



DRAFT

SEVENTH

AMENDMENT

City of Oxnard
Consolidated Plan for Fiscal Years 2008-2013
Annual Action Plan for Fiscal Year 2008-2009

April 2011

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INTRODUCTION

This Consolidated Plan (Plan) provides a basis and strategy for the use of Federal funds granted to the City of Oxnard by the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) programs. This Plan covers the period beginning July 1, 2008 through June 30, 2013, representing five program years. In order to receive these funds, HUD requires, as of 1995, the submission of a multi-year planning document and an annual application and expenditure plan.

Programs and activities described in this Plan are intended to primarily benefit very low- to moderate-income residents of the City of Oxnard, including both neighborhoods with high concentrations of very low- to moderate-income residents, and the City as a whole. The City of Oxnard will also use this Plan to coordinate with other Federal and State grant programs and local initiatives.

This Consolidated Plan is the product of extensive public outreach, multiple public hearings, and consultation with over 100 agencies, groups, and organizations involved in the development of affordable housing, creation of job opportunities for very low- to moderate-income residents, and/or provision of services to children, elderly persons, persons with disabilities, and homeless persons. A complete draft of this Plan was available for public review and comment, in print form, at the City of Oxnard's Main Library, City Clerk's Office and Finance Department, for a 30-day period beginning May 11, 2008. The availability of the draft Plan was advertised in the local newspaper.

On April 21, 2009, City Council conducted a public hearing to accept the award of \$1,124,994 in Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds from HUD, under the American Recovery and Reinvestment Act of 2009 (ARRA). No verbal or written public comments were received.

On June 2, 2009, City Council conducted a public hearing to accept the award of \$735,792 in Community Development Block Grant Funds (CDBG-R) awarded under the ARRA. No verbal or written comments were received.

On October 27, 2009, City Council conducted a public hearing to reprogram CDBG-R funds from a park project that HUD concluded was ineligible for Bartolo Square North Neighborhood-Water Service Improvement and general administration and planning activities. No verbal or written comments were received.

On January 26, 2010, City Council conducted a public hearing to approve the categorical amounts budgeted to eligible activities based on the award to the County of Ventura Human Services Agency and funded by the HPRP grant. No verbal or written comments were received.

On March 22, 2011, City Council conducted a public hearing to approve the budget revisions of the eligible activities based on the award to the County of Ventura Human

Services Agency and funded by the HPRP grant. The public hearing was rescheduled to April 5, 2011 as a continuation.

On April 5, 2011, City Council will conduct a public hearing to reprogram the CDBG-R balance of \$93,619 from the Water Main Pipeline and General Administration and Planning activities to a new activity, namely Reconstruction of Gloria Court and Colonia Road Back Alley Reconstruction activity.

The Fiscal Years 2008-2013 Consolidated Plan is the fourth multi-year document prepared for HUD approval and includes the FY 2008-2009 Action Plan, which details how the City will expend the CDBG, CDBG-R, HOME, ESG and HPRP funds during this one-year period. The Consolidated Plan is comprised of several sections:

1. **The Executive Summary** includes a description of the development of the Plan, general description of the City and demographics of the area, including the composition of the population and economy;
2. **The Housing and Homeless Needs Assessment** describes the housing needs in general, including needs of renters, owners, elderly, small and large families, and several subgroups of the population;
3. **The Housing Market Analysis** outlines the current housing market and the cost of housing;
4. **The Strategic Plan** outlines a five-year plan to address unmet needs, including objectives and strategies;
5. **The One-Year Action Plan** specifies projects that will be undertaken to meet the unmet needs and goals of the Strategic Plan; and,
6. **The Appendix** includes other documentation required by HUD.

LEAD AGENCY

The lead agency responsible for overseeing the development of this Consolidated Plan, and the significant aspects of the process by which the Consolidated Plan has been developed, is the City's Finance Department. Staff members from Housing, Public Works, Community Development, Recreation and Community Services, Planning and Building, and the Public Housing Authority participated substantially in the development of the Plan.

SUBMISSION TO HUD

The Five-Year Consolidated Plan is required to be submitted to HUD at least 45 days before the beginning of the program year. The City of Oxnard operates on a program year from July 1 through June 30. The City of Oxnard will submit its Consolidated Plan to HUD no later than July 31, 2008.

VISION

**CITY OF OXNARD
FY 2008-2009 ENTITLEMENT GRANTS
PROPOSED PROJECTS FUNDING SUMMARY**

Description	Proposed Amount
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM	
Grants Administration and Support	\$ 270,000
Fair Housing Program & Administration	43,410
Environmental Reviews	18,060
Homeless Program Administration	148,670
Community Affairs Administration	72,388
	<u>Administrative Subtotal</u>
	<u>\$ 552,528</u>
Homeless Employment Program – Family Investment Center	\$ 30,000
Youth Enrichment Program	403,405
	After-School Program \$ 105,000
	Police Activities League 141,132
	Colonia Boxing Program 17,020
	Youth Enrichment Program 68,597
	Colonia Gymnasium 50,736
	City Corps 20,920
	<u>Public Services Subtotal</u>
	<u>\$ 433,405</u>
Neighborhood Street Improvements	FY 08-09 Grant \$ 326,706
	Reprogrammed Funds 173,294
	\$ 500,000
Housing Rehabilitation Program Administration	FY 08-09 Grant \$ 411,130
	Program Income 53,870
	465,000
Code Compliance	245,000
EDC-Business Technical Assistance	75,000
Campus Park Rehabilitation	415,000
Colonia Park Playground	250,000
First-Time Homebuyer	Program Income \$ 47,000
	47,000
	<u>Direct Benefit Projects Subtotal</u>
	<u>\$ 1,997,000</u>
	<u>CDBG Total</u>
	<u>\$ 2,982,933</u>
COMMUNITY DEVELOPMENT BLOCK GRANT-R	
Grants Administration and Support	\$ 22,265
Bartolo Square North Neighborhood Water Utility Pipe Line	619,906
Gloria Court & Colonia Back Alley Reconstruction	93,619
	<u>CDBG-R Total</u>
	<u>\$ 735,792</u>
EMERGENCY SHELTER PROGRAM	
Program Administration	\$ 6,055
Catholic Charities	27,700
	Essential Services \$ 11,000
	Homeless Prevention 16,700
	72,200
St. Vincent de Paul	15,152
Turning Point Foundation	\$ 121,107
	<u>ESG Total</u>
	<u>\$ 121,107</u>
HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM	
Program Administration	\$ 56,249
Financial Assistance	614,244
Housing Relocation	394,411
Data Collection and Evaluation	60,090
	<u>HPRP Total</u>
	<u>\$ 1,124,994</u>
HOME INVESTMENT PARTNERSHIPS ACT PROGRAM	
Program Administration	\$ 103,321
Community Housing Development Organization – Set-Aside	155,000
Community Housing Development Organization – Operating Costs	50,000
First-Time Homebuyer	Program Income \$ 215,000
	Reprogrammed Fund 98,000
	313,000
Housing Rehabilitation – Single-Family	300,000
Housing Rehabilitation – Mobilehome	Reprogrammed Fund \$ 300,000
	FY 08-09 Grant 24,890
	Program Income 89,272
	414,162
Mobilehome Replacement	400,000
American Dream Downpayment Initiative (ADDI)	6,051
	<u>HOME Total</u>
	<u>\$ 1,741,534</u>
	<u>GRAND TOTAL</u>
	<u>\$ 6,706,360</u>

7. CDBG-R Program

Also included when the ARRA was signed into law, was an award of \$735,792 in CDBG-R funds in FY 2008-2009. HUD required a minimum 7-day public review period and submission of substantial amendment and other required documents to the FY 2008-2009 Annual Action Plan by June 5, 2009. The City provided a 7-day public review period beginning Monday, May 25, 2009, and concluding at 5pm on Monday, June 1, 2009.

The intent of the CDBG-R assistance is to provide a stimulus to the U.S. economy in the wake of the economic downturn. Also, HUD requires;

- Grantees to identify, upfront, the specific activities or projects intended to be funded with the CDBG-R dollars;
- Grantees to use the funds for hard development costs associated with activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings;
- Recipients to give preferences to activities that can be started and completed expeditiously, including a goal of using at least 50% of the funds for activities that can be initiated not later than 120 calendar days after February 17, 2009; and,
- Priority to be given to projects that can award contracts based on bids, within 120 calendar days from the date the funds are made available to recipients.

To complete the application, the following documents were submitted:

- Standard Form 424;
- Substantial Amendment to the FY 2008-2009 Annual Action Plan; and,
- Copy of the Required Certifications.

E. CITIZEN PARTICIPATION PLAN

On October 18, 1994, City Council adopted a revised Citizen Participation Plan to incorporate HUD's new consultation and citizen participation requirements for the preparation and submittal of the Consolidated Plan for CDBG, ESG, and HOME. The Citizen Participation Plan is available in both English and Spanish. In 2000, the City updated its Citizen Participation Plan as part of the 2000-2003 Consolidated Plan process. The City's Commission on Homelessness also provides the City with information and direction on all federal funding matters with regards to homeless persons and service providers.

1. Process for Preparing the Consolidated Plan

In creating the Consolidated Plan, City staff developed a mailing list of more than 150 addresses consisting of organizations, the faith community, service providers, cities within Ventura County, Neighborhood Councils and other interested parties. Copies of the notice for each held public hearing was distributed through the Neighborhood

Services Division. The notices highlighted the purpose of each public hearing and invited comments and presentation from concerned citizens, local agencies and organizations. Also, the City's utility customer bills included *Did You Know*, a newsletter for City residents in which information appeared regarding the FY 2008-2013 Consolidated Plan. Approximately 34,000 residential customers receive the City's newsletter. Information regarding the Plan also appeared on cable television's Citywatch (Channel 17) throughout the month before a scheduled public hearing. In addition, beginning at 7:00 p.m., the City's Channel 10/17 televised and broadcasted the City Council meeting at which the public hearing was conducted.

2. First Public Hearing January 15, 2008

On December 16, 2007, a notice of public hearing was advertised in the *Ventura County Star Newspaper*. The notice announced that the purpose of the public hearing was to obtain public input and/or comments on housing, public facilities and improvements, public services or economic development unmet needs of very low- to moderate-income persons, which are not currently being addressed by the City of Oxnard, or local agencies and organizations.

The first public hearing was held on January 15, 2008. A summary of the public testimony received and other pertinent documentation is included in this Plan. During this public hearing, the City Council requested an opportunity to discuss some of the ideas and concerns expressed by those providing comments.

3. Second Public Hearing May 6, 2008

On January 27, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the public hearing on March 4, 2008. The hearing was to provide the opportunity for further discussion of unmet needs and related issues and to designate the goals and specify the measurable objectives, that would be addressed in the multi-year and annual plan documents. However, the regular council meeting was cancelled because of the lack of a quorum.

On March 23, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* to reschedule the second public hearing to April 22, 2008. The meeting was continued to May 6, 2008. During the public hearing, the Council provided additional comments, goals and priorities for the next five-year plan.

4. Third Public Hearing June 24, 2008

On May 11, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the Draft Consolidated Plan for the FY 2008-2013 and the Annual Action Plan for FY 2008-2009, and officially opened the 30-day public comment period required before the scheduled public hearing of June 17, 2008. Due to technical reasons, the public hearing on June 17, 2008 was continued to June 24, 2008. The Consolidated Plan and the Annual Plan were formally adopted, with public comments, during the June 24, 2008 public hearing.

5. Public Hearing October 7, 2008 - First Amendment

On September 8, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the amended draft of the 2008-2013 Consolidated Plan and the 2008-2009 Annual Action Plan for 30-day public review and comments period which began on September 08, 2008 and concluded on October 7, 2008, by adding a First-Time Homebuyer Assistance activity to both CDBG and HOME budgets. The meeting was continued to October 14, 2008 and the amended 2008-2013 Consolidated Plan and the amended 2008-2009 Annual Action Plan were formally adopted with no written or oral public comments.

City staff reviewed and updated a mailing list of approximately 100 addresses consisting of organizations, the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties.

6. Public Hearing April 21, 2009 – Second Amendment

City staff reviewed and updated a mailing list of approximately 100 addresses consisting of organizations, the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. This list receives a copy of all public hearing notices.

On April 5, 2009, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the draft of the second amendment draft of the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for 15-day public review and comments period which began on Monday, April 6, 2009 and concluded on Tuesday, April 20, 2009, by adding the award of \$1,124,994 in HPRP funds from HUD, and the proposed uses of the funds over the three-year period. The amended FY 2008-2013 Consolidated Plan and the amended FY 2008-2009 Annual Action Plan, were formally adopted on April 21, 2009 with no written comments received. One oral public comment was presented by Cathy Bernicky, in support of the proposed uses of activities outlined in the Plan.

7. Public Hearing June 2, 2009 – Third Amendment

HUD provided an abbreviated public review process for the CDBG-R funding. Grantees were required to post a 7-day public notice and to include information on the substantial amendment on the City of Oxnard's website. On May 24, 2009 a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the draft of the third amendment of the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for a 7-day public review and comment period which began on Monday, May 25, 2009 and concluded on Monday, June 1, 2009, which added the award of \$735,792 in CDBG-R funds, and the proposed use of the funds in FY 2008-2009. The 7-day public notice and the substantial amendment were also posted on the City of Oxnard's website. The amended Plan was formally adopted with no written or oral public comments.

However, HUD rejected the submission of the third amendment based on the non-eligibility park rehabilitation. Therefore, the City needed to resubmit a new and eligible

proposed activity, namely Water Service Improvement Project. Since the new proposed activity was the result of HUD discussions for replacing the Campus Park Gymnasium Rehabilitation Project, the City is not required to publish the new activity for citizen comment, per HUD headquarters guidance. On June 23, 2009, the City posted the substitution of the new activity in the City's website. No written or oral public comments were received.

8. Public Hearing, October 27, 2009 – Fourth Amendment

On October 18, 2009, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the draft of the fourth amendment of the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for a 7-day public review and comment period which began on Monday, October 19, 2009 and concluded on Monday, October 26, 2009, which reprogrammed \$735,792 in CDBG-R Funds for Bartolo Square North Neighborhood-Water Service Improvement and general administration and planning activities. No written or oral public comments were received. On October 27, 2009 the fourth amendment of the Plan was formally adopted by the City Council.

9. Public Hearing, January 26, 2010 – Fifth Amendment

City staff reviewed and updated a mailing list of approximately 100 addresses consisting of organizations, the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. This list receives a copy of all public hearing notices.

On January 10, 2010, a 15-day public review and comments notice, by adding the award of \$1,096,869 in HPRP funds to the County of Ventura Human Services Agency, and the proposed uses of the funds over the three-year period, was advertised in the *Ventura County Star Newspaper*. Also, the City posted the notice of public review of the Fifth Amendment on the City's website. The public review and comments period began on Monday, January 11, 2010, and concluded on Friday, January 22, 2010. On January 26, 2010 the fifth amendment of the Plan was formally adopted by the City Council. No written or oral public comments were received.

10. Public Hearing, March 22, 2011 – Sixth Amendment

On February 19, 2011, a 30-day public review and comments notice, asking for the approval of the budget revisions of the County of Ventura Human Services Agency HPRP award, was advertised in the *Ventura County Star Newspaper*. The purpose of the City of Oxnard HPRP budget revision is to reflect a reallocation of funds to increase levels of outreach, case management and support services. This reallocation intended to increase accessibility to HPRP funds by Ventura County residents, who are eligible and in need of HPRP support services and financial assistance. The increase in case management and supportive services will also further ensure long-term self sufficiency for all HPRP recipients.

Also, the City posted the notice of public review of the Sixth Amendment on the City's website and the notice of publication of the Sixth Amendment was mailed out to notify various agencies and neighborhood residents. The public review and comments period

will began on Sunday, February 20, 2011 and concluded on Monday, March 21, 2011. The City Council conducted a public hearing of the Sixth Amendment on March 22, 2011. This public hearing meeting was continued to April 5, 2011.

11. Public Hearing, April 5, 2011 – Seventh Amendment

On March 27, 2011, a seven-day public review and comments notice was advertised in the Ventura County Star Newspaper, announcing the addition of the Gloria Court and Colonia Road Back Alley Reconstruction activity, component of the Rose Avenue/Gonzales Arterial Resurfacing Project, as a Seventh Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan. The reprogramming of the CDBG-R balance of \$93,619 is intended to reconstruct the 50-year old street and alley, located in the Colonia Neighborhood. The public review will begin on Monday, March 28, 2011 and conclude on Monday April 4, 2011. The City also posted the notice of public review of the Seventh Amendment on the City's website as well as mailed it out to various agencies and neighborhood residents.

12. Consultations with Outside Agencies

The City of Oxnard maintains an open dialogue with local and countywide housing and social service agencies to ensure that all needs of lower income persons are identified and addressed by the City. The coordinated team effort of City employees is an ongoing process, as well as the Countywide "Plan Coordinators" group representing the County and the other cities.

The City will continue its coordination efforts between public agencies, nonprofits, and representatives of housing providers. These efforts include the Ventura County Organization of Governments, the Ventura County Homeless Coalition, and the Affordable Housing Development Parameters Committee.

Furthermore, City staff met with the Commission on Homelessness to receive input relative to the homeless needs assessment. As future projects are initiated, these efforts will be expanded to ensure community input in tailoring City programs to meet housing needs of the homeless.

**TABLE IV
CITY OF OXNARD
PROPOSED PROJECTS FOR FISCAL YEAR 2008-2009**

Project Number	Title	Location	Funding source	Projected Accomplishments	Amounts	Objective	Outcome
08-100	Grants Administration and Support	N/A	CDBG	N/A	270,000	N/A	N/A
08-101	Fair Housing Program Administration	N/A	CDBG	400 Households	43,410	N/A	N/A
08-102	Environmental Reviews	N/A	CDBG	N/A	18,060	N/A	N/A
08-103	Homeless Program Administration	N/A	CDBG	N/A	148,670	N/A	N/A
08-104	Community Affairs Administration	N/A	CDBG	N/A	72,388	3	3
08-200	Homeless Employment Programs	N/A	CDBG	20 homeless persons	30,000	1	1
08-201A	After School Program	CT & BG	CDBG	630 youth	105,000	1	1
08-201B	PAL	CT & BG	CDBG	6,500 youth	141,132	1	1
08-201C	Colonia Boxing Center	CT & BG	CDBG	240 youth	17,020	1	1
08-201D	Youth Enrichment Program	CT & BG	CDBG	3,000 youth	68,597	1	1
08-201E	Colonia Memorial Park Veteran's Gym	CT & BG	CDBG	3,600 youth	50,736	1	1
08-201F	City Corps	Citywide	CDBG	475 youth	20,920	1	1
08-300	Code Compliance	CT & BG	CDBG	2,040 housing units	245,000	1	1
08-301	Neighborhood Street Improvements	CT & BG	CDBG	3,342 persons served	500,000	3	3
08-302	Business Technical Assistance	Citywide	CDBG	10 new jobs	75,000	1	1
08-303	Housing Rehabilitation Admin	Citywide	CDBG	N/A	465,000	2	2
08-304	Campus Park Rehabilitation	CT & BG	CDBG	1 public facility	415,000	1	1
08-305	Colonia Park Playground	CT & BG	CDBG	1 public facility	250,000	1	1
08-306	First-Time Homebuyer	Citywide	CDBG	4 housing units	<u>47,000</u>	2	2
CDBG TOTAL					2,982,933		
08-307A	Grants Administration and Planning Bartolo Square North Neighborhood	N/A	CDBG-R	N/A	22,265	N/A	N/A
08-307B	Water Utility Pipe Line	CT & BG	CDBG-R	3,342 persons served	619,908	1	3
08.307C	Gloria Court & Colonia Road Back Alley Reconstruction	CT & BG	CDBG-R	1837 persons served	<u>93,619</u>	1	3
CDBG-R TOTAL					735,792		
08-400	Program Administration	N/A	ESG	N/A	6,055	N/A	N/A
08-401	Catholic Charities	Citywide	ESG	670 persons & 35 households	27,700	1	3
08-402	Turning Point	Citywide	ESG	260 mentally ill	15,152	1	1
08-403	St. Vincent de Paul	Citywide	ESG	430 homeless people	<u>72,200</u>	1	1
ESG TOTAL					121,107		
08-404A	Program Administration	N/A	HPRP	N/A	56,249	N/A	N/A
08-404B	Financial Assistance				614,244	1	1
08-404C	Housing Relocation and Stabilization				394,411	1	1
08-404D	Data Collection and Evaluation				<u>60,090</u>	N/A	N/A
HPRP TOTAL					1,124,994		
08-500	Program Administration	N/A	HOME	N/A	103,321	N/A	N/A
08-501	CHDO Development	Citywide	HOME	1 organization	155,000	2	2
08502	CHDO Operations	N/A	HOME	1 organization	50,000	N/A	N/A
08-503	Mobilehome Replacement	Citywide	HOME	6 mobilehome units	400,000	2	2
08-504	Housing Rehabilitation - Mobilehome	Citywide	HOME	20 mobilehome units	414,162	1	1
08-505	Housing Rehabilitation – Single Family American Dream Downpayment	Citywide	HOME	13 housing units	300,000	1	1
08-506	Assistance	Citywide	HOME	1 housing unit	6,051	2	2
08-507	First-Time Homebuyer	Citywide	HOME	31 housing units	<u>313,000</u>	2	2
HOME TOTAL					1,741,534		
GRAND TOTAL					6,706,360		

O. CITIZEN PARTICIPATION PROCESS FOR THE FY 2008-2009 ANNUAL ACTION PLAN

First Public Hearing January 15, 2008

On December 16, 2007, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the purpose of the public hearing to obtain public input and/or comments on housing, public facilities and improvements, public services or economic development unmet needs of low income persons, which are not currently being addressed by the City of Oxnard, or local agencies and organizations.

City staff reviewed and updated a mailing list of more than 150 addresses consisting of organizations, the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties.

The first public hearing was held on January 15, 2008. A summary of the public testimony received and other pertinent documentation is included in this Plan. During this public hearing, the City Council has requested an opportunity to discuss some of the ideas and concerns expressed by those providing comments.

Second Public Hearing May 6, 2008

On January 27, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the public hearing on March 4, 2008 to provide the opportunity for further discussion of unmet needs and related issues and to designate the goals and specify the measurable objectives that will be addressed in the multi-year and annual plan documents. However, the regular council meeting was cancelled because of the lack of a quorum.

On March 23, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* to schedule the second public hearing to April 22, 2008 meeting, which was continued to May 6, 2008. During the public hearing, the Council provided additional comments, goals and priorities for the next five-year plan.

Third Public Hearing June 24, 2008

On May 11, 2008, a note of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the Draft Consolidated Plan for the FY 2009-2013 and the Draft Annual Action Plan for the FY 2008-2009, and officially opened the 30-day public comment period.

Due to technical reasons, the public hearing on June 17, 2008 was continued to June 24, 2008. The Consolidated Plan and the Annual Plan were formally adopted, with public comments, during the June 24, 2008 public hearing.

Public Hearing October 7, 2008

On September 8, 2008, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the amended draft of the 2008-2013 Consolidated Plan and the 2008-2009 Annual Action Plan for 30-day public review and comments period which began on September 08, 2008 and concluded on October 7,

2008, by adding a First-Time Homebuyer Assistance activity to both CDBG and HOME budgets. The meeting was continued to October 14, 2008 and the City Council formally approved the amended plans with no written or oral public comments.

City staff reviewed and updated a mailing list of approximately 100 addresses consisting of organizations, the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties.

Public Hearing April 21, 2009

City staff reviewed and updated a mailing list of approximately 126 addresses consisting of organizations, the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. This list receives a copy of all public hearing notices.

On April 5, 2009, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the draft of the second amendment of the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for 15-day public review and comments period which began on Monday, April 6, 2009 and concluded on Tuesday, April 21, 2009, by adding the award of \$1,124,994 in HPRP funds from HUD, and the proposed uses of the funds over the three-year period. The amended FY 2008-2013 Consolidated Plan and the amended FY 2008-2009 Annual Action Plan, were formally adopted with no written comments received. One oral public comment was presented by Cathy Bernicky, in support of the proposed uses of activities outlined in the Plan.

Public Hearing June 2, 2009

City staff reviewed and updated a mailing list of approximately 100 addresses consisting of organizations, such as, the faith-based community service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. This list receives a copy of all public hearing notices.

HUD provided an abbreviated public review process for the CDBG-R funding. Grantees were required to post a 7-day public notice and to include information on the substantial amendment on the City of Oxnard's website. On May 24, 2009 a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the draft of the third amendment of the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for a 7-day public review and comment period which began on Monday, May 25, 2009 and concluded on Monday, June 1, 2009, which added the award of \$735,792 in CDBG-R funds, and the proposed use of the funds in FY 2008-2009. The amended Plan was formally adopted with no written or oral public comments.

Public Hearing, October 27, 2009

City staff reviewed and updated a mailing list of approximately 125 addresses consisting of organizations, such as, the faith-based community service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. This list received a copy of all public hearing notices.

On October 18, 2009, a notice of public hearing was advertised in the *Ventura County Star Newspaper* announcing the availability of the draft of the fourth amendment of the

FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for a 7-day public review and comment period which began on Monday, October 19, 2009 and concluded on Monday, October 26, 2009. This amendment reprogrammed \$735,792 in CDBG-R Funds from a park project to the for Bartolo Square North Neighborhood-Water Service Improvement Project in the amount of \$662,213 and general administration and planning activities in the amount of \$73,579. The amended Plan was formally adopted with no written or oral public comments.

Public Hearing, January 26, 2010

City staff reviewed and updated a mailing list of approximately 100 addresses consisting of organizations, of the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. Addresses on this list received a copy of all public hearing notices.

On January 10, 2010, a 15-day public review and comment notice was published to add, the award of \$1,096,869 in HPRP funds to the County of Ventura Human Services Agency, and the proposed uses of the funds over the three-year period, in the *Ventura County Star Newspaper*. Also, the City posted the notice of public review of this Fifth Amendment on the City's website. The public review and comments period began on Monday, January 11, 2010 and conclude on Friday, January 22, 2010. The amended Plan was formally adopted by the Council with no written or oral public comments on January 26, 2010.

Public Hearing, March 22, 2011 – (Continued to April 5, 2011)

City staff reviewed and updated a mailing list of approximately 126 addresses consisting of organizations, of the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. Addresses on this list received a copy of all public hearing notices.

On February 19, 2011, a 30-day public review and comment notice, revising the budgeted amount of the eligible activities of the award of \$1,096,869 in HPRP funds to the County of Ventura Human Services Agency, was advertised in the *Ventura County Star Newspaper*. The City also posted the notice of public comment period on review of the Sixth Amendment on the City's website. The public review and comments period began on Sunday, February 20, 2011 and concluded on Monday, March 21, 2011. The public hearing was continued to April 5, 2011.

Public Hearing, April 5, 2011

City staff reviewed and updated a mailing list of approximately 126 addresses consisting of organizations, of the faith community, service providers, the Oxnard Housing Authority, cities within Ventura County, neighborhood councils and other interested parties. Addresses on this list received a copy of all public hearing notices. The notice of public review was posted on the City's website.

On March 27, 2011 a notice of public hearing was advertised in the Ventura County Star Newspaper to reprogram the balance of the CDBG-R funds to a new activity, namely Colonia Court and Colonia Road Back Alley Reconstruction activity. The public review

and comments period will begin on Monday march 28, 2011 and conclude on Monday April 4, 2011.

CDBG-R SUBMISSION TEMPLATE **& CHECKLIST**

The American Recovery and Reinvestment Act of 2009 ("Recovery Act") was signed into law by President Obama on February 17, 2009. The Recovery Act awards \$1 billion in CDBG Recovery (CDBG-R) funds to be distributed to cities, counties, insular areas and states, of which \$10 million has been reserved by HUD for its administrative costs and \$10 million of which will be awarded to Indian tribes. Recipients of the remaining \$980 million of CDBG-R funds will be the approximately 1,200 jurisdictions that received CDBG funding in Fiscal Year 2008. This template sets forth the suggested format for grantees receiving funds from CDBG-R. A complete submission contains the information requested below, including:

- (1) The CDBG-R Substantial Amendment (template attached below)
- (2) Spreadsheet for Reporting Proposed CDBG-R Activities (see <http://www.hud.gov/recovery>)
- (3) Signed and Dated Certifications (see <http://www.hud.gov/recovery>)
- (4) Signed and Dated SF-424.

Grantees should also attach a completed CDBG-R Substantial Amendment Checklist to ensure completeness and efficiency of review (attached below).

THE CDBG-R SUBSTANTIAL AMENDMENT

Jurisdiction(s): City Of Oxnard	CDBG-R Contact Person: Norma J. Owens
Lead Agency	Address: 435 South D Street,
Jurisdiction Web Address: <i>http://www.ci.oxnard.ca.us</i>	Oxnard CA 93030
	Telephone: 805-385-7959
	Fax: 805-385-7466
	Email: Norma.owens@ci.oxnard.ca.us

ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation’s infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use 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. While the full range of CDBG activities is available to grantees, the Department strongly suggests that grantees incorporate consideration of the public perception of the intent of the Recovery Act in identifying and selecting projects for CDBG-R funding.

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Grantees must provide information concerning CDBG-R assisted activities in an electronic spreadsheet provided by HUD. The information that must be reported in the spreadsheet includes activity name, activity description, CDBG-R dollar amount budgeted, eligibility category, national objective citation, additional Recovery Act funds for the activity received from other programs, and total activity budget. An electronic copy of the spreadsheet and the format is available on HUD’s recovery website at <http://www.hud.gov/recovery>.

Jurisdiction/Grantee Name: City of Oxnard		CDBG-R Formula Grant Amount: \$735,792			Date: May 26, 2009		
Water Service Improvement Project: Bartolo Square North Neighborhood Water Utility Pipe Project Phase	<p>This project involves the construction and installment of a new polyvinyl chloride (PVC) water main pipe lines and remove an existing corroded cast iron pipes. Due to the corrosion, water main breaks and leaks occur frequently. These leaks and breaks affect water quality and pressure as well as increase the potential for contamination of the drinking water system. The reduced water quality affects fire-line service to the area in the event of an emergency, but most significantly, main breaks result in a loss of potable water to the residents. Also, corroded cast iron pipes affect the quality of potable water provided to residents. Rust gets in the water and negatively affects the color, odor and turbidity of the water. The water can be discolored, have a metallic odor and can contain suspended solids from the rust. The new PVC water main pipe line is an industrial standard that prevents corrosion and has a greater useful life as compared to the cast iron pipe. PVC water pipe lines will provide residents with improved quality of potable water, improved water distribution and improved fireline service. The estimated project cost for the new water main lines is \$1,400,000. The new water main pipe lines will be constructed and installed on Hill Street from Ventura Road to "I" Street and on "J" Street from Wooley Road to Hemlock Street.</p>	24CFR 570.201 (c)	570.208(a)(1) (i)	\$619,908	\$0	\$664,210	\$1,284,118
General Administration and Planning	Ten Percent of CDBG-R funding will be used to pay for costs associated with overall CDBG-R program administration and planning, including: preparation and submission of required contracts with HUD, submission of all reporting requirements and fiscal management and oversight of the program	24 CFR570.205	570.208(d)(4)	\$22,265	\$0	\$0	\$22,265
Reconstruction of Gloria Court and Colonia Road Back Alley	The City's Rose Improvement Street Improvement Project involves the reconstruction of the 200' long by 30' wide Gloria Court and the 50 year-old 723' long by 20' wide alley, located in the Colonia neighborhood within the census block 3203.01 with a low mod percentage of 94.5%.	24CFR 570.201(c)	570.208(a)(1) (i)	\$93,619	\$0	\$5,000	\$98,619

B. CDBG-R INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)

(1) Activity Name: Reconstruction of Gloria Court and Colonia Road Back Alley

(2) Activity Narrative:

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- Preserving and creating jobs and promoting economic recovery;
- Assisting those most impacted by the recession;
- Providing investment needed to increase economic efficiency;
- Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;
- Minimizing or avoiding reductions in essential services; or
- Fostering energy independence.

ACTIVITY NARRATIVE

The Reconstruction of the Gloria Court and Colonia Road Back Alley project is committed to adhering to all requirements of the Community Development Block Grant Recovery Grant (CDBG-R). The intent of the project is to award a contract, based on bids, within 120 days from the date when the project and funding are approved. That would allow the project to be under contract by August 2011.

The Current estimated completion date for the project is October 2011. This date will allow for the full expenditure of the CDBG-R funds within the 3-year requirement, and in fact, all funds are expected to be expended by October 2011, ahead of the schedule.

PROJECT NARRATIVE

This project involves:

1. The demolition of the 50 years old asphalt pavement and concrete gutters in Gloria Court and adjacent back alleyway between Gloria Court and Marquita Street,
2. And the reconstruction of the Gloria Court and the alleyway with new asphalt pavement and concrete gutters as shown on the plans and as specified in the scope of work.

The alley is a dedicated alley to the City of Oxnard as a right of way to the general public. The Gloria Court is approximately 30' wide by 200' long and the alley is 20' wide by 723' long. Both Gloria Court and the Colonia Road back alley are worn out substantially and have potholes throughout their entire length, making the traffic difficult for the commuters and dangerous to 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 streets by 15 years. The neighborhood is located in census block group 3202.01 with a low-moderate percentage of 94.5%, thereby eligible for CDBG-R funds.

(3) Jobs Created: (Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)).

Permanent Jobs Full-Time
_____ Retained
_____ Created

Permanent Jobs Part-Time
_____ Retained
_____ Created

Construction Jobs Full-Time/Part-time
_____ 4 _____ Retained
_____ Created

Temporary Jobs Full-Time
_____ Retained
_____ Created

Temporary Jobs Part-Time
_____ Retained
_____ Created

(4) Additional Activity Information: (A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.) N/A

(5) Responsible Organization: (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)

City of Oxnard
Public Works Department
305 West Third Street
Oxnard, CA 93030
Grant Dunne
(805) 385-7956
Email: grant.dunne@ci.oxnard.ca.us

C. PUBLIC COMMENT

Provide a summary of public comments received to the proposed CDBG-R Substantial Amendment.

Note: A Proposed CDBG-R Substantial Amendment must be published via the usual methods and posted on the jurisdiction's website for no less than 7 calendar days for public comment.

Response: On March 28th, 2011 a notice of public hearing was advertised in the Ventura County Star Newspaper to obtain public input and comments on the funding of the new activity in CDBG-R funding, in the amount of \$93,619. The notice also announced the availability of the draft of the seventh amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan for a 7-day public review, as required by HUD. The 7-day public notice and the substantial amendment were also posted on the City's website.

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): City Of Oxnard Lead Agency Jurisdiction Web Address: http://www.ci.oxnard.ca.us	CDBG-R Contact Person: Norma J. Owens Address: 435 South D Street, Oxnard CA 93030 Telephone: 805-385-7959 Fax: 805-385-7969 Email: Norma.owens@ci.oxnard.ca.us

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 X No Verification found on page **3 Attachment 2**

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 X No Date Spreadsheet was emailed: **03/15/11**

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 X No Verification found on page(s) **3 Attachment 2**
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes X No Verification found on page(s) **3 Attachment 2**
- the CDBG national objective citation,
 Yes X No Verification found on page(s) **3 Attachment 2**

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 X No Verification found on page(s) 5
- projected number of jobs created for each activity,
Yes X No Verification found on page(s) 5
- whether an activity will promote energy efficiency and conservation,
Yes X No Verification found on page(s) 5
- the name, location, and contact information for the entity that will carry out the activity,
Yes X No Verification found on page(s) 5
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes X No Verification found on page (s) 3
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes X No Verification found on page (s) 3
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes X No Verification found on page (s) 3

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 X No Verification found on page(s)

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

Yes X No Verification found on page(s)

D. CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|---|-------|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes X | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes X | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes X | No <input type="checkbox"/> |
| (4) Anti-lobbying | Yes X | No <input type="checkbox"/> |
| (5) Authority of jurisdiction | Yes X | No <input type="checkbox"/> |
| (6) Consistency with plan | Yes X | No <input type="checkbox"/> |
| (7) Section 3 | Yes X | No <input type="checkbox"/> |
| (8) Community development plan | Yes X | No <input type="checkbox"/> |

- | | | |
|--|---|-----------------------------|
| (9) Following a plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use of Funds | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (11) Excessive Force | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (13) Lead-based paint procedures | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (15) Compliance with ARRA | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (16) Project selection | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (17) Timeliness of infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (18) Buy American provision | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (19) Appropriate use of funds for infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (20) 70% of CDBG-R for LMI | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

Optional Certification

- | | | |
|------------------|------------------------------|--|
| (21) Urgent Need | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|------------------|------------------------------|--|

D. STATE CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|--|------------------------------|--|
| (1) Affirmatively furthering fair housing | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (4) Anti-lobbying | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (5) Authority of State | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (6) Consistency with plan | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (7) Section 3 | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (8) Community development plan | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (9) Consultation with Local Governments | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (10) Use of Funds | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (11) Excessive Force | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (13) Compliance with laws | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (14) Compliance with ARRA | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (15) Project selection | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (16) Timeliness of infrastructure investments | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (17) Buy American provision | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (18) Appropriate use of funds for infrastructure investments | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (19) 70% of CDBG-R for LMI | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Optional Certification

- | | | |
|------------------|------------------------------|--|
| (20) Urgent Need | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
|------------------|------------------------------|--|

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

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.

EDMUND F. SOTELO
Signature/Authorized Official

April 19, 2011
Date

CITY MANAGER
Title