December 9, 2024
City Council Meeting

Mayor David Moore
Mayor Pro-Tem Lauren Shoemaker
Councilman Ivory Craig
Councilwoman Phyllis Harris
Councilman Bryan Hough
Councilman Jeff Meadows
Councilman Kenneth Reeves
Marie M. Anders, City Attorney
Jonathan Blanton, City Manager

City of Mount Holly
City Council
Regular Meeting

December 9, 2024 | 7:00 PM

Municipal Complex - Council Chambers
400 East Central Avenue
Mount Holly, NC 28120

CALL TO ORDER BY THE MAYOR

INVOCATION: Pastor Mark D. Massey, True Light Tabernacle of Deliverance

PLEDGE OF ALLEGIANCE: Boy Scout Troop 59

SET THE AGENDA

CONSENT AGENDA

1. Approval of the 2025 City Council Meeting Schedule
2. Call for a public hearing to consider rezoning a portion of a 1.44-acre tract of land, located at 501 Belmont-Mount Holly Road, Tax Parcel ID # 183899, from B-3 General Business to R-12 Single Family, as submitted by Billy Rick
3. Acceptance of NCDOT Funds for Tuckaseege Road Sidewalk Project [Project #: EB-5912]
4. Approval of the Appointment of Ruth Neely to PAAC
5. Approval of the Reappointments of Teraseta Ellerbe & Rodney Williams to the Planning Commission for a Three-year Term Ending on December 9th 2027.
6. Approval for installation of actuated flashing pedestrian crossing signs on South Hawthorne Street at crossing between auditorium and Mount Holly Middle
7. Approval of a policy authorizing an official or employee to conduct sales according to G.S. 160 A-266 (c).
8. Approval of firm for Mountain Bike Master Plan
9. Approval of Installation of 2 Stop Signs on Cavin Avenue at Pine Street
10. Requesting approval to apply for the Assistance to Firefighters Grant (AFG) through FEMA
11. Approval of Minutes from November 18, 2024 City Council Meeting
12. Approval of Minutes from November 18, 2024 Closed Session

PRESENTATIONS

1. Employee Years of Service Recognition

Mayor David Moore

2. Swearing in of Fire Captains Gaetano Leone and Hayden Kish

Ryan Baker

City of Mount Holly
City Council
Regular Meeting

December 9, 2024 | 7:00 PM
Municipal Complex - Council Chambers
400 East Central Avenue
Mount Holly, NC 28120

3. Swearing in of Battalion Chiefs Blake Buchanan, Justin Westbrook, and Patrick Mayhew

Ryan Baker

4. Martin Starnes Audit Presentation

Brandi Fesperman- Martin Starnes

PUBLIC COMMENT –Three (3) Minute Limit

OLD BUSINESS

1. Riverbend Access Area Discussion

Mark Jusko

NEW BUSINESS

1. Collaboration with the University of North Carolina at Charlotte MPA Capstone Project Discussion

Jonathan Blanton
Allie Ngoy

2. City Manager Report

Jonathan Blanton

CLOSED SESSION

1. Closed Session Pursuant to N.C.G.S 143-318.11 (a) (3 and 5)

ADJOURN

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Tara Douglas, City Clerk City Clerk

Agenda Item to be considered # 1

Approval of the 2025 City Council Meeting Schedule

Will this require a public hearing?

No

Background/Purpose of Request

2025 City Council Meeting Schedule for consideration and approval.

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. 2025 Meeting Schedule

2025 City Council Meeting Schedule

Council Meetings	Work Session Meetings
January 13, 2025	January 27, 2025
February 10, 2025	February 28, 2025 (Retreat)
March 10, 2025	March 24,2025
April 14, 2025	April 28, 2025
May 12, 2025	May 19, 2025 (Budget)
June 9, 2025	June 23, 2025
July 14, 2025	July 28, 2025
August 11, 2025	August 25, 2025
September 8, 2025	September 22, 2025
October 13, 2025	October 27, 2025
November 10, 2025	No work session meeting
December 8 2025	No work session meeting

All Council meetings begin at 7:00 p.m. All meetings are held in the Council Chambers at the Municipal Complex located at 400 East Central Avenue, Mount Holly, NC 28120. All Work Session Meetings are held on the 4th Monday of the month at 6:30 p.m. in the Council Chambers unless otherwise noted.

11/12/2024 _TD

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Greg Beal, Planning Director Planning

Agenda Item to be considered # 2

Call for a public hearing to consider rezoning a portion of a 1.44-acre tract of land, located at 501 Belmont-Mount Holly Road, Tax Parcel ID # 183899, from B-3 General Business to R-12 Single Family, as submitted by Billy Rick

Will this require a public hearing?

Yes

Background/Purpose of Request

The lot-of-record is a deep nearly 1.5-acre lot, and Mr. Rick's intent is to 1) apply for a rezoning to have the back-portion of this rezoned to R-12 Single Family for three, conforming lots; 2) keep the frontage lot as B-3 General Business; and 3) renovate the current nonconforming single-family home to an approved office/commercial use. Typically, the City has been opposed to rezoning commercial land for residential uses, but the City has done so in the past for subdivided lots. The first question one may ask is, "What is the benefit here? Currently, the home is being utilized as a residence, and the current tax value of $317,000 likely reflects a non-commercial use. While the City could certainly have another entity purchase this land in the future for a strictly business use, what would be the potential impacts? There are a variety of B-3 uses that may not be compatible with the surrounding homes; in other words, a contractor's office with open storage would be allowed and that storage, while screened, would extend down and along Logan Lane. Also, Logan Lane is a one-way street during school hours, and this has dissuaded certain businesses in the past from looking at this lot. If approved, Mr. Rick would build three residential single-family homes, of $500,000 or more each, in this area, which would add to the overall tax value. He would also convert the fronting, existing home into an office/commercial use, which would make it conforming and likely with added improvements, increase the overall value of this parcel and the current renovated and converted home, as again, it is being utilized as a residence.

Fiscal Impact

Will Item affect current budget?	No
Reviewed by Finance Director?	N/A
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	N/A
Budget Code:	N/A

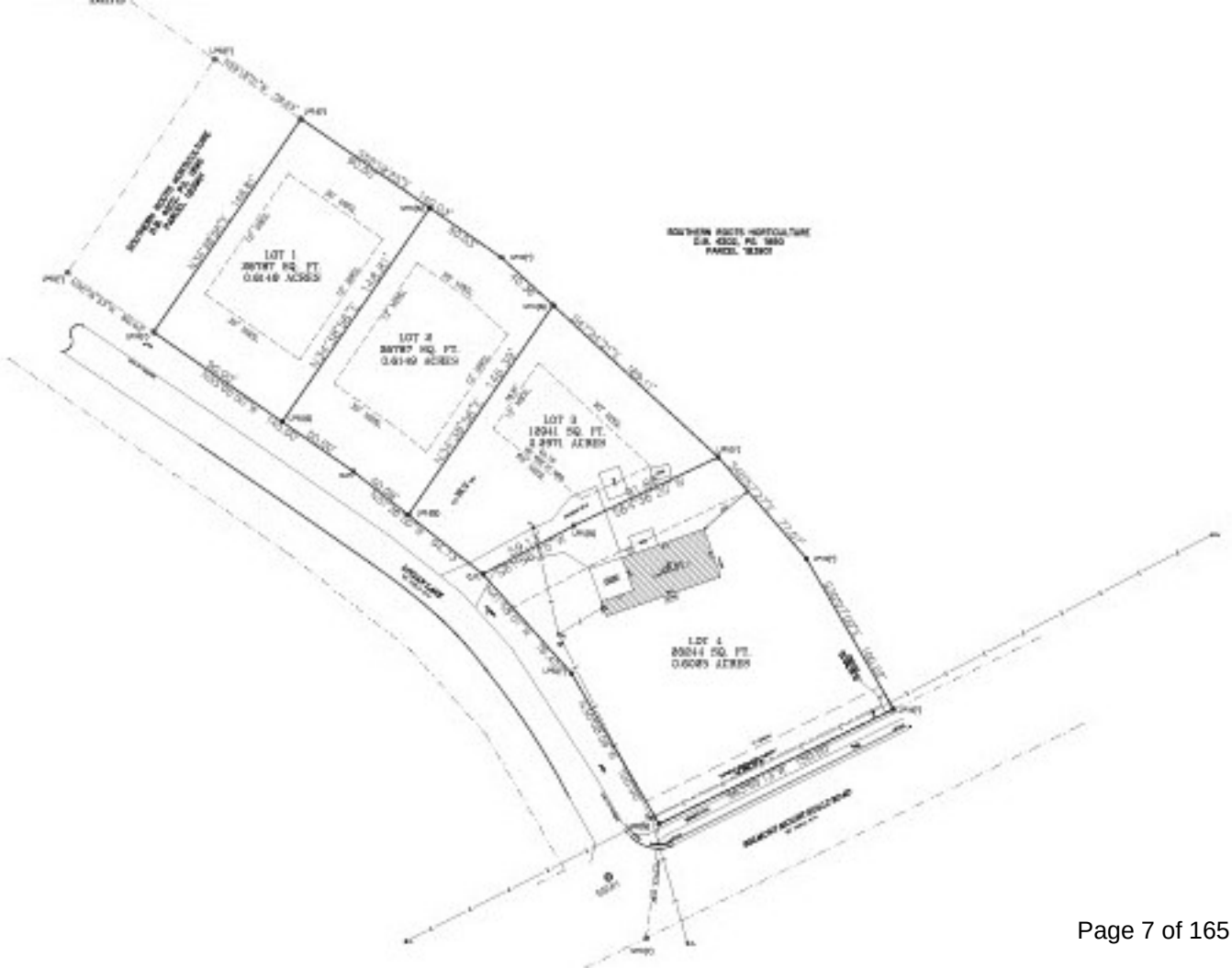
Reviewed by City Attorney? N/A

Manager/Staff Recommendation

Staff recommends to call for the public hearings before the Planning Commission and City Council, to be held on January 6th at 6:30 PM and January 13th at 7:00 PM, respectively. Staff will have more information to present at the public hearings, as will the applicant, Billy Rick.

Attachments

1. Billy Rick Logan Lane Survey
2. 501 Belmont-Mount Holly Rd._Rezoning Application (R-25-1)


LOT 1
LOT 2
LOT 3
LOT 4

MOUNT HOLLY
PLANNING AND DEVELOPMENT

Planning Commission
Rezoning Application

Date Submitted: 11/25/24

Fee: 2-Acres or less **$300.00** X
2-10 Acres **$400.00** _____
10 +Acres **$600.00** _____

Case Number R-25-1

Provide the required information as indicated below. *Pursuant to the Zoning Ordinance, this application will not be processed until application fees are paid; the form below is completed & signed; & all required maps, plans & documents have been submitted to the satisfaction of the Administrator. A pre application meeting with Planning staff is required. Scheduling for the Planning Commission agenda will be based on the determination of a complete application submittal.*

Pursuant to Section 14.2 B-2 of the Zoning Ordinance, the undersigned herby requests Mount Holly to rezone the property described below from the B3 zoning district to the R12 zoning district.

Said property is located 501 Belmont Mt Holly Rd

in Southpoint Township Township; Being a total of: 1.44 acres.

Further referenced by the Gaston County Tax Department as:

Tax Parcel # 183899 _____ Tax Parcel # _____

Tax Parcel # _____ Tax Parcel # _____

Tax Parcel # _____ Tax Parcel # _____

Check One:

- ☐ The property requested for rezoning is an entire parcel or parcels as shown on the Gaston County Tax Map.
- ☒ The property requested for rezoning is a portion of a parcel or parcels as shown on the Gaston County Tax Map; a written legal description of the property and/or a map are attached.

Check One:

- ☐ The applicant is the property owner(s)
- ☐ The applicant is an agent representing the property owner(s); the letter of property owner permission is attached.
- ☒ The applicant has an option to purchase or lease the property; a copy of the offer to purchase or lease to be submitted if the owner's signature is not provided (financial figures may be deleted).
- ☐ The applicant has no connection to the property owner and is requesting a third-party rezoning.

I hereby agree to conform to all applicable laws of the City of Mount Holly and the State of North Carolina and certify that the information provided is complete and accurate to the best of my knowledge. I acknowledge that by filing this application, representatives from Mount Holly Planning and Development may enter the subject property for the purpose of investigation and analysis of this request.

YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by

Property Owner Signature	Representative/Applicant Signature (if applicable)
Name	Billy J Rick RTR Renovations
Mailing Address	PO Box 1
City, State and Zip Code	Mt Holly, NC 28120
Phone Number Email Address	704-506-4846 billy.rick@rtrrenovations.com

Additional sheets for tax parcels and signatures are available upon request.

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Jon Ford, City Engineer Administration

Agenda Item to be considered # 3

Acceptance of NCDOT Funds for Tuckaseegee Road Sidewalk Project [Project #: EB-5912]

Will this require a public hearing?

No

Background/Purpose of Request

NCDOT has funding programmed into the current STIP (State Transportation Improvement Plan) in the amount of $2,908,000 for the Tuckaseegee Road project to construct sidewalk on the south side of Tuckaseegee Road from NC-273 to Marina Village Drive and on the West side going north on Tuckaseegee from Marina Village Drive to Broome Street. Construction includes a separated pedestrian bridge crossing at Fites Creek. The funds will be reimbursable to the City at an 80/20 split up to the funding amount listed in the STIP.

Fiscal Impact

Will Item affect current budget?	Yes
Reviewed by Finance Director?	Yes
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	$581,600
Budget Code:	10-00-8000-550
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Attachments

1. Tuckaseegee Road STIP Funds

BASIC PROJECT INFORMATION												FISCAL YEAR PROJECT PHASE SCHEDULED TO START									
COUNTY(S)	ROUTE/CITY	RESPONSIBLE AGENCY	DESCRIPTION	LENGTH (MILES)	MODE	FUNDING PROGRAM	DIVISION(S)	MPOs/RPOs	PROJECT ID	STI CATEGORY FUNDED	FUNDING SOURCE (SEE FUNDING SOURCES TAB FOR MORE INFO)	RIGHT-OF-WAY PROJECTED SCHEDULE	TOTAL REMAINING FUNDS NEEDED FOR RIGHT-OF-WAY	UTILITIES PROJECTED SCHEDULE	TOTAL REMAINING FUNDS NEEDED FOR UTILITIES	CONSTRUCTION PROJECTED SCHEDULE	TOTAL REMAINING FUNDS NEEDED FOR CONSTRUCTION	PROJECTED SCHEDULE FOR OTHER ACTIVITIES	TOTAL REMAINING FUNDS FOR OTHER ACTIVITIES	TOTAL REMAINING FUNDS NEEDED	COMMENT
CATAWBA	CLAREMONT	CLAREMONT	CENTENNIAL BOULEVARD, NORTH OXFORD STREET TO NORTH LOOKOUT STREET. CONSTRUCT SIDEWALK.		Bike & Ped	Locally Selected	12	Greater Hickory MPO	EB-5828	Division 12	BGANY, BGDA, L	2024	$31,000			2025	$541,000			$572,000	$433K IN STBG-DA FUNDS SWITCHED WITH $433K IN BG-ANY AS PART OF FUND SWAP 5-19-22.
IREDELL	TROUTMAN	TROUTMAN	DOWNTOWN SIDEWALK IMPROVEMENTS. RUMPLE STREET FROM US 21/NC 115 TO THOMAS STREET; WAGNER STREET FROM US 21/NC 115 TO WEST AVENUE; TALLEY STREET FROM US 21/NC 115 TO WEST AVENUE.		Bike & Ped	Locally Selected	12	Charlotte Regional TPO	EB-5930	Division 12	L, TADA	2024	$199,000			2024	$1,623,000	2021	$312,000	$2,134,000	
IREDELL	TROUTMAN	TROUTMAN	RICHARDSON GREENWAY SOUTH. US 21/NC 115 (SOUTH MAIN STREET) FROM TROUTMAN ELEMENTARY SCHOOL TO JACOBS WOODS SUBDIVISION.		Bike & Ped	Locally Selected	12	Charlotte Regional TPO	EB-5932	Division 12	L, TADA	2024	$217,000			2025	$1,250,000	2021	$122,000	$1,589,000	
CATAWBA	CLAREMONT	CLAREMONT	CONSTRUCT SIDEWALK ALONG CENTENNIAL BOULEVARD FROM NORTH LOOKOUT STREET TO MAIN STREET - (PHASE II).	1.16	Bike & Ped	Locally Selected	12	Greater Hickory MPO	EB-5935	Division 12	BGANY, L					2024	$590,000	2024	$10,000	$600,000	$480K IN STBG-DA FUNDS SWITCHED WITH $480K IN BG-ANY AS PART OF FUND SWAP 5-19-22.
CATAWBA	HICKORY	HICKORY	BOOK WALK. CONSTRUCT MULTI-USE PATH FROM CITY WALK TO RIDGEVIEW LIBRARY.	0.61	Bike & Ped	Locally Selected	12	Greater Hickory MPO	EB-5937	Division 12	BGANY, L, TADA	2021	$225,000			2023	$1,775,000			$2,000,000	$1,420,000 STBG-ANYAREA FUNDS ARE FROM A FUND SWAP IN MAY 2018. UNDER CONSTRUCTION.
CATAWBA	HICKORY	HICKORY	BOOK WALK SOUTH. CONSTRUCT MULTI-USE PATH FROM RIDGEVIEW LIBRARY TO WALMART.	0.61	Bike & Ped	Locally Selected	12	Greater Hickory MPO	EB-5938	Division 12	BGANY, L, TAANY, TADA	2021	$105,000			2023	$5,095,000			$5,200,000	UNDER CONSTRUCTION.
CATAWBA	9TH STREET NW CONNECTOR	HICKORY	CITY WALK TO OLD LENOIR ROAD IN HICKORY. CONSTRUCT MULTI-USE TRAIL ALONG 9TH STREET NW.	0.27	Bike & Ped	Locally Selected	12	Greater Hickory MPO	EB-5977	Division 12	BGDA, CRPDA, L	2021	$108,000			2023	$1,460,000			$1,568,000	UNDER CONSTRUCTION.
CLEVELAND	SHELBY RAIL TRAIL	SHELBY	SOUTH DEKALB STREET TO GARDNER STREET IN SHELBY. GRAHAM STREET TO WEST MARION STREET IN SHELBY. CONSTRUCT MULTI-USE PATH.	10.41	Bike & Ped	Locally Selected	12	Gaston-Cleveland-Lincoln MPO	EB-6037A	Division 12	L, TAANY					2025	$5,198,000	2024	$10,000	$5,208,000	
CATAWBA	HICKORY - 9TH STREET NW & 11TH STREET NW MULTI-USE	HICKORY	CONSTRUCT MULTI-USE TRAIL FROM OLD LENOIR ROAD MULTI-USE TO HICKORY REGIONAL AIRPORT ALONG CLEMENT BOULEVARD, 13TH AVENUE DRIVE NW, AND 19TH STREET LANE NW (INCLUDES CONSTRUCTION OF BIKE/PED BRIDGE OVER US 321), AND CONSTRUCT MULTI-USE TRAIL FROM 9TH STREET NW ALONG MAIN AVENUE NW TO 11TH STREET NW AND ALONG 11TH STREET NW TO OLD LENOIR ROAD.	2.58	Bike & Ped	Locally Selected	12	Greater Hickory MPO	EB-6038	Exempt	DP, L	2020	$662,000			2021	$19,216,000	2020	$2,052,000	$21,930,000	UNDER CONSTRUCTION. DP REPRESENTS FEDERAL INFRA GRANT FUNDS; ADMINISTERED BY CITY OF HICKORY; DESIGN-BUILD PROJECT.
MECKLENBURG, UNION, IREDELL	VARIOUS	NCDOT	CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CRTPO) TRANSPORTATION ALTERNATIVES (TAP) PROGRAM.		Bike & Ped	Locally Selected	10, 12	Charlotte Regional TPO	U-5544	Division 10, 12	L, TADA					2024	$13,487,000			$13,487,000	
CATAWBA, BURKE, CALDWELL, ALEXANDER	VARIOUS	NCDOT	GREATER HICKORY MPO TRANSPORTATION ALTERNATIVES (TAP) PROGRAM.		Bike & Ped	Locally Selected	11, 12, 13	Greater Hickory MPO	U-5546	Division 11, 12, 13	L, TADA					2023	$3,265,000			$3,265,000	
ALEXANDER, CATAWBA, CLEVELAND, GASTON, IREDELL, LINCOLN	VARIOUS	NCDOT	DIVISION 12 PROGRAM TO UPGRADE INTERSECTIONS TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) USING TRANSPORTATION ALTERNATIVES (TA) FUNDS.		Bike & Ped	Other	12	Gaston-Cleveland-Lincoln MPO, Greater Hickory MPO, Charlotte Regional TPO	BO-2412	Division 12	TA, TALT5					2024	$5,000,000	2024	$600,000	$5,600,000	
ALEXANDER, CATAWBA, CLEVELAND, GASTON, IREDELL, LINCOLN	VARIOUS	NCDOT	DIVISION 12 PROGRAM TO UPGRADE INTERSECTIONS TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) USING TRANSPORTATION ALTERNATIVES (TA) FUNDS.		Bike & Ped	Other	12	Gaston-Cleveland-Lincoln MPO, Greater Hickory MPO, Charlotte Regional TPO	R-5792	Division 12	S, TA					2020	$3,600,000			$3,600,000	UNDER CONSTRUCTION. "S" FUNDS ARE STATE HIGHWAY FUNDS
GASTON	US 29/74 (EAST FRANKLIN BOULEVARD)	GASTONIA	SR 2200 (COX ROAD) TO EAST OF DUHART'S CREEK. CONSTRUCT MISSING SIDEWALK ON SOUTH SIDE OF THE ROADWAY. IMPROVE PEDESTRIAN CROSSING AT THE INTERSECTION OF US29/74 AND SR 2200 (COX ROAD).	0.52	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5701	Division 12	L, TA50200	2023	$220,000	2023	$75,000	2024	$1,533,000			$1,828,000	
GASTON	NC 279 (SOUTH NEW HOPE ROAD)	GASTONIA	SR 2200 (ARMSTRONG PARK ROAD) TO SR 1255 (HUDSON BOULEVARD). CONSTRUCT MISSING SIDEWALK ON SOUTH SIDE OF NC 279.	1.12	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5743	Division 12	L, TA50200					2025	$1,285,000	2023	$321,000	$1,606,000	
GASTON	SR 1255 (HUDSON BLVD) SR 2466 (REDBUD DR)	GASTONIA	SR 1255 (HUDSON BOULEVARD) FROM SR 2200 (GASTON DAY SCHOOL ROAD) TO SR 2466 (REDBUD DRIVE). SR 2466 (REDBUD DRIVE) FROM SR 1255 (HUDSON BOULEVARD) TO NC 279 (SOUTH NEW HOPE ROAD). CONSTRUCT SIDEWALK ON ONE SIDE.	1.11	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5745	Division 12	L, TA50200	2024	$135,000			2025	$1,230,000	2023	$308,000	$1,673,000	
GASTON	BEATY ROAD	MOUNT HOLLY	FERSTL AVENUE TO SMITH STREET. CONSTRUCT SIDEWALK ON ONE SIDE.	0.36	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5748	Division 12	L, TA50200					2027	$405,000	2022	$101,000	$506,000	
CATAWBA	MAIN AVENUE NW/NE	HICKORY	7TH AVENUE NE TO 9TH STREET NW. CONSTRUCT GREENWAY WITH PARK NODES AND PEDESTRIAN BRIDGE OVER NC 127.	1.2	Bike & Ped	STI (Prioritization)	12	Greater Hickory MPO	EB-5750	Division 12	BGANY, L, TAANY					2020	$14,100,000			$14,100,000	
GASTON	SOUTH MARIETTA STREET/ HILLTOP DRIVE	GASTONIA	HUDSON BOULEVARD TO CLYDE STREET. CONSTRUCT SIDEWALK ON ONE SIDE OF ROAD.	0.48	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5768	Division 12	L, TA50200	2024	$60,000			2024	$1,260,000	2023	$350,000	$1,670,000	
CATAWBA	OLD LENOIR ROAD MULTI-USE PATH	HICKORY	9TH STREET NW TO HICKORY WATER PLANT. CONSTRUCT MULTI-USE PATH.	1.76	Bike & Ped	STI (Prioritization)	12	Greater Hickory MPO	EB-5911	Division 12	CRPDA, L, TAANY, TADA	2021	$1,830,000			2023	$16,025,000	2019	$1,495,000	$19,350,000	RIGHT-OF-WAY IN PROGRESS. $3.6M IN STBG-DA FUNDS PREVIOUSLY ALLOCATED TO THIS PROJECT, TO BE REASSIGNED TO U-[illegible] AS PART OF FUNDING SWAP.
GASTON	SR 2044 (TUCKASEEGEE ROAD) MOUNT HOLLY	MOUNT HOLLY	NC 273 TO MARINA VILLAGE DRIVE. CONSTRUCT SIDEWALK ON SOUTH SIDE. MARINA VILLAGE DRIVE NORTH TO BROOME STREET. CONSTRUCT SIDEWALK ON WEST SIDE.	0.48	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5912	Division 12	L, TA50200, TAANY	2025	$727,000			2027	$1,745,000	2023	$436,000	$2,908,000	
GASTON	CRAMERTON	CRAMERTON	SR 2014 (LAKEWOOD ROAD), SR 2565 (EAGLE ROAD) TO LAKE DRIVE. CONSTRUCT SIDEWALK AND PEDESTRIAN BRIDGE OVER SOUTH FORK RIVER INLET.	0.14	Bike & Ped	STI (Prioritization)	12	Gaston-Cleveland-Lincoln MPO	EB-5913	Division 12	L, TA50200					2025	$354,000	2023	$164,000	$518,000	

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Paul Lowe, Assistant Planning Director Planning

Agenda Item to be considered # 4

Approval of the Appointment of Ruth Neely to PAAC

Will this require a public hearing?

No

Background/Purpose of Request

Staff would like to appoint Ruth Neely to the PAAC to replace Janice McRorie who resigned last month. Ms. Neely is a member of the Mount Holly Community Foundation & Good Sheherd Lutheran Church.

Fiscal Impact

Will Item affect current budget? NA
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney? No.

Manager/Staff Recommendation

Approve the proposed appointment.

Attachments

1. PAAC Roster_112524

Public Arts Advisory Committee (PAAC) Roster

1) Julia Benfield, Arts Mount Holly, Chair

2) Leigh Brinkley, Arts Mount Holly, Vice Chair

3) Stephanie McLaughlin, Arts on the Greenway

4) Teresa Rench, Arts Mount Holly

5) Wanda Campbell, Arts of the Greenway

6) Paige Sisk

7) Katie Lank

8) Vacant

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Paul Lowe, Assistant Planning Director Planning

Agenda Item to be considered # 5

Approval of the Reappointments of Teraseta Ellerbe & Rodney Williams to the Planning Commission for a Three-year Term Ending on December 9th 2027.

Will this require a public hearing?

No

Background/Purpose of Request

Staff would like to reappoint two of our members Teraseta Ellerbe & Rodney Williams to an additional three-year term. Both have been serving since 2018, have a great attendance record, and are engaged fully in the work of the Commission. If approved, both would serve on the Planning Commission until December 9, 2027.

Fiscal Impact

Will Item affect current budget? No
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney? No

Manager/Staff Recommendation

Reappoint Teraseta Ellerbe & Rodney Williams to the Planning Commission.

Attachments

1. PC Roster_112524

City of Mount Holly
Planning Commission/Board of Adjustment Roster 2024

Teraseta Ellerbe, Chair (BOA Member) 212 Augustus Lane Mount Holly, NC 28120 704-860-6630 terasetaellerbe@gmail.com Term Expires: December 2024	Alberto Gonzalez, Vice Chair (BOA Member) 116 Thomas Springs Drive Mount Holly, NC 28120 786-553-7639 Albert.gonzalez63l@gmaii.com Term Expires: December 2026
Rodney Williams (BOA Member) 315 South Main Street Mount Holly, NC 28120 (C) 704-616-4008 A1949hotrod@outlook.com Term Expires: December 2024	Myles Biggerstaff (BOA Member) 607 Timberlane Drive Mount Holly, NC 28120 704-860-4777 mbiggers@bellsouth.net Term Expires: December 2025
Jerry Bishop, (BOA Member) 200 East Catawba Drive Mount Holly, NC 28120 704-460-9414 jerrybishop4160@gmail.com Term Expires: December 2026	Will Crist (Alternate Member) 207 Old Mine Road Mount Holly, NC 28120 704-451-9118 wfcrist@bellsouth.net Term Expires: December 2025
Perry Toomey (Alternate Member) 203 Dogwood Drive Mount Holly, NC 28120 704-827-0505 perrytoomey@att.net Term Expires: December 2026	Melanie Nichols (Alternate Member) 145 Riverfront Parkway Mount Holly, NC 28120 704-685-4104 Melanie@melaniemwilson.com Term Expires: December 2024
Russell Hunt (Alternate Member) 5125 Chegall Crossing Way Mount Holly, NC 28120 704-604-6133 rlhunt62@icloud.com Term Expires: May 2026	**Staff:** Greg Beal-704-951-3012 Paul Lowe-704-951-3014 Brandon Livingston-704-951-3017 Josh Blackwell-980-525-9041 Beth Ann Winebarger-704-951-3026
Mount Holly Planning Department **400 East Central Avenue Mount Holly, NC 28120** **704-827-3931 (Main City Phone Number)**	

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Jon Ford, City Engineer Administration

Agenda Item to be considered # 6

Approval for installation of actuated flashing pedestrian crossing signs on South Hawthorne Street at crossing between auditorium and Mount Holly Middle

Will this require a public hearing?

No

Background/Purpose of Request

Concerns have been brought to council and staff about the safety of the crossing guard and pedestrians at the crosswalk at the Mount Holly Middle and Auditorium crossing. Crossing guard has been almost hit multiple times by motorists and actuated pedestrian crossing sign would increase visibility and safety not only for the crossing guard but also as pedestrians, students, and parents use this crosswalk. We received a turn-key lump sum installation quote from Berco Inc for $24,726.00 for the installation of 2 RFBB units consisting of (2) foundations, pedestals ,poles, 2-sided RRFB lightbar, solar engine and signage.

Fiscal Impact

Will Item affect current budget?	Yes
Reviewed by Finance Director?	Yes
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	$24,726
Budget Code:	10-00-8000-550
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Attachments

1. City Of Mount Holly Mail - JSF RRFB Quote

Jon Ford <jon.ford@mtholly.us>

JSF RRFB

Rob Davis <robd@bercoinc.net> Thu, Nov 21, 2024 at 10:07 AM
To: Jon Ford <jon.ford@mtholly.us>
Cc: Chris Gray <ChrisG@bercoinc.net>

Good morning Jon;

Our offer for a Turn-Key, Lump Sum of $24,726.00, we would supply all materials, equipment and labor for TWO RRFB units consisting of (2) foundations, pedestals ,poles, 2-sided RRFB lightbar, solar engine and signage.

Our current install schedule would be approximately 6 to 8 weeks from receipt of purchase order. Absent an approved NCDOT plan design ,we would need to verify the proper ROW/encroachment agreement with NCDOT is in place.

Let me know if you have any questions or comments at this time.

Thank you for giving us the consideration of your request.

Regards,

Rob Davis

Bryant Electric Repair & Construction, Inc. (BERCO)

Gastonia, NC

[Quoted text hidden]

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Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Jonathan Blanton, City Manager City Management

Agenda Item to be considered # 7

Approval of a policy authorizing an official or employee to conduct sales according to G.S. 160 A-266 (c).

Will this require a public hearing?

No

Background/Purpose of Request

To establish procedures required under state law for disposing of personal property (either one item or a group of items) valued at less than $30,000 under delegated authority without governing board approval.

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. Resolution Authorizing Surplus Under G.S. 160A-266(c)

CITY of MOUNT HOLLY

David Moore, Mayor
Lauren Shoemaker, Mayor Pro Tem
Ivory Craig, Councilman
Jeff Meadows, Councilman
Bryan Hough, Councilman
Kenneth Reeves, Councilman
Phyllis Harris, Councilwoman
Jonathan Blanton, City Manager

400 East Central Ave. Post Office Box 406 Mount Holly, NC 28120 704-827-3931 704-822-2933 fax www.mtholly.us

**A RESOLUTION PRESCRIBING PROCEDURES
FOR DISPOSING OF
PERSONAL PROPERTY VALUED AT LESS THAN $30,000**

BE IT RESOLVED by the City Council of the City of Mount Holly.

Section 1. The City Manager hereby authorized to dispose of any surplus personal property owned by the City of Mount Holly whenever he or she determines, in his or her discretion, that:

(a) the item or group of items has a fair market value of less than thirty thousand dollars ($30,000.00);

(b) the property is no longer necessary for the conduct of public business; and,

(c) sound property management principles and financial considerations indicate that the interests of the City would best be served by disposing of the property.

Section 2. The City Manager may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the City if greater value may be obtained in that manner, and the City Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the City Manager may retain the property, obtain any reasonably available salvage value, or cause it to be discarded. No surplus property may be donated to any individual or organization except by resolution of the City Council.

Section 4. The City Manager shall keep a record of all property sold under authority of this Resolution and that record shall generally describe the property sold or exchanged, to whom it was sold or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

Section 5. This Resolution is enacted pursuant to the provisions of N.C. Gen. Stat. § 160A-266(c).

Section 6. This Resolution shall become effective upon adoption.

Adopted this _____ day of _____, 20___.

_____
David Moore, Mayor

ATTEST:

_____
Tara Douglas, Clerk

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Mark Jusko, Parks and Rec Supervisor Parks and Recreation

Agenda Item to be considered # 8

Approval of firm for Mountain Bike Master Plan

Will this require a public hearing?

No

Background/Purpose of Request

The City of Mount Holly advertised on November 4 for interested firms to submit RFQ's for the development of a mountain bike trail master plan. Five firms submitted proposals by the November 25th deadline. The firms were : Progressive Trail Design, Nature Trails LLC, McAdams, CDG, and Thomas & Hutton. Staff sought input from Bruce Euler of the Tarheel Trailblazers, and the selected firm is Nature Trails LLC. Nature Trails LLC was selected because of their technical expertise working with mountain bike plans, and they also have some knowledge of our trails system already. If approved, staff will work on a scope and contract with the chosen firm.

Fiscal Impact

Will Item affect current budget?	No
Reviewed by Finance Director?	No
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	
Budget Code:	
Reviewed by City Attorney?	No

Manager/Staff Recommendation

To select Nature Trails LLC to complete our mountain bike trail master plan.

Attachments

1. nature trails master plan mountain bike info

LETTER OF INTEREST

MOUNTAIN ISLAND PARK
CITY OF MOUNT HOLLY, NC

Elizabeth Bell and Mount Holly Selection Committee,

Nature Trails respectfully and eagerly submits our Statement of Qualifications for consideration as the contractor for the Mountain Bike Trail Master Plan Design in Mountain Island Park. This project is of special interest to our firm and myself as a resident of Gaston County and active rider of the current trails at Mountain Island Park.

As local trail planning professionals, we understand the vital role this project will play in shaping the city's future use of the Mountain Island Park. We share the city's vision for leveraging trails and greenways to advance social, cultural, and environmental goals, and we will contribute both passion and expertise to this work.

We believe our team is uniquely qualified for this project for a few reasons:

Our expertise goes beyond planning and design.
As a design-build firm, our expertise in sustainable trail construction, feasibility analysis, and cost-effective build strategies allows us to develop master plans through a clear lens of practical implementation, minimizing future expenses and unforeseen challenges for the county. We are often engaged as sub-consultants by leading engineering and architectural firms, including CEC, Kimley-Horn, Alta Planning, and Timmons Group, who rely on our specialized knowledge to enhance their trail system projects. These professional partners can attest to the value we consistently bring to projects like yours.

We are local mountain bikers and trail users. Our Mount Holly area-based team is deeply familiar with the trail catalog in the greater Charlotte region. This positions us to have local knowledge and be able to plan what will help enhance your trail network and drive users to it.

We are connected. Through extensive trail projects across the state, we have collaborated with a wide variety of municipalities, conservancy groups, and development organizations, building a robust network of resources and a proven playbook of best practices for trail development. With projects spanning Belmont, Ranlo, Lowell, Cramerton, Denver, and neighboring counties, we bring a comprehensive understanding of regional trail agencies, advocates, and connectivity opportunities to this project.

I will be leading the Nature Trails team as project manager for the Mountain Island Park Trail Master plan. I will partner closely with the our staff in leading a project team that brings years of trail design experience to the work. As members of the Great Trails State Coalition, we'd be honored and excited to play a role in building the future of Mountain Island Park's trail system.

Sincerely,
Max Hautaniemi

Max Hautaniemi
Design Manager

Nature Trails
DESIGN AND BUILD

QUALIFICATIONS

Who Is Nature Trails?

Nature Trails, LLC is a specialized recreational trail firm operated by a diverse team of individuals with extensive business, planning, construction, nonprofit, and outdoor advocacy experience.

We have over 15 years of trail design and development experience with a unique perspective on usability for user groups of all ages, gender, and experience level. Our philosophy is 'Conservation Through Recreation' meaning that our focus is on creating active uses for managed forests, green space, and tree buffers to ensure it remains for future generations.

Our mission is to design, develop, and integrate trail systems that connect the urban and wilderness landscape to create municipal and master planned communities that promote health, well-being, and happiness.

Why Choose Nature Trails?

We are more than a trail company... We are a trail family!
Every Nature Trails team member is a full-time W2 employee with liveable wages and employment benefits including PTO, paid holidays, 401k, healthcare plan, and accident coverage among other perks. For us, trails are more than a passion, they are a career.

We are trail users.
Our team consists of lifelong trail users with a blend of all ages, genders, ethnicities, user groups, and abilities. We pride ourselves on NOT being a 'one size fits all' service provider. Every project is adapted to the unique client needs and requirements.

We are a team.
We tackle projects together and hold each other accountable to produce the best possible product. We value each other's strengths and use them to better our project quality and ourselves. We value our company culture and invest in our camaraderie with company retreats and family picnics to form bonds and lifelong friendships.

We are safe.
Personal protective equipment (PPE) is a priority. We recognize the hazards and risks associated with our work and place emphasis on ensuring every team member returns home to their families safely.

We are professionals.
We hold ourselves to the highest level of integrity and professionalism by seeking continuing education, holding licenses, insurance, and certifications above and beyond the minimum requirements and industry standards.

OUR SERVICES

Planning and Design

- Site Assessments
- Trail Master Plans
- Bike Park Design
- Municipal Park Planning
- Trail Alignment & Flagging
- Construction Drawings
- Specification Writing
- Trail Construction Permitting

Construction & Development

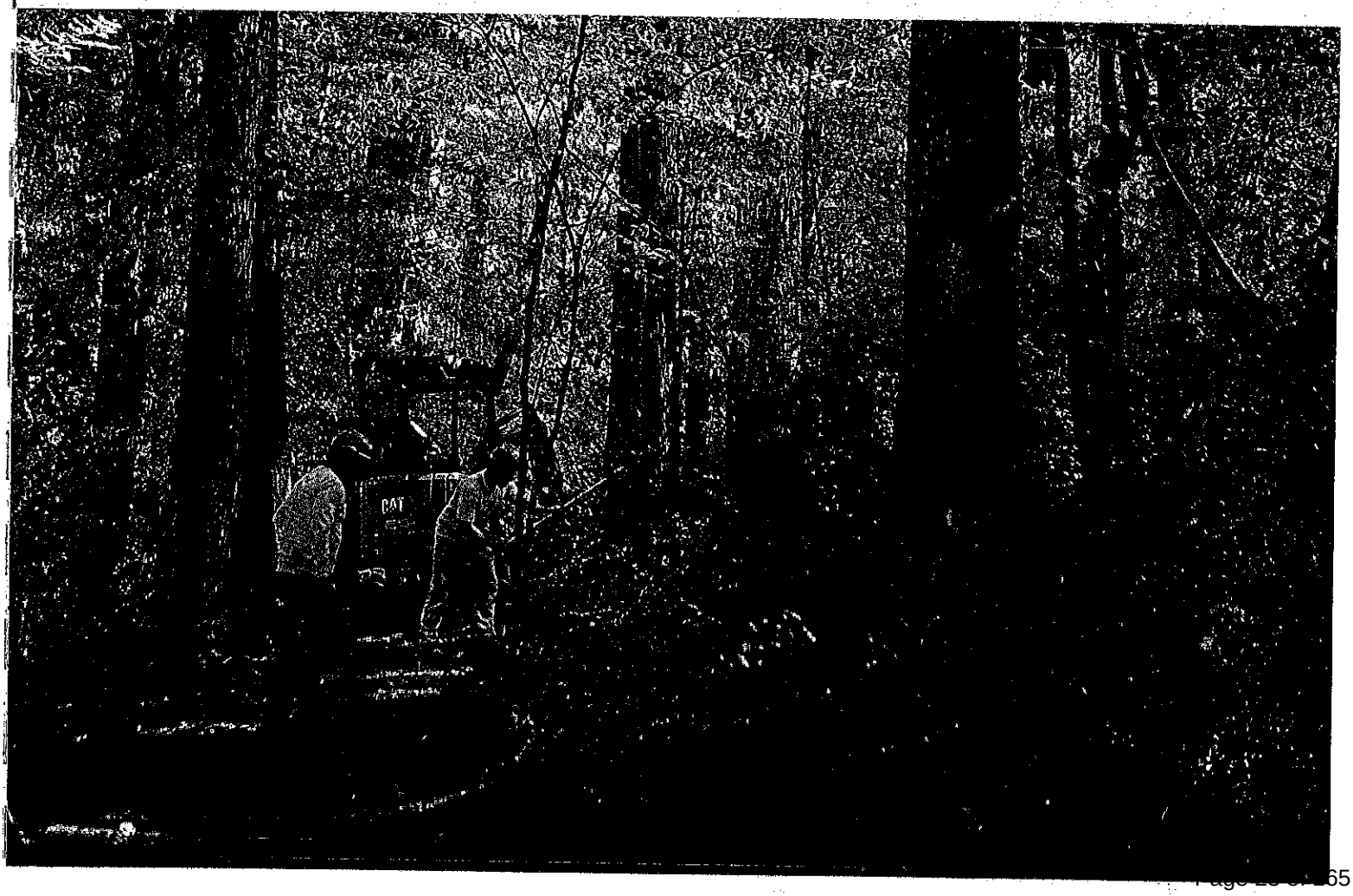
- ADA Trail Construction
- Single Track Trail Construction
- Bike Park Construction
- Nature Surface Greenway Construction
- Construction Management
- Trail Maintenance
- Trail head Amenities
- Park Benches & Tables
- Prefabricated Ramps & Skills Features
- Retail & Event Displays
- Trade Show Build out

Marketing & Promotion

- Wayfinding & Signage Plans
- Grant Writing
- Pamphlets & Literature
- Event Promotion
- Fundraising

Mapping & GIS

- GIS Cataloging & Inventory
- Cartography & Illustration
- Drone Photography
- Interactive Web Maps



Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Jon Ford, City Engineer Administration

Agenda Item to be considered # 9

Approval of Installation of 2 Stop Signs on Cavin Avenue at Pine Street

Will this require a public hearing?

No

Background/Purpose of Request

Concerns were brought to Council about through traffic on Cavin Avenue from the Runnymeade development and motorists driving recklessly. A 4 way stop was requested at the Cavin Ave and Pine St intersection to increase safety and reduce the potential for accidents. Signs will be installed by City staff and flagged to notify drivers of the new stop sign.

Fiscal Impact

Will Item affect current budget?	No
Reviewed by Finance Director?	Yes
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	
Budget Code:	10-00-8000-550
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Attachments

None

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Ryan Baker, Fire Chief Fire Department

Agenda Item to be considered # 10

Requesting approval to apply for the Assistance to Firefighters Grant (AFG) through FEMA

Will this require a public hearing?

No

Background/Purpose of Request

We are seeking permission to apply for the Assistance to Firefighters Grant, which will allow us to purchase new air packs that meet the current NFPA standards. The grant amount is $531,094.50 and if we are awarded, we will be responsible for a cost share of 5%, which comes out to $26,554.73. The deadline for submitting the grant application is December 20, 2024, and the grant award process typically takes place in mid to late 2025. Additionally, there will be a cost of 2% for the grant writing services, which amounts to $10,090.80 based on the awarded amount. We plan to budget the match and grant writing fees into the 2025-2026 Budget.

FEMA Amount to pay:	$504,539.77
The City of Mount Holly share:	$26,554.73
Fee for Grant Writing:	$10,090.80
Total cost to Mount Holly to cover:	$36,645.53

Federal Award Information

1. Available Funding for the NOFO: 291 million
2. Projected Number of Awards: 2000
3. Period of Performance: 24 months

Application and Submission Information

1. Key Date and Times
    1. Application Start Date: November 2024 at 8 am ET
    2. Application Submission Deadline: December 20, 2024 at 5 pm ET

Awards: April-September 2025

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. Cost Share
2. Grant Information
3. Quote SCBA BUDGET NOV 2024 CHIEF BAKER

Assistance to Firefighters Grant Program Cost Share Calculator

To assist with determining your organization's Local Cost Share for Assistance to Firefighters Grant (AFG) Program funding, a calculator and explanation of the formula is provided below. All applicants should ensure they are familiar with FEMA's administration of cost sharing requirements. Applicants are not required to have their cost share available when submitting the application, but the cost share should be available when the application is accepted. For additional information, refer to the Cost Share and Maintenance of Effort Requirements section of the Notice of Funding Opportunity.

Determine the Organization's Local Cost Share Percentage

Per the Assistance to Firefighters Grant statute at 15 U.S.C. § 2229(k)(1), the non-federal cost share must be "an amount equal to not less than" (i.e., at least) 5%, 10%, or 15% depending on the population being served. In order to meet statutory requirement, FEMA develops the mathematical formula to support grant recipients in determining the appropriate minimum amount of cost share required for the awarded items they receive. In addition, FEMA will round down any decimals where the cost share calculations produce an amount with more than two digits after the decimal. For example, if the calculation of a 5% cost share leads to $66,666.6667 for the federal share and $33,333.3333 for the non-federal share, FEMA will round down the federal share to $66,666.66 (and round up the non-federal share to $33,333.34) to ensure that the non-federal share is at least 5%, 10%, or 15% as applicable. The final awarded activity included in an award package is considered the total project cost of that award, and it is used as the baseline to establish the federal share amount as well as the recipient share derived thereof. Cost share requirements for AFG Program Grants are based on census population. To determine the Local Cost Share Percentage, use the guide below:

15%= When serving a jurisdiction of more than 1 million residents, the applicant shall agree to provide non-federal funds in an amount equal to and not less than 15% of the grant awarded.

10%= When serving a jurisdiction of more than 20,000 residents, but not more than 1 million residents, the applicant shall agree to provide non-federal funds in an amount equal to and not less than 10% of the grant awarded.

5%= When serving a jurisdiction of 20,000 residents or fewer, the applicant shall agree to provide non-federal funds in an amount equal to and not less than 5% of the grant awarded.

Once you have determined your Organization's Local Cost Share Percentage, use the formula below to determine the Organization's Local Cost Share.

Example Cost Share Calculation

Total Project Cost:	$100,000.00
Local Cost Share Percentage:	15%
Federal Funding Assistance:	$86,956.52
Local Cost Share:	$13,043.48

FEMA

EXAMPLE COST SHARE FORMULA

X = Federal Funding Assistance
Y = Total Project Cost
P = Local Cost Share percentage (decimals used in the calculation)
X + (P)(X) = Y

X = Federal Funding Assistance
Y = $100,000
P =15% or 1.15
X + (P)(X) = Y
X = Y/1.15

X = Federal Funding Assistance
Y = $100,000
P =15%
X = $100,000/1.15 X = $86,956.52
Local Cost Share = $13,043.48

Use the Calculator Below to Determine the Local Cost Share for your Organization

Total Project Cost:	$ 531,094.50
Local Cost Share Percentage:	5%

Example: For 15% enter .15 into the calculator, for 10% enter .10, for 5% enter .05

Federal Funding Assistance:	$ 505,804.286
Local Cost Share:	$ 25,290.214

The U. S. Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
Fiscal Year 2024 Assistance to Firefighters Grant Program

All entities wishing to do business with the federal government must have a unique entity identifier (UEI). The UEI number is issued by the system. Requesting a UEI using System for Award Management (SAM.gov) can be found at: https://sam.gov/content/entity-registration.

Updates in Grant Application Forms:

The Data Universal Numbering System (DUNS) Number was replaced by a new, non-proprietary identifier requested in, and assigned by, SAM.gov. This new identifier is the Unique Entity Identifier.

Additional Information can be found on Grants.gov: https://www.grants.gov/forms/forms-development/planned-uei-updates.

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A. Program Description

1. Issued By
U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Grant Programs Directorate (GPD)

2. Assistance Listings Number
97.044

3. Assistance Listings Title
Assistance to Firefighters Grant (AFG)

4. Funding Opportunity Title
Fiscal Year 2024 Assistance to Firefighters Grant (AFG)

5. Funding Opportunity Number
DHS-24-GPD-044-00-98

6. Authorizing Authority for Program
Section 33 of the *Federal Fire Prevention and Control Act of 1974*, Pub. L. No. 93-498, as amended (15 U.S.C § 2229)

7. Appropriation Authority for Program
Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47, Title III, Protection, Preparedness, Response, and Recovery, Federal Emergency Management Agency, Federal Assistance (2024 DHS Appropriations Act)

8. Announcement Type
Initial

9. Program Category
Preparedness: Fire and Life Safety

10. Program Overview, Objectives, and Priorities

a. Overview

The Fiscal Year (FY) 2024 Assistance to Firefighters Grant (AFG) Program is one of three grant programs that constitute the Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA's) focus on enhancing the safety of the firefighters and therefore the public with respect to fire and fire-related hazards. The AFG Program provides financial assistance directly to eligible fire departments, nonaffiliated emergency medical service (EMS) organizations, and State Fire Training Academies (SFTAs) for critical training and equipment. The AFG Program has awarded approximately $8.7 billion in grant funding to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. Since FY 2018, the AFG Program has awarded more than 800 fire apparatuses,

150,000 personal protective equipment items, and 126,000 other fire equipment to more than 7,000 unique recipients. During the same period, the AFG Program provided funding to 915 recipients to modify department facilities or implement wellness and fitness priorities to protect firefighter health. Information about success stories for this program can be found at Assistance to Firefighters Grants Program | FEMA.gov.

The AFG Program represents part of a comprehensive set of measures authorized by Congress and implemented by DHS. In awarding grants, the FEMA Administrator is required to consider:

- The findings and recommendations of the Technical Evaluation Panel (TEP);
- The degree to which an award will reduce deaths, injuries and property damage by reducing the risks associated with fire related and other hazards;
- The extent of an applicant's need for an AFG Program grant and the need to protect the United States as a whole; and
- The number of calls requesting or requiring a firefighting or emergency medical response received by an applicant.

b. Goals, Objectives, and Priorities

Goal: Enhance the safety of the public and firefighters with respect to fire and fire-related hazards.

Objectives: Provide critically needed resources that equip and train emergency personnel to recognized standards, outfit responders with compliant personal protective equipment to increase responders' physical protection against hazards during incident response, provide funding to retrofit or modify facilities to protect personnel from known health hazards, acquire emergency response vehicles, design and implement health, wellness and resiliency programs that prepare responders for incident response, enhance operational efficiencies, foster interoperability, and support community resilience.

Priorities: Information on program priorities and objectives for the FY 2024 AFG Program can be found in Appendix B – Programmatic Information and Priorities.

c. Alignment to Program Purpose and the DHS and FEMA Strategic Plan

The AFG Program represents part of a comprehensive set of measures authorized by Congress and implemented by DHS. Among the five basic homeland security missions noted in the DHS Strategic Plan for Fiscal Years 2020-2024, the AFG Program supports the goal to Strengthen Preparedness and Resilience.

The 2022-2026 FEMA Strategic Plan creates a shared vision for the field of emergency management and sets an ambitious, yet achievable, path forward to unify and further professionalize emergency management across the country. The AFG Program directly supports Goal 3 to Promote and Sustain a Ready FEMA and

Prepared Nation. We invite all our stakeholders and partners to join us in building a more prepared and resilient nation.

11. Performance Measures

The grant recipient is required to collect data to allow FEMA to measure performance of the awarded grant in supporting AFG Program metrics, which are tied to the programmatic objectives and priorities. To measure performance, FEMA may request information throughout the period of performance. In its final performance report submitted at closeout, the recipient must submit sufficient information to demonstrate it has met the performance goal as stated in its award. FEMA will measure the recipient's performance of the grant by comparing the number of items, supplies, projects, and activities needed and requested in its application with the number acquired and delivered by the end of the period of performance using the following programmatic metrics:

- Percentage of AFG Program personal protective equipment (PPE) recipients who equipped 100% of on-duty active members with PPE in compliance with applicable NFPA and Occupational Safety and Health Administration (OSHA) standards.
- Percentage of AFG Program equipment recipients who reported that the grant award brought them into compliance with either state, local, NFPA or OSHA standards.
- Number of AFG Program grant recipients who reported having successfully replaced their fire vehicles in accordance with industry standards.
- Percentage of AFG Program training recipients who reported that the grant award allows their members to achieve firefighter training level I and firefighter training level II within one year of coming into service.
- Percentage of AFG Program wellness and fitness recipients who reported that the grant award allows their members to achieve minimum physical and/or mental operational readiness requirements through tailored health-related fitness programs.
- Percentage of AFG Program grant recipients for modifications to facilities projects who reported that the grant award brought them into compliance with either state, local, NFPA, or OSHA standards on housing and readiness posture.

Please see Appendix B for additional information on the criteria used to evaluate the program priorities.

B. Federal Award Information

1. Available Funding for the NOFO: $291,600,000[1]

2. Projected Number of Awards: 2,000

[1] Note that this figure differs from the total amount appropriated under the Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47, Title III, Protection, Preparedness, Response, and Recovery, Federal Emergency Management, Agency, Federal Assistance (2024 DHS Appropriations Act). In this FY 2024 AFG Program NOFO, percentages of "available grant funds" refers to the total amount appropriated—$324,000,000—by Pub. L. No. 118-47 to meet the statutory requirements of § 33 of the *Federal Fire Prevention and Control Act of 1974*, as amended (codified at 15 U.S.C. § 2229). A portion of these "available grant funds" will be allocated to the Fire Prevention and Safety (FP&S) Program, which will have a separate NOFO and application period. $32,400,000 will be allocated to FP&S for FY 2024.

3. Period of Performance: 24 months

Extensions to the period of performance are allowed. For additional information on period of performance extensions, please refer to Section H of this NOFO.

4. Projected Period of Performance Start Date(s): N/A[2]

5. Projected Period of Performance End Date(s): N/A

6. Projected Budget Period

There will be only a single budget period with the same start and end dates as the period of performance.

7. Funding Instrument Type: Grant

C. Eligibility Information

1. Eligible Applicants

- ***Fire Departments:*** Fire departments operating in any of the 50 states, as well as fire departments in the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,[3] or any federally recognized Indian tribe or tribal organization. A fire department is an agency or organization having a formally recognized arrangement with a state, local, tribal or territorial authority (city, county, parish, fire district, township, town or other governing body) to provide fire suppression to a population within a geographically fixed primary first due response area.

- ***Nonaffiliated EMS organizations:*** Nonaffiliated EMS organizations operating in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico,[3] or any federally recognized Indian tribe or tribal organization. A nonaffiliated EMS organization is an agency or organization that is a public or private nonprofit emergency medical service entity providing medical transport that is not affiliated with a hospital and does not serve a geographic area in which emergency medical services are adequately provided by a fire department. FEMA considers the following as hospitals under the AFG Program:
  - Clinics;

[2] FEMA funds AFG Program awards on a rolling basis; as such, the date the FEMA Assistant Administrator for the Grant Programs Directorate signs the obligating document dictates the unique Period of Performance start and end dates for each award.

[3] The District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico are all defined as "States" in the Federal Fire Prevention and Control Act of 1974. *See* 15 U.S.C. § 2203(10).

- Medical centers;
- Medical colleges or universities;
- Infirmaries;
- Surgery centers; and
- Any other institution, association, or foundation providing medical, surgical or psychiatric care and/or treatment for the sick or injured.

- ***State Fire Training Academies***: A SFTA operates in any of the 50 states, as well as the District of Columbia, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of Puerto Rico.[3] Applicants must be designated either by legislation or by a governor's declaration as the sole fire service training agency within a state, territory, or the District of Columbia and recognized by the National Fire Academy. The designated SFTA shall be the only agency, bureau, division or entity within that state, territory, or the District of Columbia, to be an eligible SFTA applicant under the AFG Program.

- ***Non-federal airport and/or port authority fire or EMS organizations*** are eligible only if they have a formally recognized arrangement with the local jurisdiction to provide fire suppression or emergency medical services on a first-due basis outside the confines of the airport or port facilities. Airport or port authority fire and EMS organizations whose sole responsibility is suppression of fires or EMS response on the airport grounds or port facilities are not eligible for funding under the AFG Program.

An application submitted by an otherwise eligible non-federal entity (i.e., the applicant) may be deemed ineligible when the person that submitted the application is not: ***1) a current employee, personnel, official, staff or leadership of the non-federal entity; and 2) duly authorized to apply for an award on behalf of the non-federal entity at the time of application.***

Further, the Authorized Organization Representative (AOR) must be a duly authorized current employee, personnel, official, staff or leadership of the recipient and ***provide an email address unique to the recipient at the time of application and upon any change in assignment during the period of performance. Consultants or contractors of the recipient are not permitted to be the AOR of the recipient.***

2. Applicant Eligibility Criteria

The FY 2024 AFG Program has three activities:

- Operations and Safety;
- Vehicle Acquisition; and
- Regional Projects.

Each activity has its own eligibility requirements. These requirements are outlined in Appendix B– Programmatic Information and Priorities.

3. Subawards and Beneficiaries

a. *Subaward allowability*
Subawards are not allowed under the AFG Program.

b. *Beneficiaries or Participants*
This NOFO and any subsequent federal awards create no rights or causes of action for any participant or beneficiary.

4. Other Eligibility Criteria/Restrictions

a. *National Fire Incident Reporting System (NFIRS)*
Although NFIRS reporting is not a requirement to apply for AFG Program funding, fire departments that receive funding under this program must agree to provide information to the NFIRS for the period of performance covered by the assistance. If a recipient does not currently participate in the incident reporting system and does not have the capacity to report at the time of the award, that recipient must agree to provide information to the system for a 12-month period commencing as soon as possible after they develop the capacity to report. Capacity to report to NFIRS must be established prior to the end of the 24-month performance period. The recipient may be asked by FEMA to provide proof of compliance in reporting to NFIRS. Any recipient that stops reporting to NFIRS during their grant's period of performance may be subject to the remedies for noncompliance at 2 C.F.R. § 200.339, unless it has yet to develop the capacity to report to NFIRS, as described above. There is no NFIRS reporting requirement for nonaffiliated EMS organizations or SFTAs.

Note: Although data collection is an important tool for understanding and justifying assistance, participation in other data sources (e.g., National Fire Operations Reporting System [NFORS]) does not satisfy the requirement for reporting to NFIRS.

b. *National Incident Management System (NIMS)*
AFG Program applicants are not required to comply with NIMS to apply for AFG Program funding or to receive an AFG Program award. However, any applicant who receives an FY 2024 AFG Program award must achieve the level of NIMS compliance required by the Authority Having Jurisdiction (AHJ) over the applicant's emergency service operations (e.g., a local government) prior to the end of the grant's period of performance.

5. Maintenance of Effort (MOE)

Pursuant to 15 U.S.C. § 2229(k)(3), an applicant seeking an AFG Program grant shall agree to maintain, during the term of the grant, the applicant's aggregate expenditures relating to activities allowable under this NOFO, at not less than 80% of the average amount of such expenditures in the two fiscal years prior to the fiscal year an AFG Program grant is awarded.

In other words, an applicant agrees that if it receives a grant award, the applicant will keep its overall expenditures during the award's period of performance to at least 80% or more of the

average of what the applicant spent on such costs for those activities in fiscal years 2022 and 2023. This includes those funded with non-federal funding for activities that could be allowable costs under this NOFO.

6. Cost Share or Match

Recipient cost sharing is generally required as described below and pursuant to 15 U.S.C.§ 2229(k)(1). In general, eligible applicants shall agree to make available non-federal funds to carry out an AFG Program award in an amount equal to not less than 15% of the federal funds awarded. Exceptions to this general requirement apply to entities serving smaller communities as follows:

- When serving a jurisdiction of 20,000 residents or fewer, the applicant shall agree to make available non-federal funds in an amount equal to not less than 5% of the grant awarded;
- When serving a jurisdiction of more than 20,000 residents but not more than 1 million residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 10% of the grant awarded; or
- When serving a jurisdiction of more than 1 million residents, the applicant shall agree to make available non-federal funds in an amount equal to not less than 15% of the grant awarded.

The cost share for SFTAs will apply the requirements above based on the total population of the state. The cost share for a Regional application will apply the requirements above based on the aggregate population of the primary first due response areas of the host and participating partner organizations that execute a Memorandum of Understanding as described in Appendix B.g- Regional Applications.

FEMA has developed a cost share calculator tool to assist applicants with determining their cost share. The cost share tool is available on the FEMA website at Assistance to Firefighters Grants.

a. ***Types of Cost Share***

i. ***Cash (Hard Match):*** Cost share of non-federal cash is the only allowable recipient contribution for AFG Program activity (Vehicle Acquisition, Operations and Safety, and Regional).

ii. ***Trade-In Allowance/Credit:*** On a case-by-case basis, FEMA may allow recipients already owning assets acquired with non-federal cash to use the trade-in allowance/credit value of those assets as cash for the purpose of meeting their cost share obligation. For FEMA to consider a trade-in allowance/credit value as cash, the allowance amount must be reasonable, and the allowance amount must be a separate entry clearly identified in the acquisition documents.

iii. ***In-kind (Soft Match):*** In-kind cost share is not allowable for the AFG Program.

The award budget will not account for any voluntary committed cost sharing or overmatch. The use of an overmatch is not given additional consideration when scoring applications.

b. ***Economic Hardship Waivers***
The FEMA Administrator may waive or reduce recipient cost share or MOE requirements in cases of demonstrated economic hardship. Please see Appendix C – Award Administration Information for additional information.

D. Application and Submission Information

1. Key Dates and Times

a. Application Start Date: 11/12/2024 at 9 AM ET

b. Application Submission Deadline: 12/20/2024 at 5 PM ET

All applications **must** be received by the established deadline.

FEMA's Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the AOR role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled "Timely Receipt Requirements and Proof of Timely Submission" in Section D of this NOFO.

FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant's control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. "Timely notification" of FEMA means the following: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

A list of FEMA contacts can be found in Section G of this NOFO, "DHS Awarding Agency Contact Information." For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9 AM – 6 PM Eastern Time (ET). For programmatic or grants management questions, please contact your Program Analyst or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact the AFG Program Helpdesk at (866) 274-0960 or by e-mail at FireGrants@fema.dhs.gov. The AFG Program Helpdesk is open Monday through Friday, 8 AM – 4:30 PM ET.

c. ***Anticipated Funding Selection Date:*** No later than April 30, 2025

d. ***Anticipated Award Date****:*
Beginning on approximately April 30, 2025 and continuing thereafter until all FY 2024 AFG Program grant awards are issued (but no later than September 30, 2025).

e. ***Other Key Dates***

Event	Suggested Deadline for Completion
Obtaining Unique Entity Identifier (UEI) number	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline
Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or updating SAM registration	Four weeks before actual submission deadline
Registering Organization in FEMA GO	Prior to beginning application
Submitting complete application in FEMA GO	One week before actual submission deadline

2. Agreeing to Terms and Conditions of the Award
By submitting an application, applicants agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

3. Address to Request Application Package
Applications are processed through the FEMA GO system. To access the system, go to https://go.fema.gov/.

Hard copies of the NOFO can be downloaded at Grants.gov or obtained via email from the Awarding Office points of contact listed in Section G of this NOFO, "DHS Awarding Agency Contact Information" or by TTY (800) 462-7585.

4. Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management (SAM.gov)
Each applicant, unless they have a valid exception under 2 CFR §25.110, must:

a. Be registered in Sam.Gov before application submission.
b. Provide a valid UEI in its application.
c. Continue to always maintain an active SAM registration with current information during the federal award process. Note: Per 2 C.F.R. § 25.300, subrecipients are NOT required to go through the full SAM registration process. First-tier subrecipients (meaning entities receiving funds directly from the recipient) are only required to obtain a UEI through SAM, but they are not required to complete the full SAM registration in order to obtain a UEI. Recipients may not make subawards unless the subrecipient has obtained and provided the UEI.

Lower-tier subrecipients (meaning entities receiving funds passed through by a higher-tier subrecipient) are not required to have a UEI and are not required to register in SAM.

Applicants are also not permitted to require subrecipients to complete a full registration in SAM beyond obtaining the UEI.

5. Steps Required to Obtain a Unique Entity Identifier, Register in the System for Award Management (SAM), and Submit an Application

Applying for an award under this program is a multi-step process and requires time to complete. Applicants are encouraged to register early as the registration process can take four weeks or more to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines.

Please review the table above for estimated deadlines to complete each of the steps listed. Failure of an applicant to comply with any of the required steps before the deadline for submitting an application may disqualify that application from funding.

To apply for an award under this program, all applicants must:

a. Apply for, update, or verify their UEI number and Employer Identification Number (EIN) from the Internal Revenue Service;
b. In the application, provide an UEI number;
c. Have an account with login.gov;
d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
e. Register in FEMA GO, add the organization to the system, and establish the AOR. The organization's electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see https://www.fema.gov/grants/guidance-tools/fema-go/startup;
f. Submit the complete application in FEMA GO; and
g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Applicants are advised that FEMA may not make a federal award until the applicant has complied with all applicable SAM requirements. Therefore, an applicant's SAM registration must be active not only at the time of application, but also during the application review period and when FEMA is ready to make a federal award. Further, as noted above, an applicant's or recipient's SAM registration must remain active for the duration of an active federal award. If an applicant's SAM registration is expired at the time of application, expires during application review, or expires any other time before award, FEMA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Per 2 C.F.R. § 25.110(c)(2)(iii), if an applicant is experiencing exigent circumstances that prevents it from obtaining an UEI number and completing SAM registration prior to

receiving a federal award, the applicant must notify FEMA as soon as possible by contacting FireGrants@fema.dhs.gov and providing the details of the circumstances that prevent completion of these requirements. If FEMA determines that there are exigent circumstances and FEMA has decided to make an award, the applicant will be required to obtain an UEI number, if applicable, and complete SAM registration within 30 days of the federal award date.

6. Electronic Delivery

DHS is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS encourages or requires applicants to submit their applications online through Grants.gov, depending on the funding opportunity.

For this funding opportunity, FEMA requires applicants to submit applications through FEMA GO.

7. How to Register to Apply

a. General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Read the instructions below about registering to apply for FEMA funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission.

Organizations must have an UEI number, an EIN, and an active SAM registration to apply for a federal award under this funding opportunity.

b. Obtain an UEI Number: *3*

All entities applying for funding, including renewal funding, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form.

For more detailed instructions for obtaining a UEI number, refer to: SAM.gov

c. Obtain Employer Identification Number

All entities applying for funding must provide an Employer Identification Number (EIN). The EIN can be obtained from the IRS by visiting https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online.

d. Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account here: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd3.

Applicants only have to create a login.gov account once. For applicants that are existing SAM users, use the same email address for the login.gov account as with SAM.gov so that the two accounts can be linked.

For more information on the login.gov requirements for SAM registration, refer to https://www.sam.gov/SAM/pages/public/loginFAQ.jsf.

e. Register with SAM:

All applicants applying online through FEMA GO must register with SAM. Failure to register with SAM will prevent an applicant from completing the application in FEMA GO. SAM registration must be renewed annually. Organizations will be issued a UEI number with the completed SAM registration.

For more detailed instructions for registering with SAM, refer to https://apply07.grants.gov/help/html/help/Register/RegisterWithSAM.htm.

Note: Per 2 C.F.R. § 25.200, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded federal contracts or federal financial assistance within the past three years, if applicable.

I. ADDITIONAL SAM REMINDERS

Existing SAM.gov account holders should check their account to make sure it is "ACTIVE" SAM registration should be completed at the very beginning of the application period and should be renewed annually to avoid being "INACTIVE." **Please allow plenty of time before the grant application submission deadline to obtain an UEI number and then to register in SAM. It may be four weeks or more after an applicant submits the SAM registration before the registration is active in SAM, and then it may be an additional 24 hours before FEMA's system recognizes the information.**

It is imperative that the information applicants provide is correct and current. Please ensure that your organization's name, address, and EIN are up to date in SAM and that the UEI number used in SAM is the same one used to apply for all other FEMA awards. Payment under any FEMA award is contingent on the recipient's having a current SAM registration.

II. HELP WITH SAM

The SAM quick start guide for new recipient registration and SAM video tutorial for new applicants are tools created by the General Services Administration (GSA) to assist those registering with SAM. If applicants have questions or

concerns about a SAM registration, please contact the Federal Support Desk at https://www.fsd.gov/fsd-gov/home.do or call toll free (866) 606-8220.

f. Register in FEMA GO, Add the Organization to the System, and Establish the AOR:

Applicants must register in FEMA GO and add their organization to the system. The organization's electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see https://www.fema.gov/grants/guidance-tools/fema-go/startup.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome
- Internet Explorer
- Mozilla Firefox
- Apple Safari
- Microsoft Edge

Users who attempt to use tablet type devices or other browsers may encounter issues with using FEMA GO.

8. Submitting the Application

Applicants will be prompted to submit the standard application information and any program-specific information required as described in Section D.10 of this NOFO, "Content and Form of Application Submission." The Standard Forms (SF) may be accessed in the Forms tab under the https://grants.gov/forms/forms-repository/sf-424-family Applicants should review these forms before applying to ensure they have all the information required.

After submitting the final application, FEMA GO will provide either an error message or a successfully received transmission in the form of an email sent to the AOR that submitted the application. Applicants using slow internet connections, such as dial-up connections, should be aware that transmission can take some time before FEMA GO receives your application.

For additional application submission requirements, including program-specific requirements, please refer to the subsection titled "Content and Form of Application Submission" under Section D of this NOFO.

9. Timely Receipt Requirements and Proof of Timely Submission

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the AOR role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission on the date and time that FEMA GO received the application.

Applicants who experience system-related issues will be addressed until 3:00 PM ET on the date applications are due. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

10. Content and Form of Application Submission

a. ***Standard Required Application Forms and Information***

The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at https://grants.gov/forms/forms-repository/sf-424-family

- **SF-424, Application for Federal Assistance**
- **Grants.gov Lobbying Form, Certification Regarding Lobbying**
- **SF-424A, Budget Information (Non-Construction)**
- **SF-424B, Standard Assurances (Non-Construction)**
- **SF-LLL, Disclosure of Lobbying Activities**

b. ***Program-Specific Required Forms and Information***

Program-specific forms or information are required to be submitted in FEMA GO. For program-specific required and optional forms and information, please see the Appendices to this NOFO.

11. Other Submission Requirements

FEMA evaluates each application on its merit, veracity, and accuracy to ascertain how the narrative statement(s) outlined within the application depicts the applicant's and their community's uniqueness, their particular risks, and how selecting them over a similarly situated applicant advances the objectives of AFG to provide critically needed resources that equip and train emergency personnel to recognized standards, enhance operational efficiencies, foster interoperability, and support community resilience. At any time during application review process, including the technical review stage, FEMA may request additional documentation from applicants, including but not limited to:

- Copies of official or certified documents demonstrating the claimed financial need;
- Copies of the applicant's needs assessment report, survey, or any documented other efforts undertaken to identify the applicant's unique project objectives;
- Copies of the risk analysis conducted to ascertain how said project will address the applicant's unique needs in alignment with their mission and AFG grant purpose;
- Additional information or evidence detailing the applicant's particular risks; and
- Any other information deemed necessary to adequately weigh the applicant's assistance request for funding under this discretionary-competitive grant program. No applicant is guaranteed funding.

The narrative statement blocks do not allow for formatting. Do not type the narrative statements using only capital letters. Additionally, do not include tables, special characters, fonts (e.g., quotation marks, bullets), or graphs. Space for the narrative statements is limited. Although each element must have a minimum of 200 characters, the maximum number of characters varies based on the questions being asked.

12. Funding Restrictions and Allowable Costs

All costs charged to federal awards (including both federal funding and any non-federal matching or cost sharing funds) must comply with applicable statutes, rules and regulations, and policies, this NOFO, and the terms and conditions of the federal award. They must also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200 unless otherwise indicated in the NOFO or the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred and products and services must be delivered within the budget period. 2 C.F.R. § 200.403(h). The following identifies a list of activities for which a recipient may not use federal funds and any cost sharing or matching funds under federal awards:

- Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306)
- Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450
- Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435) See subsections below for information on any other funding restrictions.

Additionally, federal employees are prohibited from serving in any capacity (paid or unpaid) on the development of any proposal submitted under this program.

a. ***Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services***

Recipients, subrecipients, and their contractors must comply with the prohibitions set forth in Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) (FY 2019 NDAA) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The FY 2019 NDAA and these regulations, as they apply to recipients, subrecipients, and their contractors and subcontractors, provide for two distinct prohibitions: (1) prevent the use of federal award funds to procure or obtain covered telecommunications equipment or services; and (2) prevent the use of federal award funds to contract with an entity that uses such covered telecommunications equipment or services. Guidance is available at FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services

Additional guidance is available at Contract Provisions Guide: Navigating Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards (fema.gov).

FEMA recipients and subrecipients **may not** use any FEMA funds under open or new awards to:

- Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
- Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or

services as a substantial or essential component of any system, or as critical technology of any system; or

- Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

I. REPLACEMENT EQUIPMENT AND SERVICES

FEMA grant funding may be permitted to procure replacement equipment and services impacted by this prohibition, provided the costs are otherwise consistent with the requirements of the NOFO.

II. DEFINITIONS

Per section 889(f)(2)-(3) of the FY 2019 NDAA and 2 C.F.R. § 200.216, covered telecommunications equipment or services means:

i. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
ii. For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
iii. Telecommunications or video surveillance services provided by such entities or using such equipment; or
iv. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Examples of the types of products covered by this prohibition include phones, internet, video surveillance, and cloud servers when produced, provided, or used by the entities listed in the definition of "covered telecommunications equipment or services." *See* 2 C.F.R. § 200.471.

b. *Pre-Award Costs*

Generally, grant funds cannot be used to pay for products and services contracted for or obligated prior to the effective date of the award. Fees for grant writers are considered an exception and may be included as a pre-award expenditure, see Appendix C for details. Further, other costs incurred after the application deadline, but prior to an offer of award, may be eligible for reimbursement only if the following conditions are met:

- The recipient must request approval from FEMA to incur such pre-award costs. Requests must be sent via email to FireGrants@fema.dhs.gov and include the application number and justification narrative. Please note, the recipient must seek approval at the time of acquisition and before the award is announced.
- The recipient must receive written confirmation from FEMA that the expenses have been reviewed and that FEMA has determined the costs to be justified, unavoidable, and consistent with the grant's scope of work.
- The pre-award cost must meet the requirements of 2 C.F.R. § 200.458, which provides that the costs must be necessary for efficient and timely performance of the grant's scope of work.

Note: FEMA reserves the right to re-evaluate and disallow pre-award costs at time of award monitoring if it is later determined that the services were not properly procured or do not satisfy the requirements of 2 C.F.R. § 200.458.

See Appendix C for further information regarding grant writer fees and Section H-Additional Information of this NOFO for general procurement under grants requirements.

c. ***Management and Administration (M&A) Costs***

M&A costs are allowed by Department of Homeland Security Appropriations Act, 2024, Pub. L. No. 118-47. M&A activities are those directly related to the management and administration of the AFG award funds, such as financial management and monitoring. M&A are not operational costs but are necessary costs incurred in direct support of the federal award or as a consequence of it, such as travel, meeting-related expenses, and salaries of full/part-time staff in direct support of the program. As such, M&A costs can be itemized in financial reports.

M&A expenses should be based only on actual expenses or known contractual costs. Requests that are simple percentages of the award, without supporting justification or adequate documentation, will not be allowed or considered for an award. In addition, reimbursement for fees associated with hiring grants management services is now capped at $1,500. No more than 3% of the federal share of AFG Program funds awarded may be expended by the recipient for M&A for purposes associated with the AFG Program award.

d. ***Indirect Facilities & Administrative (F&A) Costs***

Indirect (F&A) costs (IDC) mean those costs incurred for a common or joint purpose benefitting more than one cost objective and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. IDC are allowable by the recipient [and subrecipients] as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a current negotiated IDC rate agreement who desire to charge indirect costs to a federal award must provide a copy of their IDC rate agreement with their applications. Not all applicants are required to have a current negotiated IDC rate agreement. Applicants that are not

required to have a negotiated IDC rate agreement but are required to develop an IDC rate proposal must provide a copy of their proposal with their applications. Applicants who do not have a current negotiated IDC rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to FireGrants@fema.dhs.gov for further instructions. Applicants who wish to use a cost allocation plan in lieu of an IDC rate proposal must reach out to FireGrants@fema.dhs.gov for further instructions. As it relates to the IDC for subrecipients, a recipient must follow the requirements of 2 C.F.R. §§ 200.332 and 200.414 in approving the IDC rate for subawards.

e. ***Evaluation Costs***

Evaluation costs are allowable. See Section H.2 "Program Evaluation" for more details.

f. ***Other Direct Costs***

- **Construction:** Construction costs are not eligible under the AFG Program. Construction includes major alterations to a building that changes the profile or footprint of the structure. Modifications to facilities activities described in Appendix B- Funding Priorities, are not considered construction costs for purposes of general award cost categorization and may be eligible. However, modifications to facilities activities might be considered "construction" for purposes of applicable procurement under grants requirements or environmental protection and historic preservation purposes.

- **Fire Departments and Nonaffiliated EMS organizations funding restrictions:** The total amount of funding a fire department or nonaffiliated EMS organization recipient may receive under an AFG Program award is limited to the maximum amounts set by § 33(c)(2) of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. § 2229(c)(2)). These award limits are based on two factors: (1) population served and (2) a 1% aggregate amount of available grant funds.

  The population of the jurisdiction served by the recipient will determine the maximum amount of AFG Program funding a recipient is eligible to receive but no recipient may receive an award that exceeds 1% of available grant funds in FY 2024, or $2,916,000.00. FEMA may waive this aggregate cap in individual cases where FEMA determines that a recipient has an extraordinary need for a grant that exceeds the aggregate cap. FEMA may not waive the statutory funding caps based on population.

  The following table explains the maximum funding that a recipient may receive in FY 2024:

Population of the jurisdiction served by the recipient	Maximum award in FY 2024	Statutory waiver available subject to extraordinary need?
100,000 or fewer people	No more than $1 million	None available
100,001 – 500,000 people	No more than $2 million	None available
500,001 – 1,000,000 people	No more than $2.91 million	None available
1,000,001 – 2,500,000 people	No more than $2.91 million	Yes, but no more than $6 million
More than 2,500,000 people	No more than $2.91million	Yes, but no more than $9 million

Regional applicants will be subject to the funding limitations based on the total population served by the host of the application and the participating partners. For example, if the host and partners serve a population of 100,000 or fewer and are the recipients of a Regional award for $1 million, then the host has met their cap and is no longer eligible for additional funds under the AFG Program.

- **Allocations and Restrictions of Available Grant Funds by Organization Type**
  - **Fire Departments**: Not less than 25% of available grant funds shall be awarded to career, combination, or volunteer department types (total of 75%).
  - **Nonaffiliated EMS Organizations**: Not more than 2% of available grant funds shall be collectively awarded to all nonaffiliated EMS organization recipients.
  - **Emergency Medical Services Providers**: Not less than 3.5% of available grant funds shall fund emergency medical services provided by fire departments and nonaffiliated EMS organizations.
  - **State Fire Training Academy**: Not more than 3% of available grant funds shall be collectively awarded to all SFTA recipients. Further, not more than $500,000 of available federal grant funds may be awarded per SFTA applicant.
  - **Vehicles**: Not more than 25% of available grant funds may be used by recipients for the purchase of vehicles. Of that amount, based on stakeholder recommendations, FEMA intends to allocate 10% of the total vehicle funds for ambulances.
  - **Micro Grants**: The selection of the voluntary Micro Grant option (cumulative federal funding of $75,000) for eligible High Priority Operations and Safety activities does not impact an applicant's request or participation under the Vehicle Acquisition or Regional projects. Applicants who select Micro Grants under Operations and Safety as a funding opportunity choice may still apply for a Vehicle Acquisition or Regional project. Of the 25% allocated to each of the career, combination, and volunteer departments, FEMA will aim to fund no less than 25% of the allocation for Micro Grants.

E. Application Review Information

1. Application Evaluation Criteria

a. *Programmatic Criteria*

Funding priorities and programmatic criteria for evaluating AFG Program applications are established by FEMA based on the recommendations from the Criteria Development Panel (CDP). Each year, FEMA convenes a panel of fire service professionals to develop funding priorities for the AFG Program. The panel makes recommendations about funding priorities as well as developing criteria for awarding grants.

The nine major fire service organizations represented on the panel are:

- International Association of Fire Chiefs
- International Association of Fire Fighters
- National Volunteer Fire Council
- National Fire Protection Association
- National Association of State Fire Marshals
- International Association of Arson Investigators
- International Society of Fire Service Instructors
- North American Fire Training Directors
- Congressional Fire Service Institute

The CDP is charged with making recommendations to FEMA regarding the creation or modification of previously established funding priorities as well as developing criteria for awarding grants. The FEMA Administrator reviews and approves the CDP's recommendations. The content of this NOFO reflects implementation of the CDP's recommendations with respect to the priorities, direction, and criteria for awards.

FEMA will rank all complete and submitted applications based on how well they match the program priorities for the type of jurisdiction(s) served. Answers to the application's activity specific questions provide information used to determine each application's ranking relative to the stated program priorities.

b. *Financial Integrity Criteria*

Prior to making a federal award, FEMA is required by 31 U.S.C. § 3354, as enacted by the Payment Integrity Information Act of 2019, Pub. L. No. 116-117 (2020); 41 U.S.C. § 2313; and 2 C.F.R. § 200.206 to review information available through any Office of Management and Budget (OMB)-designated repositories of governmentwide eligibility qualification or financial integrity information, including whether SAM.gov identifies the applicant as being excluded from receiving federal awards or is flagged for any integrity record submission. FEMA may also pose additional questions to the applicant to aid in conducting the pre-award risk review. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

i. Financial stability.
ii. Quality of management systems and ability to meet management standards.
iii. History of performance in managing federal award.
iv. Reports and findings from audits.
v. Ability to effectively implement statutory, regulatory, or other requirements.

c. *Supplemental Financial Integrity Criteria and Review*

Prior to making a federal award where the anticipated total federal share will be greater than the simplified acquisition threshold, currently $250,000:

i. FEMA is required by 41 U.S.C. § 2313 and 2 C.F.R. § 200.206(a)(2) to review and consider any information about the applicant, including information on the applicant's immediate and highest-level owner, subsidiaries, and predecessors, if applicable, that is in the designated integrity and performance system accessible through the System for Award Management (SAM), which is currently the Federal Awardee Performance and Integrity Information System (FAPIIS).

ii. An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a federal awarding agency previously entered.

iii. FEMA will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

2. Review and Selection Process

AFG Program applications are reviewed through a multi-phase process. All applications are electronically pre-scored and ranked based on how well they align with the funding priorities outlined in this funding notice.

Applications with the highest pre-score rankings are then scored competitively by no less than three members of a Peer Review Panel. Applications will also be evaluated through a series of internal FEMA review processes for completeness, adherence to programmatic guidelines, technical feasibility, and anticipated effectiveness of the proposed project(s). Below is the process by which applications will be reviewed:

a. *Pre-Scoring Process*

The application undergoes an electronic pre-scoring process based on established program priorities listed in Appendix B and answers to activity-specific questions within the online application. Application Narratives are not reviewed during the pre-score process. "Request Details" and "Budget" information should comply with

program guidance and statutory funding limitations. The pre-score is half of the total application score.

b. ***Peer Review Panel Process***

Applications with the highest rankings from the pre-scoring process will undergo a Peer Review Panel process. A panel of peer reviewers is composed of fire service representatives recommended by the national organizations from the CDP. Peer reviewers will assess each application's merits based on the narrative statement on the requested activity. The evaluation elements listed in the "Narrative Evaluation Criteria" below will be used to calculate the narrative's score for each activity requested. Peer reviewers will independently score each requested activity within the application, discuss the merits and/or shortcomings of the application with his or her peers, and document the findings. A consensus is not required. The panel score is half of the total application score.

I. NARRATIVE EVALUATION CRITERIA

The Narrative Statements must provide specific details about the activity for which the applicants seek funding. Applicants must explain how the proposed activity(ies) relate to the Operations and Safety Activity or the Vehicle Acquisition Activity. FEMA reviews and compares applications for **duplication including narratives and statistical data**. Therefore, all elements of the Narrative Statements must be original, and **all statistical data must be accurate**. Applications with narratives that have substantial copying of sentences or paragraphs **and/or inaccurate data** that may mislead reviewers may be disqualified. Falsification, fabrication, or plagiarism of other grant proposals will disqualify the application(s). Each narrative section allows no more than 4,000 characters each, including spaces and punctuation.

FEMA has developed a Narrative Development Toolkit and Self Evaluation Sheets available on FEMA website: Assistance to Firefighters Grants Documents | FEMA.gov**. The documents are designed to assist applicants with narrative preparation and provide specific criteria used by a panel of peer reviewers when evaluating each application. FEMA encourages applicants to use these documents to prepare their applications.**

Peer reviewers will evaluate and select a score of Strongly Agree, Agree, Neither Agree nor Disagree, Disagree or Strongly Disagree for each narrative section based on the following narrative elements within each activity.

Financial Need (25%). This section allows 4,000 characters (including spaces and punctuation).

Applicants should describe their financial need and how consistent it is with the intent of the AFG Program. The financial need statement should include details describing the applicant's financial distress, such as summarizing budget constraints, unsuccessful attempts to secure other funding, and proving the financial distress is out of their control.

Project Description and Budget (25%). This section allows 4,000 characters (including spaces and punctuation).
The Project Description and Budget statement should clearly explain the applicant's project objectives and their relationship to the applicant's budget and risk analysis. The applicant should describe various activities, including program priorities or facility modifications, ensuring consistency with project objectives, the applicant's mission, and national, state, local, or tribal requirements. Applicants should link the proposed expenses to operations and safety, as well as to the completion of the project's goals.

Cost Benefit (25%). This section allows 4,000 characters (including spaces and punctuation).
Applicants should describe how they plan to address the operational and personnel safety needs of the organization, including cost effectiveness and sharing assets. The Operations and Safety/Cost Benefit statement should also include details about gaining the maximum benefits from grant funding by citing reasonable or required costs, such as specific overhead and administrative costs. The applicant's request should also be consistent with their mission and identify how funding will benefit their organization and affected personnel.

Statement of Effect on Operations (25%). This section allows 4,000 characters (including spaces and punctuation).
The Statement of Effect on Operations should explain how this funding request will enhance an organization's overall effectiveness. It should address how an award will improve daily operations and reduce an organization's risk(s). Applicants should include how frequently the requested item(s) will be used and in what capacity. Applicants should also indicate how the requested item(s) will help the community and increase an organization's ability to save additional lives and property. Jurisdictions that demonstrate their commitment and proactive posture to reducing fire risk, by explaining their code enforcement (to include Wildfire and Wildland Urban Interface code enforcement) and mitigation strategies (including whether the jurisdiction has a FEMA-approved mitigation strategy) may receive stronger consideration under this criterion.

c. ***Technical Evaluation Process (TEP)***
The highest ranked applications will be considered within the fundable range. Applications that are in the fundable range will undergo both a Technical Review by a subject-matter expert as well as a FEMA Program Office review before being recommended for award. The FEMA Program Office will make a final assessment of the application with respect to costs, quantities, feasibility, eligibility, and recipient responsibility prior to recommending any application for award. During TEP, the information in Appendix B is used to make final corrections to any request not meeting program eligibility requirements. This is not a scored phase of the application process. Requests may be recommended for partial funding based on findings made during this assessment.

F. Federal Award Administration Information

In addition to the language below, please see Appendix C of this NOFO for additional award administration information.

1. Notice of Award

Before accepting the award, the AOR and recipient should carefully read the award package. The award package includes instructions on administering the grant award and the terms and conditions associated with responsibilities under federal awards. **Recipients must accept all conditions in this NOFO as well as any specific terms and conditions in the Notice of Award to receive an award under this program.**

FEMA will provide the federal award package to the applicant electronically via FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An email notification of the award package will be sent through FEMA's grant application system to the AOR that submitted the application.

Recipients must accept their awards no later 30 days from the award date. The recipient shall notify FEMA of its intent to accept and proceed with work under the award through the FEMA GO system.

Funds will remain on hold until the recipient accepts the award through the FEMA GO system and all other conditions of the award have been satisfied or until the award is otherwise rescinded. Failure to accept a grant award within the specified timeframe may result in a loss of funds.

2. Difference between Application Request and Award

During the review process for an AFG Program award, FEMA may modify the application request(s). These modifications will be identified in the award package provided upon the offer of an award. If the awarded activities, scope of work, or requested dollar amount(s) do not match the application as submitted, the recipient shall only be responsible for completing the activities actually funded by FEMA. The recipient is under no obligation to start, modify, or complete any activities requested but not funded by the award. The award package will identify any such differences under the Approved Scope of Work section.

3. Turndown Notifications

FEMA GO will provide all applicants who do not receive an FY 2024 AFG Program award with a turndown notification.

4. Administrative and National Policy Requirements

In addition to the requirements of in this section and in this NOFO, FEMA may place specific terms and conditions on individual awards in accordance with 2 C.F.R. Part 200.

a. ***DHS Standard Terms and Conditions***
All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: DHS Standard Terms and Conditions.

The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

b. ***Ensuring the Protection of Civil Rights***
As the Nation works towards achieving the National Preparedness Goal, it is important to continue to protect the civil rights of individuals. Recipients and subrecipients must carry out their programs and activities, including those related to the building, sustainment, and delivery of core capabilities, in a manner that respects and ensures the protection of civil rights for protected populations.

Federal civil rights statutes, such as Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964, along with DHS and FEMA regulations, prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, limited English proficiency, or economic status in connection with programs and activities receiving federal financial assistance from FEMA, as applicable.

The DHS Standard Terms and Conditions include a fuller list of the civil rights provisions that apply to recipients. These terms and conditions can be found in the DHS Standard Terms and Conditions. Additional information on civil rights provisions is available at https://www.fema.gov/about/offices/equal-rights/civil-rights.

Monitoring and oversight requirements in connection with recipient compliance with federal civil rights laws are also authorized pursuant to 44 C.F.R. Part 7 or other applicable regulations.

In accordance with civil rights laws and regulations, recipients and subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment.

c. ***Environmental Planning and Historic Preservation (EHP) Compliance***
As a federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by FEMA, including grant-funded projects, comply with federal EHP laws, Executive Orders, regulations, and policies, as applicable.

Recipients and subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, the construction of

communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by FEMA in order to determine whether the proposed project has the potential to impact environmental resources including, but not limited to, threatened or endangered species and historic properties; and identify mitigation measures and/or alternative courses of action that may lessen any impact to those resources.

In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies. FEMA may recommend mitigation measures and/or alternative courses of action to lessen any impact to environmental resources and bring the project into compliance with EHP requirements.

Guidance on the EHP process is found at Environmental Planning and Historic Preservation. The site contains links to various documents including those identifying agency EHP responsibilities and program requirements, such as implementation of the National Environmental Policy Act and other EHP laws, regulations, and Executive Orders. DHS and FEMA EHP policy is also found in the EHP Directive & Instruction.

All FEMA actions, including grant-funded actions, must comply with National Flood Insurance Program criteria or any more restrictive federal, state, or local floodplain management standards or building code (44 CFR § 9.11(d)(6)).

All FEMA-funded non-critical actions in 1% annual chance floodplains (also known as 100-year floodplains) that involve new construction or substantial improvement of structures must be elevated, at a minimum, to the lower of:

- Two feet above the 1% annual chance flood elevation (also known as the base flood elevation), in accordance with the Federal Flood Risk Management Standard (FFRMS) "Freeboard Value Approach" (FVA); or
- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least two feet above the 1% annual chance flood elevation.

All FEMA-funded critical actions in 1% annual chance floodplains or 0.2% annual chance floodplains (also known as 500-year floodplains) that involve new construction or substantial improvement of structures must be elevated, at a minimum, to the higher of:

- Three feet above the 1% annual chance flood elevation; or

- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least three feet above the 1% annual chance flood elevation.

See Executive Order 11988, Floodplain Management, as amended by Executive Order 13690, Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input.

The GPD EHP screening form is located at https://www.fema.gov/sites/default/files/documents/fema_ehp-screening_form_ff-207-fy-21-100_5-26-2021.pdf. Additionally, all recipients under this funding opportunity are required to comply with the FEMA GPD EHP Policy Guidance, FEMA Policy #108-023-1, available at https://www.fema.gov/sites/default/files/documents/fema_gpd-ehp-policy-guidance.pdf.

All modifications to facility activities, and any renovation to facilities that would qualify as a modification to a facility supporting activities under Training, Equipment, PPE, or Wellness and Fitness, will require an EHP review. Some Equipment activities will require an EHP review as well. Such activities include but are not limited to the installation of:

- Air compressor/fill station/cascade system (fixed) for filling Self-Contained Breathing Apparatus (SCBA);
- Air quality systems;
- Fire/smoke/carbon monoxide alarm systems for the facility (life safety);
- Generators (fixed);
- Sprinklers;
- Vehicle exhaust systems (fixed);
- Washer/dryer/extractor;
- Fixed communications antennas onto a building;
- Building renovations such as removal of walls or installation of electrical or water lines;
- Training/exercises in natural settings such as rope or swift water;
- LED signs; and
- Any scope of work that involves ground disturbances.

The following activities would not require the submission of the FEMA EHP Screening Form:

- Planning and development of policies or processes;
- Management, administrative, or personnel actions;
- Classroom-based training;
- Acquisition of mobile and portable equipment (not involving installation) on or in a building, and does not require a storage area to be constructed; and
- Purchase of PPE and/or SCBA.

d. ***Mandatory Disclosures***

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. (2 CFR 200.113)

Please note applicants and recipients may report issues of fraud, waste, abuse, and mismanagement, or other criminal or noncriminal misconduct to the Office of Inspector General (OIG) Hotline. The toll-free numbers to call are 1 (800) 323-8603, and TTY 1 (844) 889-4357.

5. Reporting

Recipients are required to submit various financial and programmatic reports as a condition of award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent. Recipients should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of purchasing documentation along with copies of cancelled checks or other proof of payment documentation for verification.

a. ***Financial Reporting Requirements***

I. FEDERAL FINANCIAL REPORT (FFR)

Recipients must report obligations and expenditures through the FFR form (SF-425) to FEMA.

Recipients may review the Federal Financial Reporting Form (FFR) (SF-425) at https://apply07.grants.gov/apply/forms/sample/SF425-V1.0.pdf.

Recipients must file the FFR electronically using FEMA GO.

II. FFR REPORTING PERIODS AND DUE DATES

Recipients are required to submit a Federal Financial Report (FFR or SF-425) on a semi-annual basis. The FFR must be submitted through FEMA GO based on the calendar year beginning with the period after the award is made. Grant recipients are required to submit an FFR throughout the entire period of performance of the grant and for closeout. Reports are due:

- **No later than July 30** (for the period January 1 – June 30)
- **No later than January 30** (for the period July 1 – December 31)
- Within 120 days after the end of the Period of Performance

Future awards and fund drawdowns may be withheld if these reports are delinquent, demonstrate lack of progress, or are insufficient in detail.

b. ***Programmatic Performance Reporting Requirements***

I. PERFORMANCE PROGRESS REPORT (PPR)

The recipient is responsible for completing and submitting a PPR using FEMA GO.

The PPR should include:

- A brief narrative of overall project(s) status;
- A summary of project expenditures; and
- A description of any potential issues that may affect project completion.

II. PPR PERIODS AND DUE DATES

The following reporting periods and due dates apply for the PPR:

- **No later than July 30 (for the period January 1 – June 30)**
- **No later than January 30 (for the period July 1 – December 31)**

c. *Closeout Reporting Requirements*

I. CLOSEOUT REPORTING

Within 120 calendar days after the end of the period of performance for the prime award or after an amendment has been issued to close out an award before the original POP ends, recipients must liquidate all financial obligations and must submit the following:

i. The final request for payment, if applicable.
ii. The final FFR (SF-425).
iii. The final progress report detailing all accomplishments, including a narrative summary of the impact of those accomplishments throughout the period of performance. If applicable, the recipient must include with the final progress report an inventory of all construction projects.
iv. Other documents required by this NOFO, terms and conditions of the award, or other FEMA guidance. If the final FFR and performance report periods coincide with the end of the period of performance, FEMA has discretion under 2 C.F.R. Part 200 to waive the last quarterly/semiannual/annual reports and only require the final FFR and performance report for closeout purposes. The recipient is responsible for returning any balances of unobligated or unliquidated funds that have been drawn down that are not authorized to be retained per 2 C.F.R. § 200.344(d).

In addition, pass-through entities are responsible for closing out their subawards as described in 2 C.F.R. § 200.344; subrecipients are still required to submit closeout materials within 90 calendar days of the period of performance end date. When a subrecipient completes all closeout requirements, pass-through entities must promptly complete all closeout actions for subawards in time for the recipient to submit all necessary documentation and information to FEMA during the closeout of the prime award.

After the prime award closeout reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for at least three years from the date of the final FFR. The record retention period may be longer, such as due to an audit or litigation, for equipment or real property used

beyond the period of performance, or due to other circumstances outlined in 2 C.F.R. § 200.334.

The recipient is responsible for refunding to FEMA any balances of unobligated cash that FEMA paid that are not authorized to be retained per 2 C.F.R. § 200.344(d).

II. ADMINISTRATIVE CLOSEOUT

Administrative closeout is a mechanism for FEMA to unilaterally move forward with closeout of an award using available award information in lieu of final reports from the recipient per 2 C.F.R. § 200.344(h)-(i). It is a last resort available to FEMA, and if FEMA needs to administratively close an award, this may negatively impact a recipient's ability to obtain future funding. This mechanism can also require FEMA to make cash or cost adjustments and ineligible cost determinations based on the information it has, which may result in identifying a debt owed to FEMA by the recipient.

When a recipient is not responsive to FEMA's reasonable efforts to collect required reports needed to complete the standard closeout process, FEMA is required under 2 C.F.R. § 200.344(h) to start the administrative closeout process within the regulatory timeframe. FEMA will make at least three written attempts to collect required reports before initiating administrative closeout. If the recipient does not submit all required reports in accordance with 2 C.F.R. § 200.344, this NOFO, and the terms and conditions of the award, FEMA must proceed to administratively close the award with the information available within one year of the period of performance end date. Additionally, if the recipient does not submit all required reports within one year of the period of performance end date, per 2 C.F.R. § 200.344(i), FEMA must report in Contracting Performance Assessment Reporting System (CPARS) the recipient's material failure to comply with the terms and conditions of the award.

If FEMA administratively closes an award where no final FFR has been submitted, FEMA uses that administrative closeout date in lieu of the final FFR submission date as the start of the record retention period under 2 C.F.R. § 200.334.

In addition, if an award is administratively closed, FEMA may decide to impose remedies for noncompliance per 2 C.F.R. § 200.339, consider this information in reviewing future award applications, or apply special conditions to existing or future awards.

d. *Additional Reporting Requirements*

I. DISCLOSING INFORMATION PER 2 C.F.R. § 180.335

This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with FEMA, the recipient must notify FEMA if it

knows if it or any of the recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335:

i. Are presently excluded or disqualified;
ii. Have been convicted within the preceding three years of any of the offenses listed in 2 C.F.R. § 180.800(a) or had a civil judgment rendered against it or any of the recipient's principals for one of those offenses within that time period;
iii. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses listed in 2 C.F.R. § 180.800(a); or
iv. Have had one or more public transactions (federal, state, or local) terminated within the preceding three years for cause or default.

At any time after accepting the award, if the recipient learns that it or any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to FEMA in accordance with 2 C.F.R. § 180.350.

II. Reporting of Matters Related to Recipient Integrity and Performance

Appendix XII to 2 C.F.R. Part 200 sets forth a term and condition related to recipient integrity and performance matters that will apply to all federal awards under this funding opportunity. If the total value of currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of a federal award under this funding opportunity, then a recipient must maintain the currency of information reported in the Contracting Performance Assessment Reporting System (CPARS) about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII at the reporting frequency described in paragraph 4 of Appendix XII.

III. Single Audit Report

A recipient that expends $750,000 or more during the recipient's fiscal year in federal awards (as defined by 2 C.F.R. § 200.1) must have a single audit conducted in accordance with 2 C.F.R. § 200.514 except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501. The audit must be conducted in accordance with 2 C.F.R. Part 200, Subpart F and, as required by 2 C.F.R. § 200.514, in accordance with the U.S. Government Accountability Office (GAO) Generally Accepted Government Auditing Standards, which can be found on the Yellow Book page of the GAO website.

6. Monitoring and Oversight

The regulation at 2 C.F.R. § 200.337 provides DHS and any of its authorized representatives with the right of access to any documents, papers, or other records of the recipient [and any subrecipients] that are pertinent to a federal award in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the

recipient's or subrecipient's personnel for the purpose of interview and discussion related to such documents. Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review project accomplishments and management control systems to evaluate project accomplishments and to provide any required technical assistance. During site visits, DHS may review a recipient's or subrecipient's files pertinent to the federal award and interview and/or discuss these files with the recipient's or subrecipient's personnel. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award.

Effective monitoring and oversight help FEMA ensure that recipients use grant funds for their intended purpose(s); verify that projects undertaken are consistent with approved plans; and ensure that recipients make adequate progress toward stated goals and objectives. Additionally, monitoring serves as the primary mechanism to ensure that recipients comply with applicable laws, rules, regulations, program guidance, and requirements. FEMA regularly monitors all grant programs both financially and programmatically in accordance with federal laws, regulations (including 2 C.F.R. Part 200), program guidance, and the terms and conditions of the award. All monitoring efforts ultimately serve to evaluate progress towards grant goals and proactively target and address issues that may threaten grant success during the period of performance.

FEMA staff will periodically monitor recipients to ensure that administrative processes, policies and procedures, budgets, and other related award criteria are meeting Federal Government-wide and FEMA regulations. Aside from reviewing semi-annual financial and programmatic reports, FEMA may also conduct enhanced monitoring through either desk-based reviews, onsite monitoring visits, or both. Enhanced monitoring will involve the review and analysis of the financial compliance and administrative processes, policies, activities, and other attributes of each federal assistance award, and it will identify areas where the recipient may need technical assistance, corrective actions, or other support.

Financial and programmatic monitoring are complementary processes within FEMA's overarching monitoring strategy that function together to ensure effective grants management, accountability, and transparency; validate progress against grant and program goals; and safeguard federal funds against fraud, waste, and abuse. Financial monitoring primarily focuses on statutory and regulatory compliance with administrative grant requirements, while programmatic monitoring seeks to validate and assist in grant progress, targeting issues that may be hindering achievement of project goals and ensuring compliance with the purpose of the grant and grant program. Both monitoring processes are similar in that they feature initial reviews of all open awards, and additional, in-depth monitoring of grants requiring additional attention.

Recipients and subrecipients who are pass-through entities are responsible for monitoring their subrecipients in a manner consistent with the terms of the federal award at 2 C.F.R. Part 200, including 2 C.F.R. § 200.332. This includes the pass-through entity's responsibility to monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

In terms of overall award management, recipient and subrecipient responsibilities include, but are not limited to: accounting of receipts and expenditures, cash management, maintaining adequate financial records, reporting and refunding expenditures disallowed by audits, monitoring if acting as a pass-through entity, or other assessments and reviews, and ensuring overall compliance with the terms and conditions of the award or subaward, as applicable, including the terms of 2 C.F.R. Part 200.

G. DHS Awarding Agency Contact Information

1. Contact and Resource Information

a. ***AFG Program Office Contact***

The AFG Program Help Desk provides technical assistance to applicants for the online completion and submission of applications into FEMA GO, answers questions concerning applicant eligibility and recipient responsibilities, and helps in the programmatic administration of awards. The AFG Program Help Desk can be contacted at (866) 274-0960 or by email at FireGrants@fema.dhs.gov. Normal hours of operation are from 8 a.m. to 4:30 p.m. ET, Monday through Friday.

b. ***FEMA Grants News***

FEMA Grants News is a non-emergency comprehensive management and information resource developed by FEMA for grants stakeholders. This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. When necessary, recipients will be directed to a federal point of contact who can answer specific programmatic questions or concerns. FEMA Grants News can be reached by e-mail at fema-grants-news@fema.dhs.gov OR by phone at (800) 368-6498, Monday through Friday, 9 AM – 5 PM ET.

c. ***Grant Programs Directorate (GPD) Award Administration Division***

GPD's Award Administration Division (AAD) provides support regarding financial matters and budgetary technical assistance. Additional guidance and information can be obtained by contacting the AAD's Help Desk via e-mail at ASK-GMD@fema.dhs.gov.

d. ***FEMA Regional Offices***

Each FEMA region has Fire Program Specialists who can assist applicants with application information, award administration, and technical assistance. FEMA Regional Office contact information is available on the FEMA website at Assistance to Firefighter Grants Regional Contacts.

e. ***Civil Rights***

The FEMA Office of Civil Rights (OCR) is responsible for compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA and recipients of FEMA financial assistance. All inquiries and communications about federal civil rights compliance for FEMA grants under this NOFO should be sent to FEMA-CivilRightsOffice@fema.dhs.gov.

f. ***Environmental Planning and Historic Preservation***
GPD's EHP Team provides guidance and information about the EHP review process to recipients and subrecipients. All inquiries and communications about GPD projects under this NOFO or the EHP review process, including the submittal of EHP review materials, should be sent to gpdehpinfo@fema.dhs.gov.

2. Systems Information

a. ***FEMA GO***
For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9 AM – 6 PM ET.

H. Additional Information

1. Termination Provisions

FEMA may terminate a federal award in whole or in part for one of the following reasons. FEMA and the recipient must still comply with closeout requirements at 2 C.F.R. §§ 200.344-200.345 even if an award is terminated in whole or in part. To the extent that subawards are permitted under this NOFO, pass-through entities should refer to 2 C.F.R. § 200.340 for additional information on termination regarding subawards.

a. ***Noncompliance***
If a recipient fails to comply with the terms and conditions of a federal award, FEMA may terminate the award in whole or in part. If the noncompliance can be corrected, FEMA may first attempt to direct the recipient to correct the noncompliance. This may take the form of a Compliance Notification. If the noncompliance cannot be corrected or the recipient is non-responsive, FEMA may proceed with a Remedy Notification, which could impose a remedy for noncompliance per 2 C.F.R. § 200.339, including termination. Any action to terminate based on noncompliance will follow the requirements of 2 C.F.R. §§ 200.341-200.342 as well as the requirement of 2 C.F.R. § 200.340(c) to report in FAPIIS the recipient's material failure to comply with the award terms and conditions. See also the section on Actions to Address Noncompliance in this NOFO.

b. ***With the Consent of the Recipient***
FEMA may also terminate an award in whole or in part with the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated.

c. ***Notification by the Recipient***
The recipient may terminate the award, in whole or in part, by sending written notification to FEMA setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. In the case of partial termination, FEMA may determine that a partially terminated award will not accomplish the purpose of the federal award, so FEMA may terminate the award in

its entirety. If that occurs, FEMA will follow the requirements of 2 C.F.R. §§ 200.341-200.342 in deciding to fully terminate the award.

2. Program Evaluation

Federal agencies are required to structure NOFOs that incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting agency priority goal(s) and program outcomes.

OMB Memorandum M-21-27, Evidence-Based Policymaking: Learning Agendas and Annual Evaluation Plans, implementing Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), urges federal awarding agencies to use program evaluation as a critical tool to learn, improve equitable delivery, and elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act, § 101 (codified at 5 U.S.C. § 311).

As such, recipients and subrecipients are required to participate in a DHS-, Component, or Program Office-led evaluation if selected, which may be carried out by a third-party on behalf of the DHS, its component agencies, or the Program Office. Such an evaluation may involve information collections including but not limited to surveys, interviews, or discussions with individuals who benefit from the federal award program operating personnel, and award recipients, as specified in a DHS-, component agency-, or Program Office-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect). Recipients and subrecipients are also encouraged, but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

3. Period of Performance Extensions

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests via FEMA GO and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Fire Program Specialist or Program Analyst as needed when preparing an extension request.

All extension requests must address the following:

a. The grant program, fiscal year, and award number;
b. Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
c. Current status of the activity(ies);
d. Approved POP termination date and new project completion date;
e. Amount of funds drawn down to date;

f. Remaining available funds, both federal and, if applicable, non-federal;
g. Budget outlining how remaining federal and, if applicable, non-federal funds will be expended;
h. Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion; and
i. Certification that the activity(ies) will be completed within the extended POP without any modification to the original statement of work, as described in the original statement of work and as approved by FEMA.

Extension requests will be granted only due to compelling legal, policy, or operational challenges. Extension requests will only be considered for the following reasons:

- Contractual commitments by the recipient or subrecipient with vendors prevent completion of the project, including delivery of equipment or services, within the existing POP;
- The project must undergo a complex environmental review that cannot be completed within the existing POP;
- Projects are long-term by design, and therefore acceleration would compromise core programmatic goals; or
- Where other special or extenuating circumstances exist.

Recipients should submit all proposed extension requests to FEMA for review and approval at least 60 days prior to the end of the POP to allow sufficient processing time. Extensions are typically granted for no more than a six-month period.

Example: Recipients may request an extension when an equipment order was placed during the POP but factors beyond the recipient's control have resulted in a delay in the expected delivery and receipt of the equipment outside of the existing POP; or where a specific statute or regulation mandates an environmental review that cannot be completed within this timeframe or where other extenuating circumstances warrant a brief extension.

4. Disability Integration

Pursuant to Section 504 of the Rehabilitation Act of 1973, recipients of FEMA financial assistance must ensure that their programs and activities do not discriminate against qualified individuals with disabilities.

Grant and cooperative agreement recipients should engage with the whole community to advance individual and community preparedness and to work as a nation to build and sustain resilience. In doing so, recipients are encouraged to consider the needs of individuals with disabilities into the activities and projects funded by the grant or cooperative agreement.

FEMA expects that the integration of the needs of people with disabilities will occur at all levels, including planning; alerting, notification, and public outreach; training; purchasing of equipment and supplies; protective action implementation; and exercises/drills.

The following are examples that demonstrate the integration of the needs of people with disabilities in carrying out FEMA awards:

- Include representatives of organizations that work with/for people with disabilities on planning committees, work groups and other bodies engaged in development and implementation of the grant programs and activities.
- Hold all activities related to the grant in locations that are accessible to persons with physical disabilities and intellectual disabilities to the extent practicable.
- Provide auxiliary aids and services, including American Sign Language interpreters, that provide public information across the community and in shelters.
- Ensure shelter-specific grant funds are in alignment with FEMA's Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters.
- If making alterations to an existing building to a primary function area utilizing federal funds, complying with the most recent codes and standards and making path of travel to the primary function area accessible to the greatest extent possible.
- Implement specific procedures used by public transportation agencies that include evacuation and passenger communication plans and measures for individuals with disabilities.
- Identify, create, and deliver training to address any training gaps specifically aimed toward whole-community preparedness. Include and interact with individuals with disabilities, aligning with the designated program capability.
- Establish best practices in inclusive planning and preparedness that consider physical access, needs of individuals with intellectual disabilities, and information access.

FEMA grant recipients can fund projects towards the resiliency of the whole community, including people with disabilities, such as training, outreach and safety campaigns, provided that the project aligns with this NOFO and the terms and conditions of the award.

5. Conflicts of Interest in the Administration of Federal Awards or Subawards

For conflicts of interest under grant-funded procurements and contracts, refer to the section on Procurement Integrity in this NOFO and 2 C.F.R. §§ 200.317 – 200.327.

To eliminate and reduce the impact of conflicts of interest in the subaward process, recipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Recipients and pass-through entities are also required to follow any applicable federal and state, local, tribal, or territorial (SLTT) statutes or regulations governing conflicts of interest in the making of subawards.

The recipient or pass-through entity must disclose to the respective Program Analyst or Program Manager, in writing, any real or potential conflict of interest that may arise during the administration of the federal award, as defined by the federal or SLTT statutes or regulations or their own existing policies, within five days of learning of the conflict of interest. Similarly, subrecipients, whether acting as subrecipients or as pass-through entities, must disclose any real or potential conflict of interest to the recipient or next-level pass-

through entity as required by the recipient or pass-through entity's conflict of interest policies, or any applicable federal or SLTT statutes or regulations.

Conflicts of interest may arise during the process of FEMA making a federal award in situations where an employee, officer, or agent, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, subapplicant, recipient, subrecipient, or FEMA employees.

6. Procurement Integrity

Through audits conducted by the DHS Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some FEMA recipients have not fully adhered to the proper procurement requirements at 2 C.F.R. §§ 200.317 – 200.327 when spending grant funds. Anything less than full compliance with federal procurement requirements jeopardizes the integrity of the grant as well as the grant program. To assist with determining whether an action is a procurement or instead a subaward, please consult 2 C.F.R. § 200.331. For detailed guidance on the federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team (PDAT), such as the PDAT Field Manual and Contract Provisions Guide. Additional resources, including an upcoming trainings schedule can be found on the PDAT Website: https://www.fema.gov/grants/procurement.

The below highlights the federal procurement requirements for FEMA recipients when procuring goods and services with federal grant funds. FEMA will include a review of recipients' procurement practices as part of the normal monitoring activities. **All procurement activity must be conducted in accordance with federal procurement standards at 2 C.F.R. §§ 200.317 – 200.327.** Select requirements under these standards are listed below. The recipient and any of its subrecipients must comply with all requirements, even if they are not listed below.

Under 2 C.F.R. § 200.317, when procuring property and services under a federal award, states (including territories) must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states must now follow 2 C.F.R. § 200.321 regarding socioeconomic steps, 200.322 regarding domestic preferences for procurements, 200.323 regarding procurement of recovered materials, and 2 C.F.R. § 200.327 regarding required contract provisions.

All other non-federal entities, such as tribes (collectively, non-state entities), must have and use their own documented procurement procedures that reflect applicable SLTT laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319 and the required procurement methods at § 200.320.

a. ***Important Changes to Procurement Standards in 2 C.F.R. Part 200***

States are now required to follow the socioeconomic steps in soliciting small and minority businesses, women's business enterprises, and labor surplus area firms per 2

C.F.R. § 200.321. All non-federal entities should also, to the greatest extent practicable under a federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States per 2 C.F.R. § 200.322. More information on OMB's revisions to the federal procurement standards can be found in Purchasing Under a FEMA Award: OMB Revisions Fact Sheet.

The recognized procurement methods in 2 C.F.R. § 200.320 have been reorganized into informal procurement methods, which include micro-purchases and small purchases; formal procurement methods, which include sealed bidding and competitive proposals; and noncompetitive procurements. The federal micro-purchase threshold is currently $10,000, and non-state entities may use a lower threshold when using micro-purchase procedures under a FEMA award. If a non-state entity wants to use a micro-purchase threshold higher than the federal threshold, it must follow the requirements of 2 C.F.R. § 200.320(a)(1)(iii)-(v). The federal simplified acquisition threshold is currently $250,000, and a non-state entity may use a lower threshold but may not exceed the federal threshold when using small purchase procedures under a FEMA award. *See* 2 C.F.R. § 200.1 (citing the definition of simplified acquisition threshold from 48 C.F.R. Part 2, Subpart 2.1).

See 2 C.F.R. §§ 200.216, 200.471, and Appendix II as well as Section D.12.a of the NOFO regarding prohibitions on covered telecommunications equipment or services.

b. ***Competition and Conflicts of Interest***

Among the requirements of 2 C.F.R. § 200.319(b) applicable to all non-federal entities other than states, in order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a non-federal entity develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the non-federal entity.

Under this prohibition, unless the non-federal entity solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business;

- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

Per 2 C.F.R. § 200.319(c), non-federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed SLTT geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Under 2 C.F.R. § 200.318(c)(1), non-federal entities other than states are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. **No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.** Such conflicts of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity.

Under 2 C.F.R. 200.318(c)(2), if the recipient or subrecipient (other than states) has a parent, affiliate, or subsidiary organization that is not a state, local, tribal, or territorial government, the non-federal entity must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the non-federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The non-federal entity must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

c. ***Supply Schedules and Purchasing Programs***

Generally, a non-federal entity may seek to procure goods or services from a federal supply schedule, state supply schedule, or group purchasing agreement.

I. GENERAL SERVICES ADMINISTRATION SCHEDULES

States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing.

Information about GSA programs for states, tribes, and local governments, and instrumentalities thereof, can be found at https://www.gsa.gov/resources-for/programs-for-State-and-local-governments and https://www.gsa.gov/buying-selling/purchasing-programs/gsa-schedules/schedule-buyers/state-and-local-governments.

For tribes, local governments, and their instrumentalities that purchase off of a GSA schedule, this will satisfy the federal requirements for full and open competition provided that the recipient follows the GSA ordering procedures; however, tribes, local governments, and their instrumentalities will still need to follow the other rules under 2 C.F.R. §§ 200.317 – 200.327, such as solicitation of minority businesses, women's business enterprises, small businesses, or labor surplus area firms (§ 200.321), domestic preferences (§ 200.322), contract cost and price (§ 200.324), and required contract provisions (§ 200.327 and Appendix II).

II. OTHER SUPPLY SCHEDULES AND PROGRAMS

For non-federal entities other than states, such as tribes, local governments, and nonprofits, that want to procure goods or services from a state supply schedule, cooperative purchasing program, or other similar program, in order for such procurements to be permissible under federal requirements, the following must be true:

- The procurement of the original contract or purchasing schedule and its use by the non-federal entity complies with state and local law, regulations, and written procurement procedures;
- The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the non-federal entity and other similar types of entities;

- The contract or purchasing schedule specifically allows for such use, and the work to be performed for the non-federal entity falls within the scope of work under the contract as to type, amount, and geography;
- The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a non-federal entity other than states under at 2 C.F.R. §§ 200.317 – 200.327; and
- With respect to the use of a purchasing schedule, the non-federal entity must follow ordering procedures that adhere to applicable state, tribal, and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200.

If a non-federal entity other than a state seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the recipient discuss the procurement plans with its FEMA Fire Program Specialist or Program Analyst.

d. ***Procurement Documentation***

Per 2 C.F.R. § 200.318(i), non-federal entities other than states and territories are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price. States and territories are encouraged to maintain and retain this information as well and are reminded that in order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g).

Examples of the types of documents that would cover this information include but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.

Additional information on required procurement records can be found on pages 24-26 of the PDAT Field Manual.

7. Financial Assistance Programs for Infrastructure

a. ***Build America, Buy America Act***

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also 2 C.F.R. Part 184 and Office of Management and Budget (OMB) Memorandum M-24-02,

Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

None of the funds provided under this program may be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For FEMA's official policy on BABAA, please see FEMA Policy 207-22-0001: Buy American Preference in FEMA Financial Assistance Programs for Infrastructure available at https://www.fema.gov/sites/default/files/documents/fema_build-america-buy-america-act-policy.pdf To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please see Programs and Definitions: Build America, Buy America Act | FEMA.gov. and https://www.fema.gov/sites/default/files/documents/fema_build-america-buy-america-act-policy.pdf

b. ***Waivers***

When necessary, recipients (and subrecipients through their pass-through entity) may apply for, and FEMA may grant, a waiver from these requirements.

A waiver of the domestic content procurement preference may be granted by the agency awarding official if FEMA determines that:

- Applying the domestic content procurement preference would be inconsistent with the public interest.
- The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality.
- The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25%.

For FEMA awards, the process for requesting a waiver from the Buy America preference requirements can be found on FEMA's website at: "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov.

c. ***Definitions***

For BABAA specific definitions, please refer to the FEMA Buy America website at: "Programs and Definitions: Build America, Buy America Act | FEMA.gov."

Please refer to the applicable DHS Standard Terms & Conditions for the BABAA specific term applicable to all FEMA financial assistance awards for infrastructure.

8. Record Retention

a. ***Record Retention Period***

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award generally must be maintained for at least three years from the date the final FFR is submitted. *See* 2 C.F.R. § 200.334. Further, if the recipient does not submit a final FFR and the award is administratively closed, FEMA uses the date of administrative closeout as the start of the general record retention period.

The record retention period **may be longer than three years or have a different start date** in certain cases. These include:

- Records for real property and equipment acquired with Federal funds must be retained for **three years after final disposition of the property**. *See* 2 C.F.R. § 200.334(c).
- If any litigation, claim, or audit is started before the expiration of the three-year period, the records **must be retained until** all litigation, claims, or audit findings involving the records **have been resolved and final action taken**. *See* 2 C.F.R. § 200.334(a).
- The **record retention period will be extended if the non-federal entity is notified in writing** of the extension by FEMA, the cognizant or oversight agency for audit, or the cognizant agency for indirect costs, or pass-through entity. *See* 2 C.F.R. § 200.334(b).
- Where FEMA requires recipients to report program income after the period of performance ends, the **program income record retention period begins at the end of the recipient's fiscal year in which program income is earned**. *See* 2 C.F.R. § 200.334(e).
- For indirect cost rate computations and proposals, cost allocation plans, or any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates), the start of the record retention period depends on whether the indirect cost rate documents were submitted for negotiation. If the **indirect cost rate documents were submitted for negotiation, the record retention period begins from the date those documents were submitted** for negotiation. If indirect cost rate documents were **not submitted for negotiation, the record retention period begins at the end of the recipient's fiscal year or other accounting period covered by that indirect cost rate**. *See* 2 C.F.R. § 200.334(f).

b. ***Types of Records to Retain***

FEMA requires that non-federal entities maintain the following documentation for federally funded purchases:

- Specifications
- Solicitations
- Competitive quotes or proposals
- Basis for selection decisions
- Purchase orders
- Contracts
- Invoices
- Cancelled checks

Non-federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with copies of cancelled checks for verification. *See, e.g.*, 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

In order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g). Non-federal entities who fail to fully document all purchases may find their expenditures questioned and subsequently disallowed.

9. Actions to Address Noncompliance

Non-federal entities receiving financial assistance funding from FEMA are required to comply with requirements in the terms and conditions of their awards or subawards, including the terms set forth in applicable federal statutes, regulations, NOFOs, and policies. Throughout the award lifecycle or even after an award has been closed, FEMA or the pass-through entity may discover potential or actual noncompliance on the part of a recipient or subrecipient. This potential or actual noncompliance may be discovered through routine monitoring, audits, civil rights complaint investigations and compliance reviews, closeout, or reporting from various sources.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per 2 C.F.R. §§ 200.208 and 200.339, FEMA may place a hold on funds until the matter is corrected, or additional information is provided per 2 C.F.R. § 200.339, or it may do both. Similar remedies for noncompliance with certain federal civil rights laws are authorized pursuant to 44 C.F.R. Parts 7 and 19 or other applicable regulations.

In the event the noncompliance is not able to be corrected by imposing additional conditions or the recipient or subrecipient refuses to correct the matter, FEMA may take other remedies allowed under 2 C.F.R. § 200.339. These remedies include actions to disallow costs, recover funds, wholly or partly suspend or terminate the award, initiate suspension and debarment proceedings, withhold further federal awards, or take other remedies that may be legally available. For further information on termination due to noncompliance, see the section on Termination Provisions in the NOFO.

FEMA may discover and take action on noncompliance even after an award has been closed. The closeout of an award does not affect FEMA's right to disallow costs and recover funds as long as the action to disallow costs takes place during the record retention period. *See* 2 C.F.R. §§ 200.334, 200.345(a). Closeout also does not affect the obligation of the non-federal entity to return any funds due as a result of later refunds, corrections, or other transactions. 2 C.F.R. § 200.345(a)(2).

The types of funds FEMA may attempt to recover include, but are not limited to, improper payments, cost share reimbursements, program income, interest earned on advance payments, or equipment disposition amounts.

FEMA may seek to recover disallowed costs through a Notice of Potential Debt Letter, a Remedy Notification, or other letter. The document will describe the potential amount owed, the reason why FEMA is recovering the funds, the recipient's appeal rights, how the amount can be paid, and the consequences for not appealing or paying the amount by the deadline.

If the recipient neither appeals nor pays the amount by the deadline, the amount owed will become final. Potential consequences if the debt is not paid in full or otherwise resolved by the deadline include the assessment of interest, administrative fees, and penalty charges; administratively offsetting the debt against other payable federal funds; and transferring the debt to the U.S. Department of the Treasury for collection.

FEMA notes the following common areas of noncompliance for FEMA's grant programs:

- Insufficient documentation and lack of record retention.
- Failure to follow the procurement under grants requirements.
- Failure to submit closeout documents in a timely manner.
- Failure to follow EHP requirements.
- Failure to comply with the POP deadline.

10. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS OIG, the GAO, the pass-through entity, or independent auditing firms for single audits, and may cover activities and costs incurred under the award. Auditing agencies such as the DHS OIG, the GAO, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award. Recipients and subrecipients must retain award documents for at least three years from the date the final FFR is submitted, and even longer in many cases subject to the requirements of 2 C.F.R. § 200.334. In the case of administrative closeout, documents must be retained for at least three years from the date of closeout, or longer subject to the requirements of 2 C.F.R. § 200.334. If documents are retained longer than the required retention period, the DHS OIG, the GAO, and the pass-through entity, as well as FEMA in its oversight capacity, have the right to access these records as well. *See* 2 C.F.R. §§ 200.334, 200.337.

Additionally, non-federal entities must comply with the single audit requirements at 2 C.F.R. Part 200, Subpart F. Specifically, non-federal entities, other than for-profit subrecipients, that expend $750,000 or more in federal awards during their fiscal year must have a single or

program-specific audit conducted for that year in accordance with Subpart F. 2 C.F.R. § 200.501. A single audit covers all federal funds expended during a fiscal year, not just FEMA funds. The cost of audit services may be allowable per 2 C.F.R. § 200.425, but non-federal entities must select auditors in accordance with 2 C.F.R. § 200.509, including following the proper procurement procedures. For additional information on single audit reporting requirements, see Section F.5.d.iii of this NOFO under the header "Single Audit Report" within the subsection "Additional Reporting Requirements."

The objectives of single audits are to:

- Determine if financial statements conform to generally accepted accounting principles (GAAP);
- Determine whether the schedule of expenditures of federal awards is presented fairly;
- Understand, assess, and test the adequacy of internal controls for compliance with major programs; and
- Determine if the entity complied with applicable laws, regulations, and contracts or grants.

For single audits, the auditee is required to prepare financial statements reflecting its financial position, a schedule of federal award expenditures, and a summary of the status of prior audit findings and questioned costs. The auditee also is required to follow up and take appropriate corrective actions on new and previously issued but not yet addressed audit findings. The auditee must prepare a corrective action plan to address the new audit findings. 2 C.F.R. §§ 200.508, 200.510, 200.511.

Non-federal entities must have an audit conducted, either single or program-specific, of their financial statements and federal expenditures annually or biennially pursuant to 2 C.F.R. § 200.504. Non-federal entities must also follow the information submission requirements of 2 C.F.R. § 200.512, including submitting the audit information to the Federal Audit Clearinghouse within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The audit information to be submitted include the data collection form described at 2 C.F.R. § 200.512(c) and Appendix X to 2 C.F.R. Part 200 as well as the reporting package described at 2 C.F.R. § 200.512(b).

The non-federal entity must retain one copy of the data collection form and one copy of the reporting package for three years from the date of submission to the Federal Audit Clearinghouse. 2 C.F.R. § 200.512; *see also* 2 C.F.R. § 200.517 (setting requirements for retention of documents by the auditor and access to audit records in the auditor's possession).

FEMA, the DHS OIG, the GAO, and the pass-through entity (if applicable), as part of monitoring or as part of an audit, may review a non-federal entity's compliance with the single audit requirements. In cases of continued inability or unwillingness to have an audit conducted in compliance with 2 C.F.R. Part 200, Subpart F, FEMA and the pass-through entity, if applicable, are required to take appropriate remedial action under 2 C.F.R. § 200.339 for noncompliance, pursuant to 2 C.F.R. § 200.505.

11. Payment Information

FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients.

Payment requests are submitted through FEMA GO.

12. Whole Community Preparedness

Preparedness is a shared responsibility that calls for the involvement of everyone—not just the government—in preparedness efforts. By working together, everyone can help keep the nation safe from harm and help keep it resilient when struck by hazards, such as natural disasters, acts of terrorism, and pandemics.

Whole Community includes:

- Individuals and families, including those with access and functional needs
- Businesses
- Faith-based and community organizations
- Nonprofit groups
- Schools and academia
- Media outlets
- All levels of government, including state, local, tribal, territorial, and federal partners

The phrase "Whole Community" often appears in preparedness materials, as it is one of the guiding principles. It means two things:

1. Involving people in the development of national preparedness documents.
2. Ensuring their roles and responsibilities are reflected in the content of the materials.

13. Report issues of fraud, waste, abuse

Please note, when applying to this notice of funding opportunity and when administering the grant, applicants may report issues of fraud, waste, abuse, and mismanagement, or other criminal or noncriminal misconduct to the Office of Inspector General (OIG) Hotline. The toll-free numbers to call are 1 (800) 323-8603, and TTY 1 (844) 889-4357.

14. Hazard-Resistant Building Codes

Hazard-resistant building codes are a foundational element of a more resilient nation, safeguarding communities and lives against natural disasters, with an estimated $11:1 return on investment. The adoption, enforcement and application of modern building codes mitigates community vulnerabilities, reduces disaster recovery costs, and strengthens nationwide capability. FEMA is working to promote and support building codes in all areas of its work in support of the multi-agency National Initiative to Advance Building Codes. In the interest of building a stronger, more resilient nation, FEMA encourages all grant recipients and subrecipients to meet current published editions of relevant consensus-based building codes, specifications and standards, and to exceed them where feasible."

15. Appendix A – FY 2024 AFG Program Updates

Appendix A contains a brief list of changes between FY 2023 and FY 2024 to the AFG Program. The FY 2024 AFG Program funding notice contains some changes to definitions,

descriptions, and priority categories. Changes include:

- Under Narrative Evaluation Criteria:
  A character count for each narrative section and a link to the Narrative Development Toolkit and Self-Evaluation sheets was added.

- Under Application Tips:
  Clarification that scores for applications with a mix of "High," "Medium," and "Low" priorities may be negatively impacted was added to this section. Applicants must consider priorities under each Activity listed in this NOFO when applying.

- Under Equipment Activity:
  - Clarification that FEMA will consider only "High" priority items for funding was added.
  - The following EMS equipment was added as High Priority:
    - Suction Unit (non-disposable)
    - CPAP Device
    - Power Stair Chair
    - Patient Carbon Monoxide Monitor
    - Capnography/capnometer Device
  - The following EMS equipment was added as Medium Priority:
    - O2 Kit
    - Non-disposable Splints
  - The following EMS equipment was added as Low Priority:
    - Stretcher
    - Backboard
    - Trauma Bag
    - Mass Casualty Kit

- Under Wellness and Fitness Activity:
  A clarification that Priority 1 programs must be already in place or requested in the application before Priority 2 programs will be considered for funding. In addition, the following items were added as ineligible:
    - Saunas (including infrared)
    - Hyperbaric chambers
    - Ice baths
    - Purchase of medical equipment

- Under Grant Writer/Preparation Fees:
  Clarification that the grant writer fee is subject to the cost share requirement was added.

16. Appendix B – Programmatic Information and Priorities

Appendix B contains details on AFG Program information and priorities. Reviewing this information may help applicants make their application(s) more competitive.

a. ***Ineligible Applications and/or Organizations***

FEMA considers two or more separate fire departments or nonaffiliated EMS organizations with different funding streams, personnel rosters, and EINs but sharing the same facilities as being separate organizations for the purposes of AFG Program eligibility. If two or more organizations share facilities and each submits an application in the same program area (i.e., Equipment, Modifications to Facilities, PPE, Training, or Wellness and Fitness Programs), FEMA reserves the right to review all of those program area applications for eligibility. This determination is designed to avoid the duplication of benefits.

Examples of ineligible applications and/or organizations include:

- Nonaffiliated EMS organization requests for any activity that is specific or unique to structural/proximity/wildfire firefighting gear.
- Fire departments that are a federal government entity, or contracted by the federal government, and are solely responsible under a formally recognized agreement for suppression of fires on federal installations or land.
- Fire departments or nonaffiliated EMS organizations that are not independent entities but are part of, controlled by, or under the day-to-day operational command and control of a larger department, agency or AHJ.
    - However, if a fire department is considered to be the same legal entity as a municipality or other governmental organization, and otherwise meets the eligibility criteria, that municipality or other governmental organization may apply on behalf of that fire department as long as the application clearly states that the fire department is considered part of the same legal entity.
- Fire-based EMS organization applying as a nonaffiliated EMS organization.
- Auxiliaries, hospitals, or fire service associations or interest organizations that are not the AHJ over the applicant.
- Dive teams, search and rescue squads, or similar organizations that do not provide medical transport.
- Fire departments, regional, or nonaffiliated EMS organizations that are for profit.
- State or local agencies, or subsets of any governmental entity, or any authority that do not meet the requirements as defined by 15 U.S.C. §2229(a), (c).
- If an applicant submits two or more applications for the same equipment or other eligible activity (for example, if an applicant submits two or more applications, one under the Regional activity, and one under the Operations and Safety activity for SCBA), both applications may be disqualified. If an applicant submits two separate applications for the same activity (i.e., two separate vehicle applications for the same vehicle) during the same application period, both applications may be disqualified.
    - This is different from when an entity is applying on behalf of other organizations that are agencies or instrumentalities of the applicant (e.g., multiple fire departments under the same county, city, borough, parish or other municipality). In that situation, the applicant may request similar or the same equipment as long as the application clearly states which equipment (including quantities) is for which agency/instrumentality. This is permissible

even if that entity submits multiple applications across regional versus direct applications.

- Eligible Fire Department and nonaffiliated EMS applicants may submit only one application for each of the following application types: Individual Operations and Safety, Individual Vehicle, Regional Operations and Safety, and Regional Vehicle. Under the Operations and Safety applications, applicants may submit for multiple activities and for multiple items within each activity. Under the Vehicle application, applicants may submit one application for a vehicle activity (or activities) for their department and one separate application for a Regional vehicle (the same vehicle(s) may not be requested for both purposes). All duplicate application submissions may be disqualified.

b. ***Supporting Definitions for this NOFO***

Authority Having Jurisdiction (AHJ) is an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, and installation, or a procedure (Per NFPA 101, 2021 Edition: Life Safety Code).

Automatic Aid is a plan developed between two or more fire departments for immediate joint response on first alarms (Per NFPA 1710, 2020 Edition and NFPA 1720, 2020 Edition).

Career Fire Department, as defined in 15 U.S.C. § 2229, means a fire department that has an all-paid force of firefighting personnel other than paid-on-call firefighters.

Combination Fire Department, as defined in 15 U.S.C. § 2229, means a fire department that has paid firefighting personnel and volunteer firefighting personnel. FEMA considers a fire department with firefighting personnel paid a stipend, regardless of the amount, on a per event basis, or paid on-call, to be a combination fire department. This includes non-fire emergency medical service personnel of the department.

Firefighting Personnel, as defined in 15 U.S.C. § 2229, means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

Mutual Aid is a written intergovernmental agreement between agencies and/or jurisdictions stating that they will assist one another on request by furnishing personnel, equipment, and/or expertise in a specified manner (NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2016 and 2020 edition; and NFPA 1720 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments, 2020 Edition).

Metro Department is a metropolitan fire department that has a minimum staffing of

350 career firefighters as defined by the International Association of Fire Chiefs (IAFC). DHS/FEMA collects information on metro departments for statistical purposes only. Status as a metro department is not a factor in scoring or funding.

Primary First Due is a geographic area surrounding a fire station in which a company from that station is projected to be first to arrive on the scene of an incident.

Volunteer Fire Department, as defined in 15 U.S.C. § 2229, means a fire department that has an all-volunteer force of firefighting personnel that do not receive any compensation (does not include length of service award programs).

c. ***Community Classifications***

The information the applicant organization supplies in Applicant Characteristics and Community Description of the AFG Program application determines whether the jurisdiction is identified by FEMA as urban, suburban or rural. The community classification will determine the funding priority.

The US Census Bureau's urban/suburban/rural classifications are fundamentally a delineation of geographical areas. For more information, please visit the Census website at Urban and Rural.

FY 2024 demographics for determining urban, suburban, or rural include:

Community	Urban	Suburban	Rural
Population of primary first due response area	>3,000 sq. mi. or 50,000+ population	1,000-2,999/sq. mi. or 25,000-50,000 Population	0-999/sq. mi. or <25,000 population
Water Supply (percentage of primary first due response area covered by hydrant service)	75-100% hydrants (municipal water)	50-74% hydrants	<50% hydrants
Land Use within primary first due response area	<25% for agriculture (based on zoning) >50% industrial and commercial combined	25%-49% used for agriculture (based on zoning) 25%-49% industrial and commercial combined	>50% used for agriculture (based on zoning) <25% industrial and commercial combined
Square miles within primary first due response area per station	<3 sq. mi. per station	3-9 sq. mi. per station	>10 sq. mi. per station

d. ***Application Tips***

The following information may be useful when preparing a competitive application:

- NFPA "FREE ACCESS": As part of its commitment to enhancing public safety and supporting the emergency responder, the NFPA makes its codes and

standards available online for free. Please visit NFPA's Free Access page.

- Regional applicants are only eligible to apply for Training, Equipment, PPE, and/or Wellness and Fitness within Operations and Safety, and Vehicle Acquisition.
- SFTA applicants are only eligible to apply for Equipment and/or PPE within Operations and Safety, and Vehicle Acquisition.
- Successful Regional applicants will be subject to the funding limitations based on the total population served by the host and participating partners. Any Regional award made will impact or be included in the host organization's funding limitations.
- Applications differ based on the applicant type. For example, the SFTA application for a vehicle will be different from the fire department application for a vehicle. Be sure to select the appropriate applicant type when applying.
- Fire Departments or nonaffiliated EMS organizations that are part of a larger organization with a broader scope should apply through the larger organization to avoid limiting eligible activities. For example, a rescue squad that periodically participates in structural firefighting and that belongs to a county fire and rescue agency should apply through the county for structural PPE. In other words, the county should apply on behalf of the rescue squad.
- FEMA recognizes the number of seated riding positions in front line apparatus as a reasonable measurement of the quantity of PPE or relevant equipment (radios, etc.) to be funded. Exceptions to the front-line seated riding position count may be considered by FEMA if compelling need to include seated riding positions in reserve apparatus can be demonstrated and justified. Applicants that seek to include reserve apparatus seated riding positions in the total seated riding position count must submit a justification narrative.
- **Applicants are encouraged to review the funding priorities listed under each activity in Appendix B "Funding Priorities" section in this NOFO. These priorities are marked as "High," "Medium," or "Low" and should be considered when applying for a grant. FEMA will fund items and activities with the highest priority first. Applying for "Medium" or "Low" priority items in addition to "High" priority items/projects may negatively impact the overall score of the activity. In addition, FEMA will only consider "High" priority items for funding under Operations and Safety – Equipment activity.**

e. ***Restrictions on Uses of Award Funds***

- No AFG Program funds may be used to support hiring (part-time or full-time), salaries, benefits, or fringe benefits (including but not limited to contributions for social security, insurance, workers' compensation, pension or retirement plans) for any personnel.
- Documented back fill and/or overtime/lost wages costs to support awarded training activities are allowable personnel expenses.
- Instructor's rates/base rates should be provided as part of the application narrative, as well as the market-researched competitive rate for delivering the requested training.
- If the instruction provided for an awarded training activity is delivered by an

existing member(s) of the recipient organization, only the established base rate of compensation, without benefits or overtime, may be eligible for reimbursement.

- Recipients are encouraged to allow other organizations to benefit from an awarded activity; e.g., filling another organization's SCBA cylinders using a grant funded compressor, cleaning another organization's turnout gear, or offering excess capacity training opportunities. If recipients choose to include costs associated with shared benefit (e.g., backfill, overtime, tuition) for members outside of their department, they must apply as a Regional applicant.
- Items requested under Additional Funding may only be from that same Activity area. Furthermore, improper Additional Funding requests may be disqualified, if there is misalignment between the item requested and the Activity area. However, the following requests are allowable:
  - Rapid Intervention Team (RIT) packs supporting a SCBA request under the PPE activity. RIT packs must be requested under the Equipment activity if not supporting an SCBA request.
  - PPE gear bags under the PPE activity (gear bags are only eligible as additional funds in association with a PPE gear request).
  - Air Compressor/Fill Station/Cascade Systems (Fixed or Mobile) in support of a Regional SCBA request under the PPE activity. Regional requests for Air Compressor/Fill Station/Cascade Systems (Fixed or Mobile) must be requested under the Equipment activity if not supporting a SCBA request.
  - PPE gear washer/extractor/dryer in support of a PPE gear request under the PPE activity. Washer/extractor/dryer must be requested under the Equipment activity if not supporting a PPE gear request.
- Items must be requested using individual item dropdowns in the application (e.g. nozzles and appliances should not be requested under 'Hose (Attack/Supply)' dropdown, but under 'Appliance(s)/Nozzle(s)' option). In addition, items requested as a bundle without details on the number of units and cost per individual component will not be considered for funding.

f. *Funding Priorities*

I. Operations and Safety – Training Overview

FEMA has determined that hands-on, instructor-led training that meets a national, state, or DHS adopted standard and results in a national or state certification provides the greatest training benefit.

All of the following are considerations in pre-scoring and peer review determinations: High (H), Medium (M), Low (L)

Fire Department, Regional, and SFTA Training Priorities by Purpose	
H	Training evaluated using national or state standards
H	Training that brings a department into compliance with recommended NFPA or other national standards
H	Instructor-led training that requires student testing to demonstrate academic competence or practical proficiency

Fire Department, Regional, and SFTA Training Priorities by Purpose	
H	Training that benefits the highest percentage of applicable personnel, such as the hazardous materials training within a fire department or training that will be open to other eligible organizations
M	Training that does not result in certification
M	Training that is self-directed/validated
L	Training that will address an identified risk but not associated with compliance to any standards

Fire Department and Regional Training Priorities by Course Type				
Training	NFPA #	Urban	Suburban	Rural
Firefighter I, II	1001	H	H	H
Fire/Emergency Services Instructor	1041	H	H	H
Hazardous Materials Response- Awareness, Operations, Technician	470	H	H	H
Infection Control	1581	H	H	H
Confined Space Response- Awareness, Operations, Technician	2500	H	H	H
Wildland firefighting (basic)	1140	H	H	H
Wildland firefighting certification (red card)	1140	H	H	H
Wildland Fire Officer	1051	H	H	H
Rapid Intervention Training	1407	H	H	H
Fire Officer	1021	H	H	H
Emergency Medical Responder		H	H	H
Emergency Medical Technician		H	H	H
Advanced Emergency Medical Technician to Paramedic		H	H	H
Paramedic		H	H	H
Paramedic to Community Paramedic		H	H	H
Firefighter Safety and Survival	1407	H	H	H
Safety Officer	1026,1521	H	H	H
Fire Apparatus Driver/Operator	1002	H	H	H
Fire Prevention	1037,1730	H	H	H
Fire Inspector	1031	H	H	H
Fire Investigator	921,1033	H	H	H
Fire Educator	1035	H	H	H
NIMS/Incident Management System (IMS)	1026,1561	H	H	H
Emergency Scene Rehab	1584	H	H	H
Critical Incident Debriefing/Crisis Intervention	1500	H	H	H
Any training to a National/State or NFPA standards		H	H	H

Fire Department and Regional Training Priorities by Course Type				
Training	**NFPA #**	**Urban**	**Suburban**	**Rural**
Compliance with federal/state-mandated program		**H**	**H**	**H**
Technical Rescue- Operations, Technician	1006, 2500	**H**	**H**	**H**
Vehicle Rescue	2500	**H**	**H**	**H**
Another officer	1021	**H**	**H**	**M**
Aircraft Rescue Firefighting (ARFF)	440, 460, 1003	**H**	**H**	**M**
Weapons of Mass Destruction (WMD)	470	**H**	**H**	**H**
Mass Casualty		**H**	**H**	**H**

Fire Department and Regional Training Priorities by Course Type				
Training	**NFPA #**	**Urban**	**Suburban**	**Rural**
Training to address a local risk not elevated to a national or state		**M**	**M**	**M**
Specialized Training		**M**	**M**	**M**
Maritime Firefighting	1005, 1405, 1910	**L**	**L**	**L**
Instructor-led training that does not lead to certification		**L**	**L**	**L**
Self-taught courses		**L**	**L**	**L**
Training not elevated to a national or state standard		**L**	**L**	**L**

Funding Priorities for Fire Departments and Nonaffiliated EMS Organizations Training

The AFG Program provides training grants to meet the educational and performance requirements of fire departments and nonaffiliated EMS personnel. Training should align with the U.S. National Highway Traffic Safety Administration, which designs and specifies a National Standard Curriculum for Emergency Medical Technician (EMT) training and the National Registry of Emergency Medical Technicians (NREMT), a private, central certifying entity whose primary purpose is to maintain a national standard (NREMT also provides certification information for paramedics who relocate to another state).

A higher priority is assigned to the following due to the time and cost of upgrading an organization's response level:

- Organizations seeking to elevate the response level from Emergency Medical Responder (EMR) to EMT.
- Organizations seeking to elevate the response level from Advanced EMT (AEMT) to Paramedic.
- Organizations seeking to train Community Paramedics: Organizations seeking

to train a high percentage of the active EMRs will receive additional consideration when applying under the Training activity.

Eligible Training Activities for Fire Departments and Regional Applications include but are not limited to:	
• Train-the-trainer courses • Alternative fuel firefighting • Response to natural disasters • Minor interior alterations, requested under Additional Funding and limited to $10,000 total expenditure to support the awarded Training activities (e.g., removal/construction of a non-weight bearing wall) • Overtime expenses paid to career firefighters to attend training or to backfill positions for colleagues who are in training • Rental of facilities to conduct training • Rental of Audio/Visual equipment • Travel expenses associated with attendance at a formal training course or conference (air/rail transportation, mileage, lodging expenses, etc.) • Compensation to volunteers (Fire and nonaffiliated EMS) for wages lost to attend training; there is no overtime or backfill for volunteers • Tuition, exam/course fees, and certifications/certification expenses	• Purchase of training curricula and training services (instructors) • Chemical Biological Radiological Nuclear and Explosive (CBRNE) awareness, performance, planning, and management • Travel expenses associated with Type 3 Incident Management Teams (IMT) attending position development/mentoring assignment with national Type 2 or Type 1 IMTs • Supplies or expendables or one-time use items essential for an award's scope of work, such as foam, breaching materials (e.g., wood or sheetrock) for ventilation or rescue props, or the amount of fuel required to sustain an awarded live fire training activity, or per NFPA 1403 Standard on Live Fire Training Evolutions, reasonable safety mitigations to a structure acquired for training • Props (single-use or permanent) essential for training programs requested in the application cannot exceed $50,000 for Operation and Safety requests; this does not apply to SFTA requests

Ineligible Training Activities for Fire Departments and Regional Applications include but are not limited to:	
• Construction of facilities (buildings, towers, sheds, etc.) • Firefighting equipment or PPE, such as SCBA, used exclusively for training • Remodeling not directly related to grant activities • Any costs associated with planning and/or participating in formal or planned special event exercises to identify user needs, evaluate an organization's performance capabilities, validate existing capabilities, or to facilitate coordination and asset sharing • Firefighting equipment and PPE rental, as well as training facility personnel costs (such as facility maintenance, cleaning, safety officer services, etc.)	• Site preparation to accommodate or modify any training activity, facility, or prop that is a permanent or semi-permanent improvement, including but not limited to: landscaping, cutting or grading an access road, trenching, paving a training area, exterior stairs or sidewalks, or the installation of utilities • Purchase or lease of real estate (this does not preclude departments from securing necessary training facilities such as classrooms, use of towers, training props, etc.) • Purchase of Unmanned Aerial Vehicles (UAVs) and Drones • Food and beverages

Eligible Training Activities for Nonaffiliated EMS include but are not limited to:	
• EMR • EMT • AEMT • AEMT to Paramedic • Paramedic (applicant must clearly demonstrate plan to accomplish paramedic training within the period of performance) • Community Paramedics (paramedics with Primary Care certification) • Travel expenses associated with attendance at a formal training course or conference: air/rail transportation, mileage, hotel/lodging expenses, etc. (Note: Food and beverages are ineligible travel expenses)	• Attendance at formal training forums or conferences providing continuing education credits • Overtime expenses paid to career nonaffiliated EMS responders to attend training or to backfill positions for colleagues who are in training • Compensation to volunteers for wages lost to attend training (there is no overtime or backfill for volunteers) • Supplies or expendables or one-time use items essential to complete the training activity of a nonaffiliated EMS award's scope of work; examples include bandages, splints, expendable respiratory supplies, etc.

II. Operations and Safety – Equipment Overview

AFG grants fund equipment for effective response, firefighting, rescue and emergency medical operations to enhance the public safety.

Reminder: When requesting training for any items in this section, enter the request under "Additional Funding" in the "Request Details" section of the application. Make sure to identify the type and scope of training, timeframe, etc. in the item description section. Training must be specific to the use of the

equipment (i.e., vendor training) and not duplicative of courses listed under the Training activity.

Also note:

- Accountability systems are located under the Equipment activity.
- All simulators, tow vehicles, and all mobile or fixed fire/evolution props (e.g., burn trailers, forcible entry, or rescue/smoke mazes) are located under the Equipment activity.
- Request for monitors/defibrillators should be based on the number of transport and non-transport ALS response vehicles in the fleet (medic engine, medic chase vehicle, ALS ambulance, etc.).
- P-25 compliant Portable Radios should be requested based on the number of seated riding positions or active members of the department and supported in the request narratives.
- Requests for P-25 mobile radios should be based on the number of vehicles in the fleet.
- Requests to replace obsolete or damaged equipment should enable the applicant to meet applicable industry, local, state, and national standards.
- Equipment product lifecycles are assigned an age category of Short (5-7 years), Intermediate (8-14 years), or Long (15-20 years). These age categories are used to compare like types of equipment of a similar age category. Under this system, an item that should have a useful life of 10 years is only compared to other items that have a similar useful lifespan. An application does not score higher or lower based on the product lifespan of an item. It only serves to ensure a more even scoring of equipment based on type.

All of the following are considerations in pre-scoring and peer review determinations:

Only High (H) priority equipment items listed below will be considered for funding.

Priority	Age Category	Fire and Fire Regional	SFTA
BASIC EQUIPMENT			
M H	Intermediate	Air Compressor/Fill Station/Cascade System (Fixed or Mobile) for filling SCBA. Fire Department applicants - M Regional Applicants - H	Air Compressor/Fill Station/Cascade System (Fixed or Mobile) for filling SCBA – H
H	Long	Appliance(s)/Nozzle(s)	Appliance(s)/Nozzle(s)
H	Long	Basic Hand Tools (Structural/Wildfire)	Basic Hand Tools (Structural/Wildfire)
M H	Intermediate	Electric/Gas Powered Saws/Tools - M	Electric/Gas Powered Saws/Tools - H
M H	Short	Fit Tester - M	Fit Tester – H

Priority	Age Category	Fire and Fire Regional	SFTA
M H	Long	Foam Eductors - M	Foam Eductors - H
H	Intermediate	Hose (Attack/Supply)	Hose (Attack/Supply)
H	Short	Immediately Dangerous to Life or Health (IDLH) Monitoring Equipment	IDLH Monitoring Equipment
H	Immediate	IDLH Protection for Investigators (this is single-use respiratory protection)	
M H	Long	Ladders - M	Ladders - H
M H	Short	Personal Accountability Systems - M	Personal Accountability Systems - H
H	Intermediate	PPE Washer/Extractor/Dryer (Turnout)	PPE Washer/Extractor/Dryer (Turnout)
M	Intermediate	Respirator Decontamination System (SCBA)	Respirator Decontamination System (SCBA)
M H	Intermediate	Props - M	Props - H
H	Intermediate	RIT Pack/Cylinder	RIT Pack/Cylinder
M	Intermediate	Generator – Portable	Generator – Portable
M H	Intermediate	Tech Rescue (Ropes, Harnesses, Carabiners, Pulleys, etc.) - M	Tech Rescue (Ropes, Harnesses, Carabiners, Pulleys, etc.) - H
M H	Short	Simulators (including virtual) - M	Simulators (including virtual) - H Repairs and upgrades (non-construction) to existing Simulators - H
H	Short	Thermal Imaging Camera (Must be NFPA 1801 compliant)	Thermal Imaging Camera (Must be NFPA 1801 compliant)
L M H	Short	Software and Learning Management System (LMS) to support training for Fire Departments - L Software and LMS to support training for Regional - M	Software and LMS to support training - H
M	Short	Computers used in support of training	Computers used in support of training
H	Short	Vehicle Mounted Exhaust Systems	Vehicle Mounted Exhaust Systems
M	Short	Mobile computing devices intended to be used on scene (Tablets)	Mobile computing devices intended to be used on scene (Tablets)
COMMUNICATIONS			
M H	Intermediate	Base Station (must be P-25 Compliant) - M	Base Station (must be P-25 Compliant) - H
M H	Intermediate	Headsets - M	Headsets - H
M H	Intermediate	Mobile Radios (must be P-25 Compliant) - M	Mobile Radios (must be P-25 Compliant) - H
M H	Intermediate	Mobile Repeaters (must be P- 25 Compliant) - M	Mobile Repeaters (must be P-25 Compliant) - H
M H	Intermediate	Pagers (limited to number of active members) - M	Pagers (limited to number of active members) - H
H	Intermediate	Portable Radios (must be P-25 compliant)	Portable Radios (must be P-25 compliant)
M	Intermediate	Mobile Data Terminal (MDT)	MDT

Priority	Age Category	Fire and Fire Regional	SFTA
M	Short	Software specifically to enable Radio over IP (RoIP)	Software specifically to enable RoIP
EMS EQUIPMENT			
H	Short	Airway Equipment (Non-Disposable)	Airway Equipment (Non-Disposable)
H	Short	CPAP Device (Non-Disposable)	CPAP Device (Non-Disposable)
H	Short	Suction Unit (Non-Disposable)	Suction Unit (Non-Disposable)
H	Short	Automated External Defibrillators (AEDs) BLS Level	AEDs BLS Level
H	Short	Automatic Chest Compression Device (CPR)	Automatic CPR
H	Short	EMS Training Aids	EMS Training Aids
H	Short	Monitor/Defibrillator	Monitor/Defibrillator
H	Intermediate	Power Lift Cot	Power Lift Cot
H	Intermediate	Power Lift System	Power Lift System
H	Short	Pulse Oximeters	Pulse Oximeters
H	Short	Responder Rehab Equipment	Responder Rehab Equipment
H	Short	Power Stair Chair	Power Stair Chair
H	Short	Patient Carbon Monoxide Monitor	Patient Carbon Monoxide Monitor
H	Short	Capnography/Capnometer Device	Capnography/Capnometer Device
M	Short	O2 Kit	O2 Kit
M	Short	Non-Disposable Splints	Non-Disposable Splints
L	Intermediate	Stretcher	Stretcher
L	Intermediate	Backboard	Backboard
L	Short	Trauma Bag	Trauma Bag
	Short	Mass Casualty Kit	Mass Casualty Kit
L	Short	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots or stair chairs)	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots or stair chairs)
EXTRICATION			
M H	Intermediate	Cutter/Spreader - M	Cutter/Spreader - H
M H	Intermediate	Vehicle Extrication Equipment - M	Vehicle Extrication Equipment - H
HAZARDOUS MATERIALS			
M	Intermediate	Basic HazMat Response Equipment	Basic HazMat Response Equipment
M	Intermediate	Decon, Clean-Up, Containment and Packaging Equipment	Decon, Clean-Up, Containment and Packaging Equipment
M	Short	Sampling Devices (HazMat)	Sampling Devices (HazMat)
SPECIALIZED			
H	Intermediate	Skid Unit	Skid Unit
M	Intermediate	Air Quality Device	Air Quality Device
M	Intermediate	Boats	Boats
M	Short	Marine equipment (NFPA 1910: Standard on Marine Fire-Fighting Vessels)	Marine equipment (NFPA 1910: Standard on Marine Fire-Fighting Vessels)
M	Intermediate	Mobile Generator	Mobile Generator

Priority	Age Category	Fire and Fire Regional	SFTA
M	Intermediate	Portable Pump	Portable Pump
L	Short	Specialized Equipment (Other)	Specialized Equipment (Other)
CHEMICAL BIOLOGICAL RADIOLOGICAL NUCLEAR EQUIPMENT (CBRNE)			
L	Short	CBRNE-related Equipment	CBRNE-related Equipment
L	Short	Non-Disposable Biological Detection	Non-Disposable Biological Detection

Priority	Age Category	Tow Vehicles	Applicant Type
Note: Tow vehicles may be applied for under different application types with differing priority levels. Please reference the chart below when applying for tow vehicles.			
H	Long	Tow Vehicle	SFTA
M	Long	Tow Vehicle	Regional
L	Long	Tow Vehicle	Fire Department

Priority	Age Category	Nonaffiliated EMS	Nonaffiliated EMS Regional
COMMUNICATIONS			
H	Intermediate	Base Station (must be P-25 Compliant)	Base Station (must be P-25 Compliant)
H	Intermediate	Mobile Radios (must be P-25 Compliant)	Mobile Radios (must be P-25 Compliant)
H	Intermediate	Mobile Repeaters (must be P-25 Compliant)	Mobile Repeaters (must be P-25 Compliant)
H	Intermediate	Pagers (limited to number of active members)	Pagers (limited to number of active members)
H	Intermediate	Portable Radios (must be P-25 Compliant, limited to number of AFG Program-approved seated positions)	Portable Radios (must be P-25 Compliant, limited to number of AFG Program-approved seated positions)
M	Intermediate	Mobile Data Terminal	Mobile Data Terminal
M	Intermediate	Headsets	Headsets
M	Short	Software specifically to enable RoIP	Software specifically to enable RoIP
EMS EQUIPMENT			
H	Short	ALS/BLS Equipment	ALS/BLS Equipment
H	Short	Airway Equipment (Non- Disposable)	Airway Equipment (Non- Disposable)
H	Short	AEDs BLS Level	AEDs BLS Level
H	Short	Automatic CPR	Automatic CPR
H	Short	EMS Training Aids	EMS Training Aids
H	Short	CPAP Device (Non-Disposable)	CPAP Device (Non-Disposable)
H	Short	Monitor/Defibrillator - 15 leads	Monitor/Defibrillator - 15 leads
H	Intermediate	Power Lift Cot	Power Lift Cot
H	Intermediate	Power Lift System	Power Lift System
H	Short	Responder Rehab Equipment	Responder Rehab Equipment
H	Short	Suction unit	Suction unit
H	Intermediate	Power Stair Chair	Power Stair Chair

Priority	Age Category	Nonaffiliated EMS	Nonaffiliated EMS Regional
H	Short	Patient Carbon Monoxide Monitor	Patient Carbon Monoxide Monitor
H	Short	Capnography/Capnometer Device	Capnography/Capnometer Device
M	Short	O2 Kit	O2 Kit
M	Short	Non-Disposable Splints	Non-Disposable Splints
L	Intermediate	Stretchers	Stretchers
L	Intermediate	Backboards	Backboards
L	Short	Trauma Bag	Trauma Bag
L	Short	Mass Casualty Kit	Mass Casualty Kit
M	Short	Computers used in support of training	Computers used in support of training
M	Short	Mobile computing devices intended to be used on scene (tablets)	Mobile computing devices intended to be used on scene (tablets)
H	Short	Vehicle Mounted Exhaust Systems	Vehicle Mounted Exhaust Systems
L	Short	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots)	Portable Lift System (i.e., devices, hydraulic or electrical, used to assist with the lifting of patients that are not associated with cots)
HazMat			
M	Intermediate	Basic HazMat Response Equipment	Basic HazMat Response Equipment
M	Intermediate	Decon, Clean-Up, Containment and Packaging Equipment	Decon, Clean-Up, Containment and Packaging Equipment
M	Short	Sampling Devices (HazMat)	Sampling Devices (HazMat)

Fire Department, Nonaffiliated EMS, Regional, and SFTA Equipment Priorities		
Priority	**Purpose of Request**	**Definition**
H	Obtain equipment needed but not currently owned or replace equipment that is broken and/or damaged beyond repair to achieve minimum operational and deployment standards for existing missions	Applies to requests for equipment needed, and not currently owned, to achieve minimum operational and deployment standards for a department's existing mission requirements. This includes equipment that is no longer usable because it is broken and/or damaged beyond repair.
H	Replace noncompliant equipment to current standard	Applies to equipment that is deemed obsolete and/or is out of compliance with current standards for that type of equipment. Equipment requested under this reason for purchase has not been deemed inoperable, and while it may not be compliant with current standards it is not broken, damaged, or otherwise unusable.
M	Obtain equipment for new mission	Applies to requests for equipment, supplies, or inventories that are intended to fulfill minimum service requirements associated with new missions that a department is taking on and building the capability for but has not been previously fulfilled. For example, this may include, but is not limited to, establishing a new HazMat capability or Swift Water Rescue capability.

Fire Department, Nonaffiliated EMS, Regional, and SFTA Equipment Priorities		
Priority	**Purpose of Request**	**Definition**
L	Upgrade technology to current standard	Applies to requests for equipment that may or may not be owned, but newer technology is available.

Eligible Equipment Activities for Fire Department, Nonaffiliated EMS, Regional, and SFTA include but are not limited to:	
• Shipping, taxes, assembly, and installation of the requested equipment • Extended warranties and service agreements if acquired concurrent with initial acquisition • Minor interior alterations (requested under Additional Funding and limited to $10,000 total expenditure) to support the awarded Equipment activities (e.g., removal/ construction of a non-weight bearing wall) • Equipment for response to incidents involving CBRNE/WMD • Training specific to the requested equipment	• Requested support activities for equipment requiring supplies or expendables or "onetime" use items essential for an award's scope of work, such as foam, breaching materials (e.g., wood or sheetrock) for ventilation or rescue props, or the amount of fuel required to sustain an awarded live fire training activity, or per NFPA 1403 Standard on Live Fire Training Evolutions, reasonable safety mitigations to a structure acquired for training • Subscriptions necessary for the operation of the awarded equipment and purchased concurrently within the POP • Computing device may be considered for reimbursement if essential to the operation of the funded equipment.

Ineligible Equipment Activities Fire Department, Nonaffiliated EMS, Regional, and SFTA include but are not limited to:	
• Construction of facilities, such as buildings, towers, or sheds to house communications • All fixed non-mobile repeaters or fixed site amplifiers • Sirens or other outdoor warning devices • Signage of any kind • Phones (telephone/satellite/cell) and carrier plans • Investments in emergency communications systems and equipment must meet applicable SAFECOM Guidance • Personal Safety/Rescue Bailout System (PPE) • Computer assisted dispatch (CAD) systems and software, geographic information systems (GIS), dispatch consoles, workstations and office furniture • Nonaffiliated EMS expendable supplies (including but not limited to medications) • Vehicle mounted fans	• Utility Vehicles and All-Terrain Vehicles (UTV/ATV) • UAVs and Drones • Bomb disposal equipment and robots • Mobile radios for personally owned vehicles (except Chief Fire Officer's personal vehicle if justified) • Supplies or expendables or common one-time use items such as foam, soaps, disinfectant wipes, medical gowns/gloves, bandages, any drug, intravenous bags/fluids, defibrillator pads/electrodes, syringes, cervical collars, batteries, exhaust system filters and splints • Flashover or other simulators/props that do not meet NFPA 1402 or 1403 standard (homemade or aftermarket simulators) • Subscriptions, memberships, equipment rental or lease to purchase • Refurbished equipment

Additional Considerations for Fire Department, Nonaffiliated EMS, Regional, and SFTA Equipment Priorities
• Equipment that has a direct effect on firefighters' health and safety • Age of equipment considered for replacement • Equipment that operationally benefits other jurisdictions • Equipment that brings the department into compliance with a national recommended standard, (e.g., NFPA or statutory compliance like OSHA)

IMPORTANT: The only eligible AFG Program activity for interoperable communications equipment is the acquisition of P-25 compliant equipment.

- P-25 compliant interoperable communications equipment has a digital platform that is programmable, scalable, and can communicate in analog mode with legacy radios, and in both analog and digital mode with other P-25 equipment. P-25 compliance enhances interoperability, allowing first responders to communicate with each other to coordinate their response to and mitigate all hazards.
- The procurement of interoperable communications equipment that does not meet P-25 compliance is unallowable; there are no waivers for P-25 compliance.
- All recipients awarded activities with emergency communication equipment and related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Technical specifications are located at: FY 2023 SAFECOM Guidance on Emergency Communications Grants.
- It is the recipient's responsibility to obtain documented evidence that the equipment to be acquired has been tested and has passed all the applicable P-25 compliance requirements and the recipient shall be able to produce such documentation to FEMA upon request.
- AFG Program applicants are not required to identify a specific P-25-compliant product in their application narrative, but they must affirm that the interoperable communications equipment requested or acquired will be P-25 compliant.

Note: Recipients using FY 2024 AFG Program funds to support emergency communications activities should review and comply with SAFECOM requirements, including provisions on technical standards that ensure and enhance interoperable communications. Communication equipment (e.g., portable radios) would be included in this standard. Recipients investing in emergency communications must ensure their projects support the Statewide Communications Interoperability Plan (SCIP) for their state.

III. Operations and Safety – PPE Overview

AFG Program funds used to acquire PPE may only be used to acquire compliant PPE for firefighting and nonaffiliated EMS personnel. Only the acquisition of PPE compliant with the most current edition of NFPA 1971, 1977, 1981 and/or 1999 are eligible activities. The acquisition of used, refurbished, or updated PPE are ineligible for reimbursement. PPE requested should have the goal of increasing firefighter safety. When requesting to replace or purchase new PPE (e.g., Turnout Gear and/or SCBA) applicants will be asked to provide the age of the items being replaced. All PPE items in the current inventory must be accurately described and accounted for in the application narrative.

Exposure to Per-and polyfluoroalkyl substances (PFAS chemicals) has been linked to cancer and other health effects. Recipients of PPE awards are strongly encouraged to ask potential vendors about their current level of compliance with using PFAS-free materials and to purchase PFAS-free gloves, hoods, boots, etc. as these items have matured in development to include readily available PFAS-free items.

Based in part on NFPA 1851, Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting, in order for PPE (to include SCBA) to be considered noncompliant, the items must be a minimum of 2 NFPA cycles and 10 years of age or older from the date they were manufactured. PPE gear (to include SCBA) that is less than 10 years old and 2 NFPA cycles behind that was deemed damaged/unsafe/unrepairable is eligible for replacement if sufficient justification is provided in the application.

- Acquiring or replacing an individual SCBA face piece for each operational member of an organization is High (**H**) Priority. To the extent a request for additional face pieces exceeds any face pieces requested as part of an SCBA unit, that request should be entered as a separate request line item and will not be considered a request "to increase supplies" (e.g., if the applicant has the need for 35 Face Pieces, and requests 25 SCBA Units, the applicant should also separately request 10 additional Face Pieces).
- FEMA considers a complete set of Structural/Proximity PPE Turnout Gear to be comprised of these NFPA 1971 compliant components: one pair of pants, one coat, one helmet, two hoods, one pair of boots, two pairs of gloves, one pair of suspenders, and one pair of goggles. In the AHJ where additional PPE such as a Personal Safety/Rescue Bailout System is statutorily required, FEMA will consider all statutorily required items to be part of a complete PPE set.
- FEMA considers a complete set of EMS PPE Turnout Gear to be comprised of these NFPA 1999 compliant components: one pair of pants, one coat, one helmet, one pair of boots, one pair of gloves, one pair of suspenders, and one pair of goggles.
- FEMA considers a complete set of Wildfire PPE Turnout Gear to be comprised of these NFPA 1977 compliant components: one pair of pants, one

coat, one jumpsuit, one helmet, one pair of boots, one pair of gloves, one pair of suspenders, one pair of goggles, one fire shelter, web gear, backpack, and canteen/hydration system.

- FEMA considers PPE gear bags and RIT packs as eligible items that can be requested under Additional Funding and available as part of excess fund for the PPE activity in support of requests for PPE or SCBA items.
- FEMA considers a complete SCBA unit to be comprised of a harness/backpack, one face piece, and two cylinders.
- Recipients should consider the importance of proper fitting gear when making purchasing decisions. This includes the nuances with proper fitting for female firefighters.

Training for requested PPE:

- Applicants must certify that all grant-funded PPE will only be used by sufficiently trained personnel (failure to meet this requirement will result in the request for funding deemed ineligible).
- If applicants are requesting training to support a PPE activity, it must be entered in the "Additional Funding" section within the "Request Details" section of the application.

The following are considerations in pre-scoring and peer review determinations:

Fire Department, Nonaffiliated EMS, Joint/Regional, and SFTA PPE Priorities		
Priority	**Purpose of Request**	**Definitions**
H	Increase supply for new hires and/or existing firefighters that do not have one set of turnout gear (PPE) or allocated seated positions (SCBA). This includes replacing out of service PPE-Turnout Gear and SCBA.	Applies to PPE-Turnout Gear for new firefighters (i.e., new hires or volunteer recruits) and/or existing firefighters that do not currently have one set of PPE-Turnout Gear, and to add SCBA to fill seated riding positions that do not currently have SCBA.
H	Replace in-service or in-use damaged/ unsafe/unrepairable PPE/SCBA to meet current standard	Applies to PPE-Turnout Gear and SCBA that is deemed damaged unsafe and unrepairable yet still in use at the time of application.
H	Replace in-service/in-use/expired/ noncompliant PPE/SCBA to current standard	Applies to PPE-Turnout Gear or SCBA that is deemed obsolete and/or is out of compliance with current standards. PPE-Turnout Gear or SCBA to be replaced is not compliant with current standards; it is not broken, damaged or otherwise unusable.
L	Replace PPE/SCBA to upgrade technology to current standard	Applies to PPE-Turnout Gear or SCBA that is less than 10 years old for PPE-Turnout Gear or compliant within two NFPA cycles for SCBA.

Additional Considerations for Fire Department, Nonaffiliated EMS, Joint/Regional, and SFTA for PPE or SCBA Priorities
• Higher priority is given to the age of requested PPE, reason for purchase/replacement, priority. Applicant's call volume is a lesser factor. Applicants will be required to provide the age of the PPE being replaced. • Applicants with the oldest PPE and/or trying to bring the department into 100% NFPA compliance or the number of active members who will have compliant gear.

PPE List	
Structural/Proximity H	
• American National Standards Institute (ANSI) Traffic Vests • Boots • Coats • Complete Set of Turnout Gear • Gloves • Goggles	• Helmets • Hoods • Pants • Pass Devices • Personal Safety/Rescue Bailout System • Suspenders
Respiratory H	
• Air-Line Unit • Face Pieces • Respirators	• SCBA Spare Cylinders • SCBA (SCBA Unit includes: Harness/ Backpack, Face Piece, and two cylinders)
Wildfire H	
• Jumpsuits/Coveralls • Boots • Coats • Pants • Suspenders	• Goggles • Shelters • Web Gear/Backpacks • Canteens/Hydration Systems • Helmets
Specialized PPE M	
• Ballistic Protective Equipment (BPE), which includes one vest, one helmet, one triage bag, one pair of goggles • Chemical/Biological Suites (must conform to NFPA 1990 2022 edition)	• Extrication Clothing/Rescue Clothing • Proximity Suits • Splash Suits • Wet and Dry Suits • Encapsulated Suits

Eligible PPE Activities for Fire Department, Nonaffiliated EMS, Joint/Regional and SFTA include but are not limited to:	
• ANSI approved retroreflective highway apparel • Training for requested PPE • Turnout gear bags	• Customized helmet shields • Level C suits • Personal Safety/Rescue Bailout System • Face Pieces Regulators

Ineligible PPE Activities for Fire Department, Nonaffiliated EMS, Joint/Regional and SFTA include but are not limited to:	
• Three-quarter length rubber boots • Uniforms (formal/parade or station/duty) and uniform items (hats, badges, etc.) • PPE gear bags (ineligible unless requested as additional funds in association with a PPE request) • RIT packs (ineligible unless requested as additional funds in association with SCBA request) • Air Compressor/Fill Station/Cascade Systems (ineligible unless requested as additional funds in association with a Regional SCBA request) • PPE gear washer/extractor/dryer (ineligible unless requested additional funds in association with PPE gear request) • Personal Safety/Rescue Bailout System for nonaffiliated EMS organizations	• Food and beverages • Integrated thermal imaging cameras (TIC) with heads-up display • Bomb disposal suits • Any communications equipment (e.g., radios and pagers) in the PPE section • Structural, proximity, wildfire firefighting gear, or rescue and extrication gear for nonaffiliated EMS organizations • Any decals, embroidery, engraving, flags, graphics, logos, vehicles, and PPE Turnout lettering that customizes awarded items beyond the normal expectation (except customized helmet shields) • Funding is limited to one set of PPE- Turnout Gear per person • Equipment rental or lease to purchase • **Note:** Where bailout system is statutorily required, FEMA will consider all statutorily required items to be part of a complete PPE set

IV. Operations and Safety – Wellness and Fitness Overview

Wellness and Fitness activities are intended to strengthen emergency responders so that their mental, physical and emotional capabilities are resilient enough to withstand the demands of all hazardous operations. In order to be eligible for funding, applicants must offer, or plan to offer, all five of the following Priority 1 activities as discussed in the table below.

Fire Department and Nonaffiliated EMS Wellness and Fitness Priorities
Priority 1 Departments that have some of the Priority 1 programs in place must apply for funds to implement the missing Priority 1 programs before applying for funds for any additional program or equipment within Priority 2. In addition, all grant-funded physicals (except those for explorers) must meet current NFPA 1582 standards (Chapter 9, Occupational Medical Evaluation). The cost of physicals should be based on local physician or health center prices. Detailed information on implementing NFPA 1582 physicals is available here: https://firstrespondercenter.org. Below are the five activities required for a complete Wellness and Fitness program: • Initial medical exams; • Job-related immunization; • Annual medical and fitness evaluation; • Behavioral health; and

Fire Department and Nonaffiliated EMS Wellness and Fitness Priorities

- Cancer Screening Program to meet NFPA 1582.

Priority 2

Applicants may only apply for Priority 2 Items (listed below) if the applicant offers or is requesting a combination of the five activities required under Priority 1 (listed above):

- Candidate physical ability evaluation;
- Injury/illness rehab;
- Formal fitness, injury prevention; or
- International Association of Fire Fighters (IAFF) or IAFC peer fitness trainer program, including transportation, travel, overtime/backfill, and reasonable expenses associated with member participation in Train-the-Trainer for IAFF/IAFC and implementation of a peer fitness trainer programs. Core components included in a firefighter fitness assessment include:
    - Aerobic Capacity,
    - Body Composition,
    - Muscular Strength,
    - Muscular Endurance and
    - Flexibility.

Applicants are encouraged to review NFPA 1583 for guidance on the minimum requirements for the development, implementation, and management of a health-related fitness program.

NOTE: Simultaneous requests for Priority 1 and Priority 2 activities will receive a lower funding consideration than requests that complete the bundle of the five Priority 1 activities. Applicants should review Health Related Fitness Programs as outlined in NFPA 1583, which is summarized below.

NFPA 1583 Standards on Health-Related Fitness Programs for Fire Department Members

Scope

This standard establishes the minimum requirements for the development, implementation, and management of a health-related fitness program for members of the fire department involved in emergency operations.

Purpose

The purpose of this standard is to provide the minimum requirements for a health-related fitness program for fire department members that enhances the members' ability to perform occupational activities efficiently and safely and reduces the risk of injury, disease, and premature death.

This document is intended to help fire departments develop a health-related fitness program for fire department members that requires mandatory participation but is not punitive.

This document is not intended to establish physical performance criteria.

Eligible Wellness and Fitness Activities for Fire Department and Nonaffiliated EMS include but are not limited to:	
• The five Priority 1 items: initial medical exams, job-related immunization, annual medical and fitness evaluation, behavioral health, and cancer screening • Behavioral health programs to include, but not limited to: Critical Incident Stress Management Programs, Employee Assistance Programs • Transportation expenses related to a member's participation in offered Wellness and Fitness activities	• Contractual costs (non-hiring) for personnel (such as nutritional counseling), physical fitness equipment (including shipping charges and sales tax, as applicable), and supplies directly related to physical fitness activities • Minor interior alterations (requested under Additional Funding and limited to $10,000 total expenditure) to support the awarded Wellness and Fitness activities (e.g., removal/ construction of a non-weight bearing wall); note that these will require EHP review

Ineligible Wellness and Fitness Activities for Fire Department and Nonaffiliated EMS include but are not limited to:	
• Fitness club memberships for participants or their families • Non-cash incentives (e.g., t-shirts or hats of nominal value, vouchers to local businesses, or time-off) • Purchase of real estate • Cash incentives • Food and beverages • Subscriptions and memberships • Saunas (including infrared) • Hyperbaric chambers	• Ice baths • Purchase of medical equipment • Whole-body MRI scans • Contractual services with anyone other than medical professionals (e.g., health care consultants, trainers, and nutritionists) for programs such as smoking cessation • Purchase of equipment or personal protective equipment that is otherwise eligible under the Equipment activity or the PPE activity

V. Operations and Safety – Modifications to Facilities Overview

AFG Program funds may be used to modify fire stations and other facilities. New fire station construction is not eligible. Eligible activities include source capturing exhaust, sprinkler, carbon monoxide alarms or smoke/fire detection systems, only for these types of systems and not multi-purpose systems that encompass ineligible features as described below.

All changes to facilities including major or minor modifications and equipment installations require EHP review.

The benchmark for eligibility does not apply to minor interior alterations (requested under Additional Funding and limited to $10,000 total expenditure) to support Training, or Wellness and Fitness activities (e.g., removal/construction of a non-weight bearing wall). In recognition of the risks posed by exposure to diesel fumes, Source Capture Exhaust Extraction Systems (SCES) are a High Priority item for vehicle exhaust mitigation under Modifications to Facilities.

An SCES is a system where exhaust gases from a vehicle are captured directly via

a conduit that attaches to/over the end of the vehicle's exhaust system at the tailpipe. The captured exhaust gases are expelled through the attached conduit via mechanical/pneumatic means to the exterior of the building.

No modification may change the structure's footprint or profile. If requesting multiple items, such as a sprinkler system and exhaust system, the funding for any projects or activities cannot cumulatively exceed $100,000 (total project cost[s]) for any individual station.

Eligible projects under this activity must have a direct effect on the health and safety of firefighters.

Note: Vehicle Mounted Exhaust Systems are now listed as a "High" priority in the equipment activity.

Facility Considerations:
Priority is given to facilities staffed full-time and facilities with sleeping quarters. Facilities without sleeping quarters or with part-time occupancy will receive subsequent consideration. Training facilities, marine fire facilities, and intermittently occupied facilities will be considered next.

All of the following are considerations in pre-scoring and peer review determinations:

Eligible Modifications to Facilities Priorities for Fire Department and Nonaffiliated EMS include but are not limited to:	
H	• New source capture exhaust systems, sprinkler systems, carbon monoxide, or smoke/fire detection systems – only for these types of systems and not multi- purpose systems that encompass ineligible features as described below. • Replacement or updates to existing source capture exhaust systems, sprinkler systems, carbon monoxide, or smoke/fire detection systems are considered lower priority over requests submitted for new systems.
M	• Emergency generators, Air Quality Systems (AQSs) **Note:** AQSs are fixed equipment that are air purifying, scrubbing, and/or air exchange systems.

Ineligible Modifications to Facilities Priorities for Fire Department and Nonaffiliated EMS include but are not limited to:	
• Station maintenance • Resurfacing of bay floors • Interior remodeling not pertaining to the requested project(s) • Food and beverages	Security systems, or other alerting systems of similar purpose designed to notify fire stations of unauthorized access or provide deployment notifications or multi-purpose systems that include any of these features even if they also include otherwise eligible features

g. ***Regional Applications***
A Regional application is an opportunity for a fire department or a nonaffiliated EMS

organization to act as a host and apply for funding on behalf of itself and any number of other participating AFG Program eligible organizations. The host organization and its partners must be the intended beneficiaries of the proposed project. A nonaffiliated EMS organization that serves as a host regional applicant can only host other nonaffiliated EMS organizations. A fire department that serves as a host regional applicant can apply on behalf of other eligible fire departments and nonaffiliated EMS organizations within the same application. SFTAs are not eligible to apply under the Regional activity. Eligible Regional activities are Vehicle Acquisition, and Operations and Safety but only for Training, Equipment, Wellness and Fitness, and PPE activities. Regional activities should achieve cost effectiveness, support regional efficiency and resilience, and benefit more than one local jurisdiction (county, parish, town, township, city, or village) directly from the activities implemented with the grant funds. To align with the stated program objective of fostering interoperability, departments and agencies party to regional applications must use the same vendor. Any exceptions to this requirement must be pre-approved by FEMA in writing and be based on compelling operational need.

Regional applicants will be subject to the funding limitations based on the total population served by the host of the application and the participating partners. For example, if the host and partners serve a population of 100,000 or fewer and are the recipients of a Regional award for $1 million, the host has met their cap and is no longer eligible for additional funds under the AFG Program.

The community identification characteristic (e.g., Rural, Urban, or Suburban) and the organizational status of the host applicant (e.g., Career, Combination, or Volunteer) will be entered and used for the Regional application, regardless of the composition of the participating partners.

Regional populations served are the aggregate of the geographically fixed primary first due response areas of the host and participating partner organizations. Exceptions can be made to this requirement in situations where the host is also the parent organization and is responsible for their smaller and independent stations.

Neither the Regional host nor any participating partner is prevented from also applying on behalf of their own organization for any AFG Program activity (Vehicle Acquisition, or Operations and Safety). However, it cannot be for the same item. For example, a department cannot apply for PPE under its own organization and participate in a regional PPE application.

In the application narrative, a Regional host must include a list of all the AFG Program eligible participating organizations benefitting from a proposed Regional project, including validated points of contact, each organization’s EIN, and clear and detailed information on the regional activities requested.

Host organizations should provide specific details, fully explaining the distribution of any grant-funded acquisitions or grant-funded contracted services, as well as the responsibilities between the host and the partner organizations.

In order to apply for a Regional project, the host organization must agree, if awarded, to be responsible for all aspects of the grant. This includes, but is not limited to cost share, accountability for the assets, and all reporting requirements in the Regional application. The host of the Regional application is not considered a pass-through entity and may not issue sub-awards.

The host will be required to enter information that captures the macro demographics (e.g., total square miles) and master listings of information (e.g., combined SCBA inventories) of the partners that serve the region.

All participants of a Regional applicant must be compliant with AFG Program requirements, including being current with past grants, closeouts, and other reporting requirements. Upon notification by the AFG Program Office, the host agency shall not distribute grant-funded assets or provide grant-funded contractual services to non-compliant partner organizations. The host and the delinquent partners will be notified by the AFG Program Office of their specific deficiency.

Regional host applicants and participating partner agencies must execute a Memorandum of Understanding (MOU) or equivalent document signed by the host and all participating organizations. The agreement should specify the individual and mutual responsibilities of the participating partners, the participant's level of involvement in the project(s), and the proposed distribution of all grant- funded assets and/or contracted services. Copies of the MOU will be requested during the technical evaluation of the application.

The MOU must specify the individual and mutual responsibilities of the host and participating partners, the host's and participants' level of involvement in the project(s), the participating partners' EINs, and the proposed distribution of all grant-funded assets or contracted services. Any entity named in the application as benefiting from the award must be an eligible AFG Program organization and must be a party to the MOU or equivalent document.

h. ***Vehicle Acquisition***

Vehicles purchased with AFG Program funds must be compliant with NFPA 1900 (Standard for Aircraft Rescue and Firefighting Vehicles, Wildland Fire Apparatus, and Automotive Fire) or equivalent (Standard for Automotive Ambulances). Leases, loan payments, or installment plans to obtain a vehicle are not eligible acquisition activities under the AFG Program and will not be reimbursed.

Community Paramedic/Health vehicles are non-transport vehicles and are not intended to have a dual role (e.g., as utility or support vehicles). There is nothing inherent in the delivery of community paramedic services that requires any emergency response packages (e.g., lights, sirens) or operational equipment (e.g., rescue tools, structural/wildfire firefighting equipment). Consequently, such activities are ineligible.

Applicants may apply for more than one vehicle. Requests cannot exceed the

financial cap based on population listed in the application. If a department submits multiple types of applications, and more than one of those requests are approved, the department will be held to the same financial cap based on the population listed in the application.

When requesting more than one vehicle, applicants will be asked to fill out a separate line item and answer all the questions including a separate narrative for each vehicle. For example, if an applicant is requesting to replace three ambulances, the applicant must fill out the age and vehicle identification number (VIN) of each vehicle being replaced. Applicants cannot use the same VIN in each line item.

In the case(s) when an applicant is not replacing a vehicle but only changing the service status of a vehicle(s), such as from first due to reserve, a VIN is still required for the narrative and for the vehicle being reassigned.

Applicants requesting fire vehicles that do not have drivers or operators trained to NFPA 1002 or equivalent and are not planning to have a training program in place by the time the awarded vehicle(s) is delivered will not receive a vehicle award.

Applicants requesting nonaffiliated EMS vehicles that do not have drivers or operators trained to the National Standard Emergency Vehicle Operator Curriculum (EVOC) developed by the United States Department of Transportation (DOT), or equivalent, and are not planning to have a training program in place by the time the awarded vehicle(s) is delivered, will not receive a vehicle award.

All applicants may request funding for a driver training program within the "Vehicle Acquisition" section but must add the request in the "Additional Funding" area in the "Request Details" section of the Vehicle Application.

All driver training program(s) must be in place prior to the delivery of the awarded vehicle(s) or the recipient will be considered in violation of the grant agreement. The pre-score evaluation criteria consider the department's need for the vehicle based on the age/condition of current vehicles and/or the demands on the organization.

Eligible Vehicle Activities for Fire Department, and SFTA include but are not limited to:			
Priority	**Urban Communities**	**Suburban Communities**	**Rural Communities**
H	• Aerial • Ambulance • Pumper • Rescue Vehicle Light, Medium, or Heavy • Non-Transport EMS (Community Paramedic/Healthcare) • Quint • Brush Type III or larger	• Aerial • Ambulance • Pumper • Tanker/Tender • Rescue Vehicle Light, Medium or Heavy • Non-Transport EMS (Community Paramedic/Healthcare) • Quint • Brush	• Aerial • Ambulance • Brush/Attack • Pumper • Tanker/Tender • Non-Transport EMS (Community Paramedic/Healthcare) • Quint
M	• Command/Mobile Communications Vehicle • HazMat Unit • Air/Light Unit • Rehab Unit	• Command/Mobile Communications Vehicle • HazMat Unit • Air/Light Unit • Rehab Unit	• Command/Mobile Communications Vehicle • Hazardous Materials Unit • Air/Light Unit • Rescue Vehicle Light, Medium or Heavy
L	• ARFF • Foam Truck • Fire Rescue/Boat • Highway Safety Unit • Hybrid (i.e., Transport Engine) • Tanker/Tender	• ARFF • Foam Truck • Highway Safety Unit • Hybrid (i.e., Transport Engine) • Fire Rescue/Boat	• ARFF • Foam Truck • Highway Safety Unit • Hybrid (i.e., Transport Engine) • Fire Rescue/Boat • Rehab Unit

Eligible Regional Vehicle Activities for Fire Departments (ALL Community Types)	
H	• Aerial • Air/Light Unit • Bariatric Ambulance • Command/Mobile Communications Vehicle • Non-Transport EMS (Community Paramedic/Healthcare) • Rehab Unit • Rescue Vehicle Light, Medium or Heavy • Tow Vehicle (Applied for under equipment)
M	• Highway Safety Unit
L	• Hazardous Materials Unit • Foam Truck

Eligible Nonaffiliated EMS and Nonaffiliated Regional Vehicle Activities	
H	• Ambulances • Bariatric Ambulance • Non-Transport EMS (Community Paramedic/Healthcare)

Compliance with Standards

- Ambulances must comply with NFPA 1900, or GSA Federal Standard KKK-A-1822F
- Applicants must certify that unsafe vehicles will be permanently removed from service if awarded a grant; acceptable uses of unsafe vehicles include farm, nursery, scrap metal, salvage, construction, or donation to a foreign entity
- Applicants should consider adopting the principles of Traffic Incident Management Systems (TIMS); the USFA report on TIMS can be found on FEMA's website at: Traffic Incident Management Systems
- New fire apparatus must be compliant with NFPA 1900 for the year ordered/manufactured

Additional Considerations (to include, but not limited to)

- Age and mileage of the vehicle being replaced; older equipment receives higher consideration
- Age of the newest vehicle in the department's fleet that is like the vehicle to be replaced
- Average age of the fleet; older equipment within the same class
- Call volume of primary first due response area or region
- Converted vehicles (with an emphasis on tanker/brush trucks) not designed or intended for use in the fire service departments that have automatic aid agreements, mutual aid agreements, or both; a converted vehicle is any vehicle that is not engineered to an NFPA standard, or not being used for its original design, or over its gross vehicle weight
- Vehicles on loan to the organization in the application narrative but not in the organization's inventory
- Damaged vehicles and out of service vehicles in the organization's inventory
- Replacement of open cab/jump seat configurations

IMPORTANT
Applicants requesting a vehicle(s) may be required to provide additional fleet information after the submission of the application. Vehicle inventory in the application must reflect currently owned vehicles as well as vehicles that are leased or on long-term loan and vehicles that have been ordered or otherwise currently under contract for purchase or lease by the organization but not yet in possession.

The following definitions should be followed when providing vehicle inventory in the application:

Front Line Vehicle: a vehicle that is fully equipped and ready to respond to emergency calls (first due, second due, ready-reserve vehicle).

Ready-Reserve Vehicle: a vehicle that is equipped and may be easily made ready to respond (i.e., emergency mobilization).

Reserve Vehicle: a vehicle that is not fully equipped and not ready to respond. Reserve apparatus is used when the front-line vehicle is out-of-service (repairs/maintenance). Equipment is removed from the front-line vehicle and moved to the reserve vehicle for emergency response.

Temporarily Out of Service Vehicle: A vehicle which has been temporarily removed from emergency response duties due to mechanical or safety conditions requiring repair. Although currently out of service this vehicle is required to meet the response needs of the agency and will be returned to front line or reserve status once repaired. Temporarily out of service vehicles are included in the vehicle inventory, included in the seated position count and are eligible for replacement in the AFG Program.

Decommissioned Vehicle: A vehicle which has been permanently removed from any or all emergency response duties or functions but is still in the possession of the organization. Examples include retired vehicles waiting disposal, vehicles used solely for parade/public relations use, antique vehicles, display, or similar uses. Decommissioned vehicles are not listed in the vehicle inventory or included in the seated position count and are not eligible for replacement in the AFG Program.

Vehicle Contract: Vehicle award recipients must submit a copy of their vehicle purchase contract to the designated Regional Fire Program Specialist or Program Analyst. To locate Regional Fire Specialist, please visit FEMA's website at Assistance to Firefighters Grant Program. Recipients will be asked to scan the document(s) into a PDF format and email it to the Regional Fire Program Specialist or Program Analyst for inclusion in the grant file. Submitting a vehicle purchase contract will assist in the programmatic monitoring of an award and help ensure programmatic compliance with the Improper Payments Eliminations and Recovery Act of 2012 (Pub. L. No. 112-248). If recipients do not submit a vehicle purchase contract, they will be unable to:

- Submit for an advance of federal funds for partial vehicle payment or chassis payment; and
- Submit an amendment requesting a Period of Performance extension for the project.

Performance Bond Strongly Recommended: Performance bonds are strongly recommended but not required by the AFG Program. This is for any organization that is going to advance its own funds to their vendor prior to receipt of the vehicle. The bond may be obtained through the vendor or bank. The concept behind this is to ensure the applicant's funds are not lost in the event of a vendor's failure to perform, e.g., not finishing or delivering the vehicle, or going out of business.

Prepayment Bond Required: AFG Program vehicle recipients are required to obtain a prepayment bond if the recipient plans to advance federal funds to their vendor for a down payment. This is to safeguard the federal funds against loss if the vendor goes out of business or fails to deliver the vehicle. Prepayment bonds may be obtained

through the vendor or bank. The cost of a Prepayment Bond is a reimbursable activity under a vehicle acquisition award.

Penalty Clause Required: All contracts for any AFG Program-funded vehicle must contain a penalty clause. Non-delivery by the contract's specified date, or other vendor nonperformance, will require a penalty that is no less than $100 per day until such time that the vehicle, compliant with the terms of the contract, has been accepted by the recipient.

Exceptions may be considered by FEMA only if an urgent and compelling need is demonstrated by the recipient. The request for exception from this requirement must be submitted in writing to the AFG Program Analyst or Regional Fire Program Specialist.

Down Payment: A down payment for the purchase of a vehicle is allowable if required in the vehicle purchase contract, but FEMA will only allow up to 25% of the federal share to be drawn for this purpose. Any costs over-and-above the 25% limit, such as the cost of a chassis or any other fees or services, must be borne by the recipient or deferred until final payment is drawn.

Federal funds may not be requested for any other payments to include but not limited to periodic or progress vehicle payments, loan payments, or the acquisition of equipment for the awarded if already supplied under the vehicle contract. Purchases outside of the vehicle contract can be requested for payment, i.e., driver/operator training, physical exams for driver/operator, and equipment specific to the type of apparatus awarded and as listed in the NFPA 1990.

Final Payment: To expedite the acquisition process, and prior to the vehicle being received, inspected, and accepted, the recipient may request the final vehicle payment as an advance payment request. However, the recipient shall not disburse or satisfy the vehicle obligation until after the vehicle is received, inspected, and accepted by the recipient.

Eligible Vehicle Activities for Fire Department, Nonaffiliated EMS Organizations, Joint/Regional, and SFTA include but are not limited to:	
• Cost of vehicle • Physicals to meet current NFPA 1582/US DOT 649 F • Cost of associated equipment that is eligible under current NFPA 1900 • Driver/operator training programs that meet applicable standards, current NFPA 1002 or EVOC, or equivalent	• Travel expenses (air/rail transportation, mileage, hotel/lodging) to inspect a requested vehicle during production **Note: Food and beverages are ineligible travel expenses**

Ineligible Vehicle Activities for Fire Department, Nonaffiliated EMS Organizations, Joint/Regional, and SFTA include but are not limited to:	
• Leasing, rental, or installment purchase of any grant funded vehicle • Aircraft, bulldozers, or construction-related equipment • Using the vehicle being awarded as collateral for any financial loan	• UTVs and ATVs • UAVs and drones • Used or refurbished apparatus • Converted vehicles not originally designed for firefighting • Food and beverages

Examples of vehicle types

- Pumper (an apparatus that carries a minimum of 300 gallons of water and has a pump with the capacity to pump a minimum of 750 gallons per minute [GPM])
- Urban interface vehicles (Type I) pumper (300 gallons of water and 750 GPM)
- Ambulance (vehicle used for transporting patients)
- Tanker/Tender (an apparatus that has water capacity in excess of 1,000 gallons of water)
- Quint Aerial (an aerial ladder, elevating platform, or water tower that is designed to position personnel, handle materials, provide continuous egress, or discharge water)
- Quint (fire apparatus with a permanently mounted fire pump, a water tank, a hose storage area, an aerial ladder or elevating platform with a permanently mounted waterway, and a complement of ground ladders)
- Aerial Ladder (elevating platform, or water tower that is designed to position personnel, handle materials, provide continuous egress, or discharge water)

Unsafe Vehicles

If applicants specify the vehicle(s) to be replaced are unsafe, they must certify that if awarded, the unsafe vehicle to be replaced will be permanently removed from emergency service response. Permanently removed from emergency service response means the recipient cannot use the vehicle being replaced for any emergency service response, nor can the recipient sell or otherwise transfer title to any individual or emergency service response organization that will use the unsafe vehicle for emergency service response.

A recipient who certifies it will remove an unsafe vehicle from service but then sells/transfers the unsafe vehicle to another emergency service response organization, or otherwise does not remove the unsafe vehicle from emergency service response, is considered to be in violation of the grant agreement.

Acceptable dispositions (donation or sale) of unsafe vehicles include but are not limited to a training facility (NO emergency response off the training grounds), farm use, construction or nursery use, sale to a non-emergency service response entity for refurbishment, scrap metal, salvage, or foreign donation.

17. Appendix C – Award Administration Information

Appendix C contains detailed information on AFG Program Award Administration. Reviewing this information may help recipients in the programmatic and financial administration of their award(s).

a. ***Help FEMA Prevent Fraud, Waste, and Abuse***
If applicants or recipients have information about instances of fraud, waste, abuse, or mismanagement involving FEMA programs or operations, they should contact the DHS Office of Inspector General (OIG) Hotline at (800) 323-8603, by fax at (202) 254-4297, or email HOTLINE@oig.dhs.gov.

b. ***Economic Hardship Waivers of Cost Share and Maintenance of Effort***
In cases of demonstrated economic hardship, and upon the request of the recipient, the FEMA Administrator may waive or reduce an AFG Program cost share or MOE requirement for certain recipients (15 U.S.C. § 2229(k)(4)(A)). As required by statute, the FEMA Administrator established guidelines for determining what constitutes economic hardship and published these guidelines in Information Bulletin No. 427.

The applicant is required to submit documentation supporting their request for an Economic Hardship Waiver at the time of the application by attaching the supporting document to the grant application.

To receive an Economic Hardship Waiver the applicant must address the specific conditions as well as format the waiver request submission as specified in Section III – Guidance, Part D: Eligibility – Demonstrating Economic Hardship of Information Bulletin No. 427.

Failure to provide documentation at the time of application or address the conditions or following the prescribed format in Information Bulletin No. 427 may result in a denial of the waiver.

c. ***Grant Writer/Preparation Fees***
Fees for grant writers may be included as a pre-award expenditure. This expenditure is a subject to the cost-share requirement. For grant writer fees to be eligible as a pre-award expenditure, the services must be competitively sourced, specifically identified, and listed within the "Request Details" section of the application and must satisfy the requirements under 2 C.F.R. § 200.458. FEMA will only consider reimbursements for application preparation, not administration, up to $1,500 per annum. The allowability of grant writer fees as a pre-award expenditure must be paid between the 90 days prior to the publication date of the NOFO and up to 30 days after the application period closes. In order for Grant writer fees held either on retainer or subscription basis to be an eligible pre-award cost, the claimed retainer or subscription must have been competitively secured, and the costs are limited to the start of the appropriation period for the underlying award and meet the requirements under 2 C.F.R. § 200.458. Fees payable on a contingency basis are not an eligible expense.

Pursuant to 2 C.F.R. Part 180, recipients may not use federal grant funds to reimburse any entity, including a grant writer or preparer, if that entity is presently suspended or debarred by the federal government from receiving funding under federally funded grants or contracts. Recipients must verify that the contractor is not suspended or

debarred from participating in specified federal procurement or non-procurement transactions pursuant to 2 C.F.R. § 180.300.

Prior to submission of the application, please review all work produced by grant writers or other third parties for accuracy. By submitting the application, applicants are certifying all of the information contained therein is true and an accurate reflection of the organization, and that regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by FEMA. These actions include but are not limited to the submitted application not being considered for award, temporary withholding of funding under the existing award pending investigation, or referral to the DHS OIG.

The following documentation shall be provided to FEMA upon request:

i. A copy of the grant writer's contract for services;
ii. A copy of the invoice or purchase order;
iii. A copy of the canceled check (front and back); and
iv. Evidence that the services were competitively procured. If an applicant's local procurement practices/policies do not require competitive bidding under $1,500, then the applicant may be asked to provide a copy of that policy.

Failure to provide the requested documentation may result in the grant writer fee being deemed ineligible and the grant reduced accordingly.

NOTE: FEMA requires that all applicants identify the following as "Application Participants" in the "Contact Information" section of the application.

Any individual or organization that assisted with the development, preparation, or review of the application to include drafting or writing the narrative and budget, whether that person, entity, or agent is compensated or not and whether the assistance took place before submitting the application.

d. ***Maintenance and Sustainment for AFG Programs***

The use of FEMA preparedness grant funds for the costs of repairs or replacement, as well as maintenance contracts, warranties, and user fees may be allowable.

The intent of eligible Maintenance and Sustainment activities is to provide direct support to the critical capabilities developed using FEMA and other DHS grants and support activities. Routine upkeep and the supplies, expendables, or one-time use items that support routine upkeep (e.g., gasoline, tire replacement, routine oil changes, monthly inspections or grounds and facility maintenance) are the responsibility of the recipient and may not be funded with AFG Program funding.

Generally, when purchasing a maintenance agreement, service contract, or extended warranty for systems or equipment, the period of coverage provided under such a plan may not extend beyond the period of performance of the grant with which the agreement, warranty, or contract is purchased. The duration of an extended warranty purchased incidental to the original purchase of the equipment may exceed the period

of performance as long as the coverage purchased is consistent with that which is typically provided for, or available through, these types of agreements, warranties, or contracts. When purchasing a stand-alone warranty or extending an existing maintenance contract on an already-owned piece of equipment or system, coverage purchased may not exceed the period of performance of the award used to purchase the maintenance agreement or warranty. As with warranties and maintenance agreements, this policy extends to licenses and user fees as well.

Even if purchased incidental to the original purchase of the equipment, the duration of an extended maintenance agreement or warranty must also be reasonable for the type of equipment or system being purchased. For example, if a vendor offers a 10-year extended warranty incidental to the purchase of a piece of equipment, but the useful life of that equipment being purchased is five years, the purchase of a 10-year extended warranty would not be a reasonable cost and may not be charged to the grant.

e. ***Taxes, Fees, Levies, and Assessments***

Taxes, fees, levies, or assessments that the recipient is legally required to pay and are directly related to any eligible AFG Program acquisition activity may be charged to an AFG Program award pursuant to 2 C.F.R. § 200.470. These charges shall be identified and enumerated in the AFG Program application narrative, as well as the "Request Details" section of the acquisition activity.

Any avoidable and unreasonable costs that result from the action or inaction of a recipient (or recipient's agent) or that prevent that recipient from enjoying any lawful exemption, waiver, or reduction of any tax, fee, levy, or assessment directly related to any eligible AFG Program acquisition activity, are not chargeable to any AFG award.

Example: Governmental entities and Public Safety Agencies are exempt from some Federal Communications Commission (FCC) fees*, but only if the eligible organization submits an exemption or waiver request to the FCC.

**Government entities are not required to pay FCC regulatory fees. Nonprofit entities (exempt under Section 501 of the Internal Revenue Code) may also be exempt. The FCC requires that any entity claiming exempt status submit, or have on file with the FCC, a valid Internal Revenue Service Determination Letter documenting its nonprofit status or certification from a governmental authority attesting to its exempt status. For more information, please visit the Federal Communications Commission website.*

f. ***Excess Funds***

After completing the initial project's purpose in the recipient's application, some recipients may have unexpended funds remaining in their budget. These excess funds may result from any combination of under-budget acquisition activities or competitive procurement processes.

These cost-shared excess funds may be utilized to address an organization's local

needs or to mitigate identified capability gaps. FEMA expects excess funds to be obligated concurrent with an award's period of performance to address a known or critical need.

Excess Funds Restrictions
In general, excess funds are limited to no more than $10,000 for any award. If you have any questions, contact the AFG Help Desk at 866-274-0960 or email FireGrants@fema.dhs.gov. The AFG Helpdesk is open Monday through Friday, 8 a.m. – 4:30 p.m. ET.

The $10,000 maximum is cumulative for any grant, regardless of the number of activities within the award, and will require no amendment except when the use of excess funds is for any eligible activity that would normally require an EHP review.

- Excess funds cannot be used to support Fire Prevention and Safety activities.
- Consistent with the funding priorities set by the panel of fire service professionals and stakeholders, excess funds are limited to the purchase of High Priority items only.
- Excess funds cannot be used for grant writer/preparer fees.
- Excess funds may only be used for allowable activities identified in the program guidance for that fiscal year's grant cycle.
- The opportunity for excess funds is limited when the original uncompleted Scope of Work is changed via an amendment.

Example: An award for the acquisition of 10 SCBA units is reduced via Amendment to eight SCBA units. The federal participation and the recipient cost obligation are both reduced and any remaining unliquidated federal funds resulting from the reduction in quantity of awarded items are not allowable as excess funds. FEMA may allow reduction in the quantity of awarded items but not total project cost if compelling justification of need is provided.

Exceptions to the $10,000 use may be considered by FEMA if urgent and compelling need that can be directly related to a demonstrated event impacting the health and safety of the firefighters within the department can be identified. This request must be submitted in writing via an amendment.

g. ***Payments and Amendments***
FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients. AFG Program payment/drawdown requests are generated using FEMA GO. AFG Program payment/drawdown requests from state or local government entities will be governed by applicable federal regulations in effect at the time a grant is awarded to the recipient and may be either advances or reimbursements. Recipients should not expend funds until all special conditions listed on the grant award document have been met, including completion of EHP review, active SAM.gov registration, and the request for payment in FEMA GO has been approved.

Recipients should draw down funds based upon immediate disbursement requirements; however, FEMA strongly encourages recipients to draw down funds as close to disbursement or expenditure as possible to avoid accruing interest.

Non-federal entities should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with copies of canceled checks for verification. See, e.g., 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

Advances
Recipients shall be paid in advance, provided they maintain or demonstrate the willingness and ability to maintain procedures to minimize the time elapsing between the transfer of funds and its disbursement by the recipient (not to exceed 30 days), and the financial management systems that meet the standards for fund control and accountability as established in 2 C.F.R. Part 200. The recipient shall include invoice(s) and/or purchase orders for advance AFG Program payment/drawdown requests. EHP review requirement must be met prior to advanced payments.

Although advance drawdown requests are permissible, recipients remain subject to applicable federal laws in effect at the time a grant is awarded to the recipient. Governing interest requirements include the Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200 and the Cash Management Improvement Act (CMIA) and its implementing regulations at 31 C.F.R. Part 205. Interest under CMIA will accrue from the time federal funds are credited to a recipient's account until the time the recipient pays out the funds for program purposes. For the rate to use in calculating interest, please visit Treasury Current Value of Funds Rate.

Reimbursement
Payment by reimbursement is the preferred method when the requirements to be paid in advance, pursuant to 2 C.F.R. § 200.305, cannot be met. In accordance with U.S. Department of Treasury regulations at 31 C.F.R. Part 205, if applicable, the recipient shall maintain procedures to minimize the time elapsing between the transfer of funds and the disbursement of said funds. As a prerequisite of the AFG Program approval for reimbursement requests, recipients shall include proof of purchase, in the form of a canceled check or credit card transaction, active SAM.gov registration, and a final invoice(s) in each reimbursement AFG Program payment/drawdown request.

Rebates
Recipients shall disburse program income, rebates, refunds, contract settlements, audit recoveries, and interest earned on such funds before requesting additional cash payments, in accordance with 2 C.F.R. § 200.305. The reduction of federal financial participation via rebates/refunds may generate excess funds for the recipient if the recipient previously obligated their Cost Share match based upon the original award figures. If the recipient previously obligated their original Cost Share prior to the rebate, then the recipient may have minimum excess funds equal to the difference between the original Cost Share less the rebate adjusted Cost Share.

Payment Requests During Closeout
A recipient may only submit reimbursement payment requests up to 120 days after the expiration of the period of performance, during an award's closeout reconciliation.

Reimbursement payments are the only eligible type of requests to be submitted after a grant's period of performance has expired. The expenditure must have been obligated and received during the period of performance of the award. The recipient's request should contain clear and specific information certifying that the liquidation of federal funds is reimbursement for an obligation properly incurred during the active period of performance. FEMA may request documentation supporting the reimbursement for review at any time.

Amendments
FEMA may approve AFG Program award amendments on a case-by-case basis, for the following reasons:

- Extension of the period of performance in order to complete the scope of work;
- Changes to the activity, mission, retroactive approval (pre-award), closeout issues, and some excess funds requests; or
- Budget changes (adding funds to award/non-closeout deobligation of funds).

FEMA will only consider amendments submitted via FEMA GO. These requests must contain specific and compelling justifications for the requested change. Amendments or changes to the scope of work may require additional EHP review. FEMA strongly encourages recipients to expend grant funds in a timely manner, to be consistent with AFG Program goals and objectives. All amendments require recipients to maintain an active SAM.gov registration.

NOTE: A recipient may deobligate (i.e., return) unused funds (i.e., those remaining funds previously drawn down via payment request and/or remaining award funding that was never requested) to DHS/FEMA prior to the end of an award's period of performance. To exercise this option, a recipient must submit an amendment via FEMA GO and state in the amendment that the unliquidated funds (i.e., the funds to be returned) are not necessary for the fulfillment or success of the grant's obligations or mission. The recipient must also indicate in the amendment that it understands that the returned funds will be deobligated and unavailable for any future award expenses. Deobligation of funds will decrease the federal portion of the grant and the amount of the recipient's Cost Share obligation. FEMA will confirm deobligation amendments with all points of contact; after confirmation of the recipient's intent to deobligate, FEMA will hold the approved deobligation request for 14 days as a period for recipient reconsideration before FEMA processes the deobligation request. The deobligation of funds cannot be reversed.

h. ***Disposition of Grant Funded Equipment***
A recipient must use, manage, and dispose of AFG Program-funded equipment in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. § 200.313. With the exception of

state governments, when original or replacement equipment acquired under an AFG award is no longer needed for the original project, program, or other activities currently or previously supported by a federal awarding agency, the recipient must request disposition instructions from FEMA. FEMA strongly recommends contacting a Regional FPS or the AFG Program Help Desk prior to the disposition of AFG Program funded equipment, to include vehicles.

QUOTE

RHINEHART FIRE SERVICES

DATE 11/13/2024

22 Piney Park Rd., Asheville NC 28806
Office 828-273-1789
Cell Phone 704-604-2492
jody@rhinehartfire.com

EXPIRATION DATE 5/22/2025

TO CITY OF MOUNT HOLLY FIRE DEPARTMENT
ATTN CHIEF BAKER

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
JODY BROWN	SCBA & COMPRESSOR BUDGET	NET 10	

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
45	SCOTT X3-PRO SCBAS THREADED CONNECTIONS, 5.5, INCLUDES BACKFRAME, QUICK CONNECT REGULATOR, UNIVERSAL BUDDY BREATHING, TWO 5500PSIG THREADED CONNECTION CARBON CYLINDERS 30 MINUTE DURATION CAPACITY, WITH AV3000HT MASK	10750.00	483750.00
2	SCOTT FAST ATTACK MEDIUM RIT PAKS WITH 90 DEGREE 45 MINUTE 5500PSI RIT CYLINDER WITH RIGHT ANGLE VALVE	3700.00	7400.00
1	SCOTT RIT PAK III 5500PSIG WITH 90 DEGREE 60 MINUTE 5500PSI RIT CYLINDER WITH 90 DEGREE RIGHT ANGLE VALVE	5200.00	5200.00

OTHERLESS NOTED ABOVE PRICES DO NOT INCLUDE ANY APPLICABLE TAX

OR SHIPPING CHARGES

SUBTOTAL	496350.00
SALES TAX	34744.50
TOTAL	531094.50

Quotation prepared by: JODY BROWN REGIONAL SALE PERSON RHINEHART FIRE SERVICES, INC._____

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here and return: _____

THANK YOU FOR YOUR BUSINESS!

CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 18, 2024

COUNCIL CHAMBERS

7:00 PM

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm. The following were present:

Mayor David Moore	Jonathan Blanton, City Manager
Mayor Pro Tem Lauren Shoemaker *Absent*	Brian DuPont, Assistant City Manager
Councilman Ivory Craig	Alexis Hines, Human Resources Director
Councilman Jeff Meadows	Brian Reagan, Police Chief
Councilman Bryan Hough	Greg Beal, Planning Director
Councilwoman Phyllis Harris	Ryan Baker, Fire Chief
Councilman Kenneth Reeves	Robert Stewart, Deputy Utilities Director
Marie M. Anders, City Attorney	Mark Jusko, Recreation Supervisor
Tara Douglas, City Clerk	Michelle Wood, Finance Director
	Matt Black, Economic Development Director
	Jason Green, Public Works Director

INVOCATION

Pastor Jesse Fields from Restoration and Deliverance Ministries led the Council, staff, and attendees in prayer.

PLEDGE OF ALLEGIANCE

Boy Scout Troop 59 led the Council, staff, and attendees in the Pledge of Allegiance.

SET THE AGENDA

Mayor Moore moved item #6 Approval of a Contract to Purchase a portion of Real Property located at 101 Beaty Road, Tax Parcel #184344 to New Business item #1. With no other changes, Mayor Moore entertained a motion to approve the agenda as presented.

Motion: Councilman Meadows made a motion to approve the agenda as presented. Councilman Craig seconded the motion.

All Council members present voted in favor. (Motion Carried)

CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 18, 2024

COUNCIL CHAMBERS

7:00 PM

CONSENT AGENDA

1. Budget Amendments:
    - Ransom Hunter Park Construction
    - Approval to move 911 Revenue Funds for 911 Radion System Replacement
    - Approval to move Grant Funding from General Fund for 911 Radio System Replacement
2. Approval of a Proclamation recognizing November 30, 2024 as Small Business Saturday
3. Release of the Letter of Credit #IS000283097U posted May 16, 2022 for Imagery Phase 4, Map 1-4, lots 274-339.
4. Approval of awarding the Contract for Ransom Hunter Park Construction to J.D. Goodrum
5. Approval of Acceptance of NCDOT funds for Beaty Road Sidewalk and Drainage Project [Project #: EB-5748]
6. ~~Approval of a Contract to Purchase a portion of Real Property located at 101 Beaty Road, Tax Parcel #184344.~~
7. Approval of an application for the 2024-2025 NCLM Safety Grant for additional upgrades to the Public Works camera system.
8. Approval of Minutes from the October 28, 2024 Council Meeting
9. Approval of Minutes from the October 28, 2024 Closed Session

Mayor Moore entertained a motion to approve the Consent Agenda as presented.

Motion: Councilman Craig made a motion to approve the Consent Agenda as presented. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

PRESENTATION

1. Gaston County presents Gaston 250

Deputy Director of Communications, Dandria Bradley

Ms. Bradley presented Gaston 250 on behalf of Gaston County. Ms. Bradley explained that Gaston County will be celebrating America 250. Ms. Bradley stated that on July 4, 2026 America turns 250 years old. Ms. Bradley stated that the America 250 initiative was launched at the federal level and then pushed down to the state level. Ms. Bradley stated that North Carolina has its own America 250 initiative and from there, Gaston County was able to receive funding in

the amount of $10,000 in the first round of grants from the North Carolina Department of Natural and Cultural Resources to establish its own initiatives to celebrate America 250. Ms. Bradley stated that Gaston County has established a Gaston 250 Committee of forty (40) people and were recognized at a recent Board of Commissioners meeting. Ms. Bradley stated that Jane Kaylor was nominated as the Chairperson for this committee and that she is the local history and genealogy supervisor at the Gaston County Public Library**.** Ms. Bradley stated that there has been a website and logo created for people to begin to gain information from. Ms. Bradley stated that there will be a video series celebrating Gaston County's history. Ms. Bradley stated that the grant will be used to create promotional and branding items. Ms. Bradley stated that there will be multiple initiatives leading up to July 4, 2026.

2. Veterans Park Proposal from North State Development

Rachel Krenz and Shane Seagle

North State Development stated that the group will be presenting a very preliminary thought process and plan for where they are. Ms. Krenz discussed that this project will enhance the City's core values. Ms. Krenz stated that this project will be impactful to the City of Mount Holly's downtown. Ms. Krenz reviewed the current challenges to this project. Ms. Krenz discussed the need for a Memorandum of Understanding and Development Agreement to progress the work. Ms. Krenz discussed that significant resources would be required to complete the due diligence and kick-off the design process.

Councilman Meadows stated that we recognize that the creativity of the private sector is greater than that of the public sector and we have done our best to create an invitation that allows folks to come in and do what they do and for us to be a part of but stay out of the way as much as we can. Council Meadows went on to say that we had anticipated a conditional rezoning on this site, but we did not know what to take it to or what to address and height is one of those things that we have talked about. Councilman Meadows shared that the Council has discussed synthetic TIF (Tax Increment Financing) and other options for creative financing. Councilman Meadows stated that he is excited about where we are in the process and that he recognizes the economic challenges are real, but that he believes that this can be a real change for the downtown. The Mayor and Council thanked the team from North State Development for being here tonight.

CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, NOVEMBER 18, 2024

COUNCIL CHAMBERS

7:00 PM

PUBLIC HEARING

1. Public Hearing to amend Section-15.5 (Penalties for Violation) of the Zoning Ordinance to reference Section 10.99 in the recently updated City Code of Laws-which would remove outdated references to the City Code of Laws found in the Zoning Ordinance to ensure that zoning violation letters are defensible. Case # TA-24-6.

Josh Blackwell

Mr. Blackwell stated that the purpose of this public hearing is to remove an outdated City Code of Laws reference in the Zoning Ordinance to ensure fines for zoning violations are defensible. Mr. Blackwell stated that the reference will be replaced with a reference to the current City Code of Laws Section 10.99 "General Penalty." Mr. Blackwell stated that this will codify a civil fine of $50 per day for violations of the Zoning Ordinance.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

Motion: Councilman Craig made a motion to go out of the regular meeting and into the public hearing. Councilman Meadows seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there is no one signed up to speak at the public hearing. With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilwoman Harris made a motion to go out of the public hearing and back into the regular meeting. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Meadows made a motion to amend Section-15.5 (Penalties for Violation) of the Zoning Ordinance to reference Section 10.99 in the recently updated City Code of Laws-which would remove outdated references to the City Code of Laws found in the Zoning Ordinance to ensure that zoning violation letters are defensible. Case # TA-24-6. Councilman Reeves seconded the motion.

2. Continuation of a public hearing to amend Section 3.26, Section 6.1, and Chapter 7 of the Zoning Ordinance to permit ADUs in the City and to establish policies to regulate them. Case #TA-24-7. ***Paul Lowe***

Mr. Lowe stated that staff is seeking to add the use of accessory dwelling units (ADUs) to the City's Table of Permitted Uses to expand the housing choices that are available in the City, while providing residents more options to take care of aging/disabled loved ones or be provided with supportive care to allow them to stay in their homes. Mr. Lowe stated that if approved, this proposal would allow ADUs to be permitted in the City, while providing specifications to regulate the added use. Mr. Lowe discussed some of the regulations that would apply to the proposed use to include only one ADU permitted per lot, ADUs must be permitted and served by City services, ADUs can be occupied by family members of the owner of the principal dwelling or by caregivers who assist the occupant(s) of the principal dwelling to stay in their home, and parking shall be provided internally within lots that are proposing to add an ADU.

Mr. Lowe stated that the Planning Commission voted unanimously to recommend approval of this matter as written at their November 4, 2024 meeting. Mr. Lowe stated that the staff recommend approval as written.

Councilman Meadows stated that when you are writing public policy one of the challenges that you have is making sure that it is enforceable and adding this family element is going to be difficult to enforce and that he is not in favor of this element. Councilman Meadows also stated that he does not understand how the parking restrictions listed would be enforced on an existing single family. Councilman Meadows stated that he took issue with the argument that was made that we are trying to keep with single family character. Councilman Meadows stated that if you want to keep with single family character, you do not pass this at all. Councilman Meadows stated that the rental restriction would be challenging since we already allow Airbnb rentals. Councilman Meadows stated that he is not for the first version but would be for the second version.

Mrs. Anders stated that there were some alternatives provided in the agenda packet listed in section A-4 regarding parking and an alternative provided for A-7 regarding the occupancy. Mrs. Anders stated that she agrees that the City could not disallow legally the rental of ADUs completely with some appeals cases that have come out. Mrs. Anders stated that we have learned that cities are allowed to regulate in some manner short-term rentals.

Councilman Meadows expressed concern that we currently have an Airbnb ordinance on the books, and this would have us placing a restriction on one type of unit that we are not putting in place for another type of unit that would open us up to potential legal challenges. Councilman

Meadows stated that he would be in favor of less restriction around this topic and adjust restrictions if needed as case law presents itself.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

Motion: Councilman Craig made a motion to go out of the regular meeting and into the public hearing. Councilman Hough seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there is no one signed up to speak at the public hearing. With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilman Hough made a motion to go out of the public hearing and back into the regular meeting. Councilwoman Harris seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Meadows made a motion to approve the permitting of ADUs with wording that does not restrict family members, does not restrict the parking, and does not restrict the rental use. Councilman Craig seconded the motion.

Councilmembers voted 4-1 with Councilman Reeves voting Nay. (Motion Carried)

3. Public hearing to amend Chapter 5, Schedule of District Regulations, of the Zoning Ordinance to add a new Section 5.0, which would house a table that will provide an overview of the required dimensional standards for the City's various zoning districts, Case # TA-24-8. ***Priscilla Park***

Ms. Park stated that this proposed text amendment has been submitted by staff which would add a table to create a new section 5.0 of the Schedule of District Regulations that would provide an overview of the dimensional requirements in the City's various zoning districts. Ms. Park stated that though specifications for setbacks are currently listed in the various sections of Chapter 5, staff feels that taking theses references and creating a table that can be added to this area will help our customers and staff to better present this information while making comparisons between various district requirements easier. Ms. Park explained that having our current zoning requirements in a table format would improve the readability of our Ordinance while allowing our customers to easily compare districts and their associated standards. Ms. Park stated that the Planning Commission voted to provide a favorable recommendation to City Council concerning

the proposed text amendment during their November 4, 2024 meeting and staff is recommending approval as well.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

Motion: Councilman Meadows made a motion to go out of the regular meeting and into the public hearing. Councilwoman Harris seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there is no one signed up to speak at the public hearing. With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilman Hough made a motion to go out of the public hearing and back into the regular meeting. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Meadows made a motion to amend Chapter 5, Schedule of District Regulations, of the Zoning Ordinance to add a new Section 5.0, which would house a table that will provide an overview of the required dimensional standards for the City's various zoning districts, Case # TA-24-8. Councilman Hough seconded the motion.

All Council members present voted in favor. (Motion Carried)

4. Public hearing to amend Section 9.9A, Signs Permitted by Specific Zone, of the Zoning Ordinance to add a table which will provide an overview of the permitted signage allowed in each of the City's zoning districts, Case # TA-24-9. ***Brandon Livingston***

Mr. Livingston stated that this proposed text amendment would add a table to section 9.9 A of the Zoning Ordinance which will provide an overview regarding the permitted signs and regulations that are associated with each zoning district in the City. Mr. Livingston stated that this text amendment will allow for enhanced readability and greater clarity in this section of the ordinance. Mr. Livingston stated that the Planning Commission made a unanimous and favorable recommendation during their meeting on November 4, 2024 and staff is recommending approval of the proposed text amendment.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

Motion: Councilman Meadows made a motion to go out of the regular meeting and into the public hearing. Councilwoman Harris seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there is no one signed up to speak at the public hearing. With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilman Hough made a motion to go out of the public hearing and back into the regular meeting. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Hough made a motion to amend Section 9.9A, Signs Permitted by Specific Zone, of the Zoning Ordinance to add a table which will provide an overview of the permitted signage allowed in each of the City's zoning districts, Case # TA-24-9. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

5. Public hearing to amend Section 5.6B 2-6 & 8, R-8 MF-Multi-Family Residential District, of the Zoning Ordinance to provide a lot width for townhomes, while making required standards for both single family homes and townhomes clearer, Case # TA-24-10. ***Brandon Livingston***

Mr. Livingston stated that this proposed text amendment would provide a minimum lot width for townhomes, while making the required standards for single family homes, and townhomes which are both permitted uses in this zoning district clearer. Mr. Livingston stated the standards for both townhomes and single-family homes overlap, and this amendment would correct this. Mr. Livingston stated that the Planning Commission made a unanimous and favorable recommendation during their meeting on November 4, 2024 and staff is recommending approval of the proposed text amendment.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

Motion: Councilman Hough made a motion to go out of the regular meeting and into the public hearing. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there is no one signed up to speak at the public hearing. With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilman Craig made a motion to go out of the public hearing and back into the regular meeting. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Hough made a motion to amend Section 5.6B 2-6 & 8, R-8 MF-Multi-Family Residential District, of the Zoning Ordinance to provide a lot width for townhomes, while making required standards for both single family homes and townhomes clearer, Case # TA-24-10. Councilwoman Harris seconded the motion.

All Council members present voted in favor. (Motion Carried)

6. Public Hearing to consider a proposed text amendment to Chapter 6.5 Retail Trade Uses, as well as Chapter 3.26 Definitions, in the Zoning Ordinance, to allow for the retail sale of prepared foods in the Office & Institutional (O&I) Zoning District, as submitted by Kristen Robeson. ***Greg Beal***

Mr. Beal stated that Ms. Kristen Robeson of Pies and Sides signed a lease agreement for the former State Farm Office, owned by Dr. Oblinger, located at 247 West Catawba Avenue, Parcel ID# 313233. Mr. Beal stated that the purpose of her signing a lease was to utilize this building as office and meeting space as well as the storage of office files for her business Pies and Sides which is located at 1015 West Catawba Avenue Unit B, Mount Holly, in Gaston County's zoning jurisdiction. Mr. Beal stated that while all of these uses are allowed at 247 West Catawba Avenue, as the zoning is Office and Institutional (O&I), the retail sale of prepared food is not allowed at this location. Mr. Beal stated that this text amendment would first define prepared food sales in Section 3.26 of the Zoning Ordinance to read and be defined as food that has been prepared offsite, including frozen and/or heated foods, and is available for retail sale to the public at another place of business. Mr. Beal stated that the proposed text amendment would also allow Prepared Food Sales in the Table of Permitted and Special Uses for the O&I District under section 6.5 Retail Trade Uses in the Zoning Ordinance. Mr. Beal stated that the Planning Commission had a special meeting today and recommend a favorable approval to the City Council.

Councilman Meadows asked if this would be applicable in any of the zoning districts listed? Mr. Beal stated that this is specific to the Office and Institutional (O&I) district and that it is already applicable in B1, B2, and B3. Councilman Meadows confirmed with Mr. Beal that this would be consistent with the table of other uses with similar uses. Mr. Beal stated that staff are recommending approval.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

Motion: Councilman Craig made a motion to go out of the regular meeting and into the public hearing. Councilman Hough seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there is no one signed up to speak at the public hearing. With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilwoman Harris made a motion to go out of the public hearing and back into the regular meeting. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Hough made a motion to amend to Chapter 6.5 Retail Trade Uses, as well as Chapter 3.26 Definitions, in the Zoning Ordinance, to allow for the retail sale of prepared foods in the Office & Institutional (O&I) Zoning District, as submitted by Kristen Robeson**.** Councilman Meadows seconded the motion.

All Council members present voted in favor. (Motion Carried)

PUBLIC COMMENT-Three (3) Minute Limit

No one signed up to speak at public comment.

OLD BUSINESS

1. Update on Duke Riverbend Access Day Use Area ***Mark Jusko***

Mr. Jusko stated this is a follow up to the October 28, 2024 meeting. Mr. Jusko stated that City staff met with Duke Energy on October 30, 2024 regarding the fee structure and the cost share analysis. Mr. Jusko stated that he has included some information on what Duke Energy considers

reasonable and customary as far as fees to charge and that Duke Energy stated that the reasonable fee per car for the area would be around $10 per car. Councilman Meadows confirmed that the analysis that Council has stated $7 per car and asked if this cost had been plugged in to see what that did to the gap on the operating expenses each year? Mr. Jusko stated that this amount raised the revenue by $30,000. Mr. Blanton stated that the City would still be running at a deficit of approximately $144,000.

Councilman Meadows stated that he would like to have Police Chief Reagan's opinion as to who should be in control of the area. Councilman Hough stated that the City will be paying for the public safety regardless of who is controlling the area. Councilman Hough stated that if the City is controlling the area, the area would be safer and cleaner, but he would have to let Police Chief Reagan speak to the specifics of this. Mayor Moore agreed with Councilman Hough and stated that his concern is the financial gap. Councilman Meadows stated that he thinks that this opportunity is a key element in our Parks and Recreation Program and that we would be remiss to only look at the financial gap. Mayor Moore stated that he would like to see us have a conversation with Gaston County to see if we could work together on this project. Councilman Meadows suggested that the Council direct staff to speak with Gaston County. Mr. Blanton stated that he has had some informal conversations with Gaston County and so far, has not been able to find an appetite on the matter, but that we will certainly continue to speak with them to see if there is any possibility of a partnership between Mount Holly and Gaston County. Councilman Meadows stated that he is cautiously optimistic that it will work but does not feel that we have enough information to move towards this type of commitment. Councilman Meadows stated that he is currently not for this or against it at this time. The consensus of the Council is to continue to inquire more information on the topic.

NEW BUSINESS

1. Approval of a Contract to Purchase a portion of Real Property located at 101 Beaty Road, Tax Parcel #184344**.** ***Marie Anders***

Mrs. Anders stated that she, Mr. Blanton, and Mr. Kline have drafted a proposed agreement for the purchase and sale of land for the establishment of a new fire station. Mrs. Anders stated that this would be 1.3981 acres that is on Beaty Road and is a portion of Tax Parcel #184344. Mrs. Anders stated that the proposed purchase price is $433,000 closing would be on or before 60 days of when the contract is signed by both parties with a 14-day due diligence period. Mrs.

Anders stated that there is an exhibit that is a survey of the site. Mrs. Anders stated that this is the site of the Catawba Heights Wesleyan Church/Crossroads Church, and this is an open portion of that site with lot number two being the portion under consideration. Mrs. Anders stated that there is an amendment to the Exhibit B that went out with your agenda packets at your seats that provides some provisions that amend the standard boiler plate offer to purchase contract. Mrs. Anders stated that the amendment shows that the obligation to close would be conditioned upon subdividing this lot from the remainder of the site which would have to happen before the closing date of 60 days after the second party has signed. Mrs. Anders stated that there is a paragraph three stating that this is something that their attorney added and that there is some storm water drainage related improvements including a flume and some riprap on the northeast corner of this proposed property and partially located on the remaining portion of the site and so at closing, the parties would execute a mutual easement in a form acceptable to the seller for both parties to continue to use that existing drainage related improvements as it is currently installed. Mrs. Anders stated that this is the proposed agreement before the Council for consideration. Councilman Meadows asked if this agreement could happen in 60 days? Mrs. Anders stated that she believes that it can.

Motion: Councilman Meadows made a motion to approve the Contract to Purchase a portion of Real Property located at 101 Beaty Road, Tax Parcel #184344**.** Councilwoman Harris seconded the motion.

All Council members present voted in favor. (Motion Carried)

2. Manager Report ***Jonathan Blanton***

Mr. Blanton stated that he would like to thank the Council and every member of the community that has been participating in our Core Value Video Series. Mr. Blanton stated that we have had a wonderful time showcasing the great things that are happening here in Mount Holly. Mr. Blanton stated that we have released two of those videos with the third set to be released in December. Mr. Blanton thanked Mayor Moore, City Councilmembers, Mount Holly local businesses, and local residents for their participation.

Mr. Blanton stated that the Administrative Offices will be closed on November 28 through November 29, 2024 for the Thanksgiving Holiday. Mr. Blanton stated that there will be no delay in residential garbage pickup. Mr. Blanton wished everyone a Happy and Safe Thanksgiving.

Mr. Blanton reminded everyone of all of the upcoming Christmas festivities happening prior to the next Council Meeting on December 9, 2024. Mr. Blanton listed the following activities:

Mount Holly Community Choir performing on Sunday, December 1, 2024 at Grace Baptist Church. Mount Holly Miracle on Main Tree Lighting on Friday, December 6, 2024. Enchantment in the Garden will be on Saturday, December 7, 2024.

Mr. Blanton stated that the Ransom Hunter Park was approved tonight to J.D. Goodrum. Mr. Blanton stated that we are excited to see this park project come to fruition. Mr. Blanton updated the Council that the City is still working with our friends in Raleigh to secure our PARTF grant which will cover a portion of those proceeds. Mr. Blanton stated that we are excited to work with J.D. Goodrum again as they assisted the City with the Memorial Plaza here at the Municipal Complex.

Mr. Blanton stated that we are moving full speed ahead with the construction of the new Fire Department with the acquisition of the property.

CLOSED SESSION

1. Closed Session Pursuant to N.C.G.S 143-318.11 (a) (3 and 5)

Mayor Moore entertained a motion to go out of the regular meeting and into closed session pursuant to N.C.G.S 143-318.11 (a) (3 and 5).

Motion: Councilwoman Harris made a motion to go out of the regular meeting and into closed session at 8:18 pm. Councilman Hough seconded the motion.

All Council members present voted in favor. (Motion Carried)

Motion: Councilman Hough made a motion to come out of closed session and back into the regular meeting at 8:50 pm. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

ADJOURN

With no additional items for discussion, Mayor Moore entertained a motion to adjourn the November 18, 2024 City Council meeting.

Motion: Councilwoman Harris made a motion to adjourn the November 18, 2024 City Council meeting at 8:50 pm. Councilman Hough seconded the motion.

All Council Members present voted in favor. (Motion Carried)

The meeting adjourned at 8:50 pm.

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Tara Douglas, City Clerk City Clerk

Agenda Item to be considered # 12

Approval of Minutes from November 18, 2024 Closed Session

Will this require a public hearing?

No

Background/Purpose of Request

Per the internal staff policy shared with Council, approval of closed session minutes will be part of the consent agenda. A copy of the minutes will be provided under a separate cover to the Council as part of the closed session information packet.

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

None

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Alexis Hill, Human Resources Director Human Resources

Agenda Item to be considered # 1

Employee Years of Service Recognition

Will this require a public hearing?

No

Background/Purpose of Request

Each year we want to recognize employees for their years of service with the City of Mount Holly.

Fiscal Impact

Will Item affect current budget?	NA
Reviewed by Finance Director?	NA
Preaudit Certification Required?	NA
Capital Project Ordinance Required?	NA
Budget Transfer Required?	NA
Total City Dollars:	NA
Budget Code:	
	NA
Reviewed by City Attorney?	NA

Manager/Staff Recommendation

Attachments

1. Years of Service Attachment

Employee:	Department:	Years of Service:
Tammy Earney	Police	25
Michelle Nichols	Police	20
Ralph Hall	Streets and Solid	20
Clint Laughlin	Fire	20
Mike Martin	Water	20
Becky Conder	Finance	20
Tony Walker	Police	20
Jason Black	Fire	15
Timothy Treece	Fire	15
Jerry Arthurs	Police	15
Chris Riddle	Fire	15
Patrick Brittain	Streets and Solid	10
Madison Massey	Water	10
Austin Cox	Police	10
Sean Helman	Police	5
Haley Helton	Police	5
Jacob Bonnin	Fire	5
Patrick Craig	Fire	5
Brian Baldwin	Streets and Solid	5
Joseph Griffin	Police	5
Zechariah Wiggs	Fire	5
Brandon Potts	Fire	5
Blake Buchanan	Fire	5

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Craig Spry, Deputy Fire Chief Fire Department

Agenda Item to be considered # 2

Swearing in of Fire Captains Gaetano Leone and Hayden Kish

Will this require a public hearing?

No

Background/Purpose of Request

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. Fire Captain Oath

Fire Captain

Hayden Kish, and Gaetano Leone

Do you solemnly swear that you will support and defend the Constitution of the United States of America and the State of North Carolina against all enemies, both foreign and domestic, and you will faithfully and impartially discharge your duties as a Captain of the City of Mount Holly Fire Department under the appointment of the City of Mount Holly to the laws of the North Carolina to the best of your skills and abilities, so help you God.

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Craig Spry, Deputy Fire Chief Fire Department

Agenda Item to be considered # 3

Swearing in of Battalion Chiefs Blake Buchanan, Justin Westbrook, and Patrick Mayhew

Will this require a public hearing?

No

Background/Purpose of Request

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. Battalion Chief Oath

Battalion Chief

Justin Westbrook, Patrick Mayhew, Blake Buchanan

Do you solemnly swear that you will support and defend the Constitution of the United States of America and the State of North Carolina against all enemies, both foreign and domestic, and you will faithfully and impartially discharge your duties as Battalion Chief of the City of Mount Holly Fire Department under the appointment of the City of Mount Holly to the laws of the North Carolina to the best of your skills and abilities, so help you God.

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Michelle Wood, Finance Director Finance

Agenda Item to be considered # 4

Martin Starnes Audit Presentation

Will this require a public hearing?

No

Background/Purpose of Request

Presentation of the 2023-2024 Audit to the City Council

Fiscal Impact

Will Item affect current budget?	No
Reviewed by Finance Director?	Yes
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	
Budget Code:	
Reviewed by City Attorney?	

Manager/Staff Recommendation

Presentation

Attachments

1. Martin Starnes Audit Presentation

City of Mount Holly

2024 Audited Financial Statements

MARTIN STARNES & ASSOCIATES, CPAs, P.A.

1

Audit Highlights

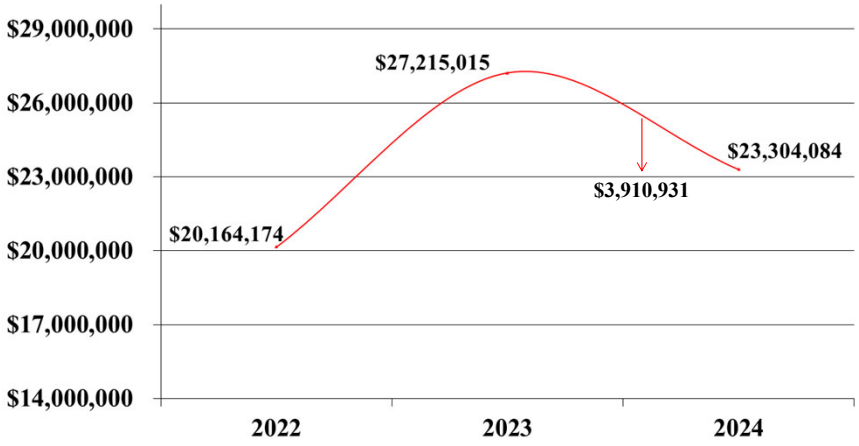
- UNMODIFIED OPINION ON FINANCIAL STATEMENTS
- COOPERATIVE STAFF

MARTIN STARNES & ASSOCIATES, CPAs, P.A.

2

2

TOTAL FUND BALANCE – GENERAL FUND



MARTIN STARNES & ASSOCIATES, CPAs, P.A. 3

3

FUND BALANCE

- Serves as a measure of the City's financial resources available.
  - (Assets + Deferred Outflows) - (Liabilities + Deferred Inflows) = Fund Balance/Net Position

5 Classifications:

- **Nonspendable** - not in cash form (inventory)
- **Restricted** - external restrictions (laws, grantors)
- **Committed** - internal constraints at the highest (Council) level - do not expire, require Council action to undo
- **Assigned** - internal constraints, lower level than committed
- **Unassigned** - no external or internal constraints

MARTIN STARNES & ASSOCIATES, CPAs, P.A. 4

4

Fund Balance Position – General Fund

❑ Total Fund Balance	$23,304,084
❑ Nonspendable	- 141,872
❑ Restricted fund balance	- 4,183,803
❑ Committed fund balance	- 1,527,067
❑ Assigned fund balance	- 5,933,585
❑ Unassigned fund balance	$ 11,517,721
❑ Unassigned fund balance 2023	$ 18,463,432
❑ Decrease in unassigned FB	6,939,758

MARTIN ♦ STARNES & ASSOCIATES, CPAs, P.A. 5

5

Available Fund Balance

Available fund balance as defined by the Local Government Commission (LGC) is calculated as follows:

Total Fund Balance
Less: Non spendable (not in cash form, not available)
Less: Powell Bill (restricted by grantor, not available)
Less: Stabilization by State Statute (by state law, not available)
Available Fund Balance

This is the calculation utilized as the basis for comparing you to other units and calculating your fund balance percentages.

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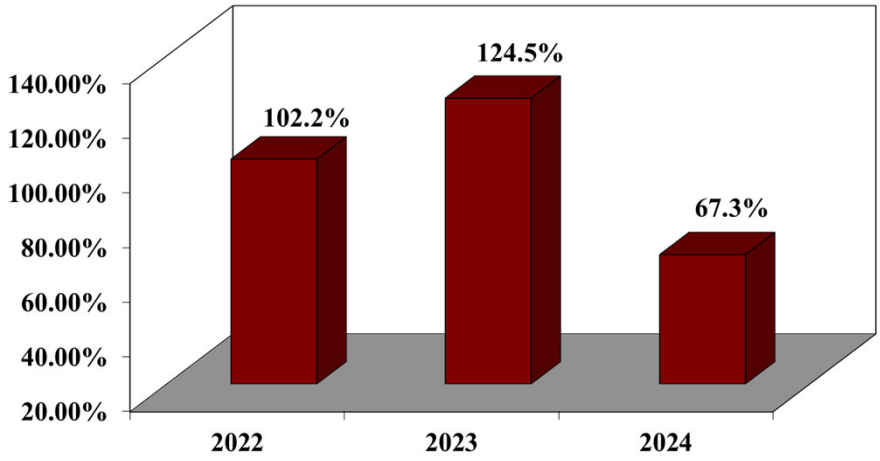
6

AVAILABLE FUND BALANCE AS A PERCENT OF EXPENDITURES AND TRANSFERS TO OTHER FUNDS - GENERAL FUND



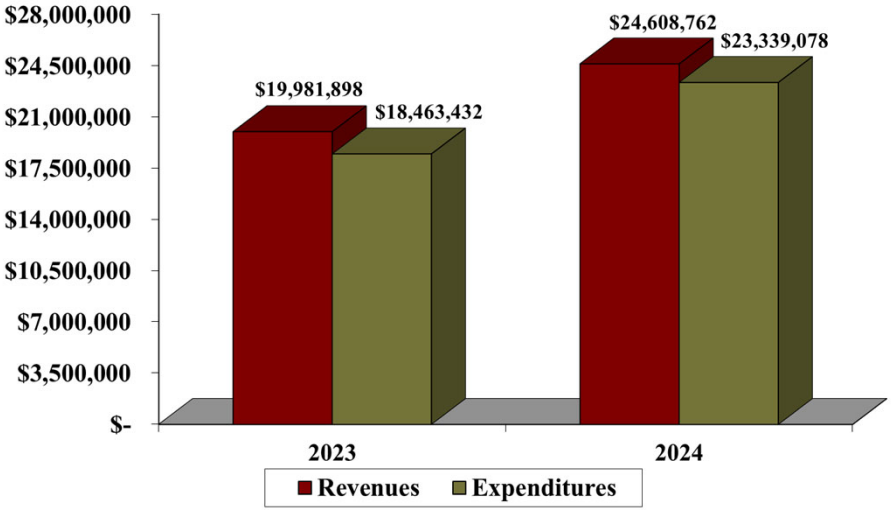
7

2-YEAR COMPARISON – GENERAL FUND

	2023	2024
Available Fund Balance less Powell Bill	$ 22,983,618	$ 19,187,731
Total Exp+Trans out less proceeds	18,463,432	28,520,142
Avail FB/Total Exp+Trans out	124.48%	67.28%

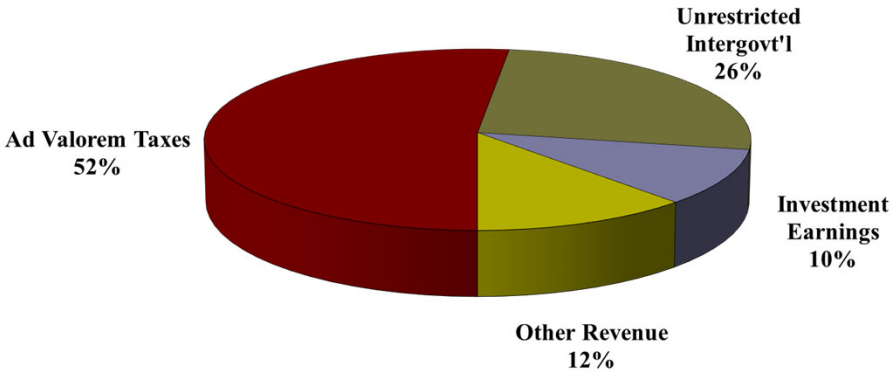
8

General Fund Summary



9

Top 3 Revenues: General Fund

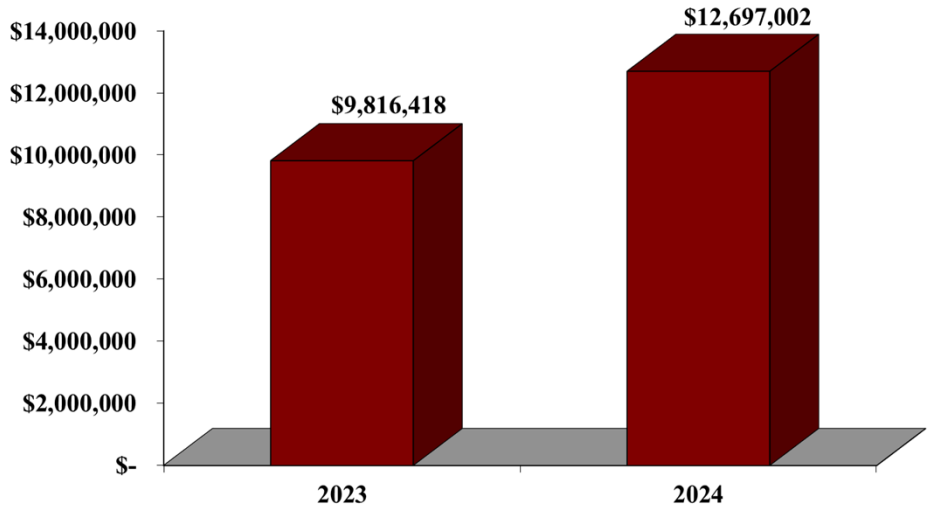


Other Revenues:
Other taxes and licenses
Permits and fees
Sales and services
Restricted intergovernmental
Miscellaneous revenues

Revenues Total: $24,608,762

10

AD VALOREM TAXES

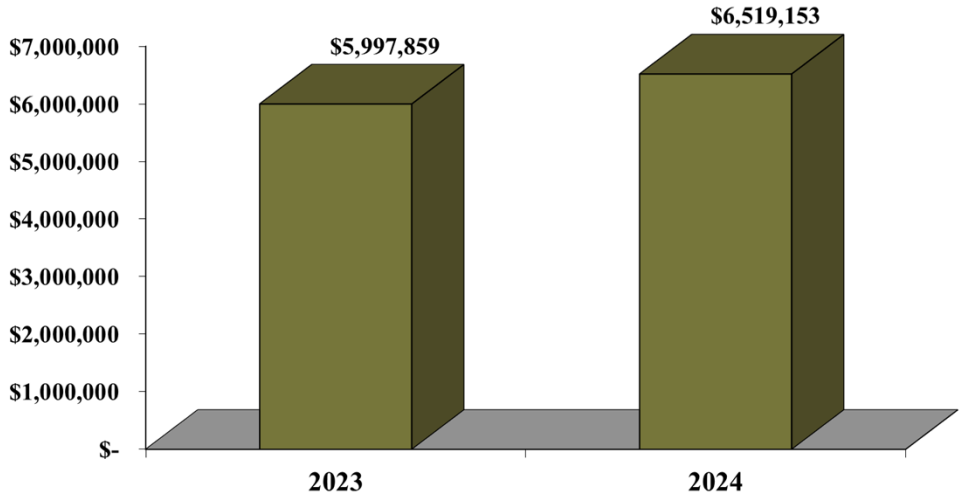


MARTIN STARNES & ASSOCIATES, CPAs, P.A.

11

11

UNRESTRICTED INTERGOVERNMENTAL



MARTIN STARNES & ASSOCIATES, CPAs, P.A.

12

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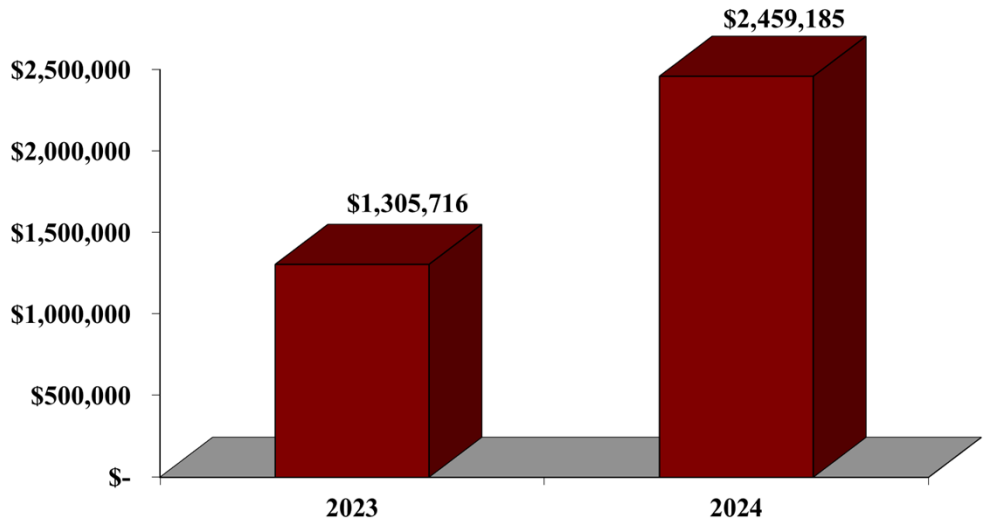
INVESTMENT EARNINGS



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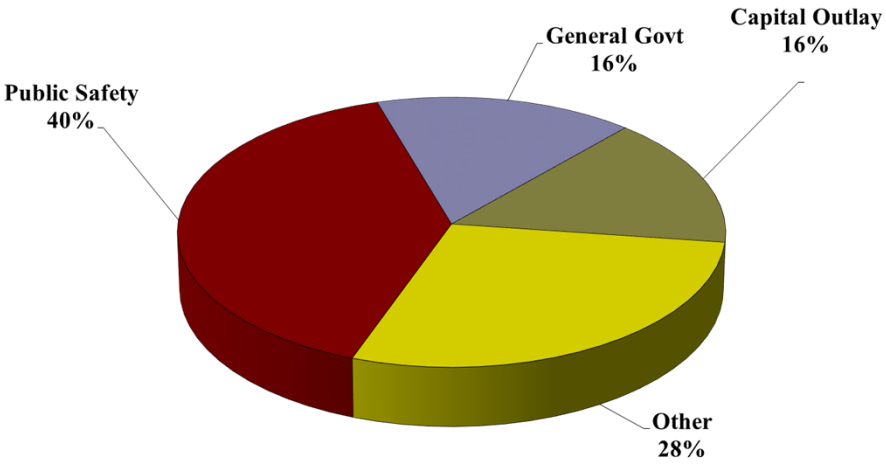
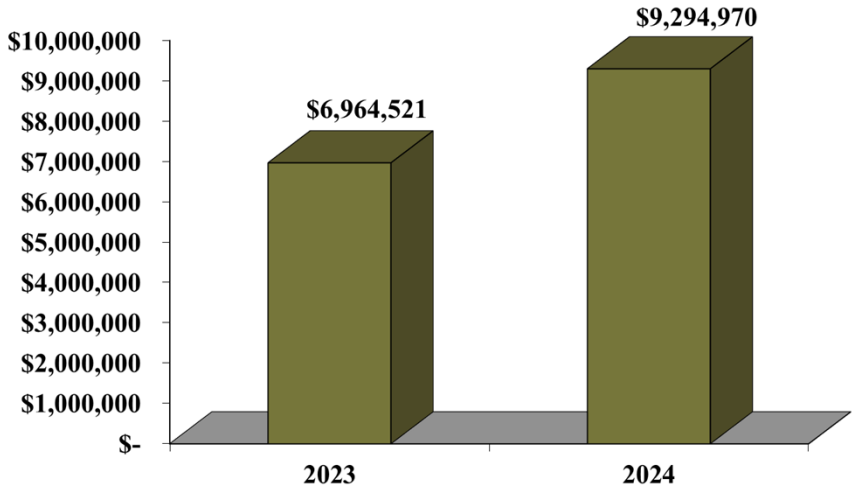
TOP 3 EXPENDITURES: GENERAL FUND



Expenditures Total $23,339,078

14

PUBLIC SAFETY



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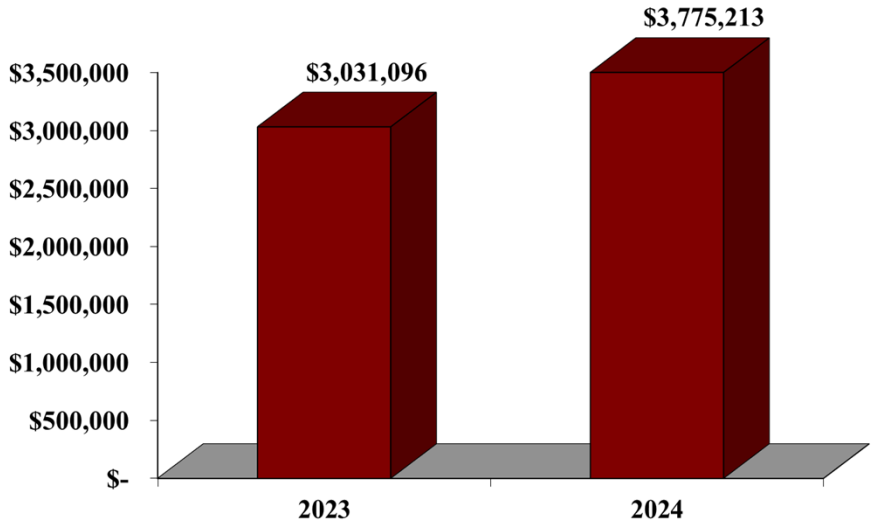
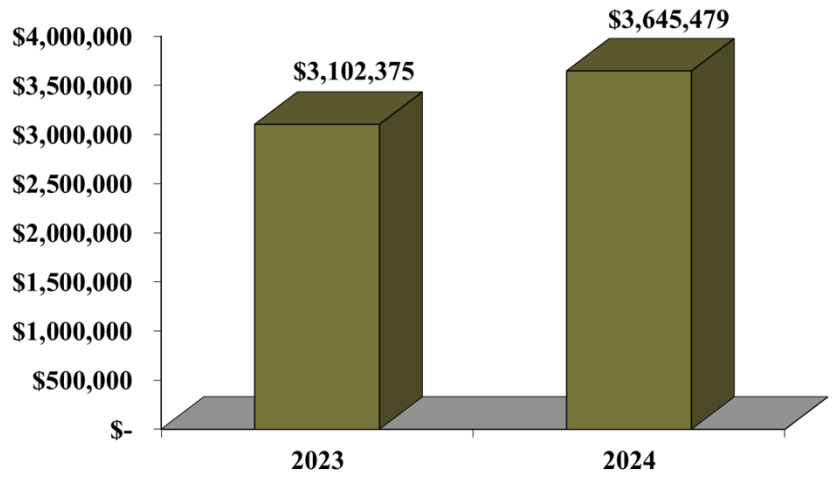
GENERAL GOVERNMENT



16

CAPITAL OUTLAY



MARTIN STARNES & ASSOCIATES, CPAs, P.A. 17

17

WATER AND SEWER FUND – RESULTS

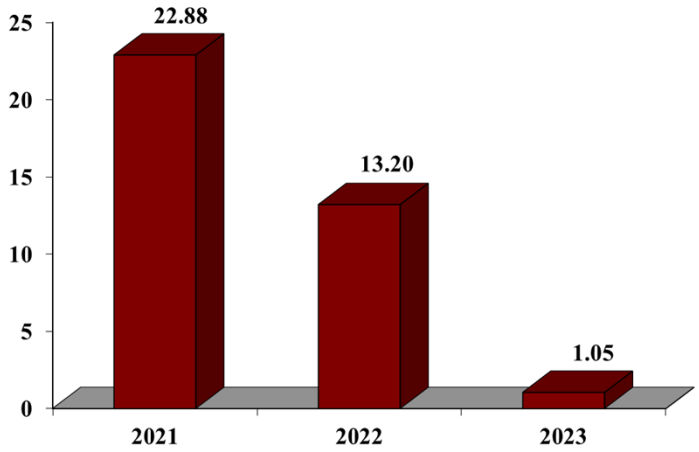
	2023	2024	Variance	%
Budgetary:				
Operating Revenues	$ 11,177,709	$ 11,542,626	$ 364,917	3%
Non-Operating Revenues	209,112	224,247	15,135	7%
Capital Outlay	(2,498,524)	(1,424,294)	1,074,230	-43%
Debt Service, including interest	(656,360)	(1,148,404)	(492,044)	75%
Other Expenditures	(7,687,735)	(7,743,708)	(55,973)	1%
Revenues over (under) expenditures	$ 544,202	$ 1,450,467	$ 906,265	167%
Full Accrual:				
Operating Income(loss)	$ 3,546,755	$ 2,849,518		
Unrestricted Net Position	13,783,387	14,909,571		

MARTIN STARNES & ASSOCIATES, CPAs, P.A. 18

18

3-Year Comparison – Water Sewer Funds

Quick Ratio – Liquid Assets/Current Liabilities



19

Water and Sewer Funds - Rate Calculations

	2022	2023	2024
Operating Net Income (Loss) excluding depreciation + debt service principal	$ 4,767,841	$ 5,343,176	$ 5,504,730
Unrestricted cash/total expenses less depreciation + debt service principal	214.35%	145.12%	169.00%

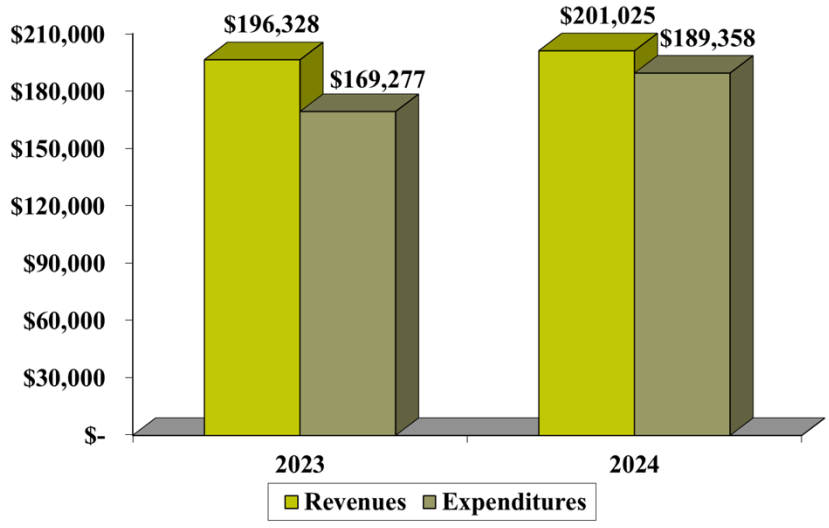
20

Financial Performance Indicators of Concern (FPIC)

- One performance indicator of concern in the CY
- Audit finding in the CY

21

TDA Summary



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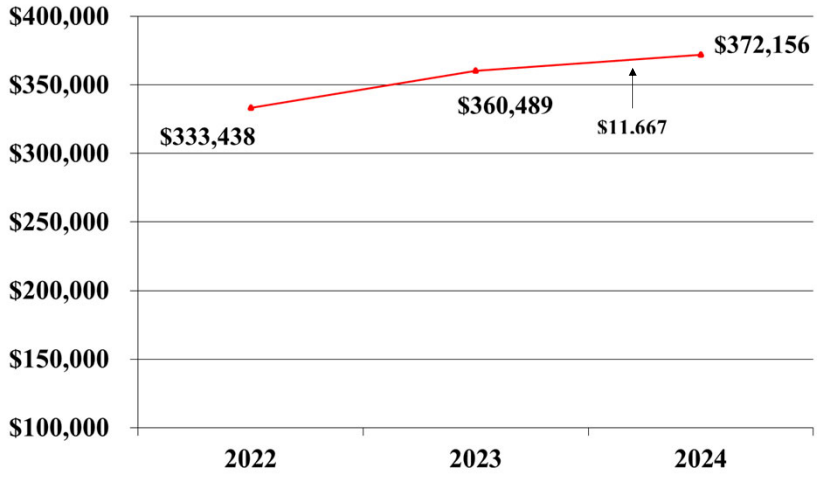
TOTAL FUND BALANCE



MARTIN STARNES & ASSOCIATES, CPAs, P.A. 23

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Questions?

Brandi Fesperman
(828)-327-2727
bfesperman@msa.cpa
www.msa.cpa

MARTIN STARNES & ASSOCIATES, CPAs, P.A. 24

24

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Mark Jusko, Parks and Rec Supervisor Parks and Recreation

Agenda Item to be considered # 1

Riverbend Access Area Discussion

Will this require a public hearing?

No

Background/Purpose of Request

This is a follow-up from the 11-18-24 City Council meeting regarding the possible lease by the City of Mount Holly of the Riverbend Access day use area. As you may recall, Duke Energy has provided the City a proposal to lease and manage the day-use area at the Riverbend Access once it is completed in 2026. The day use area is just north of the boat landing off Hwy. 16, and does not include the boat landing property. Duke Energy will be building this property even if the City does not decide to lease it. Duke has asked the City to sign the lease before the end of 2024. The day-use area will include a swim beach, trails, bank fishing, fishing pier, parking, and restroom facilities will be developed on this property north of the Hwy. 16 boat landing. The parking lot will include 106 spots. Duke Energy staff has been invited to the meeting and is expected to be in attendance if the City Council has any questions for them directly.

Fiscal Impact

Will Item affect current budget?	No
Reviewed by Finance Director?	No
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	
Budget Code:	
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Staff is looking for direction to pursue a lease with Duke Energy for the Riverbend Access day use area.

Attachments

1. riverbend access area 12-9 meeting

Mark Jusko <mark.jusko@mtholly.us>

RE: Riverbend Access Area Lease

1 message

Styer, Tami <Tami.Styer@duke-energy.com> Tue, Nov 19, 2024 at 2:15 PM
To: "Pardue, Ethan" <Ethan.Pardue@duke-energy.com>, "brian.dupont@mtholly.us" <brian.dupont@mtholly.us>, "mark.jusko@mtholly.us" <mark.jusko@mtholly.us>
Cc: "Snitker, Ryan" <Ryan.Snitker@duke-energy.com>, "Malton, Jill E." <Jill.Malton@duke-energy.com>, "Churchill, Christy" <Christy.Churchill@duke-energy.com>

Mark,

One other thing to note. The term of the lease would be until the expiration of the new license, which is until Oct 31, 2055 so at this point, it's 30 years. The license term granted by the FERC was for 40 years, not 50 but you will have an option to renew the lease once you get close to the expiration.

Let me know if you have questions.

Tami

Tami Styer, Senior Project Manager

Water Strategy, Hydro Licensing and Lake Services

525 South Tryon Street

Charlotte, NC 28202

704.641.3832

From: Styer, Tami
Sent: Tuesday, November 19, 2024 11:46 AM
To: Pardue, Ethan <Ethan.Pardue@duke-energy.com>; brian.dupont@mtholly.us; mark.jusko@mtholly.us
Cc: Snitker, Ryan <Ryan.Snitker@duke-energy.com>; Malton, Jill E. <Jill.Malton@duke-energy.com>; Churchill, Christy <Christy.Churchill@duke-energy.com>
Subject: RE: Riverbend Access Area Lease

Hi Mark,

As you know, me, Ethan Pardue, Ryan Snitker and Jill Malton attended the City Council meeting last night. Per our discussion after the meeting, I have a couple answers to some of the questions the Council members had.

First, the Town of Belmont was not offered the lease for the South Point Access Area because the property is not located in the Belmont city limits. Also, for the Riverbend AA, Duke Energy is paying for all the construction cost, unless you decide you want water and sewer and even then, the cost to the town

would be minimal, especially for a park on the water with 68 acres of land. We were glad to hear Chief Regan say that he would prefer the town have control of the site. Obviously, that's because having control of the site is going to make patrolling the site a lot less necessary. As councilman Hough stated, if the town does not lease and operate the site, your services will likely be responding as they are now. I don't think it is realistic for the council to think the lease would come with no cost to the town, given you are currently spending tax base $'s to support the site with the police presence that's there now. But the cost is minimal given the construction is covered by Duke Energy.

It sounds like the council would like to reach out to Gaston County to see if they would consider partnering with the town to operate the site. Christy Churchill on our staff has a great relationship with Gaston Co. and I've asked her to reach out to her contacts to see if that is something they would consider. Also, as Ryan mentioned, we would be happy to meet with a couple of council members to help answer all these questions and get to a decision. I cannot stress enough that we need to move forward with a decision to lease or not. Our schedule to complete by the end of 2026 is not flexible and we would like to have a decision before the end of the year and that is coming up fast. Please let me or Ethan know how we can help you and the City Council move forward with a decision.

Thank you!

Tami

DUKE ENERGY.

Tami Styer, Senior Project Manager

Water Strategy, Hydro Licensing and Lake Services

525 South Tryon Street

Charlotte, NC 28202

704.641.3832

From: Pardue, Ethan <Ethan.Pardue@duke-energy.com>
Sent: Friday, November 8, 2024 9:51 AM
To: brian.dupont@mtholly.us; mark.jusko@mtholly.us
Cc: Styer, Tami <Tami.Styer@duke-energy.com>; Snitker, Ryan <Ryan.Snitker@duke-energy.com>; Malton, Jill E. <Jill.Malton@duke-energy.com>
Subject: Riverbend Access Area Lease

Brian,

Thank you for meeting with representatives from Duke Energy last week to discuss the amenities and lease options at Riverbend Access Area. Action items from that meeting included providing the town a budget grade cost estimate for providing water and sewer to one building on the access area property for consideration of a cost share arrangement with the City. Our contractors have provided a rough estimate of $720,000 for a water line, sewer line, pump station and fire hydrant. We would entertain the installation of this system if the City leases the site and would agree to a substantial, mutually agreeable cost-share for the installed cost, including design, permitting and construction.

Also, you requested information about how Duke Energy would evaluate the fees charged by the City for public access to the Riverbend Access Area. As noted, all user fees must be reasonable and customary for the amenities provided on site. Duke Energy requires its lessees to submit an Operation Plan for Duke Energy's review and approval that would include proposed user fees. Please note that the FERC does not specifically approve proposed user fees. The approval comes from Duke Energy and user fees should not be exclusionary to any sector of the population that would use the facilities. The best way to determine reasonable and customary is to research what other parks in the surrounding area are charging for similar facilities. There are Duke Energy leased sites that have swim beaches that do not charge user fees, some that charge per person, and some that charge per car. There is flexibility to charge user fees in a way that works best for the city as long as the fees are reasonable and customary and is approved by Duke Energy prior to implementation.

Here are some examples of what we found:

- Parks charging per car averaged around $10. Some prices varied based on weekday vs weekend and county resident vs non-county resident, so there is some variability.
- Parks charging per person ranged from $0-$6 based on age and if they were a county resident or not. Typically, locals are provided a discounted rate and kids under the age of 5 are free.

Several of the sites used for determining these averages have more facilities than are currently planned at Riverbend, which needs to be considered when determining user fees. For example, hiking trails, beach volleyball, kayak launches, concession buildings and playgrounds are some of the additional amenities that are provided at the other parks and could be added by the lessee. Typically, user fees are not enough to cover O&M costs. In conversations with other lessees, tax revenue supplemented with rental equipment, concession stand sales, and campsite rentals are used to generate revenue and offset O&M costs.

We understand that you will be presenting this information to the City Council for additional discussion at the Council meeting on Nov 18th. We will plan to attend and will be available for questions if you need assistance. If you would like to discuss this prior to the council meeting, we can be available next week.

Thank you,

Ethan Pardue

DUKE ENERGY.

Water Strategy, Hydro Licensing & Lake Services

Recreation Project Manager

525 S. Tryon St., DEP – 35B | Charlotte, NC 28202

Office: 704 382-8308

Mobile: 336-469-3289

ethan.pardue@duke-energy.com

Riverbend Access Cost/Revenue Projections

City Council 10-28-24

Item	Occurrence	Year 1*	Year 2	Year 3
Parks & Recreation Maintenance staff	Annual	$ 200,400	$ 220,440	$ 242,484
Janitorial Supplies	Annual	$ 4,000	$ 4,400	$ 4,840
Empty of Septic Tank	Annual	$ 4,000	$ 4,400	$ 4,840
Liability insurance at beaches without lifeguards	Annual	$ 1,100	$ 1,210	$ 1,331
Fuel and maintenance supplies	Annual	$ 4,000	$ 4,400	$ 4,840
Maintenance of equipment after initial purchase	Annual	$ 5,000	$ 5,500	$ 6,050
Parks & Recreation Maintenance Truck	One-time	$ 74,000		
Field Scraper	One-time	$ 35,000		
Dog- bag stations	One-time	$ 4,000		
Water Tank	One-time	$ 14,000		

Operations Only:		$ 18,100	$ 19,910	$ 21,901
Capital Only:		$ 127,000	$ -	$ -
Staff Only:		$ 200,400	$ 220,440	$ 242,484
****Total Expense to Serve by City:**		**$ 345,500**	**$ 240,350**	**$ 264,385**

Revenue Projected:	$ 74,200	$ 81,620	$ 89,782
Net Cost:	$ (271,300)	$ (158,730)	$ (174,603)

*Includes a 10% annual increase in revenue and expenses.

**Does not include other utility costs for service.

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Alexis Hill, Human Resources Director Human Resources

Agenda Item to be considered # 1

Collaboration with the University of North Carolina at Charlotte MPA Capstone Project Discussion

Will this require a public hearing?

No

Background/Purpose of Request

The city has partnered with the MPA program of UNCC to assist and provide recommendations regarding our personnel policy. The capstone project has allowed students to apply their knowledge, skills, and methodologies learned throughout their program to a real-world public sector work force.

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. Executed Scope of Work - Mount Holly and UNC-Charlotte (1)

UNIVERSITY OF NORTH CAROLINA CHARLOTTE

Scope of Work for City of Mount Holly Personnel Policy Review

MPAD 6187

I. Introduction

The City of Mount Holly (City), North Carolina, is a municipal government serving nearly 20,000 residents in the Piedmont region of the state. Not only does the City boast natural and recreational attractions, but it is responsible for multiple areas of service delivery including public safety, parks and recreation, planning, and public works. In addition, administrative services are delivered through the City Manager, City Attorney, City Clerk, and the departments of Finance and Human Resources.

In the past, the City managed its diverse and growing workforce by instituting and periodically reviewing its Personnel Policy (Policy), maintaining both the organization's standards and values as well as ensuring that services are effectively delivered to residents. In response to requests by City Council and staff, the purpose of this project is to review and suggest revisions that will strengthen the Policy and ensure that it accurately reflects the sentiments of the community and organization, changes in legal requirements, and changes in job execution and expectations.

Students in the Gerald G. Fox Master of Public Administration program at the University of North Carolina at Charlotte have been asked to evaluate the existing policy document and make recommendations for the revision of various sections. In this process, the students will identify areas of policy that do not align with current municipal best practices and compile a report including recommendations for the consideration of the City of Mount Holly. This document outlines the scope of work to be completed, including goals, tasks, limitations, a timetable, and deliverables. The project will begin upon the approval of the Mount Holly City Manager.

II. Goals

The team plans to conduct a review of policies adopted by municipal peers that bear similarities to the City in size and population within the state. Additionally, the team will review current legal requirements that may impact sections of the Policy. These findings will be compiled into a report for the City's consideration and presented to the City Council at the end of the Fall 2024 semester. Specific areas to be addressed include the "Manager's message," "City history," and Articles I, V, VIII, and XI.

III. Tasks

The key tasks identified here directly relate to the project goals and the process by which the team will meet the requirements of the project. These tasks may be adjusted as research dictates to ensure a thorough analysis of the Policy and thoughtful recommendations to the City.

- Identify comparable municipalities through mutually agreeable selection criteria.
- Identity legal statutes to which the Policy must comply.
- Develop a series of considerations unique to the City in the formation and execution of its Personnel Policy.
- Identify and create detailed recommendations to Articles I, V, VIII, and XI in accordance with gathered research.
- Provide best-practice recommendations to the Policy as a whole.
- Create a Manager's message and City history page as an introduction to the Policy.
- Provide a draft recommendations report to the City.
- Provide a final recommendations report to the City.
- Deliver a summative report presentation to the City Council.

IV. Limitations

- Completion of this project by the UNC Charlotte MPA Team is limited to 16 weeks within the Fall 2024 semester.
- The project's scope is limited to creating a Personnel Policy specific to the City of Mount Holly, NC, and policy attributes will not be applicable to other North Carolina municipalities.

- Due to the specificity of North Carolina statutes, research for the Policy will be restricted to comparable municipalities within the state.
- The tentative dates and deadlines provided in this scope of work are subject to change based on the requirements and availability of the UNC Charlotte MPA team.

V. Timetable

Finalize Scope of Work with Client	September 6, 2024
Identify Comparable Municipalities	September 10, 2024
Identify Legal Statutes	September 10, 2024
Develop Considerations	September 17, 2024
Evaluate Articles I, V, VIII, and XI	October 15, 2024
Make Best-Practice Recommendations	October 15, 2024
Create a Manager's Message and City History	October 22, 2024
Provide a Draft Recommendations Report	November 5, 2024
Provide a Final Recommendations Report	November 25, 2024
Deliver a Final Recommendations Presentation to the City Council	December 9, 2024

VI. Deliverables

- Scope of Work
- Selection Criteria for Identifying Comparable Municipalities and List of Selected Communities
- Compilation of Relevant Legal Statutes
- Manager's Message and City History
- Draft Recommendations Report
- Final Recommendations Report
- Final Presentation to City Council

VII. Signatures

By signing this document, signatories are agreeing that the content of the scope of work is acceptable as the direction for the project to be completed during the Fall 2024 semester.

09-05-2024

City of Mount Holly Manager — Date

08/30/2024

UNC Charlotte Team Representative — Date

Regular Meeting
Agenda Action Form

Meeting Date	From
December 9, 2024	Jonathan Blanton, City Manager City Management

Agenda Item to be considered # 2

City Manager Report

Will this require a public hearing?

No

Background/Purpose of Request

City Manager to provide an update to the Council and citizens.

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

None