

**FINAL SUBSTANTIAL AMENDMENT TO  
ACTION PLAN-ONE YEAR USE OF FUNDS  
PY 2011 (JULY 1, 2011-JUNE 30, 2012)  
HUD-CPD FORMULA PROGRAMS  
CDBG, ESG, HOME, HOPWA**

**CITY OF BIRMINGHAM, ALABAMA  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
JAMES F. FENSTERMAKER, DIRECTOR**

**May 15, 2012**

**FINAL SUBSTANTIAL AMENDMENT TO PY 2011 ACTION PLAN-ONE YEAR USE  
OF FUNDS  
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## EXECUTIVE SUMMARY

On May 20, 2009, the President signed into law “An Act to Prevent Mortgage Foreclosures and Enhance Mortgage Credit Availability,” which became Public Law 111–22. This law implements a variety of measures directed toward keeping individuals and families from losing their homes. Division B of this law is the HEARTH Act, which consolidates and amends three separate homeless assistance programs carried out under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 *et seq.*) (McKinney-Vento Act) into a single grant program that is designed to improve administrative efficiency and enhance response coordination and effectiveness in addressing the needs of homeless persons. The HEARTH Act codifies into law and enhances the Continuum of Care planning process, the coordinated response for addressing the needs of homelessness established administratively by HUD in 1995. The single Continuum of Care program established by the HEARTH Act consolidates the following programs: the Supportive Housing program, the Shelter Plus Care program, and the Moderate Rehabilitation/Single Room Occupancy program. The Emergency Shelter Grants program is renamed the Emergency Solutions Grants program and revised to broaden existing emergency shelter and homelessness prevention activities and to add short and medium-term rental assistance and services to rapidly re-house homeless people. In addition the new Rural Housing Stability program replaces the Rural Homelessness Grant program. HUD commenced the process to implement the HEARTH Act with a proposed rule, which was published on April 20, 2010, (75 FR 20541) and titled “Defining Homeless.” That proposed rule sought to clarify and elaborate upon the new McKinney-Vento Act definitions for “homeless” and “homeless individual with a disability.” In addition, the proposed rule included recordkeeping requirements related to the revised definition of “homeless.” The Final rule that defined “homeless” and “homeless with a disability” was published December 5, 2011 (76 FR 75955). Also published December 5, 2011 was the interim rule revising the regulations for the ESG program to bring it in compliance with the HEARTH Act. The following City of Birmingham Final Substantial Amendment to the PY 2011 Action Plan is the culmination of the City’s response to this interim rule and the new required data and documentation deemed necessary by HUD for the second allocation of PY 2011 ESG funds.

## **PART 1.**

### **PROPOSED SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN PY 2011 ACTION PLAN EMERGENCY SOLUTIONS GRANT SECOND ALLOCATION 30 DAY COMMENT PERIOD AND REQUEST FOR PROPOSALS CITY OF BIRMINGHAM, ALABAMA**

In accordance with 24 CFR Part 91, as amended, the City of Birmingham, Alabama (the City) is publishing 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, for citizen comment for a period of at least thirty (30) calendar days from the date of this 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 Solutions 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](http://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](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 comments and views are attached to the substantial amendment of the Consolidated Plan.

### **IV. PROPOSED SUBSTANTIAL AMENDMENTS TO PY 2011 ACTION PLAN AND REQUEST FOR PROPOSALS:**

The Full-Year Continuing Appropriations Act, 2011 (Pub. L. 112–10, Division B) appropriated at least \$225 million for the Emergency Solutions Grants program for FY 2011. Accordingly, HUD used its discretion to allocate \$250 million in FY 2011 funds for the ESG program. However, because the program regulations were still being revised when this funding became available, HUD chose to release the funding in a two-stage allocation process. The first allocation was made available immediately, to avoid a lapse in funding for existing Emergency Shelter Grants activities. This allocation, which equaled the FY 2010 ESG funding level of \$160 million, was made in May 2011 and was subject to the Emergency Shelter Grants regulations in effect at that time. The amounts for each recipient for the second allocation of \$90 million, which reflects the national increase in ESG funding from FY 2010 to FY 2011, were posted on HUD’s Web site on November 15, 2011, the same day that the Interim Rule was posted on HUD’s Web site.

The City is putting forth this request for proposals in response to being allocated **\$164,609** as the second allocation for PY 2011 Emergency Solutions Grants from the U.S. Department of Housing and Urban Development.

The City also proposes the following substantial amendment to its PY 2011 Action Plan based on this new allocation:

**A. PROJECT: EMERGENCY SOLUTIONS GRANT PROGRAM (ESG): \$457,248**

Project ID/Local ID 10; Project Title: Emergency Solutions Grant Program; Priority Need 3- Provide housing and services for populations with special needs; Priority Need 4-Provide housing and supportive services for homeless populations; Help Prevent Homelessness? Yes; Help the Homeless? Yes; Help those with HIV or AIDS? Yes; Eligibility Citation: ESG Program; Objective; Benefit to low and moderate income persons; Sub-recipients: No; Location(s): City Wide.; HUD Matrix Code: 03-T-Operating Costs of Homeless Programs.

**1<sup>ST</sup> ESG Allocation Activities & Description:**

**1. Essential Services Including  
Service Related To Health,  
Drug Abuse, Education (30% Maximum): \$32,600**

**-Family Connection: \$25,450**

1323 7<sup>th</sup> Avenue, North  
Birmingham, Al 35203

Provision of the Hope Mobile which disseminates essential living items such as food, clothing, blankets, jackets, and personal hygiene to homeless youth living on the streets of Birmingham. Proposed Accomplishments: Serve 400 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Urban Ministry, Inc.: \$7,150**

1229 Cotton Avenue, SW  
Birmingham, Al 35211

Provision of food, shelter, and medicine to homeless persons through its Community Kitchen and Emergency Care programs. Proposed Accomplishments: Serve 30 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**2. Maintenance/Operation Expenses: \$225,883**  
**(No Salary Expenses are included.)**

**-Pathways/Downtown Path Center: \$26,406**

409 Richard Arrington, Jr. Blvd., North  
Birmingham, Al 35203

Provision of housing for homeless individuals as a part of their transitional shelter program. Also provides support services for homeless women at their day shelter such as counseling, job readiness skills, and life management skills. Proposed Accomplishments: Serve 1,100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Pathways/Transitional Shelters: \$35,532**

409 Richard Arrington, Jr. Blvd., North  
Birmingham, Al 35203

Provision of expanded shelter and supportive services for homeless women and children. Proposed Accomplishments: Serve 120 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Cooperative Downtown Ministries, Inc: \$35,965**

1501 3<sup>rd</sup> Avenue, North  
Birmingham, Al 35203

Provision of a homeless shelter for men in the Old Firehouse Shelter on 3<sup>rd</sup> Avenue North. Proposed Accomplishments: Serve 1,205 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Family Connection: \$48,640**

1323 7<sup>th</sup> Avenue, North  
Birmingham, Al 35203

Provision of the Hope Mobile which disseminates essential living items such as food, clothing, blankets, jackets, and personal hygiene to homeless youth living on the streets of Birmingham. Proposed Accomplishments: Serve 400 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-First Light, Inc.: **\$19,495**  
2230 Fourth Avenue, North  
Birmingham, Al 35203

Provision of an emergency shelter for homeless women and children. Proposed Accomplishments: Serve 1,000 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-YWCA: **\$27,770**  
309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Program was previously administered by Interfaith Hospitality House when they ceased operations in 2007. Provision of transitional housing for homeless families including food, clothing, life skills training, case management, counseling, day care, school placement, and after school child care. Proposed Accomplishments: Serve 100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-YWCA: **\$32,075**  
309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Provision of housing for homeless women and children. Proposed Accomplishments: Serve 50 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**3. Homeless Prevention Activities: \$33,305  
(30% Maximum)**

- Bridge Ministries: **\$26,665**  
1016 19<sup>th</sup> Street South  
Birmingham, Al 35205

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 165 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-Urban Ministry, Inc.: **\$ 6,640**  
1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of homeless prevention activities to assist families that have received eviction notices

or notices of termination of utility services. Proposed Accomplishments: Serve 30 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**2<sup>nd</sup> ESG Allocation Activities & Description:**

**4. Homeless Prevention, Rapid Re-housing Assistance and HMIS: \$165,460**

Provision of the second allocation of ESG for PY 2011. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**ESG PROGRAM TOTAL: \$457,248**

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

The City encourages 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](http://www.birminghamal.gov) under the Community Development Department.

**The City's Community Development Department will be conducting a public hearing on Wednesday, March 28, 2012 at 9:30 a.m. in 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 2011 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 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 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 Monday, April 9, 2012; 4:00 p.m.** 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 will be accepted or considered.

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

March 8, 2012

Date of Publication of Proposed

Birmingham News

Birmingham Times-March 8, 2012

Web Site Posting: [www.birminghamal.gov](http://www.birminghamal.gov)

File name: PY 2011 SUBSTANTIAL AMENDMENT #5

## **PART II.**

### **FINAL SUBSTANTIAL AMENDMENT TO PY 2011 (JULY 1, 2011-JUNE 30, 2012) ACTION PLAN-ONE YEAR USE OF FUNDS SUMMARY EMERGENCY SOLUTIONS GRANT SECOND ALLOCATION 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, for citizen comment for a period of at least thirty (30) calendar days from the date of publication. The Proposed Substantial Amendments were published in order to afford affected citizens an opportunity to examine its contents and to submit comments relating thereto.

#### **I. BACKGROUND:**

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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.

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#### **II. PY 2011 ACTION PLAN:**

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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.

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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 2011 ACTION PLAN:**

The Full-Year Continuing Appropriations Act, 2011 (Pub. L. 112-10, Division B) appropriated at least \$225 million for the Emergency Solutions Grants program for FY 2011. Accordingly, HUD used its discretion to allocate \$250 million in FY 2011 funds for the ESG program.

However, because the program regulations were still being revised when this funding became available, HUD chose to release the funding in a two-stage allocation process. The first allocation was made available immediately, to avoid a lapse in funding for existing Emergency Shelter Grants activities. This allocation, which equaled the FY 2010 ESG funding level of \$160 million, was made in May 2011 and was subject to the Emergency Shelter Grants regulations in effect at that time. The amounts for each recipient for the second allocation of \$90 million, which reflects the national increase in ESG funding from FY 2010 to FY 2011, were posted on HUD's Web site on November 15, 2011, the same day that the Interim Rule was posted on HUD's Web site.

The City is putting forth this Final Substantial Amendments to its Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) Action Plan One Year Use Of Funds Summary in response to proposals obtained through a previous request for proposals and 30 day comment period.

**A. PROJECT: EMERGENCY SOLUTIONS GRANT PROGRAM (ESG): \$457,248**

Project ID/Local ID 10; Project Title: Emergency Solutions Grant Program; Priority Need 3- Provide housing and services for populations with special needs; Priority Need 4-Provide housing and supportive services for homeless populations; Help Prevent Homelessness? Yes; Help the Homeless? Yes; Help those with HIV or AIDS? Yes; Eligibility Citation: ESG Program; Objective; Benefit to low and moderate income persons; Sub-recipients: No; Location(s): City Wide.; HUD Matrix Code: 03-T-Operating Costs of Homeless Programs.

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Drug Abuse, Education (30% Maximum): \$32,600**

**-Family Connection: \$25,450**  
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Birmingham, Al 35203

Provision of the Hope Mobile which disseminates essential living items such as food, clothing, blankets, jackets, and personal hygiene to homeless youth living on the streets of Birmingham. Proposed Accomplishments: Serve 400 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

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**2. Maintenance/Operation Expenses: \$225,883**  
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Accomplishments: Serve 1,000 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-YWCA: **\$27,770**  
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Program was previously administered by Interfaith Hospitality House when they ceased operations in 2007. Provision of transitional housing for homeless families including food, clothing, life skills training, case management, counseling, day care, school placement, and after school child care. Proposed Accomplishments: Serve 100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

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Provision of housing for homeless women and children. Proposed Accomplishments: Serve 50 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**3. Homeless Prevention Activities: \$33,305  
(30% Maximum)**

- Bridge Ministries: **\$26,665**  
1016 19<sup>th</sup> Street South  
Birmingham, Al 35205

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 165 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-Urban Ministry, Inc.: **\$ 6,640**  
1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 30 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**2<sup>nd</sup> ESG Allocation Activities & Description:**

## 1. Homeless Prevention

**- Bridge Ministries: \$18,000**

1016 19<sup>th</sup> Street South  
Birmingham, Al 35205

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 165 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**- Urban Ministry, Inc.: \$1,500**

1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 30 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**- JCCEO: \$93,969**

300 8<sup>th</sup> Avenue West  
Birmingham, Al 35204

Provision of Homeless Prevention Assistance assistance for eligible individuals and families. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

## 2. Rapid Re-housing Assistance

**- YWCA: \$10,000**

309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Program was previously administered by Interfaith Hospitality House when they ceased operations in 2007. Provision of Rapid Re-housing housing for homeless families. Proposed Accomplishments: Serve 100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**- YWCA: \$10,000**

309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Provision of Rapid Re-housing housing for homeless women and children. Proposed Accomplishments: Serve 50 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

- JCCEO: **\$31,741**

300 8<sup>th</sup> Avenue West  
Birmingham, Al 35204

Provision of Rapid Re-housing assistance for eligible individuals and families. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

### **3. HMIS: \$250**

-Urban Ministry, Inc.: **\$250**

1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of Homeless Management Information System to the extent costs are necessary to meet the new HMIS participation requirement under the McKinney Vento Act. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**ESG PROGRAM TOTAL: \$457,248**

### **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 accepted 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](http://www.birminghamal.gov) under the Community Development Department.

The City's Community Development Department conducted a public hearing on Wednesday, March 28, 2012 at 9:30 a.m. in 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 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, April 9, 2012; 4:00 p.m. 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 20<sup>th</sup> Street  
10<sup>th</sup> Floor City Hall  
Birmingham, Alabama 35203

April 30, 2012

Date of Publication of Final

Birmingham News

Birmingham Times-May 3, 2012

Web Site Posting: [www.birminghamal.gov](http://www.birminghamal.gov)

File name: PY 2011 FINAL SUBSTANTIAL AMENDMENT #5 PUB

## **PART III.**

### **Subpart III-1.**

#### **Consultation Summary Continuum of Care**

The City has established a supportive and mutually beneficial partnership with One Roof (formally Metropolitan Birmingham Services for the Homeless/MBSH), the Continuum of Care lead agency for Birmingham and surrounding areas. Since One Roof's inception (1984) the City has provided for a portion of the administrative and operational support for the organization through Community Development Block Grant funds. Since the announcement of required consultations for ESG and even before, several meetings and consultations have taken place to determine how best to coordinate efforts to implement the HEARTH Emergency Solutions Grant. These meetings discussed efforts that will result in maximizing the utilization of all available resources to generate positive housing stability outcomes for persons/families who are literally homeless or who are at imminent risk of becoming homeless. Also, in the HEARTH Emergency Solutions Grant consultations, the City spoke with the Continuum to determine how to allocate its ESG grant for eligible activities; in developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and in developing funding, policies, and procedures for the operation and administration of the HMIS. The product of these consultations is outlined below and is described in more detail throughout this document. In addition to the above referenced consultations, the City sent a copy of the announcement letter to all current sub-recipients informing them of the award amount, eligible activities, comment dates, and requesting comments and/or proposals.

The City has a standing commitment to meet with the Continuum on a monthly basis or as often as needed which provides an effective forum to generate and exchange helpful information through roundtable discussions on the City's overall progress toward addressing joint goals and strategies as outlined in the City's 10 Year Plan to Prevent and End (Chronic) Homelessness. This membership represents a wide spectrum and strong linkage of local homeless shelter providers, community advocates and other mainstream and social service support entities that work with Birmingham's homeless population on a daily basis.

The City continues to consult with the Executive Board of One Roof to discuss the status of both long and short range plans to be implemented to ensure that expanded activities under the Emergency Solutions Grant program are designed to address the critical need to rapidly re-house individuals and families that are living on the streets or in emergency shelters. Several consultations regarding the allocation of ESG funds for eligible activities resulted in the development of performance standards, evaluation tools, monitoring strategies and other protocols that will assist greatly in realizing successful program outcomes as homeless participants are transitioned into appropriate stabilized housing (See Subpart III-8. – Performance Standards). Consultations have also resulted in the development of HEARTH Grant Policies and Procedures utilizing the important lessons learned during the implementation of the ARRA's Homelessness prevention and Rapid Re-Housing Program (See Subpart III-5 – HESG Policies and Procedures). The City's efforts in this area are always in support of, or to further enhance the work of the Continuum in our community. As the program evolves the City

and the Continuum will work closely together to refine these guides. Further, in compliance with HUD’s mandate to utilize the Continuum of Care’s Homeless Management Information System (HMIS), the City requires that all sub-recipients receiving allocations under the ESG program participate in component to ensure that accurate and reliable data is collected on program outputs and performance. As an eligible activity under the ESG, program funds are made available for agencies to meet this requirement.

The City recognizes One Roof as a valuable and informed partner as we work to assist individuals and families making the transition from either homelessness or near homelessness to housing stability and affordability. We will continue to strengthen this relationship through an open door policy of collaboration, cooperation and support.

The City of Birmingham recognizes the importance of coordinating with the local Continuum of Care as a valued partner. This coordination makes it possible to work jointly with representatives of the entire community to address a broad scope of homeless needs through a combination of joint strategies and resources that are designed to enhance the effectiveness of activities that meet the homeless needs and more accurately the broad scope of needs of our at-risk and/or literally homeless population.

**Subpart III-2.**

**Match Requirements and Procedure in Awarding ESG Funding**

In this section, the City has described resources from private and non-Federal public sources that are reasonably expected to be available during PY 2011 within the jurisdiction to address the priority needs and specific objectives identified in the City's Five Year Strategic Plan contained in its PY 2010-2015 Consolidated Strategy and Plan Submission. The priority needs identified in the City's Five Year Strategic Plan have been listed for reference purposes in the Executive Summary of this document. The City has explained how Federal funds will be leveraged and has included a description of how matching requirements of the HUD programs will be satisfied. The City anticipates the following private and non-Federal resources to be available during PY 2011 to address the priority needs identified in this plan. They are as follows:

SOURCE	AMOUNT
Private Financial Donations (ESG)	\$ 295,584
ADECA-ESG Funding	200,000
ADECA-ESG Match	200,000
HUD-NSP3 Entitlement Funding	2,576,151
American Recovery & Reinvestment Act of 2011-Homeless Prevention	2,735,730
HABD Distressed Public Housing (HOPE VI)	6,261,112
HABD Rental Vouchers	26,592,281
HABD Public Housing	22,537,824
Other HABD Section 8 Funding	14,371
FY 2008 Continuum of Care Competition-Homeless Assistance Awards	7,140,131
City Economic Development Stimulus Program	<u>5,000,000</u>

**TOTAL**

**\$73,553,184**

2. Plan for Leveraging. The City through its adopted housing programs, encourages the leveraging of private and non-Federal funds through the use of CDBG Housing Rehabilitation Funds, HOME Investment Partnership funds and Emergency Shelter Grant funds. The City also encourages the leveraging of private and non-Federal funds in its allocation of CDBG Public Service activity funds and ESG funds to those entities that provide services to the Homeless, Special Needs, and low-income elderly and frail elderly population. Emphasis is placed on assisting organizations that can demonstrate the capacity for developing private and non-Federal funding sources thereby increasing the availability of CDBG and other Federal funds for other needed purposes.

3. HUD Program Matching Requirements. The only Federal program contained in the City's PY 2011 Action Plan which has matching requirements is the Emergency Solutions Grant Program. The City requires in its ESG agreement with Sub-recipients that each Sub-recipient supplement its ESG grant amount with an equal amount of matching funds from sources other than ESG. In calculating the match amount, the following may be utilized:

- a. Value of any donated material or building.
- b. Value of any lease on a building.
- c. Any salary paid to staff in carrying out its ESG program.
- d. Volunteer hours for service at \$5.00 per hour.
- e. Other grants or monetary donations.

4. Satisfaction of HUD Matching Requirements. So as to satisfy HUD matching requirements, the City undertakes the following procedure in awarding ESG funding.

a. The Community Development Department prepares a written request for proposals that is published on two different occasions in local newspapers of general circulation. Notices are also made available through the City's Citizen Participation mailings, mailings to CDBG and ESG Sub-recipients, and through announcements made at various neighborhood meetings. Additionally, a mailing list of providers of services to the homeless is formulated which includes present Sub-recipients of ESG funds and an RFP is mailed directly to them.

b. After the final date for receiving proposals has passed, the CD staff reviews all proposals according to how it can best address the needs of homelessness, the amount of funds requested, type of proposed delivery of services with the amount of funds requested, how well it meets HUD's ESG Guidelines, and the time period that services can be provided.

c. After proposals are reviewed, the Community Development Department makes its recommendations based on program objectives to the Mayor for his review and approval, then to the assigned City Council sub-committee and finally to the full Council for approval.

d. Agencies are informed of their allocation. Contracts of agreement are prepared, reviewed, and executed by the City and ESG Sub-recipients.

e. All selected ESG Sub-recipients are briefed on all program requirements and procedures that are necessary under the ESG program for proper implementation of the agency's activities.

f. Documentation of ESG Matching Requirements: Grant award letters to ESG sub-recipients, informing them of their ESG grant awards, require the agency to declare their sources of anticipated matching funds. This match declaration must be approved by the City in accordance with ESG guidelines prior to the execution of an ESG agreement with the sub-recipient. The ESG funded agencies declare their matching requirement in one of two ways: (1) Declare a specific and constant source of match i.e., salaries of employees, or (2) declare that documentation of ESG eligible expenses will be submitted in an amount equal to or greater than each financial reimbursement request. The sub-recipient's total ESG match must equal or exceed its total ESG grant amount which is outlined in an ESG Agreement executed with the sub-recipient agency.

Match documentation is required by the City as a part of each sub-recipient's financial reimbursement request for ESG funds. All ESG proposals are evaluated in accordance with the following criteria: i) The extent to which the proposed activities address the needs of the homeless; ii) The demonstrated ability of the non-profit entity to carry out the proposed activities promptly and properly; iii) The nature and extent of the unmet homeless needs within the non-profit entity's present structure of which the ESG funding will be used; iv) Documentation of sources and amounts of available matching funds.

### **Subpart III-3.**

## **PROPOSED ACTIVITIES, OVERALL BUDGET, and HUD TABLE 3C**

### U.S. Department of Housing and Urban Development CPD Consolidated Plan Listing of Proposed Projects

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 as described in Appendix L of the City's Annual Action Plan.

The following is a description of the additional Federal resources the City expects to be available during PY 2011 for ESG to address the above referenced priority needs and specific objectives identified in the City's 2010-2015 Consolidated Five Year Strategic Plan Submission and contained in its Final PY 2011 Action Plan One Year Use Of Funds. These resources include grant funds and program income.

These following activities and proposed use of funds have been developed so as to address priority needs and local objectives, as identified in the Housing and Community Development Five year Strategic Plan section of the City's PY 2010-2015 Consolidated Strategy and Plan Submission, with anticipated grant funds and program income receipts expected to be received during PY 2011 under the CDBG, HOME, ESG, HOPWA, Public Housing Comprehensive Grant, and other HUD programs for meeting housing and community development objectives. The Action Plan-One Year Use of Funds must be submitted annually to HUD for approval. The rule establishing the Consolidated Plan submission also consolidates the reporting requirements for these programs, replacing the general performance reports with one performance report. **The City estimates 90% of CDBG funds will be used for activities that benefit low-and moderate income persons.**

Please note that Proposed Projects are in **ALL CAPS AND UNDERLINED** with the appropriate coding and the proposed activities for those projects are listed there under each with a brief description and proposed performance measure and outcome. Final ESG Substantial Amendment PY 2011 Action Plan Projects and Activities are as follows:

**1. PROJECT: EMERGENCY SOLUTIONS GRANT PROGRAM (ESG): \$457,248**

Project ID/Local ID 10; Project Title: Emergency Solutions Grant Program; Priority Need 3- Provide housing and services for populations with special needs; Priority Need 4- Provide housing and supportive services for homeless populations; Help Prevent Homelessness? Yes; Help the Homeless? Yes; Help those with HIV or AIDS? Yes; Eligibility Citation: ESG Program; Objective; Benefit to low and moderate income persons; Sub-recipients: No; Location(s): City Wide.; HUD Matrix Code: 03-T-Operating Costs of Homeless Programs.

**1<sup>ST</sup> ESG Allocation Activities & Description:**

**2. Essential Services Including  
Service Related To Health,  
Drug Abuse, Education (30% Maximum): \$32,600**

**-Family Connection: \$25,450**  
1323 7<sup>th</sup> Avenue, North  
Birmingham, Al 35203

Provision of the Hope Mobile which disseminates essential living items such as food, clothing, blankets, jackets, and personal hygiene to homeless youth living on the streets of Birmingham. Proposed Accomplishments: Serve 400 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Urban Ministry, Inc.: \$7,150**  
1229 Cotton Avenue, SW

Birmingham, Al 35211

Provision of food, shelter, and medicine to homeless persons through its Community Kitchen and Emergency Care programs. Proposed Accomplishments: Serve 30 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**2. Maintenance/Operation Expenses: \$225,883**  
**(No Salary Expenses are included.)**

**-Pathways/Downtown Path Center: \$26,406**

409 Richard Arrington, Jr. Blvd., North  
Birmingham, Al 35203

Provision of housing for homeless individuals as a part of their transitional shelter program. Also provides support services for homeless women at their day shelter such as counseling, job readiness skills, and life management skills. Proposed Accomplishments: Serve 1,100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Pathways/Transitional Shelters: \$35,532**

409 Richard Arrington, Jr. Blvd., North  
Birmingham, Al 35203

Provision of expanded shelter and supportive services for homeless women and children. Proposed Accomplishments: Serve 120 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Cooperative Downtown Ministries, Inc: \$35,965**

1501 3<sup>rd</sup> Avenue, North  
Birmingham, Al 35203

Provision of a homeless shelter for men in the Old Firehouse Shelter on 3<sup>rd</sup> Avenue North. Proposed Accomplishments: Serve 1,205 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-Family Connection: \$48,640**

1323 7<sup>th</sup> Avenue, North  
Birmingham, Al 35203

Provision of the Hope Mobile which disseminates essential living items such as food, clothing, blankets, jackets, and personal hygiene to homeless youth living on the streets of Birmingham. Proposed Accomplishments: Serve 400 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-First Light, Inc.: **\$19,495**  
2230 Fourth Avenue, North  
Birmingham, Al 35203

Provision of an emergency shelter for homeless women and children. Proposed Accomplishments: Serve 1,000 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-YWCA: **\$27,770**  
309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Program was previously administered by Interfaith Hospitality House when they ceased operations in 2007. Provision of transitional housing for homeless families including food, clothing, life skills training, case management, counseling, day care, school placement, and after school child care. Proposed Accomplishments: Serve 100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-YWCA: **\$32,075**  
309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Provision of housing for homeless women and children. Proposed Accomplishments: Serve 50 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

### **3. Homeless Prevention Activities: \$33,305 (30% Maximum)**

- Bridge Ministries: **\$26,665**  
1016 19<sup>th</sup> Street South  
Birmingham, Al 35205

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 165 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-Urban Ministry, Inc.: **\$ 6,640**  
1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 30 people. Start

Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

## **2<sup>nd</sup> ESG Allocation Activities & Description:**

### **3. Homeless Prevention**

- Bridge Ministries: **\$18,000**  
1016 19<sup>th</sup> Street South  
Birmingham, Al 35205

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 165 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

-Urban Ministry, Inc.: **\$1,500**  
1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of homeless prevention activities to assist families that have received eviction notices or notices of termination of utility services. Proposed Accomplishments: Serve 30 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

- JCCEO: **\$93,969**  
300 8<sup>th</sup> Avenue West  
Birmingham, Al 35204

Provision of Homeless Prevention Assistance assistance for eligible individuals and families. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

### **2. Rapid Re-housing Assistance**

-YWCA: **\$10,000**  
309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Program was previously administered by Interfaith Hospitality House when they ceased operations in 2007. Provision of Rapid Re-housing housing for homeless families. Proposed Accomplishments: Serve 100 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-YWCA: \$10,000**  
309 North 23<sup>rd</sup> Street  
Birmingham, Al 35203

Provision of Rapid Re-housing housing for homeless women and children. Proposed Accomplishments: Serve 50 people. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**-JCCEO: \$31,741**  
300 8<sup>th</sup> Avenue West  
Birmingham, Al 35204

Provision of Rapid Re-housing assistance for eligible individuals and families. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

### **3. HMIS: \$250**

**-Urban Ministry, Inc.: \$250**  
1229 Cotton Avenue SW  
Birmingham, Al 35211

Provision of Homeless Management Information System to the extent costs are necessary to meet the new HMIS participation requirement under the McKinney Vento Act. Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living Environment; Performance Measure Outcome: #1-Availability/Accessibility.

**ESG PROGRAM TOTAL: \$457,248**

### **Subpart III-4.**

### **FUNDING PRIORITIES**

A description of the activities the City proposes to undertake by program during PY 2011 are described in Appendix E, HUD Table 3C. These activities have been developed so as to address the priority needs in terms of local objectives as identified in the Housing and Community Development Five Year Strategic Plan section of the City's 2010-2015 Consolidated Strategy and Plan Submission. The priority needs identified in the City's Five Year Strategic Plan, HUD Tables 2A and 2B, are listed for reference purposes in Subpart 4 of the Executive

Summary of the Annual Action Plan for PY 2011.

Should displacement occur as a result of any of the activities described herein, the City will provide assistance pursuant to its published Anti-Displacement and Relocation Assistance Plan copies of which are available in the City's Community Development Department, Housing Division, 710 North 20<sup>th</sup> Street, Room 1000; Birmingham, Alabama 35203.

The City anticipates that approximately 90% of available funds in the aggregate for all activities described in the City's PY 2011 Action Plan-One Year Use of Funds will benefit low and moderate income persons.

The City does not discriminate on the basis of race, color, national origin, sex, religion, age, or handicapped status in employment or provision of services.

HUD ACTIVITY TABLE  
PY 2011 ONE YEAR ACTION PLAN  
CITY OF BIRMINGHAM, ALABAMA

The following Activity Table for the City's PY 2011 Action Plan One Year Use Of Funds will provide an estimate of the number and type of families that will benefit from the proposed activities, the specific local objectives and priority needs that will be addressed by the activities using formula grant funds and program income the City expects to receive during PY 2011, proposed accomplishments, and a target date for completion of the proposed activities.

4. HOUSING ACTIVITIES:

5. HOUSING PRIORITY NEEDS: Priority Numbers 1, 2, 3, and 4 as referenced in Subpart 4 of the executive summary of the PY 2011 Action Plan. They include i) Provision of decent and affordable housing for low and very low-income households; ii) Provision of down-payment assistance to first-time homebuyers meeting program income guidelines and requirements; iii) Provision of housing and services for populations with special needs; iv) Provision of housing and supportive services for homeless populations.

B. SPECIFIC LOCAL OBJECTIVES: Provide housing assistance to low and very low income renters, homeowners, and first time home buyers by upgrading the existing stock of housing affordable to low and very low income households through rehabilitation of structures classified as substandard but suitable for rehabilitation, particularly in neighborhoods where such rehabilitation will contribute significantly to revitalization of whole neighborhoods.

C. PROPOSED ACCOMPLISHMENTS: Housing assistance for low and very low income renters, homeowners, and first time home buyers will be addressed during PY 2011 by using available federal, state, local, and private resources. It is estimated that approximately 1,200

households will be provided housing assistance on a City Wide basis as outlined below.

D. TARGET COMPLETION DATE: June 30, 2013.

E. TYPE OF BENEFICIARIES AND INCOME LEVELS:

<u>Income Level</u>	<u>Family Household Size</u>			
	<u>1-2</u>	<u>3-4</u>	<u>5+</u>	<u>Total</u>
0-30%	125	100	25	250
>30-50%	41	30	4	75
>50-80%	41	30	4	75
80%+	<u>6</u>	<u>3</u>	<u>1</u>	<u>10</u>
Totals	213	163	34	410

II . HOMELESS/HIV/AIDS ACTIVITIES:

6. PRIORITY HOMELESS NEEDS: Priority Numbers 3 and 4 as referenced in Subpart 4 of the executive summary. They include the provision of housing and services for populations with special needs; and the provision of housing and supportive services for homeless populations.

B. SPECIFIC LOCAL OBJECTIVES: Provide emergency shelter, support facilities, homeless prevention services, and transitional housing facilities for the City’s homeless population.

C. PROPOSED ACCOMPLISHMENTS: Provide food, emergency and transitional shelter, counseling, medical care, supportive services, skill training, and day care to up to 5,000 of the City’s homeless population using a Continuum of Care approach to the provision of services. The City will consider supportive services needed in each stage of the process which includes outreach/assessment, emergency shelters and services, transitional housing, permanent supportive housing, access to permanent housing, and activities to prevent low-income individuals and families with children from becoming homeless.

D. TARGET COMPLETION DATE: June 30, 2013.

E. TYPE OF BENEFICIARIES AND INCOME LEVELS:

<u>Income Level</u>	<u>Individuals-Non-Housing and Homeless Services</u>
	<u>Total</u>
0-30%	5,000
>30-50%	0
>50-80%	0

80%+

0

Consolidated Plan Consistency: To assist other entities in the development of other resources within the City of Birmingham to further the priorities and goals referenced herein, the City will consider all requests for Certification of Consistency with its current HUD approved Consolidated Plan. Requests for consistency must address the priority needs and specific objectives identified in the City's Five Year Strategic Plan contained in its PY 2010-2015 Consolidated Strategy and Plan Submission. The priority needs identified in the City's Five Year Strategic Plan have been listed for reference purposes in the Executive Summary of this document.

Further funding priority is defined in the H-ESG Policies and Procedures Appendix G.

**Subpart III-5.**

**H-ESG POLICIES AND PROCEDURES**

**City of Birmingham, Alabama**

**HEARTH Emergency Solutions  
Grant (H-ESG)  
Policies and Procedures Manual**

May 2012

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## SECTION 1: PROGRAM OVERVIEW

On May 20, 2009, President Obama signed the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. The [HEARTH Act](#) amends and reauthorizes the McKinney-Vento Homeless Assistance Act with substantial changes, including:

- A consolidation of HUD’s competitive grant programs;
- The creation of a Rural Housing Stability Assistance Program;
- A change in HUD’s definition of homelessness and chronic homelessness;
- A simplified match requirement;
- An increase in prevention resources; and,
- An increase in the emphasis on performance.

The City of Birmingham administers the Homelessness Prevention and Rapid Re-Housing Program through internal staff as well as sub-grantees. One Roof, Inc. (Continuum of Care – Lead Agency) coordinates the HUD mandated Homeless Management Information System (HMIS) data collection /evaluation activities under HESG and works as a consultant to the City of Birmingham.

The ultimate goal of the HEARTH Emergency Solutions Grant is to prevent and reduce homelessness in Birmingham, Alabama. Specifically aiding those individuals and families who have been severely affected by the recent economic recessions, this funding is intended to serve persons who are homeless or would be homeless **but for this assistance.**

The City of Birmingham has leveraged an extensive history of operating a myriad of federal, state and locally funded programs, projects and services which seek to alleviate and eliminate poverty, assist low-income people to improve their lives through increased self-sufficiency. This is achieved by assisting eligible families through the effective and flexible use of available resources and strengthening the crucial involvement and support of partnerships both inside and outside of the community.

One Roof, Inc. is the local Continuum of Care (CoC) entity in the City of Birmingham that strives

to establish vital connections between homeless service provider agencies and various community based supportive service agencies. This agency works to identify and fill gaps in services to the homeless and those at-risk of becoming homeless without duplicating efforts and limited resources. One Roof, Inc. operates the HUD approved and supported Homeless Management Information System, which is an electronic data collection system that facilitates the collecting of important program beneficiary data on homeless assistance and homeless prevention services.

The provision of critical HESG case management services coordinated by sub-grantees will ensure that eligible participants receive optimum access and beneficial assistance within Birmingham's established social services, homeless assistance services and support services networks. The Continuum of Care (One Roof, Inc.) will provide necessary training and certification for participating referral agencies/organizations that become a part of the HESG community-wide counseling pool. Case management services include intake, assessment, tenant counseling, mediation, legal services, credit repair, household budgeting, financial assistance, housing and relocation/stabilization.

#### **PROGRAM INTENT:**

The purpose of the HEARTH Emergency Solutions Grant Program (HESG) is to provide homelessness prevention assistance to households who would otherwise become homeless—many due to the economic crisis—and to provide assistance to rapidly re-house persons who are homeless as defined by the HEARTH Act (Public Law III-22).

The City of Birmingham encourages programs to serve households that are most in need of this temporary assistance and are most likely to achieve stable housing; whether subsidized or unsubsidized, after the program concludes.

#### **OBJECTIVES:**

The HEARTH Emergency Solutions Grant will provide funding for Street Outreach and Emergency Shelter as well as temporary financial assistance and housing relocation and stabilization services to individuals and families who are homeless or would be homeless *but for* this assistance. The funds under this program are intended to target four populations of low income persons facing housing instability:

- (1) Individuals and families who lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who resided in an emergency shelter or a place not meant for human habitation and who is exiting an institution where he or she temporarily resided;
- (2) Individuals and families who will imminently lose their primary nighttime residence;
- (3) Unaccompanied youth and families with children and youth who are defined as homeless under other federal statutes who do not otherwise qualify as homeless under this definition; and

(4) Individuals and families who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member.

## **SECTION 2: POLICY**

### **ELIGIBLE ACTIVITIES:**

There are five categories of eligible activities for the HESG program: Street Outreach, Emergency Shelter, Homeless Prevention, Rapid Re-housing Assistance, and Homeless Management Information Systems (HMIS) to the extent necessary to meet the new HMIS participation requirement under the McKinney-Vento Act. Generally, the intent of HESG assistance is to fund current Shelter operations and rapidly transition program participants to stability, either through their own means or through public benefits, as appropriate.

HESG assistance is not intended to provide long-term support for program participants, nor will it be able to address all of the financial and supportive services needs of households that affect housing stability. Rather, assistance should be focused on housing stabilization, linking program participants to community resources and mainstream benefits, and helping them develop a plan for preventing future housing instability.

Financial Assistance: Eligible activities are limited to:

- Short-term rental assistance (3 months)
- Medium-term rental assistance (4 to 18 months)
- Rent arrearages (up to 6 months)
- Security deposits
- Utility deposits
- Utility payments (up to 18 months including up to 6 months arrearages)
- Moving cost assistance
- Motel and hotel vouchers (up to 30 days if no appropriate shelter beds are available and subsequent rental housing has been identified but is not immediately available for move in)
- Staffing and operating costs associated with implementing eligible financial assistance activities

Housing Relocation and Stabilization Services: Assists program participants with housing stability and placement. These services include:

- Case management
- Outreach and engagement
- Landlord/Tenant Education
- Housing search and placement (includes inspections)
- Legal services

- Credit repair/Financial Counseling

Data Collection and Evaluation: Data collection is through the use of a Homeless Management Information Systems (HMIS) or a comparable client-level database. Eligible costs include:

- Purchase of HMIS licenses
- Costs associated with data collection, entry and analysis
- Staffing associated with operation of HMIS and HMIS training
- Costs related to participating in HUD-sponsored research and evaluation as required
- Quarterly reports (w/ non HMIS elements)

#### **INELIGIBLE ACTIVITIES:**

Financial assistance or services to pay for expenses that are available through other Recovery Act programs, including child care and employment training, **ARE NOT ELIGIBLE**. Case managers should work to link program participants to these other resources. Other activities not qualified for HESG funding include but are not limited to:

- Long Term Support
- Mortgage costs and mortgage arrears
- Construction or rehabilitation
- Payment of credit card or other consumer debt
- Travel costs, Car repair or transportation costs
- Medical or dental care and medicines
- Clothing, grooming, or pet care
- Home furnishings
- Entertainment activities
- Work or education related materials
- Cash assistance to participants

Rental assistance payments **CANNOT** be made on behalf of eligible individuals or families for the same period of time and for the same cost types that are being provided through another federal, state or local housing subsidy program.

#### **ELIGIBLE HOUSEHOLDS:**

This funding is intended to serve persons who are homeless or would be homeless **BUT FOR THIS ASSISTANCE**. Households eligible for HESG-funded financial assistance and/or services may be individuals and/or families. They **MUST** meet all of the following criteria:

- A. At Risk of Homelessness: For purposes of HESG, household(s) must be at imminent risk of losing their current housing and must have identified no other subsequent housing options or resources in order to avoid homelessness.

OR

- B. Homeless – For purposes of HESG, agencies are to follow HUD’s definition of homeless, as defined by section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11032), as amended by the HEARTH Act.

AND

7. Income: Household income can be no greater than 50% of Area Median Income (AMI).
8. Resources: Household **MUST** have no other existing housing options, financial resources, or other support networks identified.
9. Initial Consultation: No household can receive (or continue to receive) any assistance related to HESG funds unless they have been assessed by a HESG case manager or other authorized representative.
10. Housing Stabilization Plan: No household can receive (or continue to receive) any assistance related to HESG funds unless they have created (and are abiding by) a Housing Stabilization Plan with their HESG case manager or other authorized representative.

Screening eligible households and individuals for the Homelessness Prevention and Rapid Re-Housing Program is very important. Through a statewide standardized assessment process, case managers can best evaluate potential clients based on their current financial resources and barriers to housing.

#### **HUD PROGRAM REQUIREMENTS:**

11. **HMIS Data Collection**: All Hearth Emergency Solutions Grant services provided under HESG funding **MUST** be recorded in the Homeless Management Information System (HMIS) unless explicitly exempt. Complete and accurate data should be entered into HMIS in the week the service(s) are provided.

To assure coordination of benefits and monitoring of HESG requirements regarding eligibility and duration of benefits, appropriate inter-agency agreements and client release of information must be executed so that HMIS data may be appropriately shared for all recipients among the various HESG providers.

Sub-grantees are expected to record all HPRP recipients and impacted family members data into the HMIS including but not limited to:

- Name
- Date of birth
- Social security number
- Complete HUD/Required Universal Data elements
- Service related data

Sub-grantees will enter data into HMIS as required by HUD and The City of Birmingham. This will include the HUD-defined universal data elements, homeless status, client income and sources, Financial Assistance provided, Housing Relocation & Stabilization services provided.

Contact the HMIS administer for HESG for more information:

**2. Financial Reporting:** Sub-grantees will submit quarterly reports to the City of Birmingham in accordance to contractual obligations as well as other Quarterly and Annual Performance Reports for e-Snaps.

**3. Area Median Income:** Sub-grantees can only assist clients at or below 50% area median income and are responsible for verifying client income via third party sources, such a pay stub.

**12. Rent Reasonableness:** Sub-grantees **MUST** ensure that HESG funds used for rental assistance do not exceed the actual rental cost, which must be in compliance with HUD’s standard of “rent reasonableness.” “Rent reasonableness” means that the total rent charged, including utilities, for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.

**13. Habitability Standards:** Sub-grantees **MUST** conduct a Habitability Standards Inspection on any unit being moved in to that is receiving HESG funds for rental and/or security deposit assistance. Sub-grantees must certify that the unit has passed habitability standards before any HPRP funds may be released. In addition, an annual habitability standards inspection must be conducted for any unit in which HPRP funds are being used.

**14. Confidentiality:** Each sub-grantee must develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided with HESG assistance.

**7. Housing Waiver:** In cases where a sub-grantee wants to assist HESG participants to reside in housing owned by any sub-grantee, the City of Birmingham must seek a waiver from HUD to allow the use of this housing for HESG participants. The sub-grantee must submit a letter to the City of Birmingham, who will submit a letter to the CPD Director of the local HUD office requesting a waiver for good cause, including a description of the benefit(s) to HESG participants. If HUD approves the waiver, the grantee will be notified of additional information

or requirements necessary to ensure the use of housing is appropriate.

**8. Termination of Housing Assistance:** Sub-grantees may terminate assistance to a program participant who violates program requirements. Sub-grantees may also resume assistance to a program participant whose assistance was previously terminated. In terminating assistance to a program participant, sub-grantees must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process, at a minimum, must consist of:

- Written notice to the program participant containing a clear statement of the reasons for termination;
- A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- Prompt written notice of the final decision to the program participant.

**9. Recordkeeping:** Each sub-grantee must keep any records and make any reports (including those pertaining to race, ethnicity, gender, and disability status data) that HUD may require within the timeframe specified.

**10. Sanctions:** If the City of Birmingham determines that a sub-grantee is not complying with the requirements of this guide, the HESG Notice or other applicable federal laws, the City of Birmingham will take appropriate actions, which may include:

- Issue a warning letter that further failure to comply with such requirements will result in a more serious sanction;
- Direct the sub-recipient to cease incurring costs with grant funds;
- Require that some or all of the grant amounts be remitted to the City of Birmingham;
- Reduce (de-obligate) the level of funds the sub-grantee would otherwise be entitled to receive; or
- Elect to make the sub-grantee ineligible for future the City of Birmingham funding.

Any grant amounts that become available to the City of Birmingham as a result of a sanction will be made available (as soon as practicable) to other private non-profit organizations located in the city limits of Birmingham, for use within the time period specified in the HUD Notice.

**11. Monitoring:** the City of Birmingham is responsible for monitoring all HESG activities, including activities that are carried out by sub-grantees, to ensure that the program requirements established by the HUD Notice and any subsequent guidance are met.

City of Birmingham staff will have responsibility for continuous monitoring of all HESG sub-grantee activities. This will be accomplished with regular site visits to sub-grantees and monthly review of all cash requests submitted by sub-grantees. Sub-grantees are expected to make available all client, financial, and program records for periodic review on a schedule established by the City of Birmingham. In addition, sub-grantees will maintain client files with all of the

required documentation from HUD and the City of Birmingham. The City of Birmingham will also provide support and technical assistance, as needed.

Additional monitoring of sub-grantees may be conducted by the local HUD Office of Community Planning and Development, HUD's Office of Special Needs Assistance Programs, HUD's Office of Inspector General, HUD's Office of Fair Housing and Equal Opportunity, or any other applicable federal agency. These agencies will be monitoring HESG programs nationwide to investigate fraud and determine compliance with federal program requirements.

#### **ADDITIONAL FEDERAL REQUIREMENTS:**

**15. Conflicts of Interest:** With respect to the use of HESG funds to procure services, equipment, supplies or other property, nonprofit sub-grantees shall comply with 24 CFR 84.42. With respect to all other decisions involving the use of HESG funds, the following restriction shall apply: No person who is an employee, agent, consultant, officer, or elected or appointed official of the sub-grantee and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds there under, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.

**2. Nondiscrimination and Equal Opportunity Requirements:** Sub-grantees must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a). In addition, Sub-grantees must make known that HESG rental assistance and services are available to all on a nondiscriminatory basis and ensure that all citizens have equal access to information about HESG and equal access to the financial assistance and services provided under this program. Among other things, this means that each sub-grantee must take reasonable steps to ensure meaningful access to programs to persons with limited English proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964.

**3. Affirmatively Furthering Fair Housing:** Under section 808(e)(5) of the Fair Housing Act, HUD has a statutory duty to affirmatively further fair housing. HUD requires the same of its funding recipients. Sub-grantees will have a duty to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status.

#### **16. Lead-Based Paint Requirements**

The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.), as amended by the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.) and implementing regulations at 24 CFR part 35, subparts A, B, M, and R shall apply to housing occupied by families receiving assistance through HPRP.

**17. Uniform Administrative Requirements:** Non-profit Sub-Grantees shall be subject to the requirements of 24 CFR part 84.

**18. Equal Participation of Religious Organizations:** Sub-grantees that are directly funded under HPRP may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under HESG. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under HESG, and participation must be voluntary for the program participants.

**7. Lobbying and Disclosure Requirements:** The disclosure requirements and prohibitions of section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the Byrd Amendment), and implementing regulations at 24 CFR part 87, apply to HESG. Applicants must disclose, using Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts.

**8. Drug-Free Workplace Requirements:** The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD's implementing regulations at 24 CFR part 21 apply to HESG.

## **SECTION 3: PROCEDURES**

### **PROGRAM ADMINISTRATION:**

Any sub-grantee receiving HESG funds shall be subject to all of the requirements that apply to the grantee under the HUD Notice.

Sub-grantees **MUST:**

- Assess every program applicant for risk of imminent homelessness or verification of current homelessness, and to determine income and program eligibility.
- Use a clear documented process to determine the type, level, and duration of assistance for each program participant.
- Review and verify documents and payments to ensure compliance with HUD regulations and to avoid and prevent fraud.
- Certify eligibility at least once every 3 months for all program participants receiving rental assistance.
- Provide on-going case management or support services, as needed, to all program participants receiving rental assistance in order to transition them to independence.
- Adhere to all data collection and reporting requirements.

### **MONITORING AND COMPLIANCE:**

Sub-grantees are expected to make available all client, financial and program records for periodic review on a schedule established by the City of Birmingham. In addition, Sub-grantees will maintain client files with all of the required documentation from HUD and the City of Birmingham.

**REPORTING REQUIREMENTS:**

Sub-grantees will submit quarterly reports to the City of Birmingham in accordance to contractual obligations, as well as other Quarterly and Annual Performance Reports for E-SNAPS.

Sub-Grantees will submit any additional reporting requirements by the Federal Government or the City of Birmingham, as outlined in the “Welcome Package” included with your fully-executed grant agreement.

**REALLOCATION AND RECAPTURE:**

Sub-grantees **MUST EXPEND 100%** of their funds within one year of the signing of their contract with final draw request submitted no later than 30 days from the end of the contract. The Director of Community Development may grant extensions if the need arises.

The City of Birmingham and HUD will closely track sub-grantee expenditures in order to meet requirements and allow for reallocation if sub-recipients have not spent their funds within 2 years.

The City of Birmingham reserves the right to review a sub-grantees balance of funds quarterly and reallocate unused funds (per section IV Sanctions).

**ADMINISTRATIVE COSTS:**

Payment of administrative costs is not to exceed the administrative award received.

Administrative costs may be used for accounting for the use of grant funds; preparing reports for submission to the City of Birmingham; and sub-grantee staff salaries associated with these administrative costs. Administrative costs also include training for staff who will administer the program or case managers who will serve program participants, as long as this training is directly related to learning about HESG.

Administrative costs *do not* include the costs of issuing financial assistance, providing housing relocation and stabilization services, or carrying out eligible data collection and evaluation activities, as specified above, such as sub-recipient staff salaries, costs of conducting housing inspections, and other operating costs. These costs should be included under one of the three

other eligible activity categories.

#### **DOCUMENTATION AND FILE CONTENTS:**

If a client is found to be eligible and appropriate for the HESG program after the initial interview, certain documents must be obtained and placed in the client file.

Each file **MUST** contain:

1. Completed Intake Assessment Form
2. Income Verification
3. Homelessness/Risk Verification
4. Staff Certification of Eligibility for HPRP Assistance Form (formerly Staff Affidavit)
5. Housing Stabilization Plan
6. Unit Inspection Report
7. Signed Lease Containing Client's Name(s)

The Housing Stabilization Plan is a tool that will be used to assess and develop a strategy to achieve client stability within the timeframe established by program regulations. Each sub-grantee should develop and adopt a format to be used for the Housing Stabilization Plan. This Housing Stabilization Plan should be used to actively assist clients in meeting established outcomes based upon individual client need and should be referenced, revised and updated weekly throughout a client's participation in the program.

#### **PROGRAM SPECIFIC REQUIREMENTS:**

##### **Financial Assistance:**

- Sub-grantees providing HESG Financial Assistance will only issue payments to third party vendors or landlords, no payments will be issued directly to program participants.
- Rental assistance provided may not exceed rental costs accrued over the assistance period (i.e. short-term rental assistance may not exceed rental costs accrued over a period of 3 months), and rents must meet the HUD standard of rent reasonableness.
- Providers will be expected to ensure that other resources are utilized prior to committing HESG funds for financial assistance.
- Financial assistance payments cannot be approved on behalf of eligible individuals or families for the same period of time and for the same cost types that are being provided under another federal, state or local housing subsidy program. *Mortgage assistance is specifically excluded.*
- HESG Rental assistance can only be used to pay a portion of Section 8 arrears if the client fell behind due to a lag time in the recalculation in their monthly rent contribution. A client may only receive assistance for the difference between the old rent and the new rent, not the entire arrearage. Otherwise, HESG rental assistance cannot be used for Section 8 assisted units, either past or present.

- Households receiving financial assistance will be certified for eligibility every 3 months.
- Prior to occupancy, all rented units must be inspected and pass the Habitability Standards set forth in HUD's HESG Regulations. Unit Inspection Verifications must be retained in the client's file.
- Agencies may terminate assistance to a program participant who violates program requirements, and may also resume assistance to a program participant whose assistance was previously terminated. In terminating assistance to a program participant, the sub-grantee must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process, at a minimum, must consist of:
  - Written notice to the program participant containing a clear statement of the reasons for termination;
  - A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
  - Prompt written notice of the final decision to the program participant.
- In cases where a sub-grantee wants to assist HESG participants to reside in housing owned by the sub-grantee, the sub-grantee may seek a waiver from HUD to allow the use of this housing for HESG participants. The sub-grantee must submit a request letter to the City of Birmingham. The City of Birmingham will forward the waiver request to the CPD Director of the local HUD office requesting a waiver for good cause, including a description of the benefit(s) to HESG participants. If HUD approves the waiver, the sub-grantee will be notified of additional information or requirements necessary to ensure the use of the housing is appropriate.
- HESG funds may not be used to develop discharge planning programs in mainstream institutions such as hospitals, jails, or prisons. However, persons who are being discharged into homelessness within 2 weeks from publicly funded institutions are eligible to receive financial assistance or services through HESG as long as they meet the minimum program requirements.
- Hotel/Motel vouchers may only be issued if NO shelter beds are available AND subsequent rental housing has been identified but is not immediately available for move-in by participants. Documentation to this must be maintained in the client's file.

**Case Management:**

- Sub-grantees will arrange, coordinate, and monitor the delivery of services related to meeting the housing needs of program participants and helping them obtain housing stability.
- Component services and activities shall include:

- Counseling; developing, securing, and coordinating services;
- Monitoring and evaluating program participant progress;
- Assuring that program participants' rights are protected; and developing an individualized stabilization plan, including a path to permanent housing stability.
- Recertification of eligibility every three months for those receiving medium term financial assistance is also considered a case management activity.

**Housing search and placement:**

- Sub-grantees will assist individuals or families in locating, obtaining, and retaining suitable housing. Component services or activities shall include:
  - Tenant counseling;
  - Assisting individuals and families to understand leases; securing utilities; making moving arrangements; representative payee services concerning rent and utilities;
  - Mediation and outreach to property owners related to locating or retaining housing.

**Financial Counseling:**

- Agencies will assist program participants with critical skills related to household budgeting, money management, accessing a free personal credit report, and resolving personal credit issues.
- Funds may not be used to pay consumer debt of any kind.

**Legal Services:**

- Sub-grantees will offer legal services that help people stay in their housing and assist program participants with legal advice and representation in administrative or court proceedings related to tenant/landlord matters on housing issues.
- Legal services related to mortgages are not eligible.

**Maximum Duration and Amount of Assistance:**

- The maximum duration for any assistance will conform to HUD's Notice. The total period for which any program participant may receive the services under paragraph (b) of this section in reference must not exceed 24 months during any 3-year period. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.
- Maximum amount of assistance will be determined on a case by case basis taking into account the parameters of local market forces both economical and social.

### **Subpart III-6.**

#### **PROCESS FOR MAKING SUB-AWARDS**

##### **ESG SELECTION PROCESS:**

1. The Community Development Department prepares a written request for proposals that is published in local newspapers of general circulation. Notices are also made available through the City's Citizen Participation mailings and mailings to CDBG and ESG subrecipients.
2. Community Development Department staff review all proposals according to how each can best address the homeless priority needs identified in the City's Consolidated Plan.
3. After proposals are reviewed, the Community Development Department makes its recommendations based on program objectives to the Mayor for review and approval. The Mayor's recommendations are then reviewed through the appropriate City Council sub-committee and full City Council for approval.
4. Upon approval, ESG sub recipients are informed as to the disposition of their proposal. Contracts are prepared for execution by the City and ESG subrecipients approved to provide services.

### **Subpart III-7.**

#### **HOMELESS PARTICIPATION REQUIREMENT**

One Roof, Inc., the Continuum of Care for the Birmingham area, reserves a position on their board for a homeless or former homeless person. The city also publishes each Action Plan and Action Plan Amendment in an effort to target those that may be affected by the use of funds or lack thereof. The City strives to extend this participation through these existing and any future possible avenue so that the City can better hear from those it is directly affecting. Also, many of the sub-recipients the City uses allow for homeless or former homeless persons to be employed or volunteer with their organization so as to further better the person and allow for experience and input.

### **Subpart III-8.**

#### **PERFORMANCE STANDARDS**

The following Grade Scale has been used by the Continuum of Care in the past and will be used by the City of Birmingham as a general guideline for evaluating ESG funded activities. As the grant evolves, this guide will be adapted to meet the needs of the City of Birmingham in consultation with the Continuum of Care.

**Project Score Sheet:** For discussion with group meeting of Scoring and Ranking Committee

**Agency:** \_\_\_\_\_ **Name of Project:** \_\_\_\_\_

**Agency audit:** possible points \_\_1\_\_ **points received** \_\_\_\_\_

**HUD Monitoring:** possible points \_\_-3\_\_ **points received** \_\_\_\_\_

**Type of project:** possible points \_\_5\_\_ **points received** \_\_\_\_\_

**Ratio of services to housing:** possible points \_\_6\_\_ **points received** \_\_\_\_\_

**% of leveraging to total grant amount:** possible points \_\_5\_\_ **points received** \_\_\_\_\_

**Continuum participation:** possible points \_\_5\_\_ **points received** \_\_\_\_\_

**Spending on this project:** possible points \_\_1\_\_ **points received** \_\_\_\_\_

**Timeliness:** possible points \_\_1\_\_ **points received** \_\_\_\_\_

**From CAPER:** possible points \_\_\_\_ **points received** \_\_\_\_\_

▶ **Meets HUD broad goals:** possible points \_\_6\_\_ **points received** \_\_\_\_\_

▶ **Meets CoC broad goals including City10-Yr Plan:** possible points \_\_6\_\_ **points received** \_\_\_\_\_

▶ **Does this project address a gap, or, if this project were defunded, would a gap be created?**  
possible points \_\_3\_\_ **points received** \_\_\_\_\_

▶ **Site Visit:** possible points \_\_13\_\_ **points received** \_\_\_\_\_

**Bonus Points:** possible points \_\_5\_\_ **points received** \_\_\_\_\_

**Reviewer comments:**

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**Group comments:** \_\_\_\_\_  
 \_\_\_\_\_

**Membership Score:** \_\_\_\_\_ of 25    **Committee Score:** \_\_\_\_\_ of 75    **Bonus Score:** \_\_\_\_\_ of 5

**Final Score:** \_\_\_\_\_    **Final Ranking:** \_\_\_\_\_

The Performance Standards Grade Scale will generally evaluate based on each activity with the following outputs/outcomes in mind. These outcomes/outputs will also be adapted with the evolution of the grant through further consultation with the Continuum of Care.

<b>Emergency Solutions Grant Performance Standards</b>	
<b>Activity</b>	<b>Output/Outcome</b>
Street Outreach	<b>Number of persons:</b> Placed in shelter or safe havens With more non-cash benefits at program exit Receiving case management
Emergency Shelter	<b>Number of persons:</b> Exiting to temporary/transitional housing destinations Exiting to permanent housing destinations Receiving case management
Homelessness Prevention	<b>Number of persons:</b> Who maintained their permanent housing for 3 months Exiting to permanent housing destinations With higher income at program exit With more non-cash benefits at program exit Receiving case management

Rapid Re-Housing	<b>Number of persons:</b> Who maintained their permanent housing for 3 months Exiting to permanent housing destinations With higher income at program exit With more non-cash benefits at program exit Receiving case management
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## APPENDIX A

CITY OF BIRMINGHAM, ALABAMA  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
ALABAMA OPEN MEETINGS ACT  
PUBLIC MEETING NOTICE

TIME, DATE, AND PLACE OF THE MEETING:

Date: Wednesday March 28, 2012

Time: 9:30 a.m.

Location: City Council Chamber, 710 North 20<sup>th</sup> Street; 3<sup>rd</sup> Floor City Hall, Birmingham, Alabama

PRELIMINARY AGENDUM:

1. Introductions
2. Summary of the Substantial Amendment to the Action Plan Process
3. Citizen Comments/Proposals.

NATURE AND PURPOSE OF MEETING:

The purpose of the public hearing will be to obtain comments regarding the proposed use of the referenced PY 2011 HUD Substantial Amendment funding including the views of citizens, public agencies, and other interested parties on the housing and community development needs of the City, and to receive proposals for the possible use of the City's PY 2011 Substantial Amendment funding from the U.S. Department of Housing and Urban Development (HUD). 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 and proposals received at the hearing or written comments received in the Community Development Department before April 9, 2012; 4:00 p.m. will be considered in the development of the City's Final PY 2011 Substantial Amendment. PY 2011 (July 1, 2011-June 30, 2012) HUD Consolidated Formula Allocation Programs: Community Development Block Grant Program (CDBG); Home Investment Partnership Program (HOME); Emergency Shelter Grant Program (ESG); Housing Opportunities for Persons with AIDS Program (HOPWA).

NEWSPAPER PUBLICATION:

A more detailed public notice regarding this public hearing was published in the Birmingham News and Birmingham Times on March 8, 2012. Copies are available for inspection in the Community Development Department; 710 North 20<sup>th</sup> Street; 10<sup>th</sup> Floor City Hall; Birmingham, Alabama

POSTING DATE: March 6, 2012; Bill Board; 2<sup>nd</sup> floor City Hall.

File name: 3-6-12 bill board

CITY OF BIRMINGHAM  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
INTER-OFFICE MEMORANDUM

March 15, 2012

**TO: Mayor William A. Bell**

**ATTN: Erskine Faush**

**RE: Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

I have forwarded a copy of the attached memorandum to Ms. Cheryl Kidd, Council Administrator and to Council members providing them with the Substantial Amendment completion schedule and Public Hearing information. We look forward to working with you during the application process and if you have any questions, please feel free to contact this office.

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachments

CITY OF BIRMINGHAM  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
INTER-OFFICE MEMORANDUM

March 15, 2012

**TO: Birmingham City Council Members**

**ATTN: Ms. Cheryl Kidd, Council Administrator**

**RE: Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

We look forward to working with you during the application process and if you have any questions, please feel free to contact this office.

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachments  
Cc: Erskine Faush

March 15, 2012

Mr. Jim Byard, Jr. , Director  
Alabama Department of Economic  
and Community Affairs  
401 Adams Avenue  
Suite 580  
P.O. Box 5690  
Montgomery, Al 36103-5690

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Mr. Byard:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Mr. Forrest Davis, Director  
Bessemer Community Development Department  
1800 Third Avenue, North  
Bessemer, Al 35020

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Forrest:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Dr. Fredrick Hamilton, Director  
Jefferson County Office of Community and Economic Development  
716 Richard Arrington, Jr., Blvd., North  
Suite A-430  
Birmingham, Al 35203

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Fredrick:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Office of the Executive Director  
City of Hoover  
100 Municipal Drive  
Hoover, Al 35216

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Mr. Pate:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Mr. David Fleming, Director  
Operation New Birmingham  
505 20<sup>th</sup> Street North  
Suite 150  
Birmingham, Alabama 35203

ATTN: Ms. Fran Godchaux

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Michael:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

If you have any questions, please advise.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Mr. James Mangum, Administrator  
Prevention and Epidemiology Program  
Jefferson County Department of Health  
1400 6th Avenue, South  
Birmingham, Al 35233

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Mr. Mangum:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Dr. Michael Fleenor  
Jefferson County Department of Health  
1400 6th Avenue, South  
Birmingham, Al 35202

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Mr. Fleenor:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Office of the Executive Director  
Housing Authority of the  
Birmingham District  
1826 3rd Avenue, South  
Birmingham, Al 35255

**RE: Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 15, 2012

Mr. Lewis McDonald, Director  
Jefferson County Housing Authority  
3700 Industrial Parkway  
Birmingham, Al 35217

RE: **Proposed Emergency Solutions Grant Substantial Amendment to the Program Year (PY) 2011 (July 1, 2011-June 30, 2012) Action Plan-One Year Use of Funds and Development Schedule for the City's Final PY 2012 Action Plan**

Dear Mr. McDonald:

Attached is the Community Development Department's Proposed Substantial Amendment to the Action Plan one Year use of Funds Summary and schedule for development of the City's Final PY 2011 Action Plan- One Year Use of Funds that must be submitted to the U.S. Department of Housing and Urban Development for the City to receive its entitlement funding. Also attached is a notice of public hearings to be conducted in the City Council Chamber by the Community Development Department on **March 28, 2012** to receive proposals for consideration as a part of the City's development process for the Final Substantial Amendment to the PY 2011 Action Plan budget. Please note that all written proposals must be received in the Community Development Department **no later than April 9, 2012, 4:00 p.m.** to be considered in the development of the City's Final PY 2012 Action Plan-One Year Use of Funds submission.

As always, your cooperation and assistance is appreciated.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment  
cc: Erskine Faush

March 8, 2012

Mr. Charles Franklin  
CPD Director  
Alabama State HUD Office  
Medical Forum Building-Suite 900  
950 22<sup>nd</sup> Street, North  
Birmingham, Alabama 35203

ATTN: Mr. Ed Coberly

RE: Proposed Substantial Amendment to PY 2011 Action Plan One Year Use of Funds

Dear Charles:

I have attached a copy of the Proposed Substantial Amendment to PY 2011 Action Plan One Year Use of Funds. This amendment adjusts our ESG budget to reflect the second allocation for PY 2011.

Please note that the Community Development Department will be conducting a public hearing March 28, 2012 at 9:30 a.m. Should your office have any suggestions as or comments relative to the development of the City's Substantial Amendment to PY 2011 Action Plan One Year Use of Funds, please submit them to this office on or before April 9, 2012.

If you have any questions, please advise.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachment

March 8, 2012

Ms. Sheila Tyson  
President, Citizens Advisory Board  
1233 14<sup>th</sup> Place Southwest  
Birmingham, AL 35211

Dear Ms. Tyson:

I have attached a copy of the City's Substantial Amendment to PY 2011 Action Plan One Year Use of Funds. Please note the Community Development Department will be conducting a public hearing March 28, 2012 at 9:30 a.m. Suggestions and/or comments relative to the development of the City's Substantial Amendment to PY 2011 Action Plan One Year Use of Funds are due to the Community Development Department on or before April 9, 2012.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF:jr

Attachments

cc: Melony Martin  
Susan Pelmer  
Florencie Underwood  
Michael Shine

CITY OF BIRMINGHAM  
DEPARTMENT OF COMMUNITY DEVELOPMENT

INTER-OFFICE MEMORANDUM

March 8, 2012

TO: Renee Blalock, Director  
Birmingham Public Library

ATTN: Government Documents Department

RE: Proposed Substantial Amendment to PY 2011 Action Plan One Year Use of Funds

Attached are three (3) copies of the above referenced document that we are making available for public inspection for a period of 30 days through April 9, 2012. Should you have any questions or require additional copies, please contact Jamey Roberts at 254-2309.

As always, we appreciate your assistance.

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachments

CITY OF BIRMINGHAM  
DEPARTMENT OF COMMUNITY DEVELOPMENT

INTER-OFFICE MEMORANDUM

May 15, 2012

TO: Renee Blalock, Director  
Birmingham Public Library

ATTN: Government Documents Department

RE: Final Substantial Amendment to PY 2011 Action Plan One Year Use of Funds

Attached are three (3) copies of the above referenced document for your records. Should you have any questions or require additional copies, please contact Jamey Roberts at 254-2309.

As always, we appreciate your assistance.

James F. Fenstermaker, Director  
Community Development Department

JFF/jr  
Attachments

March 7, 2012

**TO: ESG SUBRECIPIENTS**

**RE: 2<sup>nd</sup> ALLOCATION PY 2011 ESG PROPOSALS**

HUD has released the second allocations for PY 2011 Emergency Solutions Grant. Our Allocation under this second allocation of ESG for the current fiscal year will be **\$164,609**. Due to this increase in the ESG allocation, there will be a second comment period that closes on April 9, 2012; 4:00 p.m. These funds can be used for the following range of activities: **(1) Rehabilitation, (2) Operations, (3) Essential Services, (4) Homelessness Prevention, and (5) Administration**; and, encompassing the following five (5) components: **(1) Street Outreach, (2) Emergency Shelter, (3) Homeless Prevention, (4) Rapid Re-housing assistance, and (5) HMIS – Homeless Management Information System** (to the extent costs are necessary to meet the new HMIS participation requirement under the McKinney Vento Act). Please refer to <http://hudhre.info> for additional information on these activities and components. Please note that the City intends to focus most of this funding to the HUD recommended categories of Homeless Prevention, Rapid Re-housing assistance, and HMIS.

This is notification that the City is soliciting additional and/or alternate proposals relative to the dissemination and use of these funds. If your agency submitted an application for PY 2011 ESG funds for the first allocation deadline, you may submit an amended proposal/application incorporating a request for increased funding. If you submit an amended proposal/application be sure to specify how much new funding you are requesting. Please keep in mind that the ESG Match requirement must still be adhered to, although per interim HUD guidelines, program income now counts as match and not as ESG.

The deadline for submitting proposals to the Community Development Department, 10<sup>th</sup> Floor City Hall, is April 9, 2012 by 4:00 p.m. For additional questions or comments, please contact Denise Hoover at 254-2341 or James Roberts at 254-2314.

Sincerely,

James F. Fenstermaker, Director  
Community Development Department

JFF/jr

Attachments

cc: Jarvis Patton  
Erskine Faush  
James Roberts  
Denise Hoover  
bcc: Michelle Farley (One Roof)

## **APPENDIX B**

### **CITY OF BIRMINGHAM DEPARTMENT OF COMMUNITY DEVELOPMENT**

#### **PY 2011 ACTION PLAN ONE-YEAR USE OF FUNDS SUBSTANTIAL AMENDMENT PUBLIC HEARING MINUTES FOR MARCH 28, 2012 - 9:30 a.m.**

#### **AND PUBLIC COMMENTS RECEIVED**

On Wednesday, March 28, 2012, a public hearing was conducted in the City Council Chamber at 9:30 a.m. by the Community Development Department staff. The purpose of the hearing was to obtain comments regarding the proposed substantial amendments for the City's PY 2011 allocation including the views of the citizens, public agencies, and other interested parties on the housing and community development needs of the City. Also, citizens were afforded an opportunity to 1) identify housing and community development needs and priorities; 2) review proposed uses of funds; 3) comment on and review the City's program performance. It was explained that all comments and proposals received would be considered in the development of the City's Proposed PY 2011 Action Plan One-Year Use of Funds Substantial Amendment.

At approximately 9:30 a.m. the hearing was called to order by James Fenstermaker, Director of the Community Development Department. He then introduced himself. Mr. Fenstermaker gave an overview of the new allocation of funds from the Department of Housing and Urban Development, which included ESG. He spoke of the new developments in regards to the HEARTH Act and ESG. He, also, spoke to the process of submitting a proposal, the Community Development Department's part in reviewing and forwarding recommendations to the Mayor's office and further to the City Council where they will adopt a final Action Plan budget. He asked if there was anyone who wished to comment. There being no comments the meeting adjourned.

#### **Public Hearing Comments:**

There were no comments.

#### **Those in attendance were:**

Jim Fenstermaker, Director of Community Development  
Jamey Roberts, Senior Administrative Analyst Community Development  
Andre Taylor, Jefferson County Committee for Economic Opportunity

#### **Public Written Comments:**

Proposals were received from Urban Ministry, Bridge Ministry, Cooperative Downtown Ministry, YWCA, and JCCEO. All proposals were funded at levels deemed appropriate for their

capacity based on the amount requested, except Cooperative Downtown Ministry which proposed funding for Essential Services/Maintanance/Operating Expense which were not requested.

No other comments/proposals were received.

**APPENDIX C**  
**HUD RECOMMENDED DETAILED BUDGET TABLE**  
**AND DECLARATION OF PY 2010 GRANT FUND COMMITMENTS**

**APPENDIX D  
CERTIFICATIONS**

**APPENDIX E**  
**SF 424**

**APPENDIX F**  
**CITY COUNCIL RESOLUTION**