



City of Grand Junction Neighborhood Services Division

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Community Development Block Grant – Recovery Program (CDBG-R)**

This document shall satisfy the United States Department of Housing and Urban Development (HUD) requirement of Formula Grantees to prepare a substantial amendment to their Consolidated Plan 2008 Action Plan in order to receive funds under the **CDBG-R**.

The completed form is due to HUD before June 5, 2009.

To aid grantees in meeting this submission deadline, the HUD CDBG-R Notice reduces the requirement for a 30-day public comment period to no less than seven (7) calendar days for this substantial amendment. To maximize transparency, this CDBG-R substantial amendment is published on the City's official website, as well as made available in public places, such as the central library and City Hall.

A complete submission contains the following three documents:

- 1) A completed Substantial Amendment to the Annual Consolidated Plan and electronic spreadsheet
- 2) A signed and dated SF-424
- 3) Signed and dated CDBG-R certifications

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.

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)

City of Grand Junction Neighborhood Services Division
Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Community Development Block Grant – Recovery Program (CDBG-R)

GENERAL INFORMATION

Grantee Name: City of Grand Junction
Department: Public Works and Planning, Neighborhood Services Division

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Authorized Official: Bruce Hill
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Web Address Where Form is Posted www.gjcity.org

CDBG-R ACTIVITY OVERVIEW

(1) Activity Name:

Housing Resources of Western Colorado Garden Village Apartments Learning Center

(2) Activity Narrative:

Housing Resources of Western Colorado anticipates building a 2,000 square-foot freestanding building on the site at Garden Village Apartments in the City of Grand Junction to serve as a Learning Center. The apartments are located in close proximity to the North Avenue Corridor designated improvement area. There will be one large room for meeting space, 2 smaller rooms for classrooms, a small kitchen for minor food preparation, and 2 bathrooms. The building will serve as a community center for the residents, provide accessible office space, and serve as a learning center for residents of Garden Village and potentially residents of other low-income complexes in Grand Junction. The building will have green attributes, such as maximization of southern orientation.

The proposed building site is currently an existing basketball court that would be relocated (see photo below). There are 91 apartments occupied by households with an average annual income of \$11,592. Forty-six percent of the households are single parent households. Housing Resources recently took a survey of current residents which indicated overwhelming support for the construction of a learning center/community center on site. A computer lab and a place to hold self improvement classes (such as budgeting, financial management, and homebuyer education) were at the top of the list of resident services desired. These classes and available equipment would provide families with the tools they need to better educate themselves and graduate to more gainful employment and more independent living situations. CDBG-R funds from the City of Grand Junction will be spent on the construction of the building.



Housing Resources of Western Colorado have already begun work with City's neighborhood Services Division with regard to the planning and design process for this project, and anticipate breaking ground in September.

Use of CDBG-R funds for this project will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The funds will not only be used in a manner that maximizes short-term job creation and economic benefit – it will also foster economic benefit into the future with the training and education opportunities it will provide to current and future residents' in the subrecipient's and others' low-income housing areas of Grand Junction. This project meets many of the goals intended by the ARRA including:

- 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;
- Fostering energy independence.

(3) CDBG-R Amount Budgeted: \$91,783

(4) Total Project Budget: \$357,250

(5) Eligibility Category:

City of Grand Junction CDBG-R funds will be invested in economic development and non-housing community infrastructure.

(6) Jobs Created:

Construction of the Garden Village Apartments Learning Center will create/support jobs in both the soft and hard costs of the project. For the initial planning and design phase, approximately 2 architect/planning jobs and 1 engineering job will be supported with the consultants hired to design and oversee the project. It is estimated that construction of the project will immediately create approximately 15 construction jobs that will last approximately 6 months.

More importantly, construction of the Learning Center will have long-term impacts on person and families to help them graduate to more gainful employment and more independent living situations.

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

As previously stated, the intention is to construct a building that has green attributes such as designing the site and the building to maximize solar orientation.

CITIZEN PARTICIPATION AND PUBLIC COMMENT

Except for the reduction of the public comment period to 7 days as previously discussed, the City has followed its Citizen Participation Plan regarding this proposed substantial amendment. The substantial amendment to the 2008 Program Year was advertised in the local newspaper, the *Daily Sentinel* on Sunday, May 10, 2009. City Council heard the amendment along with the 2009 CDBG Program Year allocations at its regular meeting on May 18, 2009. In addition, copies of the amendment were made available at the City Clerk's Office and the Main Branch of the Public Library as well as being published on the City's website.

No public comment was received.

REPORTING REQUIREMENTS

The City plans to follow reporting requirements regarding the CDBG-R activity as follows:

- Timely and accurate monthly reporting in IDIS
- Preparation of quarterly reports to include: total amount of funds received; total amount of funds expended; description of activity including evaluation of completion, number of jobs created and/or retained; and purpose and total cost of project
- Reports will be posted on the City's website no later than 30 days after the end of the quarter
- The sub-grantee and/or subcontractor will register with the Central Contractor Registration (CCR) database
- Provide detailed information on sub-grantee and/or subcontractor

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.

Laurie Kadrich
Signature/Authorized Official

May 22, 2009
Date

City Manager
Title

