authorizes the expenditure of \$368,850.95 within the Lead Hazard Reduction Demonstration (LHRD) Program Grant (Lead-19 Grant) (G441900); requests that Columbus City Council waive the provisions in Columbus City Codes Sections 111.14, 329.18, and 329.09 pursuant to Columbus City Codes Section 329.15; and authorizes the Director of the Department of Development to enter into grant agreements with homeowners if the grant amount is greater than \$5,000.00, to approve purchase orders with contractors for the Lead Safe Columbus Program that may be greater than \$50,000.00, and to modify a grant agreement with a homeowner or purchase order with a contractor to carry out the purpose of the grant program, all without having to return to City Council for each project for the Lead Safe Columbus Program.

The Department of Development received the Lead Hazard Reduction Demonstration (LHRD) Program Grant (Lead-19 Grant) from the Office of Lead Hazard Control and Healthy Homes within the U.S. Department of Housing and Urban Development (HUD) in 2019 and this grant provides funding for the Lead Safe Columbus Program. The grant was authorized via ordinance 2715-2019 as a reimbursable grant in an amount up to \$5,600,000.00.

The funds to be expended under this legislation are funds that have been cancelled from grant agreements/purchase orders for projects already completed under the Lead Safe Columbus Program. Since appropriation has been received under Ordinance 2715-2019, only approval to expend these cancelled funds is needed.

In order to effectively and efficiently manage these remaining funds, the grant, the Lead Safe Columbus Grant Program, and to expend the funds before the grant ends June 1, 2024, this legislation requests the waiver of the provisions in Columbus City Codes Sections 111.14, 329.18, and 329.09, pursuant to Columbus City Codes Section 329.15, and authorizes the Director of the Department of Development to enter into grant agreements with homeowners if the grant amount is greater than \$5,000.00, to approve purchase orders with contractors that may be greater than \$50,000.00, and to modify a grant agreement with a homeowner and purchase order with a contractor to carry out the purpose of the Lead Safe Columbus Grant Program without having to return to City Council for each project.

Columbus City Codes (CCC) Section 111.14 states, that “All programs which award loans or grants of more than five thousand dollars (\$5,000.00) must submit legislation for approval to city council”; CCC 329.18 states, “No contract greater than \$50,000.00 awarded under this section shall be effective until approved by ordinance of city council”; and CCC 329.09 states, “After agreeing upon the terms of a modification, the city agency shall submit legislation to city council requesting approval of the modification....” Under this ordinance, these provisions would be waived.

The funds will allow the Lead Safe Columbus Program to continue to provide property owners with grants for lead safe, healthier, affordable housing for families with low and moderate income under HUD guidelines. The program provides lead abatement and healthy homes activities in accordance with HUD guidelines, including but not limited to, lead paint level testing, risk assessments, lead hazard control and healthy homes interventions and clearance tests as well as outreach, education and training.

Emergency action is requested to allow for the immediate approval the expenditure of funds and authorizations for the Director of the Department of Development so the funds can be expended before the expiration of the grant, June 1, 2024, as a delay may result in funds being returned to HUD and less homes abated of lead.

FISCAL IMPACT: Funding is available within the Lead-19 Grant G441900.

To authorize the expenditure of \$368,850.95 within the Lead Hazard Control Reduction Grant (Lead-19) in the General Government Grant Fund; to waive the provisions in Columbus City Codes Sections 111.14, 329.18, and 329.09 pursuant to Columbus City Codes Section 329.15; to authorize the Director of the Department of Development, for the Lead Safe Columbus Program, to enter into grant agreements with homeowners if the grant amount is greater than \$5,000.00, to approve purchase orders with contractors that may be greater than \$50,000.00, and to modify a grant agreement with a homeowner or purchase order with a contractor to carry out the purpose of the grant program, all without having to return to City Council for each project for the Lead Safe Columbus Program; and to declare an emergency. (\$368,850.95)

WHEREAS, the Department of Development received a reimbursable grant from the U.S. Department of Housing and Urban Development's Lead Hazard Reduction Demonstration (LHRD) Program Grant (Lead-19 Grant) in the amount of \$5,600,000.00 for lead remediation/abatement for families with low and moderate income under HUD Guidelines; and

WHEREAS, it is necessary to authorize the expenditure of \$368,850.95 from previously cancelled purchase orders within the Lead-19 Grant to continue to fund lead abatement and healthy homes activities in accordance with HUD guidelines, including but not limited to, lead paint level testing, risk assessments, lead hazard control and healthy homes interventions and clearance tests as well as outreach, education and training; and

WHEREAS, in order to effectively and efficiently manage these remaining funds, the grant, the Lead Safe Columbus Grant Program, and to expend the funds before the grant ends June 1, 2024, this legislation requests the waiver of the provisions in Columbus City Codes Sections 111.14, 329.18, and 329.09 pursuant to Columbus City Codes Section 329.15 and then authorizes the Director of the Department of Development to enter into grant agreements with homeowners if the grant amount is greater than \$5,000.00, to approve purchase orders with contractors that may be greater than \$50,000.00, and to modify a grant agreement with a homeowner and purchase order with a contractor to carry out the purpose of the Lead Safe Columbus Grant Program without having to return to City Council for each project; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, Department of Development in that it is immediately necessary to approve the expenditure of funds and authorizations for the Director of the Department of Development so the funds can be expended before the expiration of the grant, June 1, 2024, as a delay may result in funds being returned to HUD and less homes abated of lead, all for the immediate preservation of the public health, property, and safety; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the expenditure of \$368.850.95 or so much thereof as may be needed, is hereby authorized in Fund 2220 (General Government Grant Fund), Dept-Div 4410 (Housing), G441900 (Lead Hazard Reduction Demonstration 2019 Grant) (LEAD-19 Grant), per the accounting codes in the attachment to this ordinance.

SECTION 2. That funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 3. That this Council finds that is in the best interest of the City to waive the provisions in Columbus City Codes Sections 111.14, 329.18, and 329.09 pursuant to Columbus City Codes Section 329.15, and does hereby waive the same.

SECTION 4. That the Director of the Department of Development is authorized, for the Lead Safe Columbus Program, to enter into grant agreements with homeowners if the grant amount is greater than \$5,000.00, to approve purchase orders with contractors that may be greater than \$50,000.00, and to modify a grant agreement with a homeowner or purchase

order with a contractor to carry out the purpose of the grant program, all without having to return to City Council for agreement modification approval for each project.

SECTION 5. That at the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

SECTION 6. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 7. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.