



Meeting Date: 04/21/09

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other: Public Hearing

Prepared By: Juliette Dang, Grants Coordinator *JD* Agenda Item No. L-2

Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

DATE: April 2, 2009

TO: City Council

FROM: Norma J. Owens, Grants Manager
Will Reed, Homeless Coordinator

NJO
Norma J. Owens

SUBJECT: Second Amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan of the City of Oxnard to include the Homelessness Prevention and Rapid Re-Housing Program funded by the American Recovery and Reinvestment Act of 2009

RECOMMENDATION

That City Council:

1. Conduct a public hearing to approve the proposed amendment to the Consolidated Plan for FY 2008-2013 and the Annual Action Plan for FY 2008-2009, accepting the award of \$1,124,994 in Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds from the Department of Housing and Urban Development (HUD) under the American Recovery and Reinvestment Act of 2009 (ARRA).
2. Authorize the City Manager to submit a substantial amendment to the FY 2008-2013 Consolidated Plan and the FY 2008-2009 Annual Action Plan to the U. S. Department of Housing and Urban Development for approval.
3. Approve the release of a request for proposals, awarding the funds to qualified entities that will provide the eligible activities.

DISCUSSION

Background

The City Council approved the first amendment to the five-year Consolidated Plan for FY 2008-2013 and the Annual Action Plan for FY 2008-2009 on October 14, 2008. On February 17, 2009, the ARRA was signed into law. Included in the ARRA was an allocation of \$1,124,994, in HPRP funds over the next three years for the City of Oxnard.

HUD, the administrator of the HPRP funds, requires a minimum 12-day public review period and submission of a substantial amendment and other required documents to the FY 2008-2009 Annual Action Plan by May 19, 2009. The City provided a 15-day public review period beginning on Monday, April 6, 2009, and concluding at 5:00 p.m. on Tuesday, April 21, 2009 (Attachment 1).

Overall Goals of the HPRP

The overall goals of the HPRP expressed under Title XII of the ARRA are:

- to provide financial assistance and services to prevent individuals and families from becoming homeless, or
- to help those who are experiencing homelessness to be quickly re-housed and stabilized

The intent of the HPRP assistance is not to provide long-term support for program participants but rather to move them to stability through their own means or through public assistance. Although the funding allocation of HPRP funds is based on the formula used for The Emergency Shelter Grant Program, it is important to note that HPRP is a separate program with a different program purpose and requirements.

Requirements for HPRP Funding

The four categories of eligible HPRP activities are: financial assistance, housing relocation and stabilization services, data collection and evaluation, and program administrative costs (up to 5% of the total HPRP grant). Activities such as but not limited to mortgage costs, construction and rehabilitation, travel costs, operations of homeless shelters, and essential services are ineligible and prohibited. Only two groups of participants are eligible for assistance under the HPRP grant: homeless persons and persons who are at-risk of becoming homeless.

In addition to the HPRP requirements, HUD also requires a grantee to submit a complete application (Attachment 2), containing the three following documents no later than May 18, 2009:

- Standard Form 424;
- Substantial Amendment to the FY 2008-2009 Annual Action Plan, Form HUD-40119; and,
- Copy of the Required Certifications.

Once the substantial amendment to the Consolidated Plan for FY 2008-2013 and the Annual Action Plan for FY 2008-2009 has been adopted by City Council, the City's Homeless Program will release a request for proposals awarding the funds to qualified entities that will provide the eligible activities. Also, the City's grant funds will be changed as follows:

HUD FORMULA GRANTS FY 2008-2009					
DESCRIPTION	NEW FUNDING	CURRENT FUNDING			TOTAL
	HPRP	CDBG	HOME	ESG	
Program Entitlement	\$1,124,994	\$2,708,769	\$1,039,262	\$121,107	\$4,994,132
Program Income	0	100,870	304,272	0	405,142
Reprogrammed Fund	0	173,294	398,000	0	571,294
TOTAL	\$1,124,994	\$2,982,933	\$1,741,534	\$121,107	\$5,970,568

FINANCIAL IMPACT

The Special Budget Appropriation (Attachment 3) will appropriate funds in the amount of \$1,124,994 for the HPRP.

- Attachment 1 - Notice of 15-day Public Review
- Attachment 2 - Amendment packet to HUD
- Attachment 3 – Special Budget Appropriation



**CITY OF OXNARD
NOTICE OF 15-DAY PUBLIC REVIEW
SECOND AMENDMENT OF THE FY 2008-2013 CONSOLIDATED PLAN
AND THE FY 2008-2009 ANNUAL ACTION PLAN**

NOTICE IS HEREBY GIVEN that the City of Oxnard has prepared the Second Amendment of the Fiscal Years 2008-2013 Consolidated Plan, and the Fiscal Year 2008-2009 Annual Action Plan.

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 \$1,124,994, in Homelessness Prevention and Rapid Re-Housing Program (HPRP) over the next three years for the City of Oxnard.

The U.S. Department of Housing and Urban Development, the Administrator of the HPRP funds, requires at least a 12-day public review period and a submission of the substantial amendment and other required documents to the FY 2008-2009 Annual Action Plan, by May 19, 2009. The publication of this notice begins the public review period which will start on Monday, April 6, 2009 and conclude at 5:00 p.m. on Tuesday, April 21, 2009.

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

DATE: April 21, 2009
LOCATION: 305 West Third Street, Oxnard, California 93030
 City Council Chambers
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 \$1,124,994 in Homelessness Prevention and Rapid Re-Housing Program funds. The intent of the HPRP is to provide financial assistance and services to either prevent individuals and families from becoming homeless, or help those who are experiencing homelessness to be quickly re-housed and stabilized.

Eligible HPRP Activities

- 1) Financial Assistance
- 2) Housing Relocation and Stabilization Services
- 3) Data Collection and Evaluation
- 4) Program Administrative Costs (Up to 5% of the total HPRP grant)

Once the amendment of the FY 2008-2009 Annual Action Plan has been adopted by City Council, the City's homeless program will release a request for proposal awarding the funds to eligible and qualified entities that will provide the eligible activities.

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 Finance Department
300 West Third Street, Suite 302

The public is invited to submit written comments on the additional projects. All comments related to this Amended Consolidated Plan and Annual Action Plan are to be submitted to the Grants Management Division of the Finance Department, **no later than 5:00 p.m., on April 21, 2009.**

Questions and written comments may be addressed to the following:

Norma Owens, Grants Manager
 City of Oxnard, Finance Department
 300 West Third Street, Suite 302
 Oxnard, CA 93030
 (805) 385-7477

**APPLICATION FOR
FEDERAL ASSISTANCE**

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		2. DATE SUBMITTED		Applicant Identifier	
Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name: CITY OF OXNARD			Organizational Unit: Department: FINANCE DEPARTMENT		
Organizational DUNS: 081790214			Division: GRANTS MANAGEMENT DIVISION		
Address: Street: 300 WEST THIRD STREET SUITE 302			Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: OXNARD			Prefix: MS	First Name: NORMA	
County: VENTURA			Middle Name J.		
State: CA			Last Name OWENS		
Zip Code 93030			Suffix:		
Country: USA			Email: norma.owens@ci.oxnard.ca.us		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 95-6000756			Phone Number (give area code) (805) 385-7477		Fax Number (give area code) (805) 385-7466
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify) <input type="checkbox"/> <input type="checkbox"/>			7. TYPE OF APPLICANT: (See back of form for Application Types) CITY Other (specify)		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): Labor Management Cooperation Program 14-257			9. NAME OF FEDERAL AGENCY: US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): CITYWIDE			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)		
13. PROPOSED PROJECT Start Date: 07/01/09			14. CONGRESSIONAL DISTRICTS OF: a. Applicant CA-23		
Ending Date: 06/30/12			b. Project CA-23		
15. ESTIMATED FUNDING:			16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$	1,124,994 ⁰⁰	a. Yes. <input checked="" type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON		
b. Applicant	\$	⁰⁰	DATE: 05/01/09		
c. State	\$	⁰⁰	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
d. Local	\$	⁰⁰	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
e. Other	\$	⁰⁰	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
f. Program Income	\$	⁰⁰	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
g. TOTAL	\$	1,124,994 ⁰⁰			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Authorized Representative					
Prefix MR.	First Name EDMUND		Middle Name F.		
Last Name SOTELO			Suffix		
b. Title CITY MANAGER			c. Telephone Number (give area code) (805) 385-7428		
d. Signature of Authorized Representative			e. Date Signed		

Previous Edition Usable
Authorized for Local Reproduction

Standard Form 424 (Rev.9-2003)
Prescribed by OMB Circular A-102

ATTACHMENT NO. 2
PAGE 1 OF 13

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Grantees eligible to receive funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) are required to complete a substantial amendment to their Consolidated Plan 2008 Action Plan. This form sets forth the required format for this substantial amendment. A completed form is due to HUD within 60 days of the publication of the HUD HPRP notice.

To aid grantees in meeting this submission deadline, the HPRP Notice reduces the requirement for a 30-day public comment period to no less than 12 calendar days for this substantial amendment. With this exception, HPRP grantees are required to follow their Consolidated Plan's citizen participation process, including consultation with the Continuum of Care (CoC) in the appropriate jurisdiction(s). Grantees are also required to coordinate HPRP activities with the CoC's strategies for homeless prevention and ending homelessness. To maximize transparency, HUD strongly recommends that each grantee post its substantial amendment materials on the grantee's official website as the materials are developed.

A complete submission contains the following three documents:

- 1) A signed and dated SF-424,
- 2) A completed form HUD-40119 (this form), and
- 3) Signed and dated General Consolidated Plan and HPRP certifications.

For additional information regarding the HPRP program, visit the HUD Homelessness Resource Exchange (www.hudhre.info). This site will be regularly updated to include HPRP resources developed by HUD and its technical assistance providers.

The information collection requirements contained in this application have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Information is submitted in accordance with the regulatory authority contained in each program rule. The information will be used to rate applications, determine eligibility, and establish grant amounts.

Public reporting burden for this collection of information is estimated to be 16 hours, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. To the extent that any information collected is of a confidential nature, there will be compliance with Privacy Act requirements. However, the substantial amendment to the Consolidated Plan 2008 Action Plan does not request the submission of such information.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

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**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

A. General Information

Grantee Name	City of Oxnard
Name of Entity or Department Administering Funds	Housing Department
HPRP Contact Person (person to answer questions about this amendment and HPRP)	Will Reed
Title	Homeless Assistance Program Coordinator
Address Line 1	435 South D Street
Address Line 2	
City, State, Zip Code	Oxnard, CA 93030
Telephone	805.385.8044
Fax	805.247.0379
Email Address	<u>Will.reed@ci.oxnard.ca.us</u>
Authorized Official (if different from Contact Person)	Edmund F. Sotelo
Title	City Manager
Address Line 1	300 West Third Street
Address Line 2	
City, State, Zip Code	Oxnard, CA 93030
Telephone	805.385.7430
Fax	805.385.7595
Email Address	<u>Edmund.sotelo@ci.oxnard.ca.us</u>
Web Address where this Form is Posted	<u>www.ci.oxnard.ca.us</u>

Amount Grantee is Eligible to Receive*	\$1,124,994
Amount Grantee is Requesting	\$1,124,994

*Amounts are available at <http://www.hud.gov/recovery/homelesspreventrecov.xls>

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Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

B. Citizen Participation and Public Comment

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

Response: A notice of 15-day public review regarding the proposed substantial amendment was advertised in the Ventura County Star newspaper on April 6, 2009 and posted on the City's website and via email from the Homeless Program Coordinator to the constituents within the homeless network. The purpose of the public hearing scheduled on April 21, 2009 is to obtain public comments and inputs on the use of the 1,124,994 in Homeless Prevention and Rapid Re-Housing Program funds.

2. Provide the appropriate response regarding this substantial amendment by checking one of the following options:

- Grantee did not receive public comments.
- Grantee received and accepted all public comments.
- Grantee received public comments and did not accept one or more of the comments.

3. Provide a summary of the public comments regarding this substantial amendment. Include a summary of any comments or views not accepted and the reasons for non-acceptance.

Response: A summary of comments will be added after the public hearing on April 21, 2009, when available.

C. Distribution and Administration of Funds

Reminder: The HPRP grant will be made by means of a grant agreement executed by HUD and the grantee. The three-year deadline to expend funds begins when HUD signs the grant agreement. Grantees should ensure that sufficient planning is in place to begin to expend funds shortly after grant agreement.

1. Check the process(es) that the grantee plans to use to select subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.

- Competitive Process
- Formula Allocation
- Other (Specify: _____)

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HUD-40119

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

Response: The City will be hosting a Bidder's Conference to inform all potential respondents of the expectations and requirements. At the conclusion of the Conference, all potential respondents will be asked to respond to Request for Qualifications (RFQ). All agencies that respond will have their information reviewed by a separate committee made up of members of the City's Commission on Homelessness (Commission), the City's Grant Management Division, and members from the public. This committee will submit the awarding agencies and recommended contract amounts and agency program plans to the Commission and then to the City Council for final approval and implementation.

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

Response: Once HUD signs the grant agreement, the City will prepare and execute its Sub Recipient Agreements (Agreements) with the awarding agencies. This process is usually completed within ten (10) business days. Once the execution of the Agreements is completed, the agencies can begin the implementation of the grant and submissions for reimbursements to the City.

4. Describe the grantee's plan for ensuring the effective and timely use of HPRP grant funds on eligible activities, as outlined in the HPRP Notice. Include a description of how the grantee plans to oversee and monitor the administration and use of its own HPRP funds, as well as those used by its subgrantees (limit 500 words).

Response: The City will be hiring a consultant as project administrator to oversee the functions of the awarding agencies. This person will be responsible for the preparation of the quarterly reports to the Homeless Program Coordinator who will in turn forward them to the City Manager for submission to HUD. In addition, the quarterly reports will be made available to the City Council as well as the public, serving as the updates for the grant. Additionally, the City's Commission on Homelessness will have the awardees provide quarterly updates at its meetings. In the event that an agency or agencies is/are performing poorly, the City reserves the right, via the Sub Recipient Agreement, to reallocate the balance of the funds allocated via any Agreements to other another agency or agencies in order to meet the projects' desired goals.

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Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

D. Collaboration

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

Response: The City will continue to work with agencies that are current members of its Continuum of Care grant network, as well as other local non-profit and faith-based organizations that provide services to homeless persons and families. In addition, the City will collaborate with the County Homeless Health Care and Social Services to help identify those persons and families with the greatest need for assistance as well as those who have received assistance from other service providers via the HPRP grant. This information will be available from the HMIS network.

2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

Response: The HMIS will allow each service provider, through its client information sharing network, to see which clients have received funding, the total amount received, and the use of those funds. This will all be tracked and will become a part of the quarterly reporting process.

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

Response: The City, in its award process to Sub Recipients, will place a limit of \$3,000/per household assistance during an 18-month period, and up to \$5,000 for extremely extenuating circumstances. Households will be eligible by meeting the HUD predetermined income guidelines, and will only be able to receive assistance for short and medium-term rents, housing relocation, which includes move-in security deposits, utility payments, some moving costs and case management. While this is not an exhaustive list of available assistance, the City and its selected service provider(s) will due all diligence to ensure all recipients of HPRP funds are assisted for eligible activities under the grant. All expenditures will be reviewed by both the City's Homeless Program Division and certified as grant funded projects by the City's Grants Management Division for reimbursements.

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**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

E. Estimated Budget Summary

HUD requires the grantee to complete the following table so that participants in the citizen participation process may see the grantee's preliminary estimated amounts for various HPRP activities. Enter the estimated budget amounts for each activity in the appropriate column and row. The grantee will be required to report actual amounts in subsequent reporting.

HPRP Estimated Budget Summary			
	Homelessness Prevention	Rapid Re-housing	Total Amount Budgeted
Financial Assistance ¹	\$380,000	\$233,745	\$613,745
Housing Relocation and Stabilization Services ²	\$225,000	\$200,000	\$425,000
Subtotal (add previous two rows)	\$605,000	\$433,745	\$1,038,745

Data Collection and Evaluation ³	\$30,000
Administration (up to 5% of allocation)	\$56,249
Total HPRP Amount Budgeted⁴	\$1,124,994

¹Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

²Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

³Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

⁴This amount must match the amount entered in the cell on the table in Section A titled "Amount Grantee is Requesting."

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**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

F. Authorized Signature

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

Signature/Authorized Official

Date

Title

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GENERAL CERTIFICATIONS FOR STATE OR LOCAL GOVERNMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the state, territory, or local government certifies that:

Affirmatively Further Fair Housing -- The state, territory, or local government will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction or state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Drug-Free Workplace -- It 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.

Anti-Lobbying -- To the best of the state, territory, or local government'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 paragraphs 1 and 2 of this 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.

Authority of Local Government, State, or Territory -- The submission of the consolidated plan is authorized under state law and local law (as applicable) and the jurisdiction or state possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with Plan -- The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Title

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APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The Grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

**Homelessness Prevention and Rapid Re-Housing Program (HPRP)
Certifications**

The HPRP Grantee certifies that:

Consolidated Plan – It is following a current HUD-approved Consolidated Plan or CHAS.

Consistency with Plan – The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

Confidentiality – It will develop and implement procedures to ensure:

- (1) The confidentiality of records pertaining to any individual provided with assistance; and
- (2) That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

Discharge Policy – A certification that the State or jurisdiction has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

HMIS – It will comply with HUD’s standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.

Signature/Authorized Official

Date

Title

CITY OF OXNARD
REQUEST FOR SPECIAL BUDGET APPROPRIATION

To the City Manager:

4/21/09

Request is hereby made for an appropriation of total

\$ 1,124,994

Reason for appropriation: Appropriation of Homelessness Prevention and Rapid Re-Housing Program (HPRP)

<u>FUND</u>	<u>DESCRIPTION/ACCOUNT</u>	<u>AMOUNT</u>
HPRP (241)	241-5374-531.72-01 Federal Grant Revenue	(1,124,994)
	Financial Assistance	
	241-5374-804.83-31 Contribution to Other Agency (7755XX)	478,123
	Housing relocation and Stabilization	
	241-5375-804.83-31 (7755XX)	478,122
	Data Collection and Evaluation	
	241-5376-804.83-31 (7755XX)	112,500
	Administration	
	241-5391-804.83-31 (7755XX)	56,249
	Net Estimated Change to CDBG Entitlement Fund Balance	<u><u>0</u></u>



 Manager

REQUIRES CITY COUNCIL APPROVAL

CHIEF FINANCIAL OFFICER



Disposition

Approved _____

Rejected _____

Transfer by Journal Voucher _____

 City Manager