

THE CDBG-R SUBSTANTIAL AMENDMENT

Jurisdiction(s): <u>Pine Bluff, AR</u>	CDBG-R Contact Person: Donald Sampson
Jurisdiction Web Address:	Address: 716 S. Georgia Street
• cityofpinebluff.com	Telephone: 870-543-1820
	Fax: 870-543-1821
	Email: dsampson@cablelynx.com

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>.

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.)

CDBG-R Housing Rehabilitation

- (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.

Project benefit:

Funding for this activity will benefit low and moderate income persons in its entirety: LMH 570-208(a)(3). This activity will be carried out for the purpose of improving housing occupied by low/mod income households. No public services are being funded by this activity.

Assisting those most impacted by the recession:

While most of the headlines created by the recession refer to a nose-diving stock market, big banks failing, major companies declaring bankruptcy, and repossessed quarter-of-a-million dollar homes, many people affected by the economic turndown have no stocks to worry about, no threatened bank accounts, no high-dollar jobs to lose, nor an expensive home going into foreclosure. Pine Bluff has a large population of people just like that, people whose decisions don't include whether or not to buy or sell their Wal-Mart stock, but whether or not they can afford to buy their children's school clothes; decisions like whether they should pay the electric bill or put gas in the car because they can't afford to do both. These are the people most affected by such a time when everything is increasing except one's pay check. And these are the people who will benefit from the City's ARRA Rehabilitation program. This program will help several residents and families return their best, and sometimes only, asset - their home - to a livable state. It will also help reduce their utility bills through installation of materials to make their home more energy efficient, thus freeing up funds for other needs.

This activity proposes to rehabilitate and weatherize sixteen (16) housing units occupied by low and moderate income homeowners. The CDBG-R housing rehabilitation activities will be coordinated with the Pine Bluff-Jefferson County Economic Opportunities Commission Weatherization

Program funded by the Department of Energy, whose funds may be used to insulate attic spaces, install energy efficient windows and doors, replace heating and air conditioning units, and/or install siding on exterior walls. The homes will be located in Census Tract 5.02 (University Park Neighborhood Revitalization Strategy Area) and Census Tract 10 (Turtle Creek Neighborhood Revitalization Strategy Area). These locations have been selected because they contain a high number of low and moderate individuals and families (described below) who are in dire need of assistance, because these areas have been identified as having a high incidence of deteriorated and substandard housing which will allow the project to be initiated in accordance with the Recovery Act, and because improvements to homes in these neighborhoods will help stabilize deteriorating residential neighborhoods in areas where other economic improvements are being planned.

Both the University Park and Turtle Creek neighborhoods are predominately minority neighborhoods whose residents are overwhelmingly low and moderate income persons. The 2000 Census shows that 65% of those persons residing in the University Park neighborhood and nearly 70% of the Turtle Creek residents were low and moderate income persons, while over 40% of the residents of both neighborhoods were living at the poverty level and below. To make matters worse for these residents, they most likely reside in a home that is in some state of deterioration. A data-gathering drive through the neighborhoods shows that a majority of their residential structures, which are primarily small, single story frame homes, are deteriorating and a number of them are dilapidated. This data is substantiated by the Census, which states that 71% of the owner-occupied homes in University Park and 88% of the owner-occupied homes in Turtle Creek were built before 1960. This can mean, and in this case does, that there is a severe problem with deteriorated or dilapidated housing in both these neighborhoods. With the ever-increasing price of goods and services weighing down their pocketbooks, neighborhood residents simply cannot afford to fix up their deteriorating homes or pay the high heating and cooling bills that occur due to leaky windows and doors, lack of insulation, and in some cases holes in the walls and floors. Since such a high percentage of low and moderate income persons reside in these neighborhoods and these houses, without city intervention these homes will continue to deteriorate and residents will find themselves living in deplorable conditions while their heated and cooled air escapes through the walls.

Preserving and creating jobs and promoting economic recovery:

This activity will also create new construction jobs for many in the local workforce who are out of work due to the downturn of the housing market. It is expected that several different types of home building tradesmen will be utilized in the project including carpenters, painters, plumbers, electricians, H/A, and laborers.

(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)).

Six construction jobs will be created/preserved with each housing unit to be rehabilitated and weatherized, for a total of 96 jobs.

(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.)

This project will promote energy conservation through the use of Energy Star compliant materials in the rehabilitation process as well as utilizing energy efficiency calculations in the weatherizing of the dwelling units as part of the rehabilitation process. Furthermore, this activity will promote

smart growth by assisting in stabilizing an inner-city neighborhood and keeping individuals and families in an area with existing infrastructure, reducing urban sprawl that occurs when neighborhoods deteriorate to the point where they are abandoned.

(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 Pine Bluff
Department of Economic
and Community Development
716 S. Georgia Street
Pine Bluff, AR 71601

Contact Person: Donald Sampson
Address: Same
E-Mail Address: dsampson@cablelynx.com

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.)

CDBG-R Acquisition

- (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.**

Project benefit:

Funding for this activity will benefit low and moderate income persons: LMASA 570-208(d)(5)(i). This activity will be carried out for the purpose of creating jobs. No public services are being funded by this activity.

Preserving and creating jobs and promoting economic recovery:

This activity proposes to acquire properties in Census Tract 5.02 (University Park Neighborhood Revitalization Strategy Area) and Census Tract 10 (Turtle Creek Neighborhood Revitalization Strategy Area) for the purposes of redevelopment of the parcels in order to create jobs. Acquiring properties is a necessary step in the revitalization and redevelopment plans of the subject NRSAs. The actual number of acquisitions that will occur is not known at this time, however, it is estimated that the City will be able to purchase about fifteen properties. Initially, the project will preserve/create at least three jobs per acquisition location for a total job creation of 45 jobs.

This type of project is unique for creating jobs in that job creation due to this project will continue as the project progresses from property acquisition to the end result of totally redeveloped properties. Acquiring the property is the first step, preparing the property for redevelopment and street/drainage improvements is the second step, and new construction is the third step, so jobs will be preserved/created throughout the redevelopment process. The primary job preservation/creation resulting from this project will occur at such time as the parcels begin to be redeveloped, which is expected to begin within the time period of this program. Once the parcels have been acquired, the City intends to clear the property if necessary, demolish any dilapidated structures on the sites,

re-plot the property if necessary, and implement new construction on the sites using a variety of funds including Home, other ARRA funding, and/or private corporation funds. Development may also include street and drainage improvements, which also will create jobs.

(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)).

At least three (3) jobs per acquisition location will be initially be created/preserved and will include appraisal work, surveying the property, and title work. This project will result in about 45 new jobs preserved/created during acquisition, which is important in light of lack of building, buying, and selling of homes in the area as a result of the recession. Future phases of the redevelopment of the subject parcels will also create jobs, including at least four demolition/construction jobs preserved/created during site clearance and preparation per location, and about twenty (20) jobs preserved/created during the construction to occur on each site. If the project requires street and drainage improvements, a number of new jobs will be created as well, including engineering, surveying, laborers, and heavy equipment operators. The total number of jobs created during the future phases of the project will be dependent on the number of parcels redeveloped and the type of street and drainage improvements required.

(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.)

This activity will promote smart growth by providing for redevelopment of an area within the City that already has infrastructure in place, in stabilizing an inner-city neighborhood, and keeping/drawing individuals/families and new businesses to an area with existing infrastructure. Such activities reduce urban sprawl that occurs when new development is not occurring in the inner city and where neighborhoods are experiencing population flight due to lack of a stabilized neighborhood. This project will promote energy conservation through the use of Energy Star compliant materials and other technologies in the future new construction.

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

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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.)

CDBG-R Administration

- (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.

Project Benefit & Percent of Grant Amount:

This project is necessary to assure successful implementation of the rehabilitation and acquisition activities proposed. No more than 10% of the grant amount will be spent on administration and planning: Grant amount: \$196,339; Administration amount: \$19,633.

- (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)).

No new jobs will be created by this activity.

- (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.)

This activity is administrative in nature and will have no effect on the environment.

- (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 Pine Bluff
Department of Economic
and Community Development
716 S. Georgia Street
Pine Bluff, AR 71601

Contact Person: Donald Sampson
Address: Same
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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:

The City of Pine Bluff announced that it would be amending its Consolidated Plan to provide for a CDBG-R Substantial Amendment in the Pine Bluff Commercial newspaper on May 31, 2009, which also presented a time and place for a public hearing, which was held on June 2, 2009, to explain the program and receive citizen comments. No citizens attended the meeting, and no comments were made through June 4, 2009. As required by HUD, substantial amendment materials are being posted on the City's official website as they are developed, published and submitted to HUD.

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 Pine Bluff Lead Agency: Econ & Comm Dev Dept Jurisdiction Web Address: cityofpinebluff.com <i>(URL where CDBG-R Substantial Amendment materials are posted)</i>	CDBG-R Contact Person: Donald Sampson Address: 716 S. Georgia Street Pine Bluff, AR 71601 Telephone: 870-543-1820 Fax: 870-543-1821 Email: dsampson@cablelynx.com
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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 **12**

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: **06/05/09**

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) **12**
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes No Verification found on page(s) **12**
- the CDBG national objective citation,
 Yes No Verification found on page(s) **12**

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) 2, 3, 5, & 6
- projected number of jobs created for each activity,
Yes No Verification found on page(s) 3 & 6
- whether an activity will promote energy efficiency and conservation,
Yes No Verification found on page(s) 3 & 6
- the name, location, and contact information for the entity that will carry out the activity,
Yes No Verification found on page(s) 4, 6, & 7
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes No Verification found on page (s) 7
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes No Verification found on page (s) 2 & 5
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes No Verification found on page (s) 2 & 5

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) 8

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

Yes No Verification found on page(s) 8

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

Optional Certification

- (21) Urgent Need Yes No N/A

D. STATE CERTIFICATIONS

The following certifications are complete and accurate:

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

Optional Certification

- (20) Urgent Need Yes No

ACTIVITY DATA SPREADSHEET

This sheet is Excel format and can be viewed and copied at the offices of the Pine Bluff Economic and Community Development Department, 716 S. Georgia Street, Pine Bluff, AR.

CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under CDBG-R.

(3) **Drug Free Workplace.** The jurisdiction will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Signature/Authorized Official

June 5, 2009
Date

Mayor

Title

(Signed copy on file)

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation *Other (Specify) _____ <input type="checkbox"/> Revision	
3. Date Received:		4. Applicant Identifier:
5a. Federal Entity Identifier:		5b. Federal Award Identifier: B-MC-09-0006
State Use Only:		
6. Date Received by State:		7. State Application Identifier:
8. APPLICANT INFORMATION:		
*a. Legal Name: City of Pine Bluff Economic and Community Development Departmen		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 71-6009954		*c. Organizational DUNS: 10-796-1851
d. Address:		
*Street 1:	<u>716 S. Georgia Street</u>	
Street 2:	_____	
*City:	<u>Pine Bluff</u>	
County:	<u>Jefferson</u>	
*State:	<u>AR</u>	
Province:	_____	
*Country:	<u>USA</u>	
*Zip / Postal Code	<u>71601</u>	
e. Organizational Unit:		
Department Name:		Division Name:
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix:	<u>Mr.</u>	*First Name: <u>Donald</u>
Middle Name:	<u>R.</u>	
*Last Name:	<u>Sampson</u>	
Suffix:	_____	
Title:		
Organizational Affiliation: Pine Bluff Economic and Community Development Department		
*Telephone Number: 870-543-1820		Fax Number: 870-543-1821
*Email: dsampson@cablelynx.com		

Application for Federal Assistance SF-424

Version 02

***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:**

Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.253 _____

CFDA Title:

CDBG-R Entitlement _____

***12 Funding Opportunity Number:**

N/A _____

*Title:

13. Competition Identification Number:

N/A _____

Title:

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

Pine Bluff, Jefferson County, AR

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

City of Pine Bluff ARRA (CDBG-R) Program to undertake rehabilitation and acquisition activities in Census Tracts 5.02 and 10.00, and for Administration of the Program.

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant: 04		*b. Program/Project: 04
17. Proposed Project:		
*a. Start Date: 06/05/09		*b. End Date: 09/30/12
18. Estimated Funding (\$):		
*a. Federal	\$196,339	
*b. Applicant	0	
*c. State	0	
*d. Local	104,000	
*e. Other	0	
*f. Program Income	0	
*g. TOTAL	300,339	
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on _____ <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input checked="" type="checkbox"/> c. Program is not covered by E. O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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) <input checked="" type="checkbox"/> ** 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: Mr.	*First Name: Carl	
Middle Name: A.		
*Last Name: Redus		
Suffix: Jr.		
*Title: Mayor		
*Telephone Number: 870-543-1855		Fax Number: 870-543-1801
* Email: mayor@cityofpinebluff.com		
*Signature of Authorized Representative:		*Date Signed: 06/05/09

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Standard Form 424 (Revised 10/2005)
 Prescribed by OMB Circular A-102

(Signed copy on file)