Meeting Date: 04/12/2011

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☐ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☒ Other: Public Hearing

Prepared By: Norma J. Owens, Grants Manager Agenda Item No. L-2

Reviewed By: City Manager City Attorney Finance Other *(Specify)*

DATE: March 21, 2011

TO: City Council

FROM: William E. Wilkins, Housing Director

SUBJECT: **Seventh Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan (The Plan), reprogramming $93,619 from the Community Development Block Grant Recovery (CDBG-R) Program to reconstruct the Gloria Court and Colonia Road Back Alley**

RECOMMENDATION

That City Council:

1. Conduct a public hearing to receive comments on the proposed Seventh Amendment to The Plan.

2. Authorize the City Manager to submit the City Council approved substantial amendment to The Plan to the U.S. department of Housing and Urban Development (HUD).

3. Approve the special budget appropriation in the amount of $93,619 to reallocate CDBG-R funds to the Gloria Court and Colonia Road Back Alley Reconstruction component of the Rose Avenue/Gonzales Arterial Resurfacing Project.

DISCUSSION

The City Council approved the first amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan on October 14, 2008. The first amendment changed the allocation of funding between projects by adding a First-Time Homebuyer Assistance activity to both the CDBG and HOME Investment Partnerships Act (HOME) budgets.

On February 17, 2009, the American Recovery and Reinvestment Act (ARRA) was signed into law. Included in the ARRA was an allocation of $1,124,994, in Homelessness Prevention and Rapid Re-Housing Program (HPRP) funding and $735,792 in CDBG-R funding. On April 21, 2009, the City Council approved the Second Amendment to The Plan to apply and accept the HPRP award, as well as the proposed uses of the funds over the three-year grant period.

On August 2009, HUD, the administrator of the CDBG-R funds, approved the City of Oxnard's Third Amendment to The Plan for the construction and installation of a new polyvinyl chloride (PVC) under the Water Service Improvement Project, located within the Bartolo Square North neighborhood, in the amount of $735,792.

On October 27, 2009, the Fourth Amendment was approved by City Council, reprogramming $73,579 of the CDBG-R funds to the General Administration and Planning activities from the Bartolo Square North neighborhood-Water Service Improvement Project budget.

The Fifth Amendment was approved by the City Council on September 1, 2009, authorizing the agreement in the amount of $1,096,869 with the County of Ventura-Human Services Agency (VCHSA) to provide homeless prevention services to homeless persons and persons at-risk of becoming homeless, under the federal HPRP grant.

After a careful evaluation of the activities' progress, the Sixth Amendment was proposed to revise the previous budget allocated to each category of expenses defined in the agreement with the VCHSA. The amendment was approved by the Council in September 2009, and was scheduled for the public hearing on March 22, 2011. However, the hearing was continued to April 5, 2011.

As of January 2011, the Water Service Improvement Project activity was completed using $619,908 from the CDBG-R funds, leaving a balance of $42,305, and the General Administration and Planning activity has a balance of $51,314. A combined total of $93,619 is available to be reprogrammed for a new activity, namely Reconstruction of Gloria Court and Colonia Road Back Alleyway, located in the Colonia neighborhood. On March 28, 2011, a notice of 7-day public review was advertised to obtain public input and comments on the funding of the new activity with CDBG-R funding (Attachment 1). Both Gloria Court and the Colonia Road Back Alley have substantial reconstruction needs throughout their entire length, making the traffic flow difficult for commuters and dangerous for the general public. The reconstruction consists of removal and replacement of concrete gutter and curbsides, and replacement of new asphalt in order to improve and ease the access for the neighborhood residents and to increase the life expectancy of the street and alley by 15 years. HUD requires a substantial amendment to The Plan in order to make these funds available for the new activity (Attachment 2).

FINANCIAL IMPACT

The CDBG-R funding does not require a local match and will not result in new permanent positions within the City. The Special Budget Appropriation (Attachment 3) will re-appropriate CDBG-R funds in the amount of $93,619, from the Bartolo Square North Neighborhood Water Pipe Replacement (Project 03315) to the Rose Avenue/Gonzales Arterial Resurfacing Project (No. 083133 of which Gloria Court and Colonia Road Back Alley Reconstruction is a component).

Attachment 1 - Notice of 7-day Public Review
Attachment 2 - Amendment packet to HUD
Attachment 3 – Special Budget Appropriation

Note: Attachment #2 has been provided to City Council under separate cover. Copies for review are available at the Help Desk in the Library after 6:00 p.m. on Thursday prior to the Council meeting and in the City Clerk's Office after 8:00 a.m. on Friday prior to the Council meeting.

CITY OF OXNARD
NOTICE OF 7-DAY PUBLIC REVIEW
SEVENTH AMENDMENT OF THE FY 2008-2013 CONSOLIDATED PLAN AND THE FY 2008-2009 ANNUAL ACTION PLAN

NOTICE IS HEREBY GIVEN that the City has prepared the Seventh Amendment of the Fiscal Years 2008-2013 Consolidated Plan, and the Fiscal Year 2008-2009 Annual Action Plan to reprogram $93,619 of the total CDBG-R allocation to reconstruct Gloria Court and Colonia Road Back Alley in the Colonia neighborhood.

On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law. Included in the ARRA was an allocation of $735,792 to the City of Oxnard, under the Community Development Block Grant Program Recovery (CDBG-R) for FY 2008-2009. As of October 2009, the U.S Department of Housing and Urban Development (HUD), the administrator of the CDBG-R funds, approved the City of Oxnard's Fourth Amendment of the Fiscal Years 2008-2013 Consolidated Plan, and the Fiscal Year 2008-2009 Annual Action Plan for $735,792 to reprogram $662,213 to construct and install a new polyvinyl chloride (PVC) Water Main Pipeline on Hill Street, located within the Bartolo Square North neighborhood and $73,579 to account for costs related general administration and planning. As of January 2011, the Water Main Pipeline activity was completed using $619,908, leaving a balance of $42,305. The General Administration and Planning activity also has a balance, $51,314. The combined total of $93,619, is available to be reprogrammed for a new activity, namely the Reconstruction of Gloria Court and Colonia Road Back Alley, located in the Colonia neighborhood.

HUD requires at least a 7-day public review period to notify City residents of the reprogramming of $93,619 for the new activity, as mentioned above. The publication of this notice begins the public review period which will start on Monday, March 28, 2011 and conclude at 5:00 p.m. on Monday, April 4, 2011.

NOTICE IS HEREBY FURTHER GIVEN that the Seventh Amendment will be presented to the City Council for approval on the following date:

DATE:	**April 5, 2011**
LOCATION:	**City Council Chambers**
	305 West Third Street, Oxnard, California 93030
TIME:	**7:00 PM, or as soon thereafter as possible.**

At this meeting, the City Council will receive public comments on the use of the $93,619 in CDBG-R funds for the Reconstruction of Gloria Court and Colonia Back Alley. The intent of the CDBG-R is to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. Jurisdictions are expected to use the CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings.

PUBLIC COMMENTS

Copies of the amended pages of the Consolidated Plan and the Annual Action Plan will be available for public review at the following locations:

City of Oxnard Main Library
251 South "A" Street

City of Oxnard City Clerk's Office
305 West Third Street, First Floor

City of Oxnard Housing Department
435 South "D" Street

The public is invited to submit written comments on the proposed amendment. All written comments related to this Amended Consolidated Plan and Annual Action Plan are to be submitted to the Grants Management Division of the Housing Department, **no later than 5:00 p.m., on April 4, 2011.** Questions and written comments may be addressed to the following:

Norma J. Owens, Grants Manager
City of Oxnard, Housing Department
435 South "D" Street
Oxnard, CA 93030
(805) 385-7959

ATTACHMENT NO. 1
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CITY OF OXNARD

REQUEST FOR SPECIAL BUDGET APPROPRIATION

3/29/2011

To the City Manager:

Request is hereby made for an appropriation of total . . . . . $ 0

Reason for appropriation: Per 7th Amendment to the Consolidated Plan FY 2008-2013 and the Annual Action Plan FY 2008-2009

FUND	DESCRIPTION/ACCOUNT	AMOUNT
CDBG-R 286	**BARTOLO SQUARE NORTH PROJECT 033115**	
	286-3147-803.80-01 Personnel Services/Direct Labor-Regular	(51,314)
	286-3147-826.86-04 Capital Outlay/Improvement not building	(42,305)
	ROSE AVENUE PROJECT 083133 **/GONZALES ARTERIAL RESURFACING**	
New Account	286-3052-826.86-05	93,619
	Net Estimated Change to CDBG-R Fund (286)	0

Manager

REQUIRES CITY COUNCIL APPROVAL

CHIEF FINANCIAL OFFICER

Disposition

Approved _____

Rejected _____

Transfer by Journal Voucher _____

City Manager

ATTACHMENT NO. 3

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