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RESOLUTION NO. 16-2021

**A RESOLUTION AUTHORIZING THE FILING OF A PROPOSAL FOR FUNDS
WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
COMMONWEALTH OF PENNSYLVANIA**

WHEREAS, the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH) enacted into law on May 20, 2009, authorized the Emergency Solutions Grant (ESG) Program; and

WHEREAS, the Commonwealth of Pennsylvania through the Department of Community and Economic Development (DCED) has received ESG program funds and is making these funds available to units of local governments for eligible homeless services; and

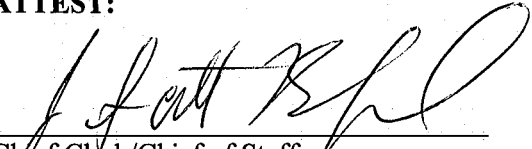
WHEREAS, the County of Dauphin desires to submit an application to DCED for ESG Program funds to provide homeless services or on behalf of other entities to provide homeless services.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF DAUPHIN COUNTY, PENNSYLVANIA THAT:

1. The proposed project(s) of the *Capital Area Coalition on Homeless, Christian Churches Untied of the Tri-County Area, Shalom House, and YWCA Greater Harrisburg* to support the homeless individuals in Dauphin County for winter weather shelter to be funded by a grant from the Pennsylvania ESG Program meet the ESG interim rule requirements at §24 CFR 576 are eligible and approved.
2. The Dauphin County Human Services Director's Office on behalf of the County of Dauphin is authorized and directed to execute an ESG Program application in the amount of \$413,500.00 to the PA Department of Community and Economic Development.
3. The County of Dauphin will assume the responsibility for securing the required matching amount of project funds or request a waiver of match funds to DCED.
4. The County of Dauphin will reimburse the Commonwealth for any expenditure found to be ineligible.
5. The Dauphin County Human Services Director's Office is authorized to provide such assurances, certificates, and supplemental data or revised data that DCED may request in connection with the application.

ADOPTED AND RESOLVED, by the Board of Commissioners of Dauphin County, Pennsylvania, in lawful session duly assembled, on the 16th day of June, 2021.

ATTEST:

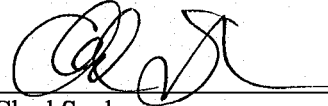


Chief Clerk/Chief of Staff

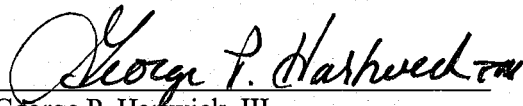
**DAUPHIN COUNTY
BOARD OF COMMISSIONERS**



Mike Pries



Chad Saylor



George P. Hartwick, III

(SEAL)



STATEMENT OF ASSURANCES

EMERGENCY SOLUTIONS GRANT PROGRAM | ALL COMPONENTS

APPLICANT NAME & DATE:

County of Dauphin 6/16/2021

The applicant or grantee hereby assures and certifies that:

- | | |
|--|--|
| <p>(A) It possesses legal authority to apply for the grant and to execute the proposed program in accordance with the statutes and regulations governing the federal program.</p> | <p>LEGAL
AUTHORITY</p> |
| <p>(B) The governing body has duly adopted or passed as an official act, a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.</p> | <p>OFFICIAL
RESOLUTION</p> |
| <p>(C) The activities are consistent with the Consolidated Plan submitted by the unit of Local Government where the activities are being conducted, or are consistent with the Commonwealth's Consolidated Plan.</p> | <p>CONSOLIDATED
PLAN</p> |
| <p>(D) It has established a citizen participation mechanism which:</p> <ol style="list-style-type: none"> (1) Provides an opportunity for citizens to participate in the development of the application, encourages the submission of views and proposals, and provides for timely responses to the proposals submitted. (2) Provides citizens with adequate information concerning the amount of funds available for proposed projects, the range of activities that may be undertaken, and other important program guidelines. (3) Provides for one or more public hearings on the proposed application before adoption of a resolution or similar action by the local governing body authorizing the filing of the application. (4) Provides for a timely written answer to written complaints and grievances. (5) Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate. | <p>CITIZEN
PARTICIPATION</p> |
| <p>(E) It will provide citizens with reasonable access to records regarding the Emergency Solutions Grant Program assisted activities and management.</p> | <p>ACCESS TO
INFORMATION</p> |
| <p>(F) It will comply with:</p> <ol style="list-style-type: none"> (1) The requirements of 24 CFR Part 576.53 concerning the continued use of buildings, for which these grant funds are used, as emergency shelter for the homeless. (2) The building standards requirements of 24 CFR Part 576.55. The requirements of 24 CFR Part 576.56 concerning assistance to the homeless. | <p>FINANCIAL
REQUIREMENTS</p> |
| <p>(G) It will comply with the requirements and policies of 24 CFR Part 85 entitled: "Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments"; OMB Circular A-110 entitled: "Uniform Administrative Requirements for Grants and Agreements With Institutions of higher Education, Hospitals, and Other Nonprofit Organizations"; OMB Circular A-87 entitled: "Cost Principles for State, Local and Indian Tribal Governments"; OMB Circular A-122 entitled: "Cost Principles for Nonprofit Organizations"; OMB Circular A-133 entitled: "Audits of State, Local Governments, and Nonprofit Organizations"; Treasury Circular 1075</p> | |

(H) It will maintain a drug free workplace in accordance with the Drug Free Workplace Act of 1988 and the requirements of 24 CFR Part 24, subpart F.

DRUG FREE
WORKPLACE

(I) It will comply with:

(1) Title VI of the Civil Rights Act of 1964, P.L. 88-352 (42 U.S.C. 2000d et. seq.) and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no persons in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits.

NON-
DISCRIMINATION

Title VI states that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Section 1.4b(2)(i) of the regulations issued pursuant to Title VI requires that: "A recipient in determining the types of housing, accommodations, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of persons to whom, or the situations in which, such housing, accommodations, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of persons to be afforded an opportunity to participate in any such program or activity, may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity as respect to persons of a particular race, color, or national origin."

(2) The Fair Housing Amendments Act of 1988 (42 U.S.C. 3601-20) which states that no person shall be subjected to discrimination because of race, color, religion, sex, handicap, familial status, or national origin in the sale, rental, or advertising of dwellings, in the provision of brokerage services, or in the availability of residential real estate-related transactions; and requires that subrecipients administer all programs and activities in a manner to affirmatively further fair housing.

FAIR HOUSING

Executive Order 11063 and the regulations contained in 24 CFR Part 107 requires that all action necessary and appropriate be taken to prevent discrimination because of race, color, religion (creed), sex, or national origin related facilities or in the use or occupancy thereof where such property or facilities are owned or operated by the Federal Government or provided with Federal assistance by HUD and in the lending practices with respect to residential property and related facilities of lending institutions insofar as such practices relate to loans insured, guaranteed or purchased by the Federal Government.

(3) 24 CFR Parts 5, 200, 203, 236, 400, 570, 574, 882, 891, and 982- Equal Access to Housing in HUD Programs – Regardless of Sexual Orientation or Gender Identity, makes the following provisions:

EQUAL ACCESS
TO HOUSING

- Requires owners and operators of HUD-assisted housing, or housing whose financing is insured by HUD, to make housing available without regard to the sexual orientation or gender identity of an applicant for, or occupant of, the dwelling, whether renter- or owner-occupied. HUD will institute this policy in its rental assistance and homeownership programs, which include the Federal Housing Administration (FHA) mortgage insurance programs, community development programs, and public and assisted housing programs.
 - Prohibits lenders from using sexual orientation or gender identity as a basis to determine a borrower's eligibility for FHA-insured mortgage financing. FHA's current regulations provide that a mortgage lender's determination of the adequacy of a borrower's income "shall be made in a uniform manner without regard to" specified prohibited grounds. The rule will add actual or perceived sexual orientation and gender identity to the prohibited grounds to ensure FHA-approved lenders do not deny or otherwise alter the terms of mortgages on the basis of irrelevant criteria.
 - Clarifies that all otherwise eligible families, regardless of marital status, sexual orientation, or gender identity, will have the opportunity to participate in HUD programs. In the majority of HUD's rental and homeownership programs the term "family" already has a broad scope, and includes a single person and families with or without children. HUD's rule clarifies that otherwise eligible families may not be excluded because one or more members of the family may be an LGBT individual, have an LGBT relationship, or be perceived to be such an individual or in such relationship.
 - Prohibits owners and operators of HUD-assisted housing or housing insured by HUD from asking about an applicant or occupant's sexual orientation and gender identity for the purpose of determining eligibility or otherwise making housing available. In response to comments on the proposed rule, HUD has clarified this final rule to state that this provision does not prohibit voluntary and anonymous reporting of sexual orientation or gender identity pursuant to state, local, or federal data collection requirements.
- (4) Age Discrimination Act of 1975 (42 U.S.C. 6101-01) and the implementing regulations at 24 CFR Part 146.
- (5) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794) and the implementing regulations at 24 CFR Part 8.

AGE

For purposes of the Emergency Solutions Grant Program, the term "dwelling units" in 24 CFR Part 8 shall include sleeping accommodations.

DISABLED
PERSONS

It will make known that the use of the facilities and services is available to all on a nondiscriminatory basis. Where the procedures that a grantee intends to use to make known the availability of such facilities and services are unlikely to reach persons with handicaps or persons of any particular race, color, religion, sex, age or national origin within their service area who may qualify for them, the grantee must establish additional procedures that will ensure that these persons are made aware of the facilities and services.

Subrecipients must also adopt and implement procedures designed to make available to interested persons information concerning the existence and location of services and facilities that are accessible to persons with a handicap.

- (6) Executive Order 11246, Equal Opportunity in Federal Employment, September 24, 1965 (30 FR 12319), as amended by Executive Order 12086, October 5, 1978 (43 FR 46501), and the regulations issued pursuant thereto (24 CFR Part 130 and 41 CFR Chapter 60), which provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of Federal or Federally assisted construction contracts. Contractors and subcontractors on Federal and Federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion, or transfer; recruitment advertising; layoff or termination, rates of pay or other forms of compensation and selection for training and apprenticeship.
- (7) Executive Order 11625, October 13, 1971 which prescribes additional arrangements for developing and coordinating a national program for Minority Business Enterprise (36 FR 19967)
- (8) Executive Order 12138, May 18, 1979 (44 FR 29637) which creates a National Women's Business Enterprise Policy.
- (9) Pennsylvania Human Relations Act of October 27, 1957, P.L. 744, (43 P.S. 951-963) as amended, which provides that no employee, applicant for employment, independent contractor, or any other person shall be discriminated against because of race, color, religious creed, ancestry, national origin, age, or sex.
- (10) It will comply with Section 3 of the Housing and Urban Development Act of 1968, P.L. 90-448, as amended (12 U.S.C. 1701(u)), requiring that to the greatest extent feasible opportunities for training and employment be given to low and moderate income residents of the applicant's county and contracts for work in connection with the project be awarded to eligible business concerns which are located in, owned in substantial part by persons residing in the applicant's county.

EQUAL
OPPORTUNITY
IN EMPLOYMENT

- (J) It will comply with the requirements, as applicable, of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846) and implementing regulations at 24 CFR Part 35. In addition, subrecipients must also meet the following requirements relating to inspection and abatement of defective lead-based paint surfaces:
- (1) Treatment of defective paint surfaces must be performed before final inspection and approval of the renovation, rehabilitation or conversion activity under this part; and
 - (2) Appropriate action must be taken to protect shelter occupants from the hazards associated with lead-based paint abatement procedures.

LEAD BASED
PAINT

- (K) Its chief executive officer or other appropriate officer/officers consents to assume the status of a "responsible federal official" under the National Environmental Policy Act of 1969 (NEPA) P.L. 91-190 (42 U.S.C. 4321 et.seq.). The applicant will assume responsibility for environmental review, decision-making and action under NEPA and HUD regulations at 24 CFR Part 58. The applicant further certifies that it has complied with and will comply with 24 CFR Part 58.5 in the administration of its project.

ENVIRONMENTAL
CLEARANCE

- (L) It will establish safeguards to prohibit employees, agents, consultants, officers, or elected or appointed officials from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

CONFLICT OF
INTEREST

- (M) It will comply with the Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and the regulations at 49 CFR Part 24 which apply to the acquisition of real property by a State agency for an activity assisted with ESGP funds and to the displacement of any family, individual, business, nonprofit organization or farm that results from such acquisition; and will assure that it has taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted with these funds. ACQUISITION AND RELOCATION
- (N) It will comply with the Pennsylvania Flood Plain Management Act 166 (32 P.S. §679.101 - 679-601) and the regulations issued pursuant thereto (Title 16, Chapter 38). FLOOD PLAIN
- (O) It will comply with the Pennsylvania Steel Products Procurement Act of March 3, 1978 (P.L. 6, No. 3, §1, 73 P.S. §1881 et.seq. 1). STEEL PRODUCTS
- (P) It will comply with the Provisions of the Fire Administration Authorization Act of 1992, (P.L. 102-522). FIRE ACT
- (Q) Third party contractors are required to coordinate ESG activities with their respective Continuum of Care CONTINUUM OF CARE
- (R) Each ESG subrecipient must develop and implement procedures to ensure: (1) the confidentiality of records pertaining to any individual provided with assistance; and (2) that the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee. CONFIDENTIALITY
- (S) Subrecipient must agree to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care, in order to prevent such discharge from immediately resulting in homelessness for such persons. DISCHARGE POLICY
- (T) The disclosure requirements and prohibitions of section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990, and implementing regulations at 24 CFR part 87, apply to ESG. ANTI-LOBBYING
- (U) Organizations providing rental assistance with ESG funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. HABITABILITY STANDARDS

Signature of Chief Elected Official _____
 Date _____
 Name/Title of Chief Elected Official Mike Pries Chairman Municipality _____ County _____

6/16/2021
 Date
 Dauphin
 County

LANGUAGE ACCESS PLAN CERTIFICATION

Certification for (Grantee, Program or Activity): the County of Dauphin supplemental application to DCED for ESG Program funds.

As a result of the preceding Four-Factor Analysis, the County of Dauphin (Grantee) has identified the following types of language assistance to be provided on an as needed basis by the Grantee throughout the implementation of its ESG program:

Below are the minimum requirements to meet the needs of your identified Limited English Proficiency Populations. Those marked "Required" are mandatory of all ESG grantees. *Additional activities may be added to meet the needs of the grantees' LEP population(s).*

All ESG citizen participation materials, public notices, and project-related resolutions, will be published/posted in the LEP language(s) identified, in community newsletters, on bulletin boards at the offices and meeting location of the grantee, on the grantee website and in public places throughout the proposed project area(s) and/or the community, especially those areas with high concentration of the affected population. **Required**

Additionally, all published/posted citizen participation notices will include a statement in the identified LEP language(s) indicating that other "program materials are available in the LEP language(s) upon request". This statement must be in as many languages as has been identified during the grantee's analysis. **Required**

All citizen participation notices will include a statement that "translators will be available at public meetings upon at least 72 hours' notice". This statement will be in the identified LEP language(s) in the English notification and also in the complete LEP language(s)' notification. **Required**

All direct assistance program application documents and outreach materials will be provided in the LEP language(s) identified. **Required**

For direct assistance intakes, if needed, a translator will be retained to provide oral translation at the site of the intake to assist in filling out the intake documents and explaining the program. The grantee may not require the LEP applicant to provide their own translator, though the applicant may bring someone if they choose. **Required**

If other populations of LEP persons are identified in the future, Grantee will provide additional measures to serve the language access needs of those persons. **Required**

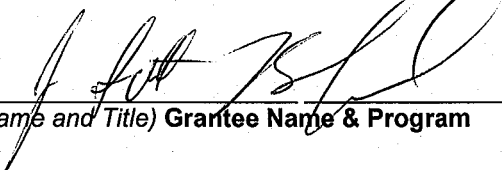
The Grantee will complete a Language Access Plan which delineates how these activities will be carried out, by whom, and who will monitor the effectiveness of the activities for possible revision. This Plan once adopted by the grantee must be retain in the grantees' master file and utilized throughout the program.

Adopted:



Chief Elected Official (Signature and Printed Name) Mike Pries

6/16/2021
Date



Attest (Name and Title) Grantee Name & Program

Chief Clerk