

09-0457  
FO 13383

# Community Development Block Grant-Recovery (CDBG-R)



**CITY OF HOUSTON**  
**HOUSING AND COMMUNITY DEVELOPMENT**  
**DEPARTMENT**  
**JUNE 2009**

| Application for Federal Assistance SF-424  |  | Version 02  |
|--|--|---|
| <b>*1. Type of Submission:</b><br><input type="checkbox"/> Preapplication<br><input checked="" type="checkbox"/> Application<br><input type="checkbox"/> Changed/Corrected Application |  | <b>*2. Type of Application</b> * If Revision, select appropriate letter(s)<br><input checked="" type="checkbox"/> New<br><input type="checkbox"/> Continuation<br><input type="checkbox"/> Revision<br><br>*Other (Specify) _____ |
| 3. Date Received:  |  | 4. Applicant Identifier:  |
| 5a. Federal Entity Identifier:   |  | *5b. Federal Award Identifier:  |
| <b>State Use Only:</b>   |  |   |
| 6. Date Received by State:   |  | 7. State Application Identifier:  |
| <b>8. APPLICANT INFORMATION:</b>   |  |   |
| *a. Legal Name: City of Houston  |  |   |
| *b. Employer/Taxpayer Identification Number (EIN/TIN):<br>746001164  |  | *c. Organizational DUNS:<br>832431985   |
| <b>d. Address:</b>   |  |   |
| *Street 1: <u>601 Sawyer, Suite 400</u>  |  |   |
| Street 2: _____  |  |   |
| *City: <u>Houston</u>  |  |   |
| County: <u>Harris</u>  |  |   |
| *State: <u>Texas</u>   |  |   |
| Province: _____  |  |   |
| *Country: <u>United States</u>   |  |   |
| *Zip / Postal Code <u>77007</u>  |  |   |
| <b>e. Organizational Unit:</b>   |  |   |
| Department Name:<br>Housing & Community Development  |  | Division Name:  |
| <b>f. Name and contact information of person to be contacted on matters involving this application:</b>  |  |   |
| Prefix: _____  |  | *First Name: <u>Marnine</u>   |
| Middle Name: _____   |  |   |
| *Last Name: <u>Thomas</u>  |  |   |
| Suffix: _____  |  |   |
| Title: <u>Administrative Coordinator</u>   |  |   |
| Organizational Affiliation:<br>City of Houston Housing and Community Development Department  |  |   |
| *Telephone Number: 713-865-9314  |  | Fax Number: 713-868-8423  |
| *Email: <u>marnine.thomas@cityofhouston.net</u>  |  |   |

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

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

**\*10 Name of Federal Agency:**

U. S. Department of Housing and Urban Development

**11. Catalog of Federal Domestic Assistance Number:**

14.253 \_\_\_\_\_

CFDA Title:

Community Development Block Grant Program \_\_\_\_\_

**\*12 Funding Opportunity Number:**

Title XII of Division A \_\_\_\_\_

\*Title:

American Recovery and Reinvestment Act of 2009 \_\_\_\_\_

**13. Competition Identification Number:**

\_\_\_\_\_

Title:

\_\_\_\_\_

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

City of Houston, Texas

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

The City of Houston will undertake a range of rehabilitation activities to improve and increase the quality of public facilities and housing for low to moderate income persons.

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**16. Congressional Districts Of:**

\*a. Applicant: TX-007; TX-008; TX-009; TX-018; TX-022; TX-025; TX-029

\*b. Program/Project: TX-007; TX-008; TX-009; TX-018; TX-022; TX-025; TX029

**17. Proposed Project:**

\*a. Start Date: 6 months after receiving funds

\*b. End Date: All funds expended by 9/30/2012

**18. Estimated Funding (\$):**

|                    |       |             |
|--------------------|-------|-------------|
| *a. Federal        | _____ | \$8,093,613 |
| *b. Applicant      | _____ |             |
| *c. State          | _____ |             |
| *d. Local          | _____ |             |
| *e. Other          | _____ |             |
| *f. Program Income | _____ |             |
| *g. TOTAL          | _____ | \$8,093,613 |

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

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

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

- Yes
- No

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

\*\* I AGREE

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

**Authorized Representative:**

Prefix: \_\_\_\_\_ \*First Name: Bill \_\_\_\_\_

Middle Name: \_\_\_\_\_

\*Last Name: White \_\_\_\_\_

Suffix: \_\_\_\_\_

\*Title: Mayor

\*Telephone Number: 832-393-1011

Fax Number: 832-393-1067

\* Email: mayor@cityofhouston.net

\*Signature of Authorized Representative:

*Bill White*

\*Date Signed: 6/3/09

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**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

Attest/Seal:

*Conrad Russell*

City Secretary

Countersigned:

*Annice D. Parker*

City Controller *Madeline B. Appel*

Date of Countersignature: 6-4-09<sup>am</sup>, 2009

Approved:

*R/S Alb*

Director, Housing and Community Development Department

Approved as to form:

*W. Appel 6/1/09*

SR. Assistant City Attorney

CD # 029-0900043-001

Ord # 2009-0457

# **THE CDBG-R SUBSTANTIAL AMENDMENT**

|  |   |
|--|---|
| Jurisdiction(s): City of Houston   | CDBG-R Contact Person: Marnine Thomas   |
| Jurisdiction Web Address: <ul style="list-style-type: none"><li>• <a href="http://www.houstonhousing.org">www.houstonhousing.org</a></li></ul> | Address: 601 Sawyer, Suite 400<br>Houston, Texas 77007  |
|  | Telephone: 713-865-9314   |
|  | Fax: 713-868-8423   |
|  | Email: <a href="mailto:marnine.thomas@cityofhouston.net">marnine.thomas@cityofhouston.net</a> |

## **ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS**

**RESPONSE:** AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS WILL BE MADE AVAILABLE THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM. CDBG ENABLES LOCAL GOVERNMENTS TO UNDERTAKE A WIDE RANGE OF ACTIVITIES INTENDED TO CREATE SUITABLE LIVING ENVIRONMENTS, PROVIDE DECENT AFFORDABLE HOUSING AND CREATE ECONOMIC OPPORTUNITIES, PRIMARILY FOR PERSONS OF LOW TO MODERATE INCOME. THE ARRA DIRECTS THAT GRANTEEES ARE TO USE THESE FUNDS TO MAXIMIZE JOB CREATION AND ECONOMIC BENEFIT. DUE TO THE IMMEDIATE NATURE OF THIS FUNDING, THE CITY OF HOUSTON (CITY), THROUGH ITS HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (HCDD), HAS DETERMINED THAT THE PROPOSED PROJECTS WILL ACCOMPLISH THE GOALS OF THE ARRA BY ASSISTING THOSE MOST IMPACTED BY THE RECESSION; PRESERVING AND CREATING JOBS AND PROMOTING ECONOMIC RECOVERY; AND INVESTING IN TRANSPORTATION, ENVIRONMENTAL PROTECTION, OR OTHER INFRASTRUCTURE THAT WILL PROVIDE LONG-TERM ECONOMIC BENEFITS TO THE COMMUNITY.

### **A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES**

**RESPONSE:** PER DOCKET NO. FR-5309-N-01, PLEASE SEE ATTACHED SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES AND AN ELECTRONIC VERSION OF THE COMPLETED SPREADSHEET WILL BE SENT TO [CDBG-R@HUD.GOV](mailto:CDBG-R@HUD.GOV).

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

- (1) Activity Name: (Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)

**RESPONSE:**

Activity A: 2 Single Room Occupancy Facilities – acquisition/rehabilitation  
Activity B: Purchase fire truck/equipment for fire station  
Activity C: Acres Homes Multi-Service Center – Renovation  
Activity D: Sunnyside Multi-Service Center - Renovation  
Activity E: Fifth Ward Multi-Service Center – Parking lot expansion  
Activity F: South Post Oak Multi-Service Center and Vinson Library - installation of fencing

- (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.

**RESPONSE:** As a condition of CDBG-R funding, HUD requires compliance with Title XII of Division A and Section 1602 of ARRA. Title XII of Division A gives priority to projects that can award contracts based on bids within 120 days from the date funding is made available to recipients. Section 1602 gives preference to projects and 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 days after the date of enactment of the ARRA.

The City is aware of the urgent nature of the funding source and will comply with the funding commitment requirements. HCDD will work with the contractors to ensure that each project schedule is maintained. All proposed projects will preserve and enhance the quality of life in older neighborhoods by providing high quality public amenities such as public facilities and infrastructure that will provide long-term economic benefit, reduce the number of deteriorated and deteriorating housing units, and create an environment conducive to attracting additional public and private investment.

Activity A: The 2 Single Room Occupancy projects will include a complete rehabilitation of one facility and an acquisition and rehabilitation of the other. The proposed projects will reduce the likelihood of homeless or displaced persons and will provide decent affordable housing for those most impacted by the recession. Both of these projects will primarily benefit low to moderate income persons (LMI) or LMI areas. Using CDBG-R funds on these projects will preserve and create jobs through the local construction industry.

Activity B: Purchasing a fire truck and equipment for a fire station, in a low to moderate income neighborhood, will provide long-term benefits to residents of the low to moderate income neighborhood which the purchases will be located. Making an investment of CDBG-R funding for transportation will minimize the reduction in essential services for a LMI area.

Activity C: Investing CDBG-R funds in the Acres Homes Multi-Service Center to improve and rehabilitate neighborhood infrastructure not only preserves and creates jobs, it also provides long-term economic benefit to the neighborhood by improving and sustaining the quality of life for residents of the neighborhood. Using CDBG-R funds on this project will preserve and create jobs through the local construction industry. This activity is expected to promote energy conservation through the installation of a new roof by reducing electric cooling consumption resulting in a lower demand on electrical production and reduction in related pollution.

Activity D: Investing CDBG-R funds in the Sunnyside Multi-Service Center to improve and rehabilitate neighborhood infrastructure not only preserves and creates jobs, it also provides long-term economic benefit to the neighborhood by improving and sustaining the quality of life for residents of the neighborhood. The City has a priority of improving the quality of public facilities for low to moderate income persons. Using CDBG-R funds on this project will preserve and create jobs through the local construction industry. This activity is expected to promote energy conservation through the installation of a new roof by reducing electric cooling consumption resulting in a lower demand on electrical production and reduction in related pollution.

Activity E: Investing CDBG-R funds in the Fifth Ward Multi-Service Center to expand the parking lot in a low to moderate income neighborhood will provide long-term economic benefit by improving and sustaining the quality of life for residents of the neighborhood.

Activity F: Investing CDBG-R funds in the procurement and installation of exterior fencing for the South Post Oak Multi-Service Center and Vinson Library will provide long-term economic benefits to the residents of the community. Using CDBG-R funds on this project will preserve and create jobs through the local construction industry. The City has a priority of assisting those most impacted by the recession and using the CDBG-R funds for this project will reduce or eliminate the need for immediate repairs or periodic replacements.

- (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)).

**RESPONSE:** The projects selected for funding lend to job retention and yield economic benefits. The projects will preserve jobs and livelihoods for workers adversely impacted by the recent economic downturn: contractors, construction workers, laborers, and facility staff. In addition, all projects will utilize local suppliers of building materials, thus creating economic benefit to the community.

- (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.)

**RESPONSE:** The City has chosen to limit CDBG-R projects to those that improve and enhance the City's infrastructure, as that is a priority need. The above additional activity information is not applicable to proposed projects.

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

**RESPONSE:** HCDD is the lead agency for the CDBG-R funding. HCDD's building is located at 601 Sawyer, Suite 400, Houston, Texas, 77007. The administrator for the Public Facilities projects is David Godwin, Division Manager. His contact information is (713) 868-8351 or [David.Godwin@cityofhouston.net](mailto:David.Godwin@cityofhouston.net). The administrator for the acquisition and rehabilitation of the Single Room Occupancy projects is Donald Sampley, Assistant Director. His contact information is (713) 868-8458 or [Donald.Sampley@cityofhouston.net](mailto:Donald.Sampley@cityofhouston.net).

### ***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:** According to Docket No. FR-5309-N-01, the U.S. Department of Housing and Urban Development (HUD) is waiving the requirement that the grantee follow its citizen participation plan for this substantial amendment. A summary of the CDBG-R Substantial Amendment was placed on the City of Houston Housing and Community Development Department's website on May 12, 2009 and a Public Notice was placed in the Houston Chronicle on Thursday, May 14, 2009. The seven day review period ended on Thursday, May 21, 2009. The City did not receive any comments relative to the proposed CDBG-R Substantial Amendment.

# 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 Houston<br><br>Lead Agency: Housing & Community Development Department<br><br>Jurisdiction Web Address: www.houstonhousing.org | CDBG-R Contact Person: Marnine Thomas<br>Address: 601 Sawyer, Suite 400<br>Houston, Texas 77<br>Telephone: (713) 865-9314<br>Fax: (713) 868-8423<br>Email: marnine.thomas@cityofhouston.net |
|---|---|

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

### ***A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES***

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

Yes  No  Verification found on page **ATTACHED SPREADSHEET**

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

Yes  No  Date Spreadsheet was emailed: **5/29/2009**

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

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

**B. CDBG-R INFORMATION BY ACTIVITY**

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

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,  
Yes  No  Verification found on page(s) **3 AND 4**
- projected number of jobs created for each activity,  
Yes  No  Verification found on page(s) **4**
- whether an activity will promote energy efficiency and conservation,  
Yes  No  Verification found on page(s) **4**
- the name, location, and contact information for the entity that will carry out the activity,  
Yes  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  No  Verification found on page (s) **ATTACHED SPREADSHEET**
- evidence that no more than 15% of the grant amount will be spent on public services,  
Yes  No  Verification found on page (s) **ATTACHED SPREADSHEET**
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,  
Yes  No  Verification found on page (s) **ATTACHED SPREADSHEET**

**C. PUBLIC COMMENT PERIOD**

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

Yes  No  Verification found on page(s) **4**

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

Yes  No  Verification found on page(s) **4**

**D. CERTIFICATIONS**

The following certifications are complete and accurate:

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

- |  |   |                             |
|--|---|-----------------------------|
| (5) Authority of jurisdiction                                | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan                               | Yes <input checked="" type="checkbox"/> | 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 checked="" type="checkbox"/> | No <input 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Bill White  
Signature/Authorized Official *anyayla white* 6/1/09  
Date  
Mayor  
Title

OPTIONAL CERTIFICATION

CDBG-R

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

Where the urgent need is the current economic conditions, the grantee certifies that the activity is alleviating current economic conditions which pose a threat to the economic welfare of the community in which the activity is being carried out, the recipient is unable to finance the activity on its own, and other sources of funding are not available.

Bill White  
Signature/Authorized Official

Arayda Lele

4/1/09  
Date

Mayor  
Title

| Jurisdiction/Grantee Name: City of Houston             |  | CDBG-R Formula Grant Amount: \$8,093,613  |                                  |                            |                                |                              | Date: May 13, 2009    |
|--|--|---|----------------------------------|----------------------------|--------------------------------|------------------------------|-----------------------|
| Activity Name  | Activity Description   | Eligibility (Regulatory or HCDA Citation) | National Objective Citation      | CDBG-R Project Budget (\$) | Additional Recovery Funds (\$) | Other Leveraged Funding (\$) | Total Activity Budget |
| 2 Single Room Occupancy Projects                       | Acquisition and rehabilitation of one facility and complete rehabilitation of the other  | 570.202                                   | 570.208 (a)(3)                   | 2,000,000                  |                                |                              | 2,000,000             |
| Purchase fire trucks/equipment                         | Equipment and fire truck will be placed in a fire station located in a low to moderate income neighborhood                               | 570.201 ( c )                             | 570.208 (a)(1)                   | \$2,000,000                |                                |                              | 2,000,000             |
| Acres Homes Multi-Service Center                       | Interior and exterior renovation of 50,000 sq.ft. facility will include roof replacement, code compliance issues, elevator upgrade, etc. | 570.201 ( c )                             | 570.208 (a)(1)                   | \$2,900,000                |                                |                              | 2,900,000             |
| Sunnyside Multi-Service Center                         | Renovations of the 40,000 sq.ft. facility will include roof replacement and exterior wall coating and caulking                           | 570.201 ( c )                             | 570.208 (a)(1)                   | \$535,000                  |                                |                              | 535,000               |
| Fifth Ward Multi-Service Center                        | Parking lot expansion  | 570.201 ( c )                             | 570.208 (a)(1)                   | \$480,000                  |                                |                              | 480,000               |
| South Post Oak Multi-Service Center and Vinson Library | Procurement and installation of exterior fence   | 570.201 ( c )                             | 570.208 (a)(1)                   | \$85,000                   |                                |                              | 85,000                |
| Neighborhood Facilities                                | Acquisition, rehabilitation or new construction of a neighborhood facility identified through the Request For Proposal process           | 570.201 ( c )                             | 570.208 (a)(1) or 570.208 (a)(2) | \$93,613                   |                                |                              | 93,613                |
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