

CITY OF JOLIET

SUBSTANTIAL AMENDMENT

2008 ACTION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT

RECOVERY (CDBG-R) FUNDING

Prepared by the

City of Joliet Neighborhood Services Division

<p>Jurisdiction: City of Joliet</p> <p>Jurisdiction Web Address: www.cityofjoliet.info</p>	<p>CDBG-R Contact Person: Alfredo Melesio City of Joliet 150 West Jefferson Street Joliet, Illinois 60432 Telephone: 815-724-4100 Fax: 815-724-4118 E-mail: amelesio@jolietcity.org</p>
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PREFACE

The Community Development Block Grant Recovery Program (CDBG-R) was authorized under Title XII of Division A of the American Recovery and Reinvestment Act of 2009. A total of \$1 billion in CDBG-R funding was appropriated and \$980 million is being allocated to states and local governments that received CDBG funding in Fiscal Year (FY) 2008 in accordance with the provisions of 42 U.S.C. 5306. The City of Joliet is proposing this Substantial Amendment to the 2008 Action Plan in order to fulfill the application requirements to receive CDBG Recovery Program (CDBG-R) funds from the U.S. Department of Housing and Urban Development (HUD). Once the Substantial Amendment has been approved, the City of Joliet will receive an allocation of \$249,061.00 to be used to address current economic conditions in a manner that maximizes job creation and economic benefit. The City of Joliet will expend 70% or more of its CDBG-R grant for activities that benefit low and moderate income persons.

Background

The City of Joliet was required to submit a substantial amendment to its program year 2008 action plan to the Chicago HUD field office by June 5, 2009 to receive its \$249,061.00 allocation of CDBG-R funding. HUD urged funding recipients to utilize the CDBG-R funds for investment in economic development, housing, infrastructure and other public facility activities that will spur further economic investment, increased energy efficiency, and job creation or retention. Certain projects, such as swimming pools, golf courses, zoos, aquariums, casinos and other gambling establishments cannot be funded with CDBG-R monies nor can other activities generally prohibited under regulations governing the regular CDBG program.

Citizen Participation

In order to expedite the grant-making process, HUD permitted a citizen participation alternative requirement comprised of the following steps:

- The proposed action plan amendment was published via the usual methods and was available for viewing at City Hall, both Joliet library locations and on the Internet for no less than 7 calendar days of public comment;
- Final action plan amendment was posted on the Internet and submitted to HUD on May 27, 2009, prior to the June 5, 2009 deadline. The grant application included Standard Form 424 (SF-424) and certifications with original signatures.

The following activities were carried out to promote citizen participation:

- A legal notice was printed in the Herald News on Thursday, May 14, 2009. The notice described the proposed Substantial Amendment, resources available and a contact person for further information. A copy of the notice is included in **Appendix A**.
- The legal notice was mailed to 67 local housing providers, faith-based institutions and interested citizens. The names of those included in the mailing can be found in **Appendix A**.
- Copies of the proposed Substantial Amendment were available at the Joliet Public Library’s main and branch location, the Neighborhood Services Office and the City Clerk’s Office throughout the 7-day comment period from May 15, 2009 to May 22, 2009. The Substantial Amendment was also available to view online at the City of Joliet website, www.cityofjoliet.info. No public comments were received.
- A memorandum discussing the Substantial Amendment was approved by the Mayor and City Council at their meeting of May 19, 2009. Upon approval by the City Council, the Substantial Amendment was forwarded to HUD for review and approval on May 27, 2009.

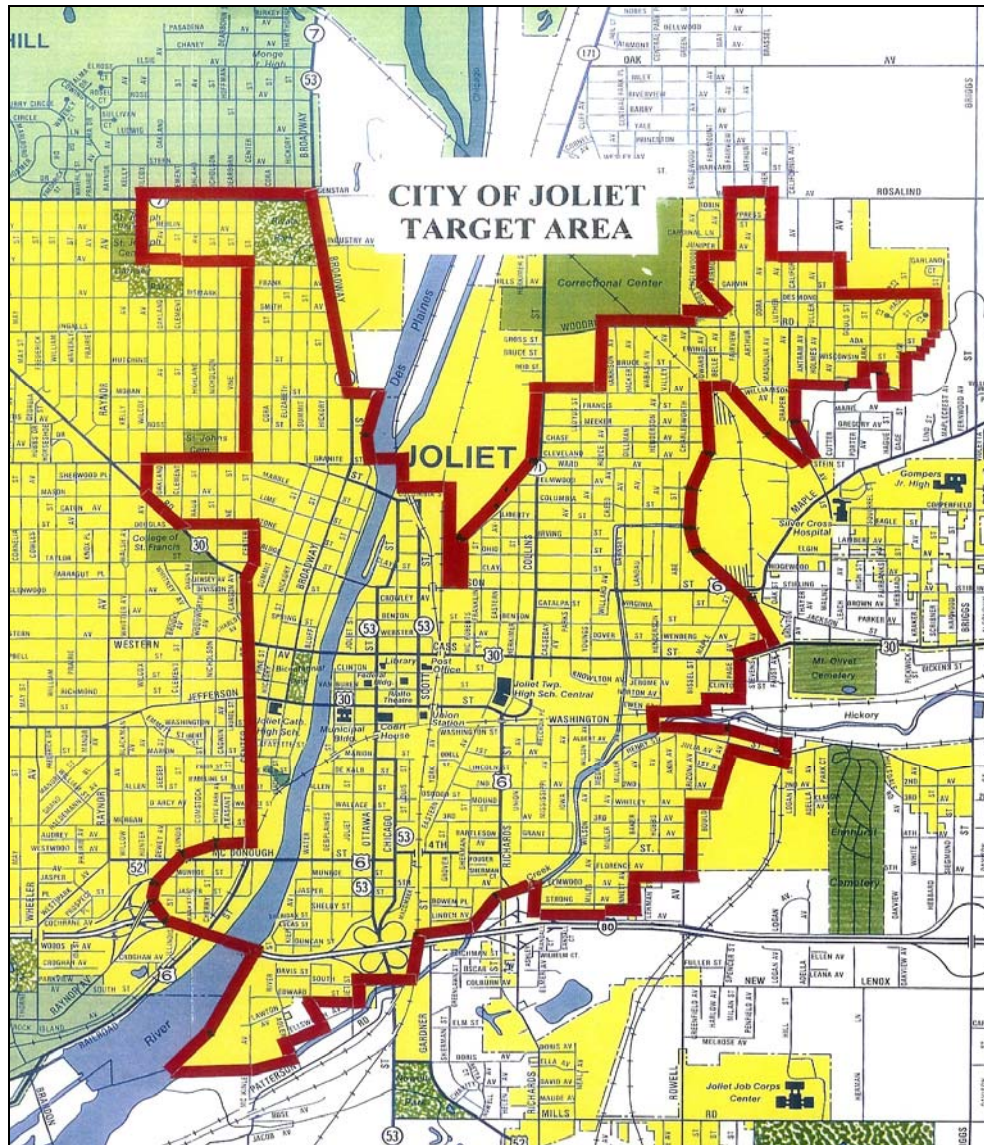
A. Consistency with Consolidated Plan & Subsequent Years Action Plans

The priority needs and objectives identified in the City’s 2005 Consolidated Plan include affordable housing, elimination of slum and blight and public service. The activities undertaken in the Consolidated Plan and subsequent years Action Plans are designed to meet one of three major objectives: decent housing, suitable living environment or economic opportunity. Additionally, the Substantial Amendment to the 2008 Action Plan for the Neighborhood Stabilization Program (NSP) incorporates many of the same activities, such as acquisition and rehabilitation, demolition and CHDO partnerships to impact areas of greatest need due to home foreclosures and meet the national objective of benefiting low, moderate and middle income persons, as well as utilizing 25% of the funds for housing individuals and families whose incomes do not exceed 50 percent of area median income. In addition to meeting specific objectives, these activities are designed to achieve outcomes which can be categorized under three headings: availability/accessibility, affordability and sustainability. The following table shows the activities undertaken in 2005 and subsequent years and the objectives to be met:

OUTCOME CATEGORIES				
Activity	Objective	Availability/ Accessibility	Affordability	Sustainability
Local Homestead Program	Decent Housing		X	
Code Enforcement – Inspections	Suitable Living Environment			X
Code Enforcement – Demolition	Suitable Living Environment			X
Graffiti Removal	Suitable Living Environment			X
Neighborhood Newsletter	Suitable Living Environment			X
Water/Sewer Improvements	Suitable Living Environment			X
CHDO Set-Aside	Decent Housing		X	

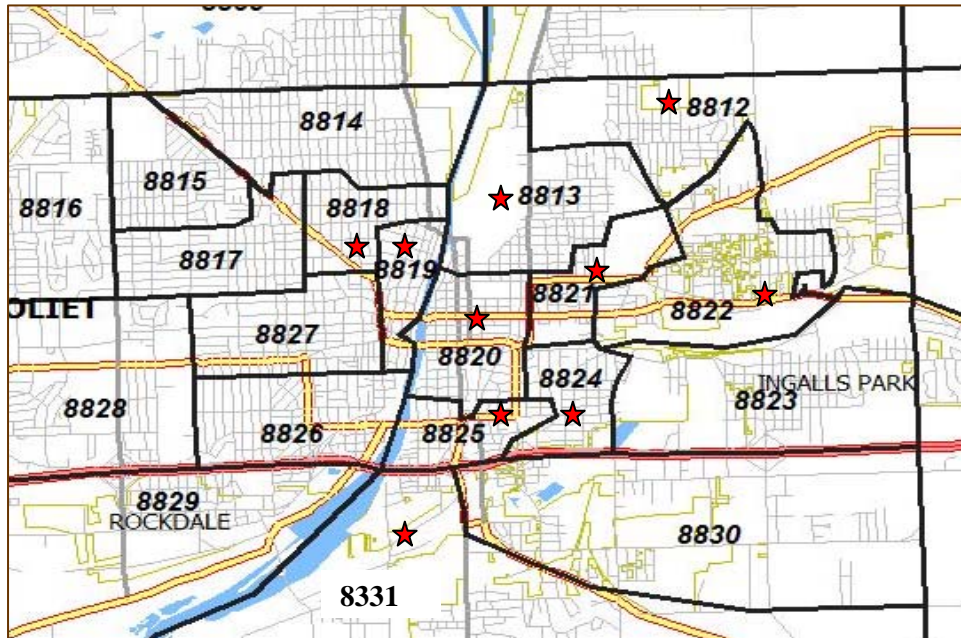
OUTCOME CATEGORIES				
Activity	Objective	Availability/ Accessibility	Affordability	Sustainability
Other HOME Activities	Decent Housing		X	
New Construction	Decent Housing		X	

Traditionally, the City of Joliet’s CDBG activities are targeted to low and moderate income areas. Geographically, the low and moderate income households continue to be distributed in the mature east and near-west side of the city, as indicated by the following map:



The following map provides the location of the census tracts within the City’s traditional target area:

TARGET AREA & LOW/MOD INCOME CENSUS TRACTS



The following table indicates that significant concentrations of low/mod income households are in census tracts located in the target area. An asterisk (*) denotes those census tracts in the target area.

Low/Mod Percentages for CDBG Grantees Based on FY08 Participation

Census Tract	Low/Mod Percentage
* 8812.00 blk 1	78%
* 8812.00 blk 2	69%
* 8813.00	75%
8814.00 blk 1	55%
8814.00 blk 2	66%
8814.00 blk 3	52%
8814.00 blk 7	55%
8816.00 blk 2	63%
* 8818.00	54%
* 8819.00	74%
* 8820.00	80%
* 8821.00	81%
* 8822.00	68%
8823.00	52%
* 8824.00	65%
* 8825.00	74%
8826.00 blk 1	63%
8826.00 blk 2	53%
8826.00 blk 5	51.5%
8827.00 blk 2	59%
8827.00 blk 3	69%
8827.00 blk 4	52%
8828.00 blk 1	64%
8828.00 blk 3	56%

Census Tract	Low/Mod Percentage
8829.00 blk 1	53%
8830.00 blk 1	100%
8830.00 blk 3	70%
* 8831.00 blk 3	80%
8833.02 blk 2	100%

At least 70% of the activities undertaken with the CDBG-R funding allocated under the Recovery Act will benefit low/mod income households and areas.

B. ELIGIBLE USES

Infrastructure Activity – High Priority

Activity Name: Dewey Street (McDonough – Morgan) Project

Activity Narrative: The City of Joliet intends to fund a portion of a District 5 Neighborhood Improvement Project (NIP) with its CDBG-R monies. This project will consist of the reconstruction of the roadway, installation of storm sewer, curb and gutter, driveway aprons and some sidewalk. The Dewey Street (McDonough – Morgan) project was cut this year from the City’s budget due to financial constraints caused by revenue shortfalls and rising expenditures. This project is located in census tract 8826.00 block 1, of which 63% of its residents are comprised of low/mod income households. Approximately twenty-five households reside on Dewey Street between McDonough and Morgan Streets. A copy of the census tract area indicating the area to be served by the project follows:



Priority is being given to this activity because the design of the project is nearly complete and the contract can be awarded within 120 calendar days from the date the funds are made available to the City. Additionally, HUD strongly urges entitlement grantees to utilize these funds for hard development costs associated with infrastructure activities. The Dewey Street (McDonough – Morgan) project has an estimated cost of \$178,137.00, of which \$140,000.00 will be funded with CDBG-R monies. This project can be started and completed in a timely manner; thereby meeting HUD’s goal of using at least fifty (50) percent of the funds for activities that can be initiated not later than 120 calendar days after February 17, 2009. Furthermore, the utilization of the CDBG-R funds to fund a portion of the Dewey Street (McDonough – Morgan) project will preserve jobs that would have been lost because funding was not available, assist low/moderate income persons already impacted by the recession and provide long-term economic benefit through infrastructure investment.

Jobs Created/Retained: 59 construction jobs**

Responsible Organization: City of Joliet
 150 W. Jefferson St, Joliet, IL 60432
 Attn: Alfredo Melesio
 815-724-4100; amelesio@jolietcity.org

**number of jobs is based on a similar project completed in 2008

Housing Activity – Medium Priority

Activity Name: Downpayment Assistance

Activity Narrative: The City will provide \$84,155.00 in down payment assistance to low and moderate income homebuyers for the purchase of single family residences in the City’s target area. Existing housing built after 1978 will be eligible for assistance. The funds will be available to purchasers of homes for sale by non-profit agencies and private individuals. The amount of funding for this activity may increase, depending on the final cost of the Dewey Street (McDonough – Morgan) Neighborhood Improvement Project (NIP). It is anticipated that the down payment assistance will not exceed \$20,000.00 per household. The use of CDBG-R funds for this activity will assist low and moderate income households that have been greatly affected by current economic conditions by encouraging investment in the local real estate market.

- Homebuyers receiving down payment assistance will be required to complete at least 8 hours of homebuyer counseling from a HUD-approved housing counseling agency prior to closing.
- Down payment assistance provided with CDBG-R monies in an amount up to \$20,000.00 must meet the HOME program affordability standards and enforcement mechanisms at 24 CFR 92.254 and specified in the following table:

Homeownership Assistance CDBG-R Amount Per Unit	Minimum Period of Affordability in Years
Under \$15,000	5
\$15,000.00 to \$40,000.00	10

At the time the homebuyer closes on the property assisted with CDBG-R monies, a Recapture Agreement will be signed and recorded by the City for the amount of down payment assistance provided. The amount of the CDBG-R funds and the affordability period are included in the document. If the buyer chooses to sell the premises or no longer uses it as his/her principal residence during the affordability period, the down payment assistance provided by the City will be due and payable. The City's recapture agreement is a recorded document, so it will appear on the title commitment, which will trigger a request for a payoff. The entire amount of the CDBG-R down payment assistance will be recaptured out of the net proceeds of any sale of the property if the affordability period is five years and the property is sold within the first five years of the affordability period. If the affordability period is ten years, the CDBG-R investment will be recaptured out of the net proceeds of any sale of the property as follows: if the property is sold within the first five years of the affordability period, the entire amount of the down payment assistance will be recaptured out of net proceeds. If the property is sold in years 6 through 10 of the affordability period, the down payment assistance required to be recaptured will be prorated with a forgiveness of 20% for each full year the owner has occupied the residence during years 6 through 10. Net proceeds include the sales price, less loan repayments. If the net proceeds are not sufficient to recapture the entire CDBG-R investment, plus allow the homeowner to recover the amount of their down payment, acquisition costs, principal payment and any other capital improvements, then the City may reduce the amount of recapture on a prorated basis. The pro-ration will be based on the length of time the homeowner occupies the property relative to the required affordability period as outlined in the chart above. Once funds are recaptured, they will be treated as program income to the regular CDBG program. If the funds are recaptured before September 30, 2012, they will be retained by the City and treated as program income. Funds recaptured on or after September 30, 2012 will be returned to the Treasury. The requirements of this section shall survive closing and shall not merge in the deed to the premises. The City may incorporate the HOME and federal affordability requirements into deed restrictions, restrictive covenants or similar instruments. It is the City's intent to incorporate the requirements into a Recapture Agreement.

Jobs Created/Retained: none**

Responsible Organization: City of Joliet

150 W. Jefferson St, Joliet, IL 60432

Attn: Alfredo Melesio

815-724-4100; amelesio@jolietcity.org

**this activity addresses the goal of the Recovery Act to assist those most impacted by the recession by maximizing economic benefit, rather than creating jobs. It is estimated that approximately eight low/mod income families will benefit from this activity.

Administration Activity

Ten percent (10%) of the CDBG-R grant allocation can be utilized for general administration and planning costs. The City has budgeted \$24,906.00 for this activity.

APPENDIX A: PUBLIC NOTICE

City of Joliet
Substantial Amendment to the 2008 Annual Action Plan of
The 2005-2009 City of Joliet Consolidated Plan
For Housing and Community Development

The City of Joliet proposes to amend the above Action Plan and Consolidated Plan for the purpose of fulfilling the application requirements to receive Community Development Block Grant Recovery Program (CDBG-R) funds from the U.S. Department of Housing and Urban Development (HUD) authorized under Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

The Recovery Act provides that the CDBG-R grant is a supplemental appropriation of Community Development Block Grant (CDBG) funds to entitlement grantees. Making proper application to HUD by June 5, 2009 will result in the City of Joliet receiving an allocation of \$249,061.00 to be invested in economic development, housing, infrastructure and public facility activities that will spur further economic investment, increased energy efficiency and job creation or retention. The City of Joliet anticipates it may receive program income, in an amount yet to be determined, from undertaking CDBG-R activities, which will be treated as program income to the regular CDBG program.

The City of Joliet has identified eligible uses of the CDBG-R funding which include infrastructure and housing activities. The City of Joliet's Substantial Amendment identifies specific program activities that it will carry out during the three-year funding period which expires on September 30, 2012. Seventy percent (70%) of the City's allocation will be appropriated for activities that benefit low and moderate income persons, whose incomes do not exceed 80% of area median income.

The Substantial Amendment will be available for public review during the period of May 15, 2009 through May 22, 2009 at the following locations and also online at the City of Joliet website, www.cityofjoliet.info

Joliet City Hall, 150 W. Jefferson Street

- City Clerks Office
- Neighborhood Services Division

Joliet Public Library, 150 N. Ottawa Street

Joliet Public Library, 3595 Black Road

Written comments can be sent to the Neighborhood Services Division, Attn: Alfredo Melesio, 150 W. Jefferson St., Joliet, IL 60432 or by e-mail to amelesio@jolietcity.org

MAILING LIST FOR SUBSTANTIAL AMENDMENT TO THE 2008 ANNUAL ACTION PLAN NOTICE

1. ALL NATIONS CHURCH OF GOD IN CHRIST
503 WATER ST
JOLIET IL 60436
2. SALVATION ARMY
300 THIRD AV
JOLIET IL 60433
3. HOUSING AUTHORITY OF JOLIET
ATTN: HENRY MORRIS
6 N BROADWAY ST
JOLIET IL 60435
4. WILL-GRUNDY CENTER FOR INDEPENDENT LIVING
ATTN: PAM HEAVENS
2415A W JEFFERSON ST
JOLIET ILLINOIS 60435
5. FOREST PARK COMMUNITY CENTER
1017 WOODRUFF RD.
JOLIET IL 60432
6. ST THADDEUS CATHOLIC CHURCH
425 SUMMIT ST
JOLIET IL 60435
7. FOREST PARK CHURCH
1316 WISCONSIN AV
JOLIET IL 60432
8. MT CARMEL CATHOLIC CHURCH
407 IRVING ST
JOLIET IL 60432
9. MT MORIAH BAPTIST CHURCH
1503 ARTHUR AV
JOLIET IL 60432
10. ST MARY NATIVITY CATHOLIC CHURCH
706 BROADWAY ST
JOLIET IL 60435
11. ST PETER LUTHERAN CHURCH
310 N BROADWAY ST
JOLIET IL 60435
12. ST JOSEPH CATHOLIC CHURCH
416 N CHICAGO ST
JOLIET IL 60432

13. ALL SAINTS GREEK ORTHODOX CHURCH
102 N BROADWAY ST
JOLIET IL 60435
14. COMMUNITY CONCERNS FOR FAMILIES
AND YOUTH FREEDOM
3219 INDIANWOOD LN
JOLIET IL 60431
15. WILL COUNTY COMMUNITY DEVELOPMENT DEPT
ATTN: RON PULLMAN
58 E CLINTON ST
JOLIET IL 60432
16. CATHOLIC CHARITIES
203 N OTTAWA ST
JOLIET IL 60432
17. CATHOLIC CHARITIES DAYBREAK CENTER
611 E CASS ST
JOLIET IL 60432
18. LAMBS FOLD WOMENS CENTER
153 S OTTAWA ST
JOLIET IL 60436
19. CORNERSTONE SERVICES INC
ATTN: JAMES HOGAN
777 JOYCE RD
JOLIET IL 60436
20. EASTER SEALS OF WILL-GRUNDY COUNTIES INC
3077 W JEFFERSON ST STE 203
JOLIET IL 60435
21. GROUNDWORK
1550 PLAINFIELD RD
JOLIET IL 60435
22. MORNINGSTAR MISSION MINISTRIES
350 E WASHINGTON ST
JOLIET IL 60433
23. STEPPING STONES INC
1621 THEODORE ST
JOLIET IL 60435
24. TRINITY SERVICES INC
100 N GOUGAR RD
JOLIET IL 60432

25. CHURCH OF ST ANTHONY
100 SCOTT ST
JOLIET IL 60432
26. EASTSIDE ORGANIZATION UNITED N/W
ATTN: EARNEST JORDAN
13 MISSISSIPPI AV
JOLIET IL 60432
27. COLLINS STREET NORTH N/W
ATTN: REV ROBERT PETERSON
412 E BENTON ST
JOLIET IL 60432
28. COLUMBIA LIBERTY ST NW
ATTN: MARIA IBARRA
404 LIBERTY
JOLIET IL 60432
29. EVERGREEN TERRACE NW
350 N BROADWAY
JOLIET IL 60435
30. WARREN-SHARPE COMMUNITY CENTER
454 S JOLIET ST
JOLIET IL 60433
31. ANGELA TRAVIS
107 IOWA AV
JOLIET IL 60433
32. SPANISH CENTER INC
309 N EASTERN AV
JOLIET IL 60432
33. WITH SINCERITY
ATTN: CHARLOTTE COLLINS
1021 TRAILS END LN
JOLIET IL 60436
34. CHRIST TEMPLE CHURCH OF THE APOSTOLIC FAITH
212 RICHARDS ST
JOLIET IL 60433
35. CHURCH OF THE HOLY GHOST
952 GARVIN ST
JOLIET IL 60432
36. CHRISTIAN OUTREACH ASSEMBLY OF GOD
550 N CHICAGO ST
JOLIET IL 60432

37. IGLESIA NUEVA ESPERANZA
624 MEEKER AV
JOLIET IL 60432
38. BOND TEMPLE HOLINESS CHURCH OF GOD IN CHRIST
308 E CLAY ST
JOLIET IL 60432
39. NEW HOPE CHURCH
467 S DESPLAINES ST
JOLIET IL 60436
40. HOLY CROSS MISSIONARY BAPTIST CHURCH
1310 CUTTER AV
JOLIET IL 60432
41. CHURCH OF THE GOOD SHEPHERD
81 N OTTAWA ST
JOLIET IL 60432
42. PRINCE OF PEACE CHURCH
137 E CASS ST
JOLIET IL 60432
43. NEW TESTAMENT FELLOWSHIP CHURCH
515 SCOTT ST
JOLIET IL 60432
44. REDEEM CHURCH OF GOD IN CHRIST
410 E CLAY ST
JOLIET IL 60432
45. WILL COUNTY HABITAT FOR HUMANITY
417 TAYLOR ST – SUITE 2W
JOLIET IL 60435
46. SENIOR SERVICES CENTER OF WILL COUNTY
251 N CENTER ST
JOLIET IL 60435
47. AGAPE MISSIONS
68 N CHICAGO ST
JOLIET IL 60432
48. WILL COUNTY CENTER FOR COMMUNITY CONCERNS
ATTN: TODD FULLER
304 N SCOTT ST
JOLIET IL 60432
49. ST JOHN'S CATHOLIC CHURCH
404 N HICKORY ST
JOLIET IL 60435

50. EMMANUEL TEMPLE CHURCH
1300 PEQUOT ST
JOLIET IL 60433
51. GRACE & TRUTH EVANGELISTIC CHURCH
1326 FAIRVIEW AV
JOLIET IL 60432
52. GEM ENTERPRISE
ATTN: CATHERINE BEAVERS
105 MCDONOUGH ST
JOLIET IL 60436
53. BIRTH INTO NEW LIFE CHURCH OF GOD IN CHRIST
1019 WOODRUFF RD
JOLIET IL 60432
54. VETERAN'S ASSISTANCE COMMISSION
ATTN: JAMES DENBOW
128 N SCOTT ST
JOLIET IL 60432
55. FIRST UNITED CHURCH OF CHRIST
620 WILLIAMSON AV
JOLIET IL 60432
56. SPANISH ASSEMBLY OF GOD CHURCH
1100 HACKER AV
JOLIET IL 60432
57. SECOND BAPTIST CHURCH
156 S JOLIET ST
JOLIET IL 60436
58. HOLY TEMPLE CHURCH OF GOD IN CHRIST
16 UNION ST
JOLIET IL 60433
59. PRAYER TOWER CHURCH OF GOD IN CHRIST
456 E CASS ST
JOLIET IL 60432
60. ST MARK CME CHURCH
348 S JOLIET ST
JOLIET IL 60436
61. FRIENDSHIP ALL DENOMINATION CHURCH
201 SHERMAN ST
JOLIET IL 60433
62. BETHLEHEM LUTHERAN CHURCH
412 E BENTON ST
JOLIET IL 60432

63. SACRED HEART CHURCH
337 S OTTAWA ST
JOLIET IL 60436

64. FIRST LUTHERAN CHURCH
55 W BENTON ST
JOLIET IL 60432

65. MT ZION FULL GOSPEL TABERNACLE
PO BOX 3125
JOLIET IL 60434

66. UNITY CDC
205 E CLINTON ST - SUITE 3
JOLIET IL 60432

67. MS. TRISTA BROWN
7 N RAYNOR AV
JOLIET IL 60435

APPENDIX B: 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

5/27/09
Date

City Manager
Title

C. CDBG-R ACTIVITIES SPREADSHEET

