

**PROPOSED SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN  
PY 2009 ACTION PLAN**

**CITY OF BIRMINGHAM, ALABAMA**

In accordance with 24 CFR Part 91, as amended, the City of Birmingham, Alabama (the City) is hereby publishing a summary of a Proposed Substantial Amendment to its Program Year (PY) 2009 (July 1, 2009 thru June 30, 2010) Action Plan One Year Use Of Funds for citizen comment for a period of at least thirty (30) calendar days from the date of this publication. The Proposed Substantial Amendment is published in order to afford affected citizens an opportunity to examine its contents and to submit comments relating thereto.

**I. BACKGROUND:**

In 1995 the U.S. Department of Housing & Urban Development (HUD) introduced a consolidated application process involving four HUD Community Planning and Development (CPD) formula programs: Community Development Block Grants (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). This process replaced at that time all current HUD-CPD planning and application requirements with a single submission, and satisfied the minimum statutory requirements for the four referenced HUD-CPD formula programs.

In summary, the Consolidated Plan actually serves four separate, but integrated, functions. The Consolidated Plan is 1) A planning document for the City, which builds on a participatory process; 2) An application for federal funds under HUD's formula grant programs referenced above; 3) A strategy to be followed in carrying out HUD programs, and lastly; 4) An action plan that provides a basis for assessing performance. The City's current Five Year Consolidated Plan covers the period July 1, 2005 thru June 30, 2010 and contains six basic components: (1) housing and homeless needs assessment, (2) housing market analysis, (3) strategies and priority needs and objectives, (4) action plan, (5) certifications, (6) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval.

Copies of the City's PY 2005-2010 Consolidated Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at [www.birminghamal.gov](http://www.birminghamal.gov).

**II. PY 2009 ACTION PLAN:**

The City's Proposed Action Plan is an annual description of the City's Federal and other resources that are expected to be available to address its priority needs and how the Federal funds will leverage other resources. The description includes proposed activities for Program Year (PY) 2009 (July 1, 2009 thru June 30, 2010) to address the needs identified in the City's PY 2005 thru 2010 Five Year Consolidated Plan. The Action Plan explains where the assistance will be directed by geographic area during PY 2009.

The Action Plan also includes narrative, maps and tables which identify the geographic areas in which it will direct assistance, a description of homeless and other special needs activities, as well as a description of other proposed actions to foster affordable housing, public housing improvements and resident initiatives, evaluation and reduction of lead-based hazards, reducing the number of persons below the poverty line, development of the City's institutional structure, efforts to enhancing coordination between housing and service agencies, and assistance to public housing.

Copies of the PY 2009 Action Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at [www.birminghamal.gov](http://www.birminghamal.gov).

### **III. CONSOLIDATED PLAN AMENDMENT POLICY:**

In accordance with the City's (HUD) Approved Consolidated Plan and Citizen Participation Plan, the City shall amend its Consolidated Plan Statement whenever it decides not to carry out an activity described in the Plan, or decides to carry out an activity not previously described or decides to substantially change the purpose, scope, location beneficiaries, or budgeted dollar amount of an activity. The amendment of a budgeted dollar amount of an activity in an existing Action Plan by more than 25 percent, plus or minus, shall be considered to be a substantial change for purposes of requiring a written amendment.

Prior to amending its Consolidated Plan, the City shall provide citizens with reasonable notice of, and opportunity to comment on such proposed changes in its use of funds. The City will consider any such comments, and if the City deems appropriate, modify the proposed changes. The city will make available to the public, and shall submit to HUD, a description of any changes adopted.

Additionally, the City will provide a period, not less than thirty (30) days, to receive comments, written or oral, on the substantial amendment prior to its adoption. A summary of comment and views shall be attached to the substantial amendment of the Consolidated Plan.

### **IV. PROPOSED SUBSTANTIAL AMENDMENTS TO PY 2009 ACTION PLAN:**

The City proposes the following substantial amendments to its PY 2009 Action Plan:

**A. PY 2009 FINAL CONSOLIDATED FORMULA ALLOCATION AMOUNTS:**

The City's Consolidated Formula Allocation amounts for PY 2009 had not yet been announced by HUD at the time of the adoption of the City's PY 2009 Action Plan budget on April 28, 2009. The City utilized estimated allocations as published on January 8, 2009 for planning its PY 2009 Action Plan budget which included an estimate of anticipated program income receipts, surplus income from urban renewal settlements, grant funds returned to the City's line of credit for which the planned use has not been included in a prior statement or plan, and income from float-funded activities.

HUD announced the City's Final PY 2009 Consolidated Formula Allocations on June 5, 2009 and further returned to the City's CDBG line of credit a total of \$932,880.74 on July 29, 2009 representing funds previously expended in support of the City's Citizen Participation Program. The City's Final PY 2009 Consolidated Formula Allocations, Returned/ Reprogrammed Funds, and Adjusted Anticipated Program income receipts follows:

1. Community Development Block Grant Program:	
PY 2009 Grant:	\$6,662,347.00
Anticipated 2009 Program Income:	1,212,608.00
Surplus Urban Renewal Funds:	0.00
Returned Grant Funds:	932,880.74
Prior Year Funds:	0.00
Future Year Income Expected from a Float Funded Activity	<u>1,000,000.00</u>
	\$9,807,835.74
2. PY 2009 HOME Grant:	
PY 2009 Anticipated HOME Program Income	100,000.00
Re-Programmed Prior Year Administration Funds	<u>1,438,125.00</u>
	\$3,809,678.00
3. Emergency Shelter Grant (ESG):	
Reprogrammed Funds	\$293,281.00
	<u>4,612.29</u>
	\$297,893.29
4. PY 2009 HOPWA Grant:	
	<u>\$ 554,848.00</u>
<b>PY 2009 TOTALS</b>	<b><u>\$14,470,255.03</u></b>

**B. HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM:**

The City proposes the amendment of its existing PY 2009 HOPWA Agreement with Aids Alabama, Inc. so as to match its Final PY 2009 HOPWA allocation of \$554,848.00. The AIDS Alabama, Inc. PY 2009 HOPWA agreement amount shall be increased by

\$16,848.00 from its existing level of \$538,000.00 to an amended level of \$554,848.00 as follows:

**Proposed HOPWA Activities & Description:**

**AIDS Alabama, Inc. \$554,848**

3521 7th Avenue, South, Birmingham, Al

AIDS Alabama, Inc. serves as the City's sponsor of HOPWA Entitlement Funds per HUD=s recommendation. The HOPWA program is designed to provide localities with resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons with acquired immunodeficiency syndrome or related diseases and their families. Proposed Accomplishments: Serve 400 people. Start Date: 7/1/2009; Completion Date: 6/30/2010; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #1-Availability/Accessibility.

Proposed PY 2009 HOPWA Activities are as follows:

- \* Rental Assistance: \$216,129
- \* Supportive Services: \$152,660
- \* Operating Costs: \$136,720
- \* Rehabilitation/Acquisition: \$10,000
- \* Resource Identification: \$ 500
- \* Administration: \$38,839

**TOTAL:                    \$554,848**

**C. EMERGENCY SHELTER GRANT PROGRAM (ESG):**

The City proposes the reprogramming of \$4,612.29 in previously obligated ESG funding as follows:

Increase Pathways/Transitional Shelters Maintenance/Operation Expenses ESG Agreement by \$4,612.29 from its previously authorized level of \$37,025.00 to an amended level of \$41,637.29; so as to match ESG sources and uses of funds. This program provides shelter and supportive services for homeless women and children. Proposed Accomplishments: Serve 120 people. Start Date: 7/1/2009; Completion Date: 6/30/2010; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**D. HOME PROGRAM:**

The City proposes the re-programming of \$1,438,125.00 in Prior Year HOME Administration Funding previously budgeted for HOME Program Administrative activities for the following PY 2009 HOME Program Activities:

Increasing HOME Program Rental Activities by \$1,438,125.00 from a previously authorized level of \$194,260.00 to an amended level of \$1,632,385.00. These funds are to be utilized for the acquisition/rehabilitation, rehabilitation, and new construction of substandard or aging multi-family housing units that are suitable for rehabilitation. Proposed Accomplishments: 20 Housing Units. Start Date: 7/1/2009; Completion Date: 6/30/2010; Performance Measure Objective: #2-Decent Housing; Performance Measure outcome: #2-Affordability.

**E. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):**

Housing Rehabilitation Critical Repair Grant Program:

The City proposes the increase of funding for the Housing Rehabilitation Critical Repair Grant Program by \$700,000.00 from its previously authorized funding level of \$2,090,389.00 to an amended level of \$2,790,389.00. This program provides grants of eligible rehabilitation expenses to low-and moderate income homeowners up to \$5,000.00 per qualified homeowner. Proposed Accomplishments: 558 Housing Units. Start Date: 7/1/2009; Completion Date: 6/30/2010; Performance Measure Objective: #2-Decent Housing; Performance Measure outcome: #2-Affordability.

Greater Birmingham Habitat for Humanity.

The City proposes the increase of funding for the Greater Birmingham Habitat for Humanity by \$60,176.74 from its previously authorized funding level of \$10,000.00 to an amended level of \$70,176.74. This program provides housing rehabilitation services to low and moderate income families through the Habitat for humanity Rehabilitation Program. Proposed Accomplishments: 20 Housing Units. Start Date: 7/1/2009; Completion Date: 6/30/2010; Performance Measure Objective: #2-Decent Housing; Performance Measure outcome: #2-Affordability.

Birmingham Baptist Association Foundation, Inc.

The City proposes the increase of funding for the Birmingham Baptist Association Foundation, Inc., by \$700,000.00 from its previously authorized funding level of \$340,000.00 to an amended level of \$1,040,000.00. This program provides housing rehabilitation services to low and moderate income families through the World changers Rehabilitation Program. Proposed Accomplishments: 240 Housing Units. Start Date: 7/1/2009; Completion Date: 6/30/2010; Performance Measure Objective: #2-Decent Housing; Performance Measure outcome: #2-Affordability.

Source of CDBG Funds:

These proposed increases total \$1,460,176.74 and would be funded from the reprogramming of \$327,296.00 in previously authorized CDBG Community Resource

Public Service Activity funding, thereby deleting that activity from the PY 2009 Action Plan; the re-programming of \$932,880.74 in un-programmed returned CDBG grant funds; and the re-programming of \$200,000.00 in additional anticipated CDBG program income receipts.

This proposed action would increase the City's overall Housing Rehabilitation Activities by \$1,460,176.74 from a previously authorized level of \$4,347,243 to an amended level of \$5,807,419.74 and would decrease the City's overall Public Services Activities by \$327,296.00 from a previously authorized level of \$1,184,852.00 to an amended level of \$857,556.00; thereby balancing sources and uses of CDBG funds.

### **CITIZEN COMMENT PERIOD & NOTICE OF PUBLIC HEARING:**

The City encourages citizens to participate in the development of the City's Final Substantial Amendments to its PY 2009 Action Plan described herein regarding its proposed use of CDBG-R funding and will accept written comments for a period of at least thirty (30) calendar days from the date of this publication. Copies of the City's Proposed Substantial Amendment are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours and a copy is posted on the City's website at [www.birminghamal.gov](http://www.birminghamal.gov) under the Community Development Department.

The City's Community Development Department will conduct a public hearing on **Thursday, January 7, 2010 at 9:30 a.m. the Birmingham City Council Chamber, 710 North 20<sup>th</sup> Street, 3<sup>rd</sup> Floor City Hall; Birmingham, Alabama.** The purpose of the hearing will be to obtain comments regarding the proposed use of PY 2009 Program Funds. Also, citizens will be afforded an opportunity to 1) identify housing and community development needs and priorities; 2) review proposed uses of funds; and 3) comment on and review the City's program performance. All comments received will be considered in the development of the City's Final PY 2009 Substantial Amendment and submission to HUD.

The hearing location is accessible to persons with disabilities; however, anyone who requires further information or has a disability which might require special materials, services, or assistance should notify the Community Development Department at the referenced address no later than 48 hours prior to the scheduled hearing dates. The City does not discriminate on the basis of disability in admissions to, access to, or operations of its programs, services, or activities. The City does not discriminate on the basis of disability in its hiring or employment practices as mandated by Title 11 of the Americans with Disabilities Act of 1990.

Written comments regarding the City's Proposed PY 2009 Substantial Amendment should be submitted to James F. Fenstermaker, Director; Community Development Department at the address referenced herein. All written comments must be received at

the referenced address **no later than Tuesday, January 19, 2010 by 5:00 p.m.** to be considered in the development of the City's Final PY 2009 Action Plan Substantial Amendment. No comments submitted by e-mail or fax transmission will be accepted or considered.

James F. Fenstermaker, Director  
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710 North 20<sup>th</sup> Street  
10<sup>th</sup> Floor City Hall  
Birmingham, Alabama 35203

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