

Commonwealth of Kentucky
Department for Local Government (DLG)
2021 Community Development Block Grant Disaster Recovery (CDBG-DR) Grants
Action Plan for Program Administrative Costs

CDBG-DR Funding Overview:

The Kentucky Department for Local Government (DLG) has been awarded \$74,953,000 in federal funding to assist with the ongoing response to the Severe Storms, Flooding, Landslides, and Mudslides, Straight-line Winds, and Tornadoes that hit the commonwealth in 2021. The funds are provided by the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant Disaster Recovery (CDBG-DR) Program. The CDBG-DR Program works to rebuild areas affected by the disasters.

Grantee Name:	Kentucky Department for Local Government (DLG)
State:	Commonwealth of Kentucky
Date Plan Submitted:	July 13, 2022
Total Grant Amount:	\$74,953,000
Amount of Administrative Funds Budgeted:	\$3,747,650 (5% of \$74,953,000)
Grantee Contact (Name):	Dennis Keene, Commissioner
Grantee Contact (Email/Phone):	Dennis.keene@ky.gov 502-892-3443
HUD Contact (Name):	Anita Bowles
HUD Contact (Email/Phone):	anita.l.bowles@HUD.GOV 502-618-8108

Purpose of the Action Plan for Program Administrative Costs

Public Law 117-43 allows CDBG-DR grantees receiving an award under the Appropriations Act to access funding for program administrative costs prior to the Secretary’s certification of financial controls and procurement processes, and adequate procedures for proper grant management. Approval by HUD of the Action Plan for Program Administrative Costs will allow the Kentucky Department for Local Government (DLG) to begin using funds for allowable administrative activities prior to the submission of the full program Action Plan.

Proposed Allocation of Administrative Funds and Criteria for Eligibility

Public Law 117-43 allocated \$74,953,000 in disaster recovery and mitigation funding for jurisdictions impacted under FEMA disasters [FEMA-4595](#) and [FEMA- 4630](#). Up to 5% (\$3,747,650) of the total grant allocation may be used for the administration of the program. At this early stage of the grant, the Kentucky Department for Local Government (DLG) is

proposing to use up to \$400,000 for the following administrative activities allowable under Section 105(a)(12) of the HCDA, as well as activities spelled out in 24 CFR 570.205 and 570.206:

- Costs associated with DLG staff or consultant time associated with coordinating and engaging partners, tribal entities, the public, state agencies, local government officials, and other interested stakeholders in the development of the program action plan.
- Costs associated with DLG staff or consultant time associated with identifying and cataloguing unmet need data, drafting the mitigation needs assessment, development of potential programs for the program action plan.
- Costs associated with DLG staff time and travel associated with seeking public comment on the development of the program action plan

Public Notices and Comment Period:

HUD has waived the provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24 CFR 570.486, 24 CFR 1003.604, 24 CFR 91.105(b) through (d), and 24 CFR 91.115(b) through (d), with respect to citizen participation requirements. This document will be posted on The Kentucky Department for Local Government (DLG) disaster recovery webpage for no less than seven (7) days starting on July 13, 2022 and ending on July 25, 2022. This plan has also been sent to the Area Development Districts and the local governments in the disaster affected regions.

The Kentucky Department for Local Government (DLG) will seek comment from residents, affected local governments, and other interested parties on the Action Plan for Program Administrative Costs. Comments on the Action Plan for Program Administrative Costs will be accepted via any of the following methods:

- Email: DLG.DR@ky.gov
- Phone: 502-573-2382
- Mail: Department for Local Government
 - 100 Airport Road 3rd Floor
 - Frankfort, KY 40601
 - Attn: Office of Federal Grants-DR Team

The Kentucky Department for Local Government (DLG) will consider and respond to all oral and written comments. The substance of the comments and responses and any changes to the plan because of the comments will be documented in the final version of this plan.

HUD Required Certifications & Standard Form 424 (SF-424):

The Kentucky Department for Local Government (DLG) must make the following certifications and include them with the submission of this plan.

1. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
2. The grantee certifies that the action plan for disaster recovery is authorized under state and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this notice.
3. The grantee certifies that activities to be undertaken with CDBG-DR funds are consistent with its action plan.
4. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each local government receiving assistance from a state grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements).
5. The grantee certifies that it is complying with each of the following criteria:
 - (1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).
 - (2) With respect to activities expected to be assisted with CDBG-DR funds, the action plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.
 - (3) The aggregate use of CDBG-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent (or another percentage permitted by HUD in a waiver published in an applicable Federal Register notice) of the grant amount is expended for activities that benefit such persons.
 - (4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).
6. The grantee certifies that the grant will be conducted and administered in conformity

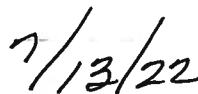
with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations, and that it will affirmatively further fair housing. An Indian tribe grantee certifies that the grant will be conducted and administered in conformity with the Indian Civil Rights Act.

7. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, and that the state grantees will require local governments that receive their grant funds to certify that they have adopted and are enforcing:
 - (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 - (2) A policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
8. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements of this notice.
9. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.
10. The grantee certifies that it will comply with the provisions of Title I of the HCDA and with other applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.



Signature of Certifying Official



Dennis Keene, Commissioner

(Date)