

City of Tuscaloosa

Tuscaloosa, Alabama



CDBG-R Action Plan Substantial Amendment

For

Community Planning & Development Programs

2008

(Prepared June 3, 2009)

Office of Planning and Economic Development

B. CDBG-R INFORMATION BY ACTIVITY

Does the submission contain information by activity describing how the grantee will use the funds, including:

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,
Yes No Verification found on page(s) 9
- projected number of jobs created for each activity,
Yes No Verification found on page(s) 9
- whether an activity will promote energy efficiency and conservation,
Yes No Verification found on page(s) _____
- the name, location, and contact information for the entity that will carry out the activity,
Yes No Verification found on page(s) 9
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes No Verification found on page (s) 9
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes No Verification found on page (s) 9
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes No Verification found on page (s) 9

C. PUBLIC COMMENT PERIOD

Was the proposed action plan amendment published via the jurisdiction's usual methods and on the Internet for no less than 7 calendar days of public comment?

Yes No Verification found on page(s) 14

Is there a summary of citizen comments included in the final amendment?

Yes No Verification found on page(s) 14

D. CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|---|---|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

- (7) Section 3
- (8) Community development plan
- (9) Following a plan
- (10) Use of Funds
- (11) Excessive Force
- (12) Compliance with anti-discrimination laws
- (13) Lead-based paint procedures
- (14) Compliance with laws
- (15) Compliance with ARRA
- (16) Project selection
- (17) Timeliness of infrastructure investments
- (18) Buy American provision
- (19) Appropriate use of funds for infrastructure investments
- (20) 70% of CDBG-R for LMI

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Optional Certification

- (21) Urgent Need

Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
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D. STATE CERTIFICATIONS

NOT APPLICABLE

The following certifications are complete and accurate:

- (1) Affirmatively furthering fair housing
- (2) Anti-displacement and relocation plan
- (3) Drug-free Workplace
- (4) Anti-lobbying
- (5) Authority of State
- (6) Consistency with plan
- (7) Section 3
- (8) Community development plan
- (9) Consultation with Local Governments
- (10) Use of Funds
- (11) Excessive Force
- (12) Compliance with anti-discrimination laws
- (13) Compliance with laws
- (14) Compliance with ARRA
- (15) Project selection
- (16) Timeliness of infrastructure investments
- (17) Buy American provision
- (18) Appropriate use of funds for infrastructure investments
- (19) 70% of CDBG-R for LMI

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Optional Certification

- (20) Urgent Need

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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RESOLUTION

RESOLUTION AUTHORIZING THE OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT TO ADVERTISE AMENDMENT NUMBER TWO TO THE 2008 ACTION PLAN OF THE CITY'S FIVE-YEAR CONSOLIDATED PLAN FOR COMMUNITY PLANNING & DEVELOPMENT PROGRAMS FOR PROGRAM YEARS 2005-2009

WHEREAS, the City of Tuscaloosa wishes to amend the 2008 One-Year Action Plan of its Five-Year Consolidated Plan for Community Planning & Development for Program Years 2005-2009, as follows:

Amendment Number Two to the 2008 Action Plan

Funding in the amount of \$248,444 was awarded directly to the City of Tuscaloosa; made available through the American Recovery and Reinvestment Act of 2009 (Recovery Act) signed into law by the Honorable President Barack Obama on February 17, 2009. Under this amendment, the funding will be utilized for infrastructure improvements to Pine Street & Elmth Street surrounding Kaulton Park in West Tuscaloosa. Site infrastructure improvements include the construction and reconstruction of public streets, sidewalks, public parks, green spaces, all with associated drainage structures, curbs and gutters, as well as public water mains and public sanitary sewers.

and;

WHEREAS, it is necessary for the City to advertise said amendment in order to give the citizens of Tuscaloosa an opportunity to comment about the proposed changes to the 2008 Action Plans.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA:

- (1) That the City's Office of Planning and Economic Development is hereby authorized to advertise said amendment for public comment; and
- (2) That, after the expiration of the required 7-day time period for public comment, if no changes are made to said amendment due to citizen comments, the Mayor be, and he is hereby authorized, for and as an act of the City, to execute all certifications and other documents required in relation to the submission of said amendment to the U.S. Department of Housing & Urban Development.

Resolution Prepared by LaParry Howell

CDBG-R ACTION PLAN

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WALTER MADDOX
Mayor

CITY COUNCIL OF TUSCALOOSA

Harrison L. Taylor
President Pro-Tem
District 2

Bobby E. Howard
District 1

Cynthia Lee Almond
District 3

Lee Garrison
District 4

Kip Tyner
District 5

Bob Lundell
District 6

William Tinker III
District 7

Office of Planning and Economic Development

William L. Snowden, AICP
Director

Evelyn K. Young, AICP
Deputy Director, Federal Programs

LaParry T. Howell, MPA
Community Development Program Manager

2008

CDBG-R Action Plan Substantial Amendment

Jurisdiction:	City of Tuscaloosa Tuscaloosa, AL	CDBG-R Contact Person: LaParry Howell, MPA 2201 University Boulevard Tuscaloosa, AL 35401
Lead Agency:	Office of Planning & Economic Development	205-248-5080 (Office) 205-349-0135 (Fax)
Jurisdiction Web Address:	www.tuscaloosa.com	lhowell@tuscaloosa.com (Email)

CDBG-R Substantial Amendment Grantee Checklist

For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the CDBG-R Substantial Amendment, Spreadsheet for Reporting Proposed CDBG-R Activities, and SF-424.

Contents of a CDBG-R Action Plan Substantial Amendment

Jurisdiction(s): <u>City of Tuscaloosa</u>	CDBG-R Contact Person: <u>LaParry Howell, MPA</u>
Lead Agency <u>Office of Planning & Economic Development</u>	Address: <u>2201 University Blvd Tuscaloosa, AL 35401</u>
Jurisdiction Web Address: (URL where CDBG-R Substantial Amendment materials are posted)	Telephone: <u>205 248 5080</u>
<u>WWW.tuscaloosa.com</u>	Fax: <u>205 349 0135</u>
	Email: <u>lhowell@tuscaloosa.com</u>

The elements in the substantial amendment required for the CDBG recovery funds are:

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Does the submission contain a paper copy of the Spreadsheet for Reporting Proposed CDBG-R Activities?

Yes No Verification found on page 1a

Does the submission include an electronic version of the Spreadsheet for Reporting Proposed CDBG-R Activities sent to the email box CDBG-R@hud.gov?

Yes No Date Spreadsheet was emailed: 6/4/09

Does the Spreadsheet for Reporting Proposed CDBG-R Activities include, for each activity:

- amount of funds budgeted for each activity, including CDBG-R funds, any additional Recovery Funds used and total activity budget,
Yes No Verification found on page(s) 1a
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
Yes No Verification found on page(s) 1a
- the CDBG national objective citation,
Yes No Verification found on page(s) 1a

SUMMARY OF THE CITY OF TUSCALOOSA'S CDBG-R ACTION PLAN SUBSTANTIAL AMENDMENT

As an "entitlement city" under the Community Development Block Grant (CDBG) and the Home Investment Partnership (HOME) Programs, the City of Tuscaloosa prepares a Consolidated Plan for each five year time period. The City of Tuscaloosa's Consolidated Plan for Community Planning & Development Programs for Program Years 2005-2009 is a comprehensive planning document that identifies housing and non-housing community development needs for low and moderate-income persons. The current plan prioritizes those needs and sets forth a strategy for addressing community development needs during the five-year period beginning on April 1, 2005 and ending on March 31, 2010. The Consolidated Plan is the City's guide for the provision of decent housing, a suitable living environment and economic opportunities for its citizens, principally those of low and moderate-income.

For each year of the Consolidated Plan period, an Action Plan must be developed to identify programs and projects that the City intends to undertake during each specific program year with funds received under the CDBG Program, the HOME Program and the Emergency Shelter Grant (ESG) Program. All of those programs are funded through the U.S. Department of Housing & Urban Development (HUD). On February 17, 2009, The Honorable President Barack Obama signed into law the American Recovery and Reinvestment Act of 2009 (Recovery Act), which allotted more funds to CDBG grantees that received funds in FY 2008.

In FY 2008, the City received \$914,927 in 2008 CDBG funds. The City also anticipated that, during the 2008 program year, \$55,000 in program income would be generated from CDBG funded programs. As a result of the American Recovery and Reinvestment Act, funding in the amount of \$248,444 was awarded directly to the City of Tuscaloosa.

A project narrative and map are included that depicts the area where the CDBG-R funds will be utilized to improvement infrastructure along various streets in low-income areas.

A. APPLICATIONS FOR GRANTS

Standard Form 424 – CDBG-R Program

Application for Federal Assistance SF-424

Version 02

***1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

***2. Type of Application**

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s)

A. Increase Award

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

636001379

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Tuscaloosa

*b. Employer/Taxpayer Identification Number (EIN/TIN):

63-6001379

*c. Organizational DUNS:

11-264-9736

d. Address:

*Street 1: Post Office Box 2089

Street 2: _____

*City: Tuscaloosa

County: Tuscaloosa

*State: AL

Province: _____

*Country: United States

*Zip / Postal Code 35403

e. Organizational Unit:

Department Name:

Office of Planning & Economic Development

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. *First Name: William

Middle Name: L.

*Last Name: Snowden

Suffix: AICP

Title: Director

Organizational Affiliation:

*Telephone Number: (205) 248-5080

Fax Number: (205) 349-0135

*Email: wsnowden@tuscaloosa.com

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

U.S. Department of Housing & Urban Department

11. Catalog of Federal Domestic Assistance Number:

14-218 _____

CFDA Title:

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Tuscaloosa, Alabama

***15. Descriptive Title of Applicant's Project:**

City of Tuscaloosa Community Development Block Grant Program

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:

*a. Applicant: 6th & 7th

*b. Program/Project: 6 & 7

17. Proposed Project:

*a. Start Date: 4/1/09

*b. End Date: 3/31/10

18. Estimated Funding (\$):

*a. Federal	_____	248,444
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	248,444

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix: Mr. *First Name: Walter

Middle Name: _____

*Last Name: Maddox

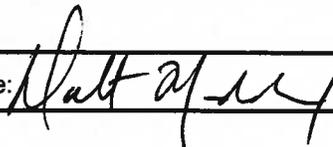
Suffix: _____

*Title: Mayor

*Telephone Number: (205) 248-5003

Fax Number: _____

* Email: _____

*Signature of Authorized Representative: 

*Date Signed: 6/3/09

B. CDBG-R ACTIVITY DATA SPREADSHEET

LaParry T. Howell

From: LaParry T. Howell
Sent: Thursday, June 04, 2009 5:06 PM
To: CDBG-R@hud.gov
Subject: CDBG-R_ACTIVITY DATA SPREADSHEET.XLSX



**CDBG-R_A
DATA SPRE**

Jurisdiction: The City of Tuscaloosa
Tuscaloosa, AL

Contact Person: Mr. LaParry Howell, MPA
City of Tuscaloosa
Office of Planning and Economic Development
2201 University Blvd
Tuscaloosa, AL 35401

D. LaParry T. Howell M.P.A.

City CD Program Manager
Office of Planning and Economic Development
P.O. Box 2089
Tuscaloosa, AL 35403
(205) 248-5080(o)
(205)349-0135(f)

****Any opinions expressed herein are mine and do not necessarily represent those of the City of Tuscaloosa.****

I believe God is managing affairs and that He doesn't need any advice from me. Some issues can be corrected through teaching and leadership, but you cannot teach somebody to care. And if they do not care, they will attempt to infect your environment, ruin your productivity and break your rhythm with constant complaints. So ask God, "Who belongs in my life?" With God in charge, I believe everything will work out for the best in the end. So what is there to worry about. Don't worry over people or things that you cannot change because evidently the change will make you better, not them, nor the situation.

C. CDBG-R ACTIVITY INFORMATION BY ACTIVITY

Facsimile

CITY OF TUSCALOOSA
OFFICE OF PLANNING AND
ECONOMIC DEVELOPMENT
P.O. BOX 2089
TUSCALOOSA, ALABAMA 35403
(205) 248-5080
FAX (205) 349-0135

TRANSMITTAL

Date: 7/01/09

To: Mr. Jerry Graves

Fax #: 205.731.2388

From: Larry Howell

Re: CDBG - R Narrative

MESSAGE:

Thanks for all you do!

JAH

THERE ARE 2 PAGES INCLUDING THIS COVER SHEET.

YOU WILL BE RECEIVING A COPY OF THIS TRANSMITTAL VIA REGULAR MAIL.

YOU MAY CONSIDER THIS YOUR FINAL COPY OF THIS TRANSMITTAL.

NARRATIVE

On February 17, 2009, the Honorable President Barack Obama signed into law the American Recovery and Reinvestment Act (ARRA). Under the Act, the City of Tuscaloosa was appropriated funds in the amount of \$248,444.

In a continued effort to identify and rectify problems and issues of community development in low and moderate income areas, the City has chosen to utilize funds for infrastructure improvements to various streets located in West Tuscaloosa. West Tuscaloosa is an area that struggles economically and consists primarily of low income households. The chosen streets are Pine Street and Elm Street. Site infrastructure improvements include the construction and/or reconstruction of the two named public streets, sidewalks, public parks, green spaces, all with associated drainage structures, curbs and gutters, as well as public water mains and public sanitary sewers. Thus, the intended utilization of funds will help enhance the infrastructure that will provide long-term economic benefit for the community, as well as the City as a whole.

The activity will be designed and the work will be supervised by the City of Tuscaloosa Office of City Engineering. The construction phase will be contracted out in order to create from 20 to 25 new jobs for a majority of the population that was affected by the economic recession. With the creation of these new jobs, the City will once again continue to strive toward a viable economy. Upon the creation of those jobs, the proposed project will meet the requirements set forth in Title XII of Division A and Section 1602 of the Recovery Act because the project has been proposed and planned. According to the Office of City Engineering, the plat for the area where the infrastructure improvements will take place shows the Elm Street Right of Way (ROW) as 100' wide for the distance involved with the planned project with the exception of the City owned property nearby. The work will take place within the Elm Street ROW or on City owned property. Thus, no ROW acquisition would be required. Based on the available information, the planned project as described can be accomplished without any acquisitions and therefore within a 120 day time period. Thus, the proposed project will be completed by the September 30, 2012 deadline for expenditure of CDBG-R funds.

Of the \$248,444, no money will be spent on administration, nor will any be utilized on public services. The funds will benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the funds are expended for activities that benefit such persons over the life of the CDBG-R grant. The project will be located in and will benefit the residents of Census Tract 118, which is 77% low income according to the 2000 U.S. Census.

NARRATIVE

On February 17, 2009, the Honorable President Barack Obama signed into law the American Recovery and Reinvestment Act (ARRA). Under the Act, the City of Tuscaloosa was appropriated funds in the amount of \$248,444.

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**U.S. Department of Housing & Urban Development
 CPD Consolidated Plan
 Listing of Proposed Projects**

Project ID/ Local ID	Project Title/Priority/ Objective/Description	HUD Matrix Code/Title/ Citation/Accomplishments	Funding Sources
0055	Infrastructure Improvements to Pine Street & Elm Street	03K Street Improvements	CDBG \$ 0
CDBG-R 2008	Infrastructure	570.201(c)	ESG \$ 0
	To benefit lower income persons by constructing infrastructure in lower income neighborhoods, removing blighting conditions, and providing accessibilities to persons with disabilities.	0 People (General)	HOME \$ 0
	Funds will be utilized for the construction and reconstruction of public streets, sidewalks, public parks, green spaces, all with associated drainage structures, curbs and gutters, as well as public water mains and public sanitary sewers.		HOPWA \$ 0
			TOTAL \$ 0
			Other Funding
			CDBG-Recovery \$ 248,444
			Total Other Funding \$ 248,444

Help the Homeless? No Start Date: 04/01/09
 Help those with HIV or AIDS? No Completion Date: 03/31/10

Eligibility:
 Subrecipient: Local Government
 Location(s): Addresses

Elm Street, Tuscaloosa, Al 35401
 Pine Street, Tuscaloosa, Al 35401

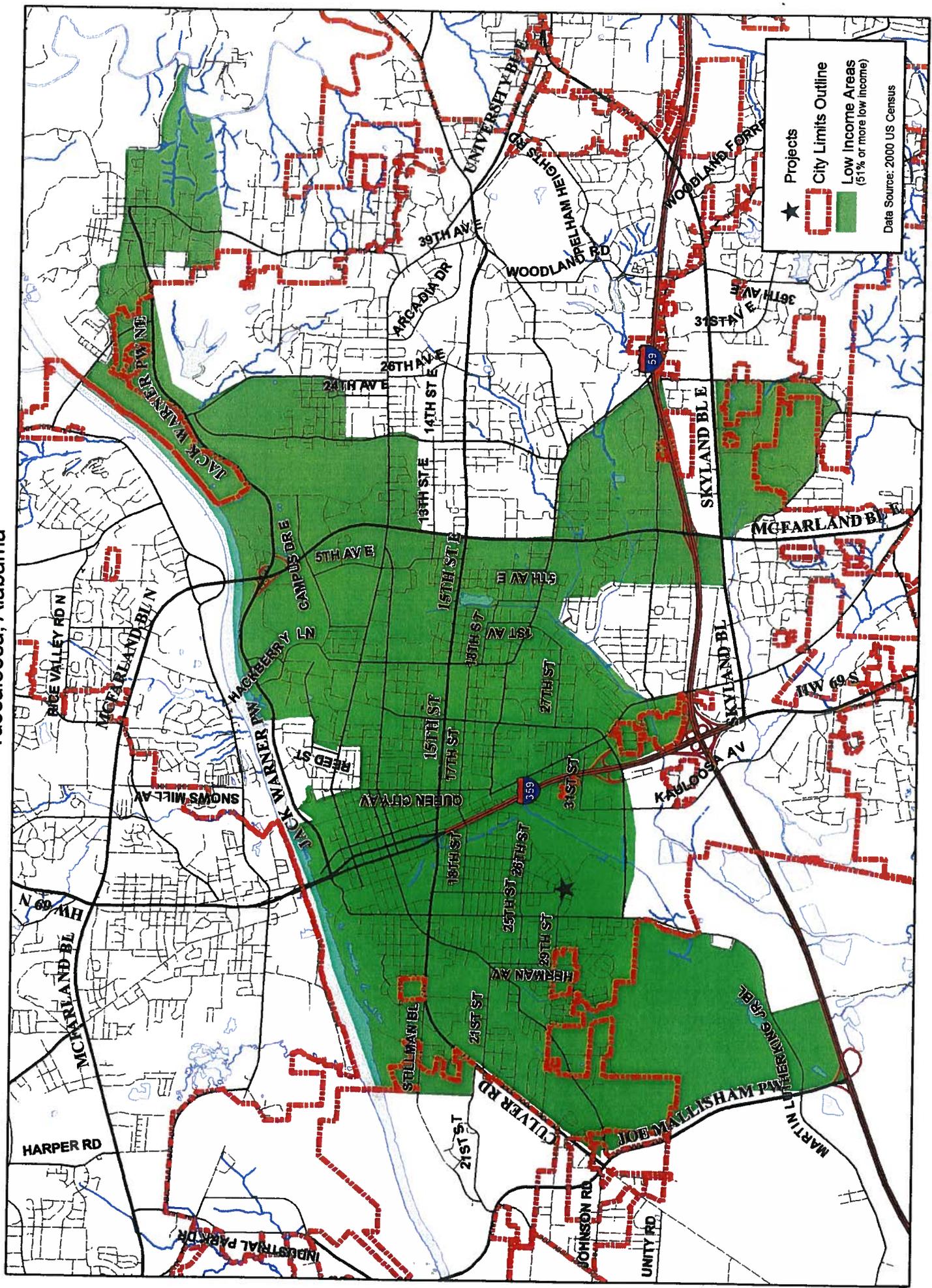
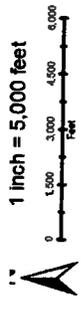
D. GEOGRAPHIC DISTRIBUTION

The project to be undertaken with the City's CDBG-R funds is listed and described in Part B & C of this Action Plan. The description of the project contains the street address where the project will be located and/or the area that it will benefit. In addition, the project will benefit low-income persons who may reside in the area of the project.

The location of CDBG-R project with its specific street addresses is shown on Map No. 1. Map No. 1 also illustrates the CDBG-R project location in relationship to the lower income areas of the City and the surrounding urbanized area as determined from 2000 Census data. An area of low-income concentration is a census tract (or block group within a tract) in which 51 percent or more of the persons were low-income in 2000.

Because the emphasis of the actual CDBG program is to provide assistance to low-income persons, there is direct correlation between the project location and low-income areas. Because so many of the City's minority residents are also low-income, the project location also strongly correlates with areas of minority concentration. Map No. 2 illustrates the geographic distribution of the Tuscaloosa urbanized area's Black (African/American) population by Census Tract in 2000. The percent of the total population in each Census Tract that was Black has been shown in each Census Tract on this map.

Project Locations in Relationship to Low Income Areas Tuscaloosa, Alabama



Black Population by Census Tract Tuscaloosa, Alabama

1 inch = 6,000 feet

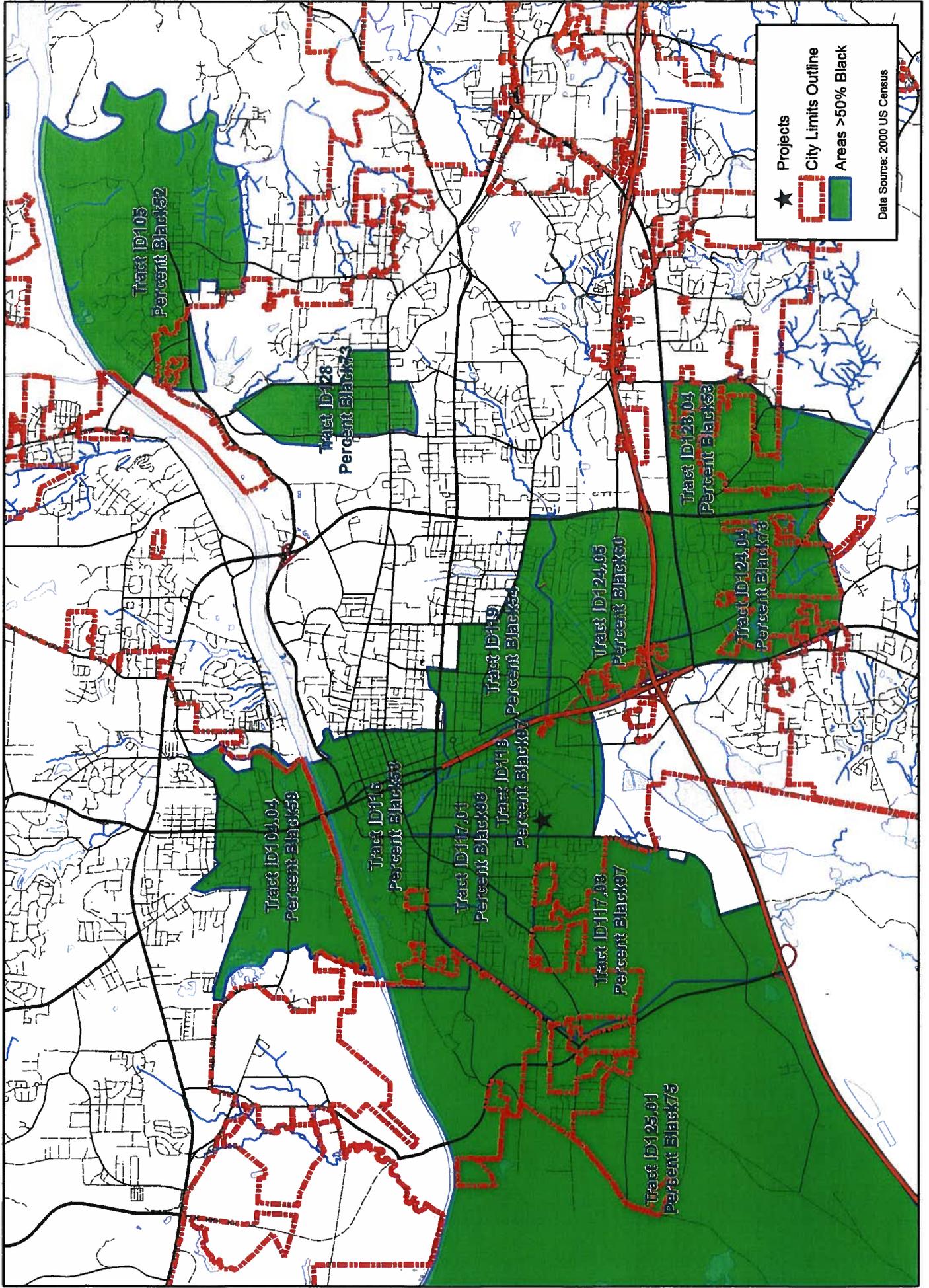


0 1500 3000 4500 6000
feet



N

Map 2



E. CITIZEN PARTICIPATION

On May 30, 2009, a summary of the proposed CDBG-R Substantial Amendment to the 2008 Action Plan was published in the Tuscaloosa News and citizens were given seven days to comment on the Amendment. Copies of the proposed Amendment were made available for public review at the Tuscaloosa Office of Planning and Economic Development in City Hall. In addition, the proposed Amendment was also posted on the City of Tuscaloosa's website at www.tuscaloosa.com. No comments were received on the proposed Substantial Amendment.

F. SUMMARY OF CITIZEN COMMENTS

No comments were received from citizens concerning the City's Proposed CDBG-R Action Plan Substantial Amendment.

G. CERTIFICATIONS

CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under CDBG-R.

(3) **Drug Free Workplace.** The jurisdiction will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

(4) **Anti-lobbying.** To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(5) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(6) **Consistency with Plan.** The housing activities to be undertaken with CDBG-R funds are consistent with its consolidated plan.

(7) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Community development plan.** The jurisdiction certifies that the consolidated housing and community development plan identifies housing and community development needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program.

(9) **Following a plan.** The jurisdiction is following a current consolidated plan that has been approved by HUD.

(10) **Use of funds.** The jurisdiction has developed activities so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention of slums or blight. Additional activities may be included that are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG-R funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);

2. **Special Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG-R funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG-R funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds, unless CDBG-R funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds if the jurisdiction certifies that it lacks CDBG-R or CDBG funds to cover the assessment.

(11) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The CDBG-R grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws.** The jurisdiction will comply with applicable laws.

(15) **Compliance with ARRA.** The jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

(16) **Project selection.** The jurisdiction will select projects to be funded, by giving priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipient, and that will ensure maximum job creation and economic benefit.

(17) **Timeliness of infrastructure investments.** When the jurisdiction uses CDBG-R funds for infrastructure investments, the grantee will give preference to quick-start and finish activities, including a goal to use at least 50 percent of the funds for activities within 120 days of enactment of the Recovery Act.

(18) **Buy American provision.** The jurisdiction will ensure that all iron, steel and manufactured goods used in construction, alteration, repair, or maintenance of a public building or public work project assisted with CDBG-R funds under the Recovery Act must be produced in the United States unless the Secretary finds that: (1) the requirement is inconsistent with public interest; (2) those goods are not reasonably available or produced in sufficient quantity in the U.S.; (3) or the use of the goods will increase the project cost by more than 25 percent.

(19) **Appropriate use of funds for infrastructure investments.** The Governor, mayor, or other chief executive, as appropriate certifies, that any infrastructure investments have received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Alternatively, a grantee's chief elected official certifies that infrastructure investments will receive the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

(20) **70% of CDBG-R for LMI.** The aggregate use of CDBG-R funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the grant is expended for activities that benefit such persons over the life of the CDBG-R grant.



Signature/Authorized Official

6/3/09

Date

Mayor _____
Title