



**City of YUMA
Arizona**

**The American Recovery and
Reinvestment Act**

**Community Development Block
Grant – Recovery**

Substantial Amendment

Of the

2008 Annual Action Plan

FY 2008-2009

**Community Development Block Grant – Recovery Program
Substantial Amendment to
The Consolidated Plan/Action Plan for
Yuma, Arizona
July 1, 2008 – June 30, 2009**

Web address where this amendment is posted:

<http://www.ci.yuma.az.us>

Contact: Nikki Hoogendoorn, Neighborhood Services Specialist
Neighborhood Services Division
City Administration Department
One City Plaza
P.O. Box 13013
Yuma, AZ 85366-3013
Phone: (928) 373-5187
Fax (928) 373-5188
Email: Nikki.Hoogendoorn@YumaAz.gov

Background

The City of Yuma is eligible to receive \$250,802 in Community Development Block Grant-Recovery (CDBG-R) funding from the Department of Housing and Urban Development (HUD) through the American Recovery and Reinvestment Act of 2009 (ARRA). The Neighborhood Services Division will administer the funds.

This funding, referred to as “CDBG-R” is separate from the regular, annual CDBG funds that the City receives every year. The City of Yuma received \$923,387 in CDBG funds for fiscal year 2008 (July 1, 2008 – June 30, 2009) and will receive \$935,578 for fiscal year 2009 (July 1, 2009 – June 30, 2010).

The City of Yuma is required to amend its existing Consolidated Plan to include the CDBG-R funds. The Consolidated Plan/Action Plan provides specific information about projects that are currently being funded as CDBG-eligible activities, and the same activities are eligible for CDBG-R funding. The existing Consolidated Plan may be found at www.ci.yuma.az.us

The CDBG program enables local governments to undertake a wide range of activities intended to create suitable living environments, provide decent affordable housing and create economic opportunities, primarily for persons of low and moderate income. The full range of CDBG-eligible activities and projects are being undertaken with current funding. Projects funded under the CDBG-R must not only meet CDBG National Objectives, but ARRA objectives which are mainly to stimulate job creation or retention, long-term economic benefit and promote energy efficiency and conservation. Priorities should be given to projects that can award contracts based on bids within 120 days.

Citizen Participation and Public Comment

The City of Yuma is not required to follow the Citizen Participation Plan for this Substantial Amendment. HUD is waiving this requirement and shortening the time for citizen comments to 7 calendar days and requiring the substantial amendment materials to be posted on the City of Yuma website as the materials are developed, published and submitted to HUD. The City of Yuma posted information on the City website on May 22, 2009. Comments on the proposed Substantial Amendment were accepted until May 29, 2009 and no comments were received.

HUD is also requiring that copies of the Substantial Amendment be available in public places for those people that do not have Internet access. This Substantial Amendment will be available for review at the following locations:

City Clerk's Office, Yuma City Hall, One City Plaza
Neighborhood Services Division, Yuma City Hall, One City Plaza

Dr. Martin Luther King, Jr. Neighborhood Center, 300 S. 13th Avenue
Housing Authority of the City of Yuma (HACY), 420 S. Madison Avenue
Yuma County Main Library, 2951 S. 21st Drive
Yuma County Heritage Library, 350 3rd Avenue
Western Arizona Council of Governments (WACOG), 224 S. 3rd Avenue

Community Development Block Grant Recovery Funds

Under ARRA, the City of Yuma will receive \$250,802 in additional "CDBG-R" funds this summer. The funds must be obligated for physical improvement projects within 120 days of entering into a formal contract with HUD. The receipt of these funds requires an amendment to the City's FY 2008-2009 CDBG Action Plan and 2007-2010 Consolidated Plan. Due to the short time frame regarding the use of these funds, the City reviewed applications from the 2009 CDBG funding cycle, which ended prior to the development of this Substantial Amendment. The following criteria were considered when selecting projects for the use of this money:

- **The Number of Estimated Jobs Generated by the Project.** The intent of the CDBG-R funds is to initiate projects that will generate employment opportunities. Therefore, those projects with the greater number of projected jobs received a higher priority. This is an ARRA requirement.
- **Low/Moderate Income Housing.** If the project improves the housing stock for low/moderate income individuals and families, then it received a higher priority. This is a high priority in the Consolidated Plan.
- **Environmental Review.** All projects will have to be environmentally cleared. Projects that have already received environmental clearance received a higher priority.
- **Energy Efficiency and Conservation.** Projects that will improve energy efficiency and conserve energy received a higher priority. This was a requirement under ARRA.
- **Long Term Economic Benefit.** Projects that will have a long term economic impact on those who benefit. This is an ARRA requirement.

Based on these criteria, the City selected one project that met all of these criteria:

Owner-Occupied Housing Rehabilitation Program - \$225,802 to provide the Emergency Home Repair Program and the Home Improvement Loan Program for low and moderate income individuals and families. These programs will address accessibility issues, code violations, overcrowding and safety issues. In addition, an energy audit will be completed on each home and energy efficiency items will be addressed. This project was also

selected because it was under-funded in the 2009/2010 CDBG Action Plan due to lack of sufficient funding. This project will begin immediately after the funds are made available by HUD.

The total amount being programmed under the CDBG-R program is \$250,802, which includes \$25,000 that will be used for Planning and Administration.

CDBG-R SUBMISSION TEMPLATE **& CHECKLIST**

The American Recovery and Reinvestment Act of 2009 ("Recovery Act") was signed into law by President Obama on February 17, 2009. The Recovery Act awards \$1 billion in CDBG Recovery (CDBG-R) funds to be distributed to cities, counties, insular areas and states, of which \$10 million has been reserved by HUD for its administrative costs and \$10 million of which will be awarded to Indian tribes. Recipients of the remaining \$980 million of CDBG-R funds will be the approximately 1,200 jurisdictions that received CDBG funding in Fiscal Year 2008. This template sets forth the suggested format for grantees receiving funds from CDBG-R. A complete submission contains the information requested below, including:

- (1) The CDBG-R Substantial Amendment (template attached below)
- (2) Spreadsheet for Reporting Proposed CDBG-R Activities (see <http://www.hud.gov/recovery>)
- (3) Signed and Dated Certifications (see <http://www.hud.gov/recovery>)
- (4) Signed and Dated SF-424.

Grantees should also attach a completed CDBG-R Substantial Amendment Checklist to ensure completeness and efficiency of review (attached below).

THE CDBG-R SUBSTANTIAL AMENDMENT

Jurisdiction(s): City of Yuma, Arizona Jurisdiction Web Address: <ul style="list-style-type: none">• www.ci.yuma.az.us	CDBG-R Contact Person: Nikki Hoogendoorn Address: Neighborhood Services One City Plaza P.O. Box 13013 Yuma, AZ 85366-3013 Telephone: (928) 373-5187 Fax: (928) 373-5188 Email: Nikki.Hoogendoorn@YumaAz.gov
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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.)

Owner-Occupied Housing Rehabilitation Program

- (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.

The City of Yuma will provide a Housing Rehabilitation Program for low and moderate income (LMI) households. The program consists of two components, an Emergency Home Repair Program and a Home Improvement Loan Program (HILP) for homes that require more comprehensive rehabilitation.

Small business contractors will receive the biggest economic benefit from the housing rehabilitation projects. Most of the contractors and subcontractors who bid on housing rehabilitation projects are small business contractors. Many of these contractors have been left with little or no available work due to the slow housing market and overall reduction in building activity in the community. With the increased number of projects in the Housing Rehabilitation Program, these small contractors will have work that will sustain them until the economy improves and building activity stabilizes. This work will help contractors to retain employees that may otherwise be laid off and may not be able to find other job opportunities. They will also be able to hire new subcontractors and rehire previously laid off workers.

LMI people have been impacted by the recession and have a difficult time making needed repairs to their homes. This program will improve living conditions and reduce energy costs for families that are approved to participate.

A Home Energy Audit will be conducted on each home selected for this program. The Audit Team will inspect the home, conduct testing, evaluate results and determine which energy conservation improvements can be made to provide the biggest impact on energy savings for the homeowner. When appropriate, energy conservation and green building will be incorporated into the scope of work for the homes being rehabilitated.

This is an established program that is currently underway and spending can begin immediately upon approval by HUD. The program is administered by the City, which eliminates the need to develop and go through the approval process for a Subrecipient Agreement. Because of these two factors, the City will be able to award contracts for most of the funds within the first 120 days of approval.

- (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)).

This program will create or retain construction worker jobs. It is estimated that each Emergency Repair project will employ approximately 10 construction workers and each HILP project will employ approximately 15 construction workers from various construction trades. A total of 25 temporary construction jobs are estimated to be created or retained from 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.)

A Home Energy Audit will be conducted on each home selected for this program. The Audit Team will inspect the home, conduct testing, evaluate results and determine which energy conservation improvements can be made to provide the biggest impact on energy savings for the homeowner. When appropriate, energy conservation and green building techniques will be incorporated into the scope of work for the homes being rehabilitated.

- (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 Yuma, Neighborhood Services
Marisela Valle-Erlenbach, Senior Neighborhood Services Specialist
One City Plaza, P.O. Box 13013, Yuma, AZ 85366-3013
(928) 373-5187
Marisela.Valle@YumaAz.gov**

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

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

CDBG-R Administration

- (2) Activity Narrative:

The City of Yuma will use these funds for planning and administration of the CDBG-R Program. This will include project monitoring, Davis Bacon monitoring, reporting and other administrative work as necessary.

- (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)).

N/A

- (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.)

N/A

- (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 Yuma
Neighborhood Services
Nikki Hoogendoorn, Neighborhood Services Specialist
One City Plaza
P.O. Box 13013
Yuma, AZ 85366-3013
(928) 373-5187
Nikki.Hoogendoorn@YumaAz.gov**

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 proposed CDBG-R Substantial Amendment was published on the City of Yuma website on May 22, 2009. A seven day public comment period was observed.

No comments were received.

Jurisdiction/Grantee Name: City of Yuma, Arizona		CDBG-R Formula Grant Amount: \$250,802				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
Owner-Occupied Housing Rehabilitation Program	This program will be offered citywide to provide housing rehabilitation for low to moderate income families and individuals. The program will address accessibility issues, code violations, overcrowding, health and safety issues and energy efficiency.	Rehab; Single Unit Residential 570.202 Matrix Code - 14A	Low/Mod Housing 570.208 (a)(3)	\$225,802			\$225,802
Planning and Administration	Provide staff, ERE, equipment, and operational supplies to administer the CDBG-R Program.	General Program Administration 570.206 Matrix Code - 21A	570.208 (d)(4)	\$25,000			\$25,000
	Total			\$250,802		Total	\$250,802

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): <u>City of Yuma</u> Neighborhood Services Division Jurisdiction Web Address: www.ci.yuma.az.us	CDBG-R Contact Person: Nikki Hoogendoorn Address: One City Plaza P.O. Box 13013 Yuma, AZ 85366-3013 Telephone: (928) 373-5187 Fax: (928) 373-5188 Email: Nikki.Hoogendoorn@YumaAz.gov
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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 **11**

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: **6/4/09**

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) **11**
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes No Verification found on page(s) **11**

- the CDBG national objective citation,
Yes No Verification found on page(s) **11**

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) **7**
- projected number of jobs created for each activity,
Yes No Verification found on page(s) **8**
- whether an activity will promote energy efficiency and conservation,
Yes No Verification found on page(s) **8**
- the name, location, and contact information for the entity that will carry out the activity,
Yes No Verification found on page(s) **8, 9**
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes No Verification found on page (s) **9, 11**
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes No Verification found on page (s) **11**
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes No Verification found on page (s) **7**

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) **10**

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

Yes No Verification found on page(s) **10**

D. CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|--|---|--|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (9) Following a plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use of Funds | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (11) Excessive Force | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (13) Lead-based paint procedures | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (15) Compliance with ARRA | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (16) Project selection | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (17) Timeliness of infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (18) Buy American provision | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (19) Appropriate use of funds for infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (20) 70% of CDBG-R for LMI | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Optional Certification | | |
| (21) Urgent Need | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

D. STATE CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|--|------------------------------|--|
| (1) Affirmatively furthering fair housing | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (4) Anti-lobbying | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (5) Authority of State | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (6) Consistency with plan | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (7) Section 3 | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (8) Community development plan | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (9) Consultation with Local Governments | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (10) Use of Funds | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (11) Excessive Force | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (13) Compliance with laws | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (14) Compliance with ARRA | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (15) Project selection | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (16) Timeliness of infrastructure investments | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (17) Buy American provision | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (18) Appropriate use of funds for infrastructure investments | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| (19) 70% of CDBG-R for LMI | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| Optional Certification | | |
| (20) Urgent Need | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

*2. Type of Application

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Yuma, Arizona

*b. Employer/Taxpayer Identification Number (EIN/TIN):
86-6000273

*c. Organizational DUNS:
78998184

d. Address:

*Street 1: One City Plaza
Street 2: P.O. Box 13013
*City: Yuma
County: Yuma
*State: Arizona
Province: _____
*Country: United States of America
*Zip / Postal Code 85366-3013

e. Organizational Unit:

Department Name:
City Administration

Division Name:
Neighborhood Services

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: _____ *First Name: Nikki
Middle Name: _____
*Last Name: Hoogendoorn
Suffix: _____

Title: Neighborhood Services Specialist

Organizational Affiliation:

*Telephone Number: 928-373-5187

Fax Number: 928-373-5188

*Email: Nikki.Hoogendoorn@YumaAz.gov

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:**

U.S. 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.):

City of Yuma, AZ

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

City of Yuma

Community Development Block Grant Recovery (CDBG-R)

Application for Federal Assistance SF-424 Version 02

16. Congressional Districts Of:
*a. Applicant: AZ-07 *b. Program/Project: AZ-07

17. Proposed Project:
*a. Start Date: July 1, 2009 *b. End Date: June 30, 2012

18. Estimated Funding (\$):

*a. Federal	\$250,802
*b. Applicant	_____
*c. State	_____
*d. Local	_____
*e. Other	_____
*f. Program Income	_____
*g. TOTAL	\$250,802

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

a. This application was made available to the State under the Executive Order 12372 Process for review on _____

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E. O. 12372

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

Yes No

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

** I AGREE

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

Authorized Representative:

Prefix: _____ *First Name: Mark

Middle Name: S.

*Last Name: Watson

Suffix: _____

*Title: City Administrator

*Telephone Number: 928-373-5020 Fax Number: 928-373-5188

* Email: Mark.Watson@YumaAz.gov

*Signature of Authorized Representative:  *Date Signed: 6/4/09

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

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

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



Date

City Administrator
Title