

City of Fairbanks, Alaska

“Golden Heart City”

Housing and Community Development Annual Action Plan **for the period**

January 1, 2005 to December 31, 2005



Housing and Community Development Annual Action Plan
January 1, 2005 to December 31, 2005

Executive Summary

This document is part of the U.S. Department of Housing & Urban Development (HUD) Consolidated Plan describing the needs and strategy for using certain HUD funds for housing and community development. The City of Fairbanks will participate in only the Community Development Block Grant (CDBG) program during the next year. This Annual Action Plan describes the specific actions that will be undertaken during the period from January 1, 2005 to December 31, 2005 using those funds.

The City expects to spend its entire CDBG allocation of \$288,876 during the program period. No income is projected. Twenty percent (20%) of funds will be allocated toward the administrative expenses involved in managing the program, promoting public participation, monitoring activities, preparing program and financial reports, reporting and publicizing progress toward program objectives, and assuring adherence to program requirements.

Five activities will be carried out with the funds during the year. These activities are primarily non-housing community development activities. All activities will benefit neighborhood blocks and census tracts where more than 51% of the households meet HUD criteria as low or moderate income. These projects are in the following HUD categories: community development – blight removal project; infrastructure – street lights and drainage; public facilities – fire fighting equipment lease; and public service – support for Volunteers In Policing program.

In addition to these activities, the City will monitor Alaska Division of Public Health surveillance of lead blood levels in children to respond rapidly if lead-based paint becomes a problem in the jurisdiction. It also will support ongoing abatement efforts of the public housing authority.

Program and financial monitoring and reporting will be conducted by a designated City employee working under the general supervision of the Chief Financial Officer. The monitor will assure compliance with all program and financial requirements of the CDBG program.

City of Fairbanks, Alaska
Housing and Community Development Annual Action Plan
January 1, 2005 to December 31, 2005
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City of Fairbanks, Alaska
Golden Heart City
Housing and Community Development Annual Action Plan
for the period
January 1, 2005 to December 31, 2005

A. Introduction

The City of Fairbanks is an entitlement community for Community Development Block Grant (CDBG), funds from the U.S. Department of Housing & Urban Development (HUD). These funds are provided to eligible communities on a formula basis. They can be used for a broad range of activities as determined by the local community. The three national goals of the program are to improve communities by providing:

- decent housing;
- a suitable living environment; and
- expanded economic opportunities.

By law, the principal beneficiaries of activities carried out with these funds must be persons with low and moderate incomes residing in the community.

To receive these funds, HUD requires eligible communities to submit two types of plans – a five (5) year Consolidated Plan and an Annual Action Plan. The Consolidated Plan describes the needs and sets out the vision for the community development projects to be carried out with the Community Development Block Grant and certain other HUD funds. Since Fairbanks does not receive those other funds, the Consolidated Plan and Annual Action Plan will describe only CDBG funds. The second major plan required is the Annual Action Plan describing the specific projects to be funded during the upcoming year.

The citizens of Fairbanks, particularly people of low and moderate income, are invited to review these plans and submit their comments before they are submitted to HUD for approval. The City administration will review and respond to each comment submitted.

B. Time Period

This Annual Action Plan describes activities to be carried out between January 1, 2005 and December 31, 2005.

C. Required Annual Action Plan Elements

D. Sources of Funds

1. *Program income.* The activities described in this Annual Action Plan will be funded solely by the annual CDBG grant. The total amount available is \$288,876. No additional income is anticipated from funds deposited to revolving loan funds, float-funded activities, or from prior year float-funded activities described in a previous plan.
2. *Float-funded activities.* There are no float-funded activities in this Annual Action Plan.
3. *Contingency.* No activity requiring establishment of a contingency reserve for cost overruns.

4. *Other (non-federal) funds.* The following additional funding sources are expected to be available to address the needs identified in this plan.
 - a. City of Fairbanks – in kind – this includes the non-monetary contributions to the plan from the City of Fairbanks. Contributions include project planning and development, involvement of city equipment in projects (FBK04-001, -002, -003), and costs to provide reasonable accommodations for persons with handicaps participating in the public comment and review aspects of the plan.
 - b. Private contributions - \$22,014 – necessary to match the CDBG funds used for the Volunteers in Policing project (FBK04-005). These are expected to be donated by individuals, corporations, and civic organizations.

E. Project Description and Annual Objectives

HUD Table 3 documents the projects included for funding from this year's Annual Action Plan. Twenty percent (20%) of funds available will be used towards the costs of administration of Community Development Block Grant program. These costs include those associated with promoting public participation, disseminating plan documents, monitoring expenditures, preparation and sending program financial reports and activity progress reports, and preparing annual performance reviews for public review and comment.

Explanation of Amended Projects. The City of Fairbanks' first Annual Action Plan was for a short year, July 1, through December 31, 2005. The short year, the short construction season, and the fact that Blight was either being rectified by owners or held up in legal processes, has hampered City the City's ability to complete their projects and draw down funds in a timely manner. We needed to amend our projects to stay compliant with HUD regulations or risk a decrease in the amount of funds being available to us.

The first step we took was to eliminate the Blight removal activity completely. We were discovering that the legal process could take years and that owners finally decided to clean up their properties themselves before being forced by the courts. Blight was removed from both the 2004 and 2005 Annual Action Plans. Next, we decided to eliminate infrastructure projects because we were unable to complete the Street Lighting, and Drainage activities we scheduled in the 2004 & 2005 plans as well as the Sidewalk Improvements scheduled in the 2005 plan.

A suggestion we received from HUD after submitting our 2004 annual report (CAPR) was to have fewer projects. Using this suggestion we decided to reallocate \$119,000 from 2004 & \$92,769 from 2005 from the projects above to the Pumper/Tender fire truck listed under the Public Facilities activity on the next page. This leaves only administration, the Pumper/Tender fire truck, and the VIP as activities under both years plans. Next year, we anticipate our activities will be the same with the addition of Sidewalk Improvements. Under HUD regulations we only needed to modify our current 2005 Action Plan, not the 2004 plan.

Project Descriptions and Annual Objectives

The amended 2005 projects and activities follow on the next page.

Applicant's Name: **City of Fairbanks**

Priority Need: Public Facilities

Project Title: Fire Equipment Replacement

Project Description

Systematic replacement of fire equipment that has become unreliable because of exceeding predicted useful life or costs of repair exceed value. Units will be deployed at the downtown station. Equipment may be leased over a five year period after which the ownership of the equipment will remain with the City of Fairbanks Fire Department.

Location

Downtown station that services the low/moderate income tracts in the City.

The primary purpose of the project is to help: the Homeless Persons with HIV/AIDS Persons with Disabilities Public Housing Needs

Objective Number 4	Project ID FBK04-004
HUD Matrix Code 030	CDBG Citation 570.201 ©
Type of Recipient Local government	CDBG National Objective Suitable living environment
Start Date (mm/dd/yyyy) 01/01/2005	Completion Date (mm/dd/yyyy) 12/31/2005
Performance Indicator Blocks with new/functional sidewalks	Annual Units 1
Local ID	Units Upon Completion 1

Funding Sources:

CDBG	<u>\$187,770</u>
ESG	_____
HOME	_____
HOPWA	_____
Total Formula	_____
Prior Year Funds	_____
Assisted Housing	_____
PHA	_____
Other Funding	_____
Total	<u>\$187,770</u>

Applicant's Name: City of Fairbanks

Priority Need: Public Services

Project Title: Volunteers In Policing (VIP)

Project Description

This project recruits and trains citizens to serve as law enforcement extenders in low/moderate income areas that have higher than average crime levels. Volunteers provide a visible presence in these areas to deter crime or detect suspected criminal activity. Volunteers report suspect activities to police department for quick response.

Location

Volunteers will be deployed in low/moderate income where criminal activity is present in greater amounts than other neighborhoods.

Funding Sources:

CDBG	\$43,331
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$43,331

The primary purpose of the project is to help: the Homeless Persons with HIV/AIDS Persons with Disabilities Public Housing Needs

Objective Number 5	Project ID FBK04-005
HUD Matrix Code 051	CDBG Citation 570.201 (e)
Type of Recipient Local government	CDBG National Objective Suitable living environment
Start Date (mm/dd/yyyy) 01/01/2005	Completion Date (mm/dd/yyyy) 12/31/2005
Performance Indicator # of VIP per quarter	Annual Units 20
Local ID	Units Upon Completion 20

F. Homeless and Other Special Populations

There are no projects in this Annual Action Plan specifically addressing the homeless or populations with special needs that require supportive services to live with greater independence. The estimated cost of \$5,241,000 to construct the shelter and transitional living facilities necessary to meet the present need is not available through the CDBG funds the city is entitled to receive. The City does not receive an Emergency Shelter Grant (ESG) or Housing Opportunities for People with Aids (HOPWA) grant.

Projects in this Annual Action Plan address basic needs of low/moderate income neighborhoods to increase safety and livability. They also include removal of blight. In addition to removal of potential hazards, this activity will make neighborhoods more esthetically pleasing and, when legal obstacles are removed, make more City housing lots available for low/moderate income families who can access the home ownership programs available through Alaska Housing Finance Corporation.

G. Public Housing Needs

Alaska Housing Finance Corporation (AHFC) is the public housing authority for the jurisdiction. AHFC is classified by HUD as performing at its highest level. It is not a “troubled” public housing authority.

The Volunteers In Policing (VIP) project encourages people in public housing to take an active role in maintaining public safety and reducing crime in their neighborhoods. Making a positive contribution to one’s community is an essential element in developing a sense of “ownership” in that community and interest in how the affairs of that community are run. The program’s expected direct result, reduction of crime in low, moderate income neighborhoods, will have an immediate, direct impact on the lives of people in public housing and low, moderate income neighborhoods.

H. Anti-Poverty Strategy

The needs assessment contained in the Consolidated Plan indicates that the most significant housing problem within the City, and for most of the state of Alaska as well, is “affordability mismatch.” HUD defines “affordability mismatch” as when a household expends 30% or more of its income on housing. This is particularly acute for older persons living on fixed incomes in their own homes.

There are few options to deal with the issue within the jurisdiction’s control. Utilities have been privatized with the expectation that costs will be lower in the long term. City services and costs have been reduced to keep property taxes as low as possible. School costs contribute a great deal to the property tax burden and these costs are determined by officials elected borough-wide and are not under the City’s control. An attempt to reduce City property taxes by instituting a dedicated City sales tax recently was rejected by the electorate. The latter, while not initiated by them, received the support of many City officials. State law provides for a property tax exemption on the first \$150,000 of value of real property owned and occupied by a permanent resident 65 years old or older, or, by veterans with service connected disabilities of 50% or more. This state mandated tax abatement program has been fully funded by local governments since

1999. The average benefit for residents applying for the abatement in the Fairbanks North Star Borough during 1999 was \$1,704.

The projects included in the 2005 Annual Action Plan will have some impact on the reducing families in poverty. First, livability is improved by several projects including lighting, sidewalks, drainage, and blight removal. This will reduce the propensity of people with means to move from the City in areas of the borough. Stabilizing the population will help maintain an adequate tax base by assuring that a higher proportion of the City's available housing stock will be occupied and, consequently, contribute to the tax rolls. The more the property tax burden is spread, the greater the ability to maintain basic City services at costs reasonable to all.

A recent spurt in construction of several large retail stores in northeast Fairbanks will help reduce poverty in several ways. First, it will provide a large new tax base to fund municipal services. More important, it will provide several hundred new entry level jobs that are most likely to be filled by individuals living at or below poverty level. They also will increase competition and lower the cost of basic food and clothing. The strategy of maintaining the city as "business friendly" environment is most likely to result in a reduction of the number of people at or below poverty levels by 10%.

I. Lead-based Paint Hazards

As noted in the Consolidated Plan, lead-based paint poisoning has not been seen in the Fairbanks area. The Alaska Housing Finance Corporation is the public housing authority responsible for public housing in Fairbanks. The City code enforcement unit will support efforts to mitigate potential lead-based paint hazards in public housing units available to extremely low, low, and moderate income families. In addition, the City will monitor ongoing surveillance of high blood lead levels by the Alaska Division of Public Health. The Alaska Department of Health & Human Services is taking aggressive measures to increase the number of Medicaid beneficiaries 21 years old and younger participating in the Early Periodic Screening, Diagnosis, and Treatment (EPSDT) program. This program includes regular "well-child" screening of children throughout infancy and adolescence. Blood tests for lead exposure are part of the screening protocol. Since Medicaid is an income-based entitlement program, increased participation in the EPSDT program will result in more extensive surveillance efforts and earlier identification for the children in extremely low and low income families who participate in the program or are participating in the state's Temporary Assistance to Needy Families (TANF) welfare to work programs.

Additionally, the blight removal program will result in City building sites available for construction of low and moderate income homes. These homes will meet all current building code requirements including the prohibitions against using lead-based paints and asbestos.

J. Other Actions

The City of Fairbanks Mayor and administration are pursuing a number of economic development projects. In conjunction with the mayors of other jurisdictions in the area, a list of economic and social service development projects has been developed. Representatives of potential funding sources have been invited to the area to learn first hand about the needs and plans. All activities economic development and improved social services will benefit low and moderate income persons in the area including those with physical or mental conditions causing functional impairments.

It is anticipated that the participation in the CBDG process will increase awareness of major housing issues in Fairbanks – particularly among low and moderate income residents. An enlightened constituency addressing issues having a direct impact on their own lives can only result in more creative suggestions and approaches to solve the economic and housing problems affecting the City.

H. Monitoring

The City anticipates using funds available through the Community Development Block Grant primarily to support its own activities conducted to benefit its low and moderate income residents. The City has a designated position, filled by a qualified accountant, to assure compliance with grant fiscal and program requirements. This position reports directly to the Chief Financial Officer and is independent of operating divisions. The incumbent will be provided training in HUD CBDG grant requirements and assigned to monitor implementation. The grant's compliance monitor also will assure accurate and timely submission of required reports and data for the program.

In this year's Annual Action Plan, no grants to non-profit or faith-based organizations will be made. While the city values "privatization" of its functions whenever possible, the costs associated with administering a grant program that assured every sub-grantee met all federal grant requirements would exceed any potential benefits that could be derived. In addition, it is very likely that the administrative cost limitations of the CBDG would make it impossible to administer such a program without placing the city a great risk of violating federal laws. If the latter occurred, the best possible result would be that the city taxpayers would be required to make up the loss. The worst outcome could be fines, imprisonment, and the loss of all federal funds coming to the city.

K. Affirmative Fair Housing Activities

Summary of Impediments

This Analysis to the Impediments of Fair Housing Choice reports the impediments identified and the proposed actions to reduce the effects.

First, tenants and residential contractors did not respond to the survey conducted. This indicates renters lack information on fair housing. They are unaware of the fair housing laws.

Second, respondents reported difficulty in finding housing for handicapped persons. The housing stock appropriately constructed for handicapped persons is limited.

Third, all respondents reported the need for an adequate housing at affordable prices. In the last three years alone the price of houses, goods, and labor, have sharply increased. The price of fuel has increased over \$1.00 a gallon. One housing provider indicated they would have to stop accepting Section 8 vouchers because they are not covering the increased fuel costs. This directly restricts the housing choices of persons in the protective class.

Fourth, about half of the persons responding did not know the correct agency to which fair housing complaints should be addressed.

Actions to Address Impediments to Fair Housing Choice

The survey and discussions conducted indicate that the City of Fairbanks housing impediments are not directly caused by discrimination. Instead they result from public apathy, inaccessible housing, and increasing rents. In an effort to alleviate these impediments the City of Fairbanks will do the following:

Fair Housing Education

Promote public awareness by participating, advertising, and sponsoring, housing fairs and shows

Provide builders with fair housing information when they apply for building permits

Distribute fair housing “propaganda” pamphlets and information to the public

Participate in the State of Alaska housing continuum meetings

Provide contact information for specific housing inquiries handled by other agencies

Post this Analysis to the Impediments of Fair Housing Choices and other fair housing information on the web at www.ci.fairbanks.ak.us

Accessible Housing

Inform residents about their right to reasonable accommodations under fair housing law

Require new commercial housing structures to be accessible to handicapped persons

Encourage proprietary owners to construct their smaller housing units to be accessible to handicapped persons

Inform builders of the fair housing laws at the housing fairs and other community housing events

Enforce the International Building code design requirements for accessibility. See chapter 11 Sections 1101.2 through 1102.1 (attached)

Affordable Housing

Provide contact information to persons requesting housing assistance, especially individuals from the protective classes

Encourage AHFC and HUD to increase Section 8 voucher amounts to cover the increased rents resulting from the increased costs, such as fuel

Complaint and Enforcement Process

Distribute the telephone and addresses of the Equal Opportunity Office and the Housing of Urban Development Fair Housing office on “propaganda” pamphlets and fair housing advertisement

Make posters identifying the protective classes that encouraging readers to report complaints to the agencies above

Appendix A
Notices of Public Hearings
and
Responses to Public Comments

Appendix B
Supplementary Information

Appendix C
CERTIFICATIONS

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing—The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of 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 that analysis and actions in this regard.

Anti-displacement and Relocation Plan—It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 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 the CDBG or HOME programs.

Drug Free Workplace—It will or will continue to provide a drug-free workplace by:

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

Anti-Lobbying—To the best of the 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.

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

Consistency with plan—The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

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

Signature/Authorized Official Date

Title

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation—It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan—Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan—It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds—It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG 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. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) , (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed 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 funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG 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 funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG 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 funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force—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 which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws—The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint—Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws—It will comply with applicable laws.

Signature/Authorized Official Date

Title

OPTIONAL CERTIFICATION

CDBG

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©:

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which 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 to meet such needs.

Signature/Authorized Official Date

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance—If the participating jurisdiction intends to provide tenant-based rental assistance: The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction’s consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs—it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance—before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

n/a

Signature/Authorized Official Date

Title

ESG Certifications

The Emergency Shelter Grantee certifies that:

Major rehabilitation/conversion—It will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 10 years. If the jurisdiction plans to use funds for purposes less than tenant-based rental assistance, the applicant will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for at least 3 years.

Essential Services—It will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served.

Renovation—Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services—It will assist homeless individuals in obtaining appropriate supportive services, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living, and other Federal State, local, and private assistance.

Matching Funds—It will obtain matching amounts required under §576.71 of this title.

Confidentiality—It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement—To the maximum extent practicable, it will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, operating facilities, and providing services assisted through this program.

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

n/a

Signature/Authorized Official Date

Title

HOPWA Certifications

The HOPWA grantee certifies that:

Activities—Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building—Any building or structure assisted under that program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

n/a

Signature/Authorized Official Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

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

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.
7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:
"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);
"Conviction" means a finding of guilt (including a plea of nolocontendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).