



**U.S. Department of Housing and Urban Development
Office of Community Planning and Development**

*Region IV, Miami Field Office
Brickell Plaza Federal Building
909 SE First Avenue, Room 500
Miami, FL 33131-3028*

3/21/2023

Mr. Charles F. Dodge
City Manager
City of Pembroke Pines
Pembroke Pines City Hall
601 City Center Way
Pembroke Pines, FL 33025

Subject: Annual Community Assessment
Consolidated Annual Performance and Evaluation Report (CAPER)
Program Year: (PY) 2021
Programs: CDBG, CDBG CV- 1 and 3, NSP-1 and 3

Dear Mr. Dodge,

The Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, require that a determination be made annually by HUD that the grant recipient is in compliance with the statutes and has the continuing capacity to implement and administer the programs for which assistance is received.

In accordance with the Consolidated Planning Regulations of January 5, 1995, this Office makes a comprehensive performance review of your overall progress annually, as required by 24 CFR 91.525. The review consists of analyzing your consolidated planning process; reviewing management of funds; determining the progress made in carrying out your Consolidated Plan policies and programs; determining the compliance of funded activities with statutory and regulatory requirements; determining the accuracy of required performance reports; and evaluating your accomplishments in meeting key departmental objectives.

We congratulate you on your accomplishments during this past year in the achievement of departmental objectives.

HUD's mission is to create strong, sustainable, inclusive communities and quality, affordable homes for all.

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SUMMARY OF PERFORMANCE

Community Development Block Grant (CDBG)

The CDBG program is authorized under title I of Pub. L. 93-383, Aug. 22, 1974, 88 Stat. 633. The primary objective of the community development program is the expansion of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. The Federal assistance should be for the support of community development activities which are directed toward compliance with the following specific objectives: benefit to low- and moderate-income families, aid in the elimination of slums and blight and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, and the need of meeting other community development urgency needs, principally persons of low and moderate income.

The city was awarded in FY 2021 \$1,017,132.00 grant funds and is commended on its performance in expending 99.92% on activities benefiting low or moderate-income persons. This performance meets departmental standards.

Consistent with the primary objective, not less than 70 percent of the aggregate of the Federal assistance provided to units of general local government shall be used for the support of activities that benefit persons of low and moderate income.

The Financial summary indicated \$218,643.22 in net expenditures for planning and administrative costs, or 19.68% of the grant funds plus program income received during the FY 2021 program year. The Financial Summary also disclosed \$127,856.02 in net expenditures for public services, or 12.57% of the grant. Our review of the activities indicates that they appear to be eligible as provided for at 24 CFR Part 570.201-6 and meet one of the three National Objectives established at 24 CFR part 570.208.

We are pleased with the city's public service programs that benefited 690 senior citizens through their Senior Transportation Program. The city also completed the senior center parking lot project and continues to work on window replacement efforts at the Senior Center.

In addition to providing decent housing and a suitable living environment, the city may also want to consider expanding economic opportunities for its low- and moderate-income persons.

On October 21, 2021, HUD issued a memorandum explaining a temporary change in the process for the application of corrective actions for untimely expenditure in the Community Development Block Grant (CDBG) Entitlement Program. This change to the CDBG Timeliness policies and procedures will remain in effect for a two-year period that began on October 1, 2021, the start of the 2022 fiscal year, and conclude on September 30, 2023, the end of the 2023 fiscal year. HUD will continue to monitor a grantee's line of credit adjusted ratio (including program income) in the application of this policy. The extension change is due to the unprecedented funding levels available to grantees through the 2023 fiscal year. HUD continued to run expenditure reports and will continue to notify grantees of deficiencies. You may refer to

Federal Register 6218-N-01: Notice - IV.B.1 and requirements set forth in 24 CFR part 570.902 (entitlements).

As a reminder, according to the National Defense Authorization Act of 1991 (P.L.101-510), CDBG grantees have a total of eight years to obligate and expend CDBG funds, counting the three-year obligation period and the additional five years for expenditure. For example, CDBG funds appropriated by Congress in FY 2016 must be obligated (put under funding contract to the grantee) by September 28, 2018 (three years). They must be disbursed by the grantee by September 28, 2023 (FY 2018 + 5 years). If the FY 2016 grant funds are not drawn down from the Line of Credit Control System (LOCCS) by the end of FY 2023, funds will be recaptured by HUD and returned to the U.S. Treasury. Also, be aware that if a grantee returns funds to an expired grant, the funds are returned to the Treasury and are no longer available in the grantee's LOCC's. This means, grantees unspent funds will be permanently lost. Therefore, grantees who need to return funds to an expired grant should contact our Miami Field Office for instructions.

Community Development Block Grant - (CDBG) - CV 1 and 3

The Coronavirus Aid, Relief and Economic Security (CARES) Act was signed under Public Law 116-136- (CARES Act) on March 27, 2020. The CDBG coronavirus response (CDBG-CV) funds were made available to communities to prevent, prepare for, and respond to coronavirus crisis. CDBG-CV- grants are subject to the requirement that 70 percent of funds are for activities that benefit LMI persons. The requirements at 42 U.S.C. 5301I, 42 U.S.C. 5304(b)(3)(A), 24 CFR 570.200(a)(3), 24 CFR 570.420(d)(2)- (3) (insular areas), and 24 CFR 570.484 (states) shall remain in place to the extent that they require the grantee to ensure that 70 percent of its CDBG-CV grant be expended for activities that benefit LMI persons. As an alternative requirement, however, HUD is requiring that grantees must demonstrate compliance with the overall benefit requirement separately for a grantee's total CDBG-CV grant allocation and not in combination with annual formula CDBG funding or commitments under the Section 108 Loan Guarantee program.

Please be advised that the period of performance for the funding assistance specified in the Funding Approval/Agreement ("Funding Assistance") shall be six years and shall end six years later. The Grantee shall not incur any obligations to be paid with the Funding Assistance after this period of performance. HUD is imposing this period of performance to ensure the use of CDBG-CV funds to prevent, prepare for, and respond to coronavirus. The CDBG regulations at 24 CFR 570.200(k) and 24 CFR 570.480(h) permit HUD to establish a period for expenditure and performance in a grant agreement that is shorter than the normal 8-year period. HUD is exercising its authority to establish a 6-year period of performance and expenditure deadline in the CDBG-CV grant agreement. Grant funds are not available for expenditure after the period of performance. In addition, to further ensure the expedited use of the funds, HUD is imposing an alternative requirement that each grantee must expend at least 80 percent of all CDBG-CV funds (including CDBG-CV funds from additional allocations that are obligated by HUD through amendments to the grant agreement) no later than the end of the third year of the period of performance established by the CDBG-CV grant agreement. If this three-year requirement is not met, and evidence meeting the criteria for extension described in section III.B.7. (c) below is not provided, an amount equivalent to the difference between the total amount expended at the

end of the third year and 80 percent of all CDBG–CV funds will be recaptured from the CDBG–CV grant.

The city was awarded the cumulative amount of \$1,400,676.00 in CDBG-CV-1 and CV-3 grant funds and has expended \$251,921.43 of its allocated grant funds.

The Reporting CDBG-CV Accomplishments in the CAPER Quick Guide provides guidance for grantees to report progress using Community Development Block Grant (CDBG) and CDBG CARES Act (CDBG-CV) funds to respond to COVID-19 within the Consolidated Annual Performance and Evaluation Report (CAPER).

<https://files.hudexchange.info/resources/documents/Reporting-CDBG-CV-Accomplishments-in-the-CAPER-Quick-Guide.pdf>

The Federal Register Notices for each program are posted on the HUD website as listed below:

- CDBG-CV Notice: [https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-CV Notice Federal Register Publication 2002-08.pdf](https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-CV%20Notice%20Federal%20Register%20Publication%202002-08.pdf)

Performance Measurement

In September 2004, CPD Notice 03-09 was sent to all grantees in reference to Local Performance Measurement Systems for CPD Formula Grant Programs. In this notice it strongly recommends the use of a performance measurement system in order to account for productivity and program impact. Productivity displays the quantity, quality, and time a grantee undertakes activities. Program impact reflects how activities yield desired outcomes within the community and the persons assisted. The Field office reiterated the importance of determining whether the **county/city** is currently using a performance measurement system, developing a system, or has not yet developed a system.

Beginning October 1, 2006, each Consolidated Annual Performance and Evaluation Report (CAPER) or Performance and Evaluation Report (PER) should include the status of the grantee's efforts toward implementing a performance measurement system as described in the Federal Register Notice dated March 7, 2006. All CAPER or PER reports should provide a description of how the jurisdiction's program provided new or improved availability/accessibility, affordability, sustainability of decent housing, a suitable living environment, and economic opportunity. The CAPER/PER must include a comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives.

A review of the IDIS CDBG Performance Measures Report (PR83 - CDBG) disclosed that the city is inputting data for its activities.

Concerns

There are some performance issues that require action for resolution as a result of our review of your Consolidated Annual Performance and Evaluation Report (CAPER) for FY 2021:

1) Slow moving activities:

A review of the city's reporting data (IDIS Report PR02) - List of Activities by Program Year and Project, are showing a number of old funded activities with large balances, no draws made, or activities incorrectly reported. The activities identified in the report are as follows:

PY	Activity #	Activity Name	Status	Program	Funded Amount	Drawn Amount	Balance
2016	174	Residential Rehab	Open	CDBG	\$671,799.02	\$671,799.02	\$0.00
2017	180	Public Facilities	Open	CDBG	\$300,000.00	\$260,053.27	\$39,946.73
2018	188	Public Improvement	Open	CDBG	\$300,000.00	\$237,179.68	\$62,820.32
2019	193	Public Improvement	Open	CDBG	\$300,000.00	\$234,000.00	\$66,000.00
	194	CV Micro-Enterprise	Open	CDBG	\$19,063.20	\$0.00	\$19,063.20

It's recommended that the city, where appropriate, reprogram large balances or funds remaining from completed activities, and accurately report on open activities with \$0 balance and/or old activities with balances, as soon as possible, but no later than 30 days from receipt of this letter. By doing so, it will aid to avoid erroneous reporting and will assist the city in meeting its timeliness test. For additional information on the reporting requirements for the CAPER please visit HUD's website at:

<https://www.hudexchange.info/programs/idis/idis-reporting/>

The Housing and Economic Recovery Act of 2008 And The American Recovery and Reinvestment Act of 2009 Programs*

NSP is a component of the Community Development Block Grant (CDBG) Program, the CDBG regulatory structure is the platform used to implement NSP. The regulations created by the Office of the Assistant Secretary of Community Planning and Development that pertain to Community Development programs are contained within [24 CFR part 570 - Community Development Block Grants](#). NSP is governed by CDBG regulations except where specifically waived.

Neighborhood Stabilization Program (NSP-1)

The Neighborhood Stabilization Program (NSP-1) was authorized under [Division B, Title III of the Housing and Economic Recovery Act \(HERA\) of 2008 - Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes](#). This Act is the authorizing legislation for NSP. The law allocates \$3.92 billion in NSP1 funding. It also includes requirements related to

allocations, timeliness, eligible activities, income eligibility, national objectives, program income, relocation, purchase discounts, affordability and sales price, and other requirements.

The city received \$4,398,575.00 in NSP-1 fiscal year 2009 grant funds and has expended \$6,137,817.61 of its NSP-1 grant funds which includes program income.

Our review of the city's Quarterly Progress Reports revealed that the city is in compliance with the timely submittal of Quarterly Progress Report (QPR's). The city is required to continue reporting in the Disaster Recovery Grant Reporting (DRGR) system.

It appears that the city's activities are complete, and the grant is ready for closeout. Our records indicate that you have no remaining grant funds subject to recapture.

If you have not been contacted regarding closeout of this grant, please contact our office in order to determine readiness and to receive a closeout package. Thereafter, we will review the status of the NSP grant and confirm that additional documentation is needed or that all closeout criteria have been met.

Neighborhood Stabilization Program (NSP-3)

The Neighborhood Stabilization Program (NSP-3) was authorized under Section [1497 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010](#). This Act is the authorizing legislation for the third round of funding for NSP. It also amends the 25 percent set-aside requirement by removing the restriction that allows only abandoned or foreclosed upon homes or residential properties to be used to meet this requirement. Instead, NSP grantees may also use vacant or demolished property to meet the set-aside requirement as well.

The city received \$2,330,542.00 in NSP-3 fiscal year 2011 grant funds and has expended \$2,896,446.57 of its NSP-3 grant funds which includes program income.

Our review of the city's Quarterly Progress Reports revealed that the city is in compliance with the timely submittal of Quarterly Progress Report (QPR's).

It appears that the city's activities are complete, and the grant is ready for closeout. Our records indicate that you have no remaining grant funds subject to recapture.

If you have not been contacted regarding closeout of this grant, please contact our office in order to determine readiness and to receive a closeout package. Thereafter, we will review the status of the NSP grant and confirm that additional documentation is needed or that all closeout criteria have been met.

Overall Evaluation and Conclusion

Our review of the annual performance report indicates that the activities carried out by the city during the program year were generally eligible or otherwise consistent with applicable CDBG, CDBG – CV and NSP federal regulations.

The city's actions in the program year were consistent with the actions proposed to address identified priority needs. Results in achieving goals that were envisioned in the Consolidated Plan were satisfactory.

The city's approach to community development activities is comprehensive and creative and reflects internal coordination and cooperation with its citizens.

To facilitate and expedite citizen access to our performance assessment, we request that you apprise the general public, interested citizen's organizations and non-profit entities, of its availability. If, for any reason, the city chooses not to do so, please be advised that our office is obligated to make this letter available to the public. We appreciate your cooperation in this matter.

It is also recommended that the city retain this assessment letter and make it available to its Independent Public Accountant (IPA).

In conclusion, as a result of our analysis we have determined that your overall progress is satisfactory. This determination is based upon the information available to this office and does not reflect a comprehensive evaluation of specific activities.

Attached please find important information that would assist you in administering your CPD programs.

This office is available to assist you in any way possible. If you have any questions regarding this correspondence, or any other program matter, please do not hesitate to contact Vilma Barone, Community Planning and Development Representative at (305) 520-5016, or via email message at: Vilma.Barone@hud.gov.

Sincerely,



Lisa Johnson
Director
Office of Community Planning and Development

Enclosures

cc: Joseph Yaciuk, Assistant Director, City of Pembroke Pines

FRIENDLY REMINDER:

Instructions for IDIS Cash on Hand Quarterly Report:

Starting in Federal fiscal year 2020 (FY 2020), the Entitlement Communities, Insular Areas, and non-Entitlement Counties in Hawaii are required to complete the Cash on Hand Quarterly Report and submit it to grantee’s HUD local field office through IDIS. The new IDIS Cash on Hand Quarterly Report will replace the SF-425 report, and the submission of the SF-425 report will be eliminated. This document provides guidance to CDBG grantees on reporting requirements for the Cash on Hand Quarterly Report.

The field offices will review report’s completeness and accuracy. The reporting frequency is the same as previously required of the SF-425, quarterly. The Quarterly Cash on Hand report must be submitted to the respective field office within 30 days after the end of the reporting period. The following Federal fiscal year quarter reporting periods will be used for all quarterly reports.

Reporting Period	Due Date of Report
Quarter 1: 10/1 – 12/31	1/30
Quarter 2: 1/1 – 3/31	4/30
Quarter 3: 4/1 – 6/30	7/30
Quarter 4: 7/1 – 9/30	10/30

The following link at the HUD Exchange provides guidance on reporting requirements for the Cash on Hand Quarterly Report:

<https://www.hudexchange.info/resource/5947/instructions-for-idis-cash-on-hand-quarterly-report/>

eCon Planning Suite:

In May 2012, HUD’s Office of Community Planning and Development (CPD) introduced the eCon Planning Suite, including the Consolidated Plan template in IDIS OnLine and the CPD Maps website. The eCon Planning Suite is designed to support grantees and the public to assess their needs and make strategic investment decisions by providing better data and tools and by creating a seamless planning and grants management framework.

Consolidated Plan Template in IDIS Online:

HUD grantees are now required to submit their Consolidated Plan and year one Annual Action Plan using the Consolidated Plan template in IDIS Online. If grantees have an approved multiyear Consolidated Plan, they are not required to use IDIS to submit their Annual Action Plan until the next multi-year strategy is due. [CPD Notice 12-009: Use of IDIS to Submit the Consolidated Plan](#) provides an overview of the requirement for HUD grantees to submit these reports in IDIS.

Please note that many of the responses cite references from the Desk Guide for Using IDIS to

Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER (“Desk Guide”) which can be accessed at:

<https://files.hudexchange.info/resources/documents/eCon-Planning-Suite-Desk-Guide-IDIS-Conplan-Action-Plan-Caper-Per.pdf>

If you require additional assistance, please submit a question to the HUD Exchange Ask-A Question desk at:

<https://www.hudexchange.info/get-assistance/my-question/>.

In order to expedite a response, please make sure to indicate that your question is related to “Con Plan: eCon Planning Suite,” specify the screen you are working on and, if applicable, attach a screenshot of any error message received.

Minority Business Enterprises – “MBE”:

Under executive orders 11625, 12432 and 12138 grantees must subscribe procedures acceptable to HUD for a minority outreach program to ensure that they are making concerted efforts to attract minority groups to the procurement process.

Furthermore, the Office of Small and Disadvantaged Business Utilization (OSDBU) is required to collect and consolidate data on Minority Business Enterprise (MBE) on an annual basis. You are encouraged to utilize Woman’s and Minority Business Enterprise participation in all HUD programs. Grantees should submit their information, via email, on HUD form 2516 (Grantee Contract and Subcontract Activity Report). Please note that you may access the forms at:

https://www.hud.gov/sites/documents/DOC_11712.PDF

2023 TRAINING SURVEY

Please help us to identify the areas of training that could benefit your jurisdiction in operating and managing your CPD program(s). Complete the survey below no later than April 7, 2023, and email it to your CPD Representative.

Please indicate your interest in receiving technical assistance/training below by ranking the importance from the highest (5) to lowest (1).

5 – Very Important 4 – Important 3 – Average 2 – Slightly Important 1 – Not Important

- Development Finance
- Relocation and Real Property
- CHDO Assistance
- Construction and Rehabilitation Management
- Economic Development/Section 108
- Effective Agreements
- Environmental Review and Compliance
- Financial Management
- Efficiency/Green Building
- Homelessness Issues
- IDIS
- Income Determinations
- Lead-Based Paint Compliance
- Neighborhood Stabilization Program –NSP (specify):
- Procurement and Contracting
- Subrecipient Management
- Using Outcomes to Measure Performance
- Recordkeeping and Reporting
- Debarment, Suspension, and Termination
- Audits
- Program Monitoring
- Federal Labor Standards
- DRGR
- HMIS
- Emergency Solutions Grant
- Basic CDBG Program
- Advanced CDBG Program
- Meeting CDBG Timeliness Test Requirements
- Timesheet Records Compliance
- Activity Delivery vs. Program Administrative Costs
- Property Management and Disposition
- Program Income
- Basic HOME Investment Partnerships Program
- Advanced HOME Investment Partnerships Program
- HOME Match Report/Log

- Subsidy Layering Review
- Meeting Commitment/Disbursement/CHDO Set-Aside Deadlines
- Resale/Recapture Provisions
- Maximum Purchase Price/After-Rehab Value Compliance
- Rental Project Compliance
- Rent Determinations
- Housing Quality Inspections
- Affirmative Marketing
- Accessing HOME and Low-Income Housing Tax Credits (LIHTC) Projects
- HOPWA (i.e.: reporting, monitoring oversight, financial mgmt.): _____
- Combining Multiple Community Planning & Development Programs
- Fair Housing Compliance
- Civil Rights Compliance Basic CDBG Program
- Section 504 Compliance
- Equal Opportunity Compliance
- Section 3 Compliance
- Conflict of Interest Determinations
- eCon Planning Suite
- Consolidated Plan/Action Plan Preparation
- Other (Please specify): _____
