

**FINAL SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN
PY 2001 ACTION PLAN
PY 2010 ACTION PLAN
PY 2011 ACTION PLAN**

CITY OF BIRMINGHAM, ALABAMA

In accordance with 24 CFR Part 91, as amended, the City of Birmingham, Alabama (the City) published a summary of a Proposed Substantial Amendments to its Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) Action Plan One Year Use Of Funds, Program Year (PY) 2010 (July 1, 2010 thru June 30, 2011) Action Plan One Year Use Of Funds, Program Year (PY) 2001 (July 1, 2001 thru June 30, 2002) Action Plan One Year Use Of Funds for citizen comment for a period of at least thirty (30) calendar days from the date of the publication. The Proposed Substantial Amendments are 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, 2010 thru June 30, 2015 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 2010-2015 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.

II. PY 2011 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) 2011 (July 1, 2011 thru June 30, 2012) to address the needs identified in the City's PY 2010 thru 2015 Five Year Consolidated Plan. The Action Plan explains where the assistance will be directed by geographic area during PY 2011.

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 2011 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.

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 comments and views are attached to the substantial amendment of the Consolidated Plan.

IV. FINAL SUBSTANTIAL AMENDMENTS TO PY 2001, 2010, and 2011, ACTION PLAN:

The City adopts the following substantial amendment to its PY 2011 Action Plan, thereby adjusting previous years as described below:

A. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):

Note: Each described proposed project and activity contains a Local & Project ID/, Project Title/Description; Activity/HUD Matrix Code/Title/Citation; Funding Source; Performance Indicator/Proposed Accomplishments; Annual Units; and Performance Measure Objectives and Outcomes.

Infrastructure-Pratt City:

The City proposes adding the sub-category Pratt City to the existing line item of Infrastructure and re-programming **\$477,000.00** to the new sub-category. Project ID/Local ID 27; Project Title: Infrastructure; Description: Acquisition, engineering, architecture, planning and development, and other related hard and soft costs in regards to acquiring and developing property in the Pratt City area; Priority Need 1-Infrastructure; Eligibility (570.208(a)(1) –Low/Mod Area)-Area benefit Activity; National Objective 570.201 (c)- Improve quality/increase quantity of public improvements for low income persons; Help the Homeless? No; Help people with HIV or AIDS? No; Subrecipient: N/A; Location: Census tract -0011.00-LM 58.5%; HUD Matrix Code: 03 General Public Facilities and Improvement (General): Proposed Accomplishments: 5,983 persons; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living; Performance Measure Outcome: #1-Availability/Accessibility.

Acquisition

The City proposes adding the category Acquisition and re-programming **\$223,000** to the new item. Project ID/Local 28; Project Title: Acquisition; Description: To efficiently acquire and obtain site control of individual properties in the Pratt City tornado affected area for the purpose of assisting in the recovery effort; priority Need 1-Infrastructure; Eligibility (570.208(a)(1) –Low/Mod Area)-Area benefit Activity; National Objective 570.201 (a)-Acquisition of real property for any public purpose; Help the Homeless? No; Help people with HIV or AIDS? No; Subrecipient: N/A; Location: Census tract -0011.00-LM 58.5%; HUD Matrix Code: 01Acquisition of Real Property: Proposed Accomplishments: 5,983 persons; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living; Performance Measure Outcome: #1-Availability/Accessibility.

Source of CDBG Funds:

These proposed increases total \$700,000.00 and would be funded from the re-programming of previously authorized funds from:

2001 CDBG 22 nd St SW Street Improvements	\$259,985.08
2001 CDBG Enon Ridge Storm Sewer	\$183,378.74
2001 CDBG Property Acquisition/Design Fairmont	\$112,840.56
2010 CDBG General Administration	<u>\$143,795.62</u>
Total	\$700,000.00

This proposed action would create a new sub-category of Pratt City within the line item of Infrastructure and increase the funding of this sub-category from \$0 to an amended \$477,000.00. It would also create the item Acquisition and increase the funding from \$0 to an amended \$223,000. In doing this it decreases the City's 2001 22nd St SW Street Improvements by \$259,985.08 from a previously authorized level of \$600,000 to an amended level of \$340,014.92, decreases the City's 2001 Enon Ridge Storm Sewer by \$183,378.74 from a previously authorized level of \$375,000.00 to an amended level of \$191,621.26, decreases the City's 2001 Property Acquisition/Design Fairmont by \$112,840.56 from a previously authorized level of \$150,000 to an amended level of \$37,159.44, decreases the City's 2010 CDBG General Administration by \$143,795.62 from a previously authorized \$1,557,688 to an amended level of \$1,413,892.38; thereby balancing sources and uses of CDBG funds.

CITIZEN COMMENT PERIOD & NOTICE OF PUBLIC HEARING:

The City encouraged its citizens to participate in the development of the City's Final Substantial Amendments to its PY 2011 Action Plan described herein regarding its proposed use of CDBG funding and will accept written comments for a period of at least thirty (30) calendar days from the date of the publication. Copies of the City's Final 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 under the Community Development Department.

The City's Community Development Department conducted a public hearing on Thursday, February 23, 2012 at 9:30 a.m. in the Birmingham City Council Chamber, 710 North 20th Street, 3rd Floor City Hall; Birmingham, Alabama. The purpose of the hearing was to obtain comments regarding the proposed use of PY 2011 Program Funds. Also, citizens were 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 were considered in the

development of the City's Final PY 2011 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 2011 Substantial Amendment should have been submitted to James F. Fenstermaker, Director; Community Development Department at the address referenced herein. All written comments must have been received at the referenced address no later than Monday, March 5, 2012 to be considered in the development of the City's Final PY 2011 Action Plan Substantial Amendment. No comments submitted by e-mail or fax transmission were accepted or considered.

James F. Fenstermaker, Director
Department of Community Development
710 North 20th Street
10th Floor City Hall
Birmingham, Alabama 35203

March 6, 2012

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