Amendment to the 2008-09 Action Plan for CDBG-R Funds
City of Santa Cruz, California
May 2009

PURPOSE OF THE CONSOLIDATED PLAN

The federal Department of Housing and Urban Development (HUD) annually provides Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) grant funds to the City of Santa Cruz to assist in projects and programs that benefit low and moderate income residents. HUD requires the City to have a Five-Year Consolidated Plan to provide strategic direction for housing and community development activities that are carried out in the City. For each year of the Consolidated Plan the City Council is required to adopt an Annual Action Plan, which identifies the activities that will be undertaken in that year in pursuit of Consolidated Plan goals and objectives and the allocation of CDBG and HOME funds received from HUD for that year.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

The American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law on February 17th, 2009. The Recovery Act included $1 billion for the Community Development Block Grant Program (CDBG) under the Department of Housing and Urban Development (HUD). As a participating jurisdiction, the City of Santa Cruz will receive a one time grant of $163,367, which are referred to as CDBG-R funds. To obtain the City's allocation of CDBG-R funds, the City is required to submit a substantial amendment to the 2008-2009 Annual Action Plan.

The program requirements for the substantial amendment are contained in a May 5, 2009 Notice from HUD. The application requirements for the substantial amendment were designed to allow local governments to apply for and carry out eligible activities on an expedited basis under the CDBG program.

Although the full range of CDBG eligible projects or programs may be funded with CDBG-R funds, HUD has provided direction for preferred uses of these funds to be consistent with the overarching goals of the Recovery Act. As stated in HUD's CDBG-R Notice, which provides guidelines for the use of these funds, the purpose of the Recovery Act is to "stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care."

The Recovery Act requires CDBG-R funds be used "in a manner that maximizes job creation and economic benefit". Furthermore, "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." HUD also encourages grantees to use CDBG-R funds for discrete, stand-alone activities whenever possible. Additionally, priority should be given to "projects that can award contracts based on bids within 120 days from the date the funds are made available."

CDBG-R FUND APPLICATION & CITIZEN PARTICIPATION PROCESS

Application materials were made available to non-profit organizations and public agencies on May 6, 2009 with applications due on May 12. The City's Social Service Provider Committee (SSP) met with all applicants on May 13 and subsequently made recommendations for grant funding to the City Council. A draft plan amendment was made available on the City Council website on May 21 beginning a seven day public comment period. http://64.175.136.240/sirepub/meeting.aspx?cabinet=PUBLISHED_MEETINGS&ftr=0&docid=96610. The draft amendment is also available on the Housing and Community Development Division Website at: http://www.ci.santa-cruz.ca.us/pl/hcd/cpd.html or (http://www.ci.santa-cruz.ca.us/pl/hcd/Action%20Plan/Substantial%20Amendment%20to%20the%202008%20Action%20Plan.pdf). The draft amendment was also available at the main branch of the Public Library and at the Economic Development and Redevelopment Offices at 337 Locust Street.

The comment period included a public hearing at the City Council on May 26, 2009. No written comments were received. Two non-profit organizations spoke at the public hearing indicating their gratitude for the funding and describing the jobs that would be retained by their organizations with the funding.

APPLICATIONS AND APPROVED CDBG-R PROGRAM BUDGET

The City received three applications for construction project funding and three applications to assist social service providers with retention of jobs that are in jeopardy due to reduced funding from other sources. At the May 14, 2009 SSP Committee meeting, the three City Council members that make up the SSP Committee met with staff and applicants. Based on City goals and HUD's direction, the SSP Committee recommended that the following projects and programs be funded.

Funding for Social Service Providers (limited to 15% of CDBG-R grant)

- $14,276 for Homeless Services Center – Homeless Community Resource Center
- $10,229 for Santa Cruz Community Counseling Center - River Street Shelter

Funding for Community Based Development Organization serving the Beach/South of Laurel Neighborhood Revitalization Strategy Area (NRSA)

- $20,532 for Familia Center

Funding for Construction Project

- $101,993 for Beach Flats Park Improvements- Department of Parks and Recreation

Funding for Program Administration -$16,337 (limited to 10% of CDBG-R grant)

On May 26, 2009 the full City Council approved these funding recommendations at a public hearing. In addition, the Council approved the Highway 1 Bike/Pedestrian Underpass Project, submitted by the Department of Public Works, as an alternate project for funding. If staff determines that the Beach Flats Park project is unable to meet the 120 day requirement to be under contract for construction, the $101,993 in project funding would be automatically reallocated to the Highway 1 Bike/Pedestrian Underpass Project without requiring additional City Council approvals. Funding for the third project application, which was construction of improvements at the Walnut Avenue Woman's Center, was not approved for funding.

DESCRIPTION OF ACTIVITIES FOR CDBG-R APPLICATION TO HUD

The following describes the programs recommended for funding and provides information required by HUD for the application for CDBG-R funds.

A. Description activities to address priority needs and objectives.

Homeless Community Resource Center, Homeless Services Center

Use of CDBG-R and Other ARRA funds: Funds will be used to retain a position to sustain basic program staffing at the Day Resource Center. The staff position that will be retained operates the client mail/phone/communication room. Without this funding, the mail program may be eliminated due to loss of funding for the program. No other Recovery Act Funds will be used for this activity.

Priority Needs and Objectives: Addresses Homeless Priority HO.1 - Support Services & Organizations that Assist Homeless Individuals & Families. (Priority Need Category: Public Services; National Objective: Low Mod Clientele Benefit) 100% benefit to low income clients

River Street Shelter, Santa Cruz Community Counseling Center

Use of CDBG-R and Other ARRA funds: Funds will be used to retain a Counselor position at the River Street Shelter, which would otherwise be eliminated due to budget cuts. The Counselor provides supervision and counseling for 32 residents for mental health and substance abuse issues, as well as assistance in obtaining employment, benefits, health care, and transitional or permanent housing. Additional Recovery Act funds are being applied for from FEMA ($18,783) for this activity.

Priority Needs and Objectives: Addresses Homeless Priority HO.1 - Support Services & Organizations that Assist Homeless Individuals & Families. (Priority Need Category: Public Services; National Objective: Low Mod Clientele Benefit) 100% benefit to low income clients

Familia Center

Use of CDBG-R and Other ARRA funds: Funds will be used to retain a case manager who assists low income clients with online job searches, job applications, resumes, applying for unemployment benefits online, help in completing government assistance forms, i.e. TANF, cash aid as well as advocacy, information & referral for the residents of Lower Ocean Street and Beach Flats and other low income areas in the City of Santa Cruz. By retaining this position Familia Center will be able to provide services to those that are in the most need thus minimizing further erosion of services to this population. No other Recovery Act Funds will be used for this activity.

Priority Needs and Objectives: Addresses Community Services Priority CD.1 - Community Services; specifically Objective CD.1 (a): During the next five years, assist other City Departments, at least three non-profit organizations, and neighborhoods in providing services and community building activities. (Priority Need Category: Public Services; National Objective: Low Mod Area Benefit) Area served ranges from 59.3% to 81.6% low income households; 84% of clients are low or very low income and 24% are moderate income.

Beach Flats Park Improvements

Use of CDBG-R and Other ARRA funds: Funds will be used to construct improvements in the Beach Flats neighborhood park, including replacement of the play structure and resilient playground surfacing. No other Recovery Act Funds will be used for this activity.

Priority Needs and Objectives: Addresses Community Development Priority CD.3 - Community Facility Development; specifically Objective CD.3 (a): Assist in completing park and recreation facilities associated with the Beach Flats Community Center, including constructing Raymond Street Park and refurbishing Beach Flats Park. (Priority Need Category: Public Facilities; National Objective: Low Mod Area Benefit) Neighborhood census tracts indicate 65.5% to 72.5% low income households.

B. Distribution and uses of CDBG-R funds to meet Title XII of Division A and Section 1602 of the Recovery Act requirements

In the application process, the City gave priority to projects that would award contracts based on bids within 120 calendar days and that could be started and completed expeditiously. Each activity was also required to focus on job creation or retention, economic benefits, and assisting those most impacted by the recession. This included the public services. The activities comply with these goals as follows:

- All public service funding will be used to preserve jobs within each organization. Furthermore, at least a portion of the jobs that are being preserved will serve to assist others in finding, applying for or securing jobs thus providing long term economic benefits to those assisted. For the homeless or for low income persons that have difficulty with language, these serves can be considered essential services for those assisted by staff supported with CDBG-R funds.
- The Beach Flats Park construction project will also create construction jobs in a very low income neighborhood. In addition the project will only use iron, steel and manufactured goods that that are produced in the United States

C. Description of activities to maximize job creation and economic benefit

CDBG– R funding for the City of Santa Cruz targeted activities that either retain or create jobs. In addition, for public services priority was given to activities that also helped others pursue and/or obtain employment. The results are as follows:

Jobs Retained:
- Homeless Services Center – 1 job
- Santa Cruz Community Counseling Center – .75 job
- Familia Center – 1 job

Construction Jobs Created:
- Beach Flats Park Improvements – 10 jobs

Activities assisting in job searches and employment include:

- Homeless Community Center position retained with CDBG-R funds would allow the Homeless Community Resource Center (Day Center) to continue to operate phone and mail service. This is an essential service for those seeking employment.
- Case management position retained with CDBG-R funds at the Familia Center would assist low income clients with online job searches, job applications, resumes, applying for unemployment benefits online, and help in completing government assistance forms.
- Counseling position retained with CDBG-R funds at the River Street Shelter would assist clients in obtaining employment.

D. Energy conservation, smart growth, green building technologies, or reduced pollution emissions.

Materials used in the Beach Flats Park Improvement project will involve replacing the existing resilient fall zone surfacing with new recycled products. This will help promote manufacturing of next generation "green" recycled materials significantly reducing green house gas emission. Funding this project will also help break the financial hurdles needed for companies to break ground in developing green manufacturing facilities and technologies.

E. City of Santa Cruz Contact for Information about CDBG-R Funds:

Contact: Carol Berg
Position: Housing and Community Development Manger
Address: 337 Locust Street, Santa Cruz, CA 95060
Phone: (831) 420-5108
Email: cberg@ci.santa-cruz.ca.us

ATTACHMENTS:

- 2008-09 ACTION PLAN AMENDMENT CDBG-R BUDGET (Page 6)
- DATA ACTIVITY SHEET (Page 7)
- Form 454 (Page 8)
- Certifications (Pages 9-12)

2008-2009 ACTION PLAN AMENDMENT CDBG-R BUDGET		2008-2009 PY	
		CDBG-R BUDGET	% OF TOTAL CDBG-R FUNDS
PROJECTS & CODE ENFORCEMENT			
TOTAL CDBG-R FUNDS AVAILABLE		$163,367	
Activity:	**Beach Flats Park Improvements City Loan Repayment for Construction Costs**	$101,993	
Applicant:	Department of Parks & Recreation		
Activity:	**HW1 Bike/Pedestrian Underpass Project**	$0	
Applicant:	City of SC Dept. of Planning & Community Development	Back Up Project if BF Park Improvements does not meet HUD Deadlines	
TOTAL PROJECT FUNDING		**$101,993**	**62%**
PUBLIC SERVICES			
Activity:	**Homeless Community Resource Center**	$14,276	
Applicant:	Homeless Services Center		
Activity:	**River Street Shelter**	$10,229	
Applicant:	Santa Cruz Community Counseling Center		
TOTAL SOCIAL SERVICE PROVIDER FUNDING		**$24,505**	**15%**
Activity:	**Neighborhood Services - Familia Center**	$20,532	
Applicant:	Familia Center (Qualified as CBDO for NRSA)		
TOTAL SOCIAL SERVICE CBDO SERVING NRSA FUNDING		**$20,532**	**13%**
Activity:	**Grant Administration and Planning**	$16,337	
Applicant:	City of Santa Cruz Planning & Community Development		
TOTAL ADMINISTRATION		**$16,337**	**10%**
TOTAL CDBG-R FUNDING		**$163,367**	**100%**

DATA ACTIVITY SHEET

Jurisdiction/Grantee Name: City of Santa Cruz, CA		CDBG-R Formula Grant Amount: $163,367				Date: June 4, 2009	
Activity Name	***Activity Description***	***Eligibility (Regulatory or HCDA Citation)***	***National Objective Citation***	***CDBG-R Project Budget***	***Additional Recovery Funds ($)***	***Other Leveraged Funding ($)***	***Total Activity Budget***
Homeless Community Resource Center	Partial funding of a staff position for the Day Resource Center to operate the homeless client mail/phone/communication room.	570.201(e)	570.208(a)(2) LMC	$10,229	$9,200	$12,821	$32,250
River Street Shelter	Partial funding of .75 counselor position at Shelter that provides supervision, counseling, and assistance in obtaining jobs, benefits, health care, and housing.	570.201(e)	570.208(a)(2) LMC	$14,276	$0	$14,428	$28,704
Familia Center	Partial funding of case manager assisting clients with applications for assistance and employment. Familia Center is a CBDO serving the Beach South of Laurel NRSA	570.201(e)	570.208(a)(1) LMA	$20,532	$0	$27,995	$48,527
Beach Flats Park Renovations	Replace play structure and resilient playground surfacing.	570.201(c)	570.208(a)(1) LMA	$101,993	$0	$0	$101,993
CDBG-R Grant Administration	Administration costs to administer the CDBG-R funds awarded by HUD.	570.206(a)	NA	$16,337	$0	$0	$16,337
Totals				$163,367	$9,200	$55,244	$227,811

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approved No. 3076-0006

Version 7/03

1. TYPE OF SUBMISSION: Application ☐ Construction ☑ Non-Construction	Pre-application ☐ Construction ☐ Non-Construction	**2. DATE SUBMITTED** June 3, 2009	Applicant Identifier CDBG-R
		3. DATE RECEIVED BY STATE NA	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY June 5, 2009	Federal Identifier

5. APPLICANT INFORMATION

Legal Name: City of Santa Cruz	**Organizational Unit:** Department: Economic Development and Redevelopment
Organizational DUNS: #148216112	Division: Housing and Community Development Division
Address: Street: 809 Center Street	**Name and telephone number of person to be contacted on matters involving this application (give area code)** Prefix: Ms. First Name: Carol
City: City of Santa Cruz	Middle Name Jean
County: County of Santa Cruz	Last Name Berg
State: California Zip Code 95060	Suffix:
Country: USA	Email: cberg@ci.santa-cruz.ca.us
6. EMPLOYER IDENTIFICATION NUMBER *(EIN)*: 9 5 - 6 0 0 0 4 2 7	Phone Number (give area code) (831) 420-5108 / Fax Number (give area code) (831) 420-5151
8. TYPE OF APPLICATION: ☑ New ☐ Continuation ☐ Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)	**7. TYPE OF APPLICANT:** (See back of form for Application Types) C. Municipal Other (specify)
	9. NAME OF FEDERAL AGENCY: HUD
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 1 4 - 2 1 8 TITLE (Name of Program): Community Development Block Grant - Entitlement	**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:** City of Santa Cruz Substantial Amendment to the 2008-2009 Action Plan For CDBG-R funds (See Attached Plan for description of activities)
12. AREAS AFFECTED BY PROJECT *(Cities, Counties, States, etc.)*: City-wide	
13. PROPOSED PROJECT Start Date: 7-1-2009 Ending Date: 6-30-2010	**14. CONGRESSIONAL DISTRICTS OF:** a. Applicant District 17 b. Project District 17

15. ESTIMATED FUNDING:		**16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?**
a. Federal	$ 163,367 .00	a. Yes. ☐ THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant	$ .00	
c. State	$ .00	
d. Local	$ .00	b. No. ☑ PROGRAM IS NOT COVERED BY E. O. 12372
e. Other	$ .00	☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
f. Program Income	$ .00	**17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**
g. TOTAL	$ 163,367 .00	☐ Yes If "Yes" attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix Mr..	First Name Richard	Middle Name C.
Last Name Wilson		Suffix
b. Title City Manager		c. Telephone Number (give area code) (831) 420-5010
d. Signature of Authorized Representative		e. Date Signed June 2, 2009

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

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.

_____ _June 2, 2009_____
Signature/Authorized Official Date

_City Manager_____
Title