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Appendix M: Tribal Set-Aside Resources

Purpose: Give tribal applicants information and tools to support successful applications and awards of CDBG-CV funds to meet critical COVID-19 related needs in tribal communities.

Summary of NOFA Process & Timeline – Tribal Set-Aside

Stage	Date
Release NOFA	Friday, 12/18/2020
Tribal NOFA Workshop	Tuesday, 1/5/2021 10:30am – 12:30pm
Outreach and Scheduling Technical Assistance Conferences	Week of 1/4/2021
Individual Technical Assistance Conferences	Weeks of 1/11, 1/18 and 1/25
Support during Application Period	Ongoing
Application Deadline	Applications will be reviewed for eligibility and approved for funding as received with priority for public services applicants, but the deadline after which no more applications will be accepted is Friday, March 12, 2021 at 5pm
Support after Award	Ongoing

Support Team

Contact Mike Phillips for assistance: Michael.Phillips@hcd.ca.gov

HCD Staff

- Janice Waddell, Federal Programs Branch Chief
- Jessica Hayes, Federal Programs Specialist
- Tawny Macedo, Housing Policy Specialist and Tribal Liaison
- Felicity Gasser, Federal Programs Specialist
- Mike Phillips, CDBG & ESG Specialist
- Spring Packard, Housing Policy Representative II
- Shawn Reid, CDBG Representative II
- Junius Barrie, Housing Policy Representative I

HUD TA Providers

- Lori Pampilo-Harris, Vuja De Consulting
- Jill Robertson, Collaborative Solutions
- Naomi Sweitzer, TAC, Inc.
- Doug Carlson, TDA, Inc.

HUD Southwest Office of Native American Programs (SWONAP) Staff

- Jody Moses



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- Bob Holden
- Rebecca Halloran

Scheduling a Technical Assistance Conference

Please reach out to Spring Packard, Housing Policy Representative II to schedule an appointment: Spring.Packard@hcd.ca.gov

Spring will provide you with a link to a brief survey to ensure that the subject matter experts who can best guide you and your proposed project scope are will be available at the time of your individual TA conference.

Fair Housing and using CDBG-CV

CDBG-CV funds are subject to all federal laws and implementing regulations that provide for equal access, non-discrimination, and accessibility. Some important points about this:

- Tribes must keep in mind that assistance cannot be limited by race or protected class under federal or state law.
- Generally, if projects or programs are operated on tribal land, it is relatively easy to adhere to the laws and regulations, as there are specific callouts under the Native American Housing Assistance and Self-Determination Act (NAHASDA).

It can be difficult to navigate the laws and regulations if funding is used outside of tribal land. Outside of tribal lands, Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from excluding from participation, denying benefits, or otherwise subjecting to discrimination a person on the basis of race, color, or national origin in the program or activity.

Guidance from HUD is in the notices at the links below:

[Microsoft Word - PIH-2009-5 PIH Accessibility Notice 1 23 08.doc \(hud.gov\)](#)

[PIH-2010- 32 TDHE Limiting Hsg to Indian Families revised 2 .docx \(hud.gov\)](#)

Tribal Specific Guidance on Duplication of Benefits

What is Duplication of Benefits?

A duplication of benefits (DOB) occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance.



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Here is a link to HUD Resources for Preventing Duplication of Benefits using CDBG-CV funds: [CDBG Coronavirus Response Grantee Resources Related to Preventing Duplication of Benefits - HUD Exchange](#)

What funding sources do we need to watch for Duplication of Benefits?

Tracking spending to ensure that duplication of benefits is prevented applies to all funding sources, whether public, private, local, state or federal.

Tribes should pay special attention to tribally designated funds. Because the Office of Native American Programs (ONAP) provides similar funding and provides COVID relief through its programs, it is important to make sure that spending is carefully tracked to ensure there is no overlap:

1. IHBG (aka NAHASDA)- All federally recognized tribes receive an allocation of these funds. ONAP advises using this funding to meet housing needs first.
2. IHBG-Cares – waivers allow use of these funds for non-housing needs like food banks, etc.
3. ICDBG – governed by the same regulations as CDBG and funds are available on a competitive basis to federally recognized tribes.
4. ICDB-Cares – a supplemental allocation of ICDBG funds which was available on a first come first serve basis to federally recognized tribes. Most tribes used these funds for public services and some were used to meet housing needs (hotel purchases, home ventilation improvements)

What do we need to do to document that our tribe, partners and community members are not at risk of duplicating benefits?

- Be sure to coordinate with the Office of Native American Programs to ensure that your programs are not at risk of having any Duplication of Benefits

Sample Project Types (Must have COVID-19 Nexus)

Public Services to provide a “unit of service” to assist individuals or families

Examples:

- Provide testing, diagnosis or other services at a fixed or mobile location
- Increase capacity and availability of targeted health services for infectious disease response within existing facilities



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- Provide equipment, supplies and materials necessary to carry out a public service
- Deliver meals on wheels to quarantined or COVID-vulnerable individuals
- Offer virtual or socially distanced tutoring or child care services
- Provide food bank support
- Offer emergency rental, utility and other subsistence payments to households economically impacted by COVID-19

Acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvements

Examples:

- Construct or retrofit a facility for testing, diagnosis, or treatment
- Rehabilitate a community facility to establish an infectious disease treatment clinic
- Acquire and rehabilitate, or construct a group living facility that may be used to centralize patients undergoing treatment
- Rehabilitate/retrofit a homeless shelter to ensure ability for social distancing
- Expanding sewer or water capacity to increase capacity of health facilities or homeless shelters to support COVID compliant practices

Assistance to businesses and microenterprises

Examples:

- Provide grants or loans to support new businesses or business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease.
- Avoid job loss caused by business closures related to social distancing by providing short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons
- Provide technical assistance, grants, loans or other financial assistance to establish, stabilize and expand microenterprises that provide medical, food delivery, cleaning and other services to support home health and quarantine