

**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**

September 13, 2011

**FINAL SUBSTANTIAL AMENDMENT TO PY 2011 ACTION PLAN-ONE YEAR USE
OF FUNDS
TABLE OF CONTENTS**

	Page
PART I: Proposed Substantial Amendment	3
PART II: Final Substantial Amendment.....	8
 APPENDIX:	
A. Public Hearing Notice and Consultation Correspondence Letters	12
B. Public Hearing Minutes and Public Comments Received.....	21
C. Resolution	22
D. Waiver	23

PART I

PROPOSED SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN PY 2011 ACTION PLAN 7 DAY COMMENT PERIOD

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 seven (7) calendar days from August 16, 2011. The Proposed Substantial Amendments are published in order to afford affected citizens an opportunity to examine its contents and to submit comments relating thereto.

I. BACKGROUND:

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

In summary, the Consolidated Plan actually serves four separate, but integrated, functions. The Consolidated Plan is 1) A planning document for the City, which builds on a participatory process; 2) An application for federal funds under HUD's formula grant programs referenced above; 3) A strategy to be followed in carrying out HUD programs, and lastly; 4) An action plan that provides a basis for assessing performance.

The City's current Five Year Consolidated Plan covers the period July 1, 2010 thru June 30, 2015 and contains six basic components: (1) housing and homeless needs assessment, (2) housing market analysis, (3) strategies and priority needs and objectives, (4) action plan, (5) certifications, (6) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval.

Copies of the City's PY 2010-2015 Consolidated Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at www.birminghamal.gov.

II. PY 2011 ACTION PLAN:

The City's Proposed Action Plan is an annual description of the City's Federal and other resources that are expected to be available to address its priority needs and how the Federal funds will leverage other resources. The description includes proposed activities for Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) to address the needs identified in the City's PY 2010 thru 2015 Five Year Consolidated Plan. The Action Plan explains where the assistance will be directed by geographic area during PY 2011.

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

Copies of the PY 2011 Action Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at www.birminghamal.gov.

III. CONSOLIDATED PLAN AMENDMENT POLICY:

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

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

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

views are attached to the substantial amendment of the Consolidated Plan. A waiver has been requested from the City that the comment period, for this amendment, be reduced to seven (7) days, due to time constraints. A second, simultaneous, notice is being published and will be void if the waiver is granted.

IV. PROPOSED SUBSTANTIAL AMENDMENTS TO PY 2011 ACTION PLAN:

The City proposes the following substantial amendment to its PY 2011 Action Plan:

A. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):

The City proposes the increase of funds for administration from a previously authorized level of \$1,544,436.70 to an amended \$1,579,436.70.

1. PROJECT: ADMINISTRATION: \$1,544,436.70 **(570.206)**

Project ID/Local ID #1; Project Title: General Program Administration; Priority Need: N/A; Eligibility 570.206-Program Administration; National Objective N/A; Help the Homeless? Yes; Help people with HIV or AIDS? Yes; Subrecipient: N/A; Location: 710 North 20th Street, Birmingham, Al 35203; HUD Matrix Code: 21A-General Program Administration; Proposed Accomplishments: Program Administration; Start Date: 7/1/2011; Completion Date: 6/30/2012. Performance Measure Objective: N/A; Performance Measure Outcome: N/A; Description: These funds provide CDBG support for planning and administration of the City's Consolidated Formula Allocation grants and activities including CDBG, ESG, HOME, HOPWA, CDBG-R, and any other Community Development Activities assisted in whole or in part with CDBG funds. Supportive funds will be allocated towards general program administration, legal services, planning, environmental reviews, public information, and fair housing.

The City proposes the increase of funds for Sub-category: Single Family Rehabilitation Program from a previously authorized level of \$2,311,764 to \$2,626,764. In amending this Sub-category it will also amend the Activity: Rehabilitation Activity Costs from a previously authorized \$4,084,714 to an amended \$4,399,714 and Project: Housing Rehabilitation from a previously authorized \$4,865,464.80 to an amended \$5,180,464.80

6. PROJECT: HOUSING REHABILITATION: \$5,180,464.80 **(570.202)**

Project ID/Local ID 6; Project Title: Housing Rehabilitation Activities; Priority Need 1- Provide decent and affordable housing for low and very low-income households; Priority Need 2- Provide down-payment assistance to first-time homebuyers meeting program income guidelines and requirements; Priority Need 3- Provide housing services for populations with special needs; Priority Need 4- Provide housing and supportive services for homeless populations; Eligibility (570.202)-Eligible Rehabilitation and preservation activities; National Objective 570.208 (a)- Activities Benefiting low-and moderate-income persons; Help the Homeless? No; Help people

with HIV or AIDS? No; Subrecipient: N/A; Location: City Wide; HUD Matrix Code: 14A-Rehabilitation Single Unit Rehabilitation and 14B-Rehabilitation Multi-Unit Residential; Proposed Accomplishments: See individual activities; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability; Description: Provides for the rehabilitation of owner-occupied and rental substandard structures on a City wide basis, non-profit organization housing service provider agreements, and associated program operation costs. Also includes loan processing and servicing costs, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation activities authorized under this section. Detailed descriptions of these and other housing related programs are available in the Community Development Department-Housing Division, 710 North 20th Street, Room 700; Birmingham, Al 35203. This activity is anticipated to generate program income and is to be administered by the City's Community Development Department-Housing Division on a city wide basis.

B. Rehabilitation Activity Costs: \$4,399,714

- Single Family Rehabilitation Program: \$2,626,764

Provides grants of eligible rehabilitation expenses to low-and moderate income homeowners up to \$15,000 per qualified homeowner. Proposed Accomplishments: 125 Housing Units to be rehabilitated. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #1-Availability/Accessibility.

CITIZEN COMMENT PERIOD & PUBLIC HEARING:

The City encourages citizens to participate in the development of the City's Final Substantial Amendment 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 seven (7) calendar days from August 16, 2011. Copies of the City's Proposed Substantial Amendment are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours and a copy is posted on the City's website at www.birminghamal.gov under the Community Development Department.

The City's Community Development Department will conduct a public hearing on Tuesday, August 30, 2011 at 9:00 a.m. the 10th Floor Conference Room, 710 North 20th Street, 10th 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 Tuesday, August 30, 2011 by 9:30 a.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 20th Street
10th Floor City Hall
Birmingham, Alabama 35203

August 16, 2011

Date of Publication

Birmingham News

Birmingham Times-August 18, 2011

Web Site Posting: www.birminghamal.gov

File name: PY 2011 SUBSTANTIAL AMENDMENT-PROPOSED PUBLICATION

PART II

**FINAL SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN
PY 2011 ACTION PLAN
CITY OF BIRMINGHAM, ALABAMA**

In accordance with 24 CFR Part 91, as amended, the City of Birmingham, Alabama (the City) published a summary of a Proposed Substantial Amendments to its Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) Action Plan One Year Use Of Funds, for citizen comment for a period of at least seven (7) calendar days from August 16, 2011. 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:

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

In summary, the Consolidated Plan actually serves four separate, but integrated, functions. The Consolidated Plan is 1) A planning document for the City, which builds on a participatory process; 2) An application for federal funds under HUD's formula grant programs referenced above; 3) A strategy to be followed in carrying out HUD programs, and lastly; 4) An action plan that provides a basis for assessing performance.

The City's current Five Year Consolidated Plan covers the period July 1, 2010 thru June 30, 2015 and contains six basic components: (1) housing and homeless needs assessment, (2) housing market analysis, (3) strategies and priority needs and objectives, (4) action plan, (5) certifications, (6) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval.

Copies of the City's PY 2010-2015 Consolidated Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at www.birminghamal.gov.

II. PY 2011 ACTION PLAN:

The City's Proposed Action Plan is an annual description of the City's Federal and other

resources that are expected to be available to address its priority needs and how the Federal funds will leverage other resources. The description includes proposed activities for Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) to address the needs identified in the City's PY 2010 thru 2015 Five Year Consolidated Plan. The Action Plan explains where the assistance will be directed by geographic area during PY 2011.

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

Copies of the PY 2011 Action Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at www.birminghamal.gov.

III. CONSOLIDATED PLAN AMENDMENT POLICY:

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

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

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

A waiver has been requested from the City that the comment period, for this amendment, be reduced to seven (7) days, due to time constraints. A second, simultaneous, notice is being published and will be void if the waiver is granted.

IV. PROPOSED SUBSTANTIAL AMENDMENTS TO PY 2011 ACTION PLAN:

The City proposes the following substantial amendment to its PY 2011 Action Plan:

A. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):

The City proposes the increase of funds for Sub-category: Single Family Rehabilitation Program from a previously authorized level of \$2,311,764 to \$2,661,764. In amending this Sub-category it will also amend the Activity: Rehabilitation Activity Costs from a previously authorized \$4,084,714 to an amended \$4,434,714 and Project: Housing Rehabilitation from a previously authorized \$4,865,464.80 to an amended \$5,215,464.80

6. PROJECT: HOUSING REHABILITATION: \$5,215,464.80
(570.202)

Project ID/Local ID 6; Project Title: Housing Rehabilitation Activities; Priority Need 1- Provide decent and affordable housing for low and very low-income households; Priority Need 2- Provide down-payment assistance to first-time homebuyers meeting program income guidelines and requirements; Priority Need 3- Provide housing services for populations with special needs; Priority Need 4- Provide housing and supportive services for homeless populations; Eligibility (570.202)-Eligible Rehabilitation and preservation activities; National Objective 570.208 (a)-Activities Benefiting low-and moderate-income persons; Help the Homeless? No; Help people with HIV or AIDS? No; Subrecipient: N/A; Location: City Wide; HUD Matrix Code: 14A- Rehabilitation Single Unit Rehabilitation and 14B- Rehabilitation Multi-Unit Residential; Proposed Accomplishments: See individual activities; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability; Description:

Provides for the rehabilitation of owner-occupied and rental substandard structures on a City wide basis, non-profit organization housing service provider agreements, and associated program operation costs. Also includes loan processing and servicing costs, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation activities authorized under this section. Detailed descriptions of these and other housing related programs are available in the Community Development Department-Housing Division, 710 North 20th Street, Room 700; Birmingham, AL 35203. This activity is anticipated to generate program income and is to be administered by the City's Community Development Department-Housing Division on a city wide basis.

B. Rehabilitation Activity Costs: \$4,434,714

- Single Family Rehabilitation Program: \$2,661,764

Provides grants of eligible rehabilitation expenses to low-and moderate income homeowners up to \$15,000 per qualified homeowner. Proposed Accomplishments: 125 Housing Units to be rehabilitated. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #1-Availability/Accessibility.

CITIZEN COMMENT PERIOD & PUBLIC HEARING:

The City encouraged citizens to participate in the development of the City's Final Substantial Amendment 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 seven (7) calendar days from August 16, 2011. Copies of the City's Final Substantial Amendment are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours and a copy is posted on the City's website at www.birminghamal.gov under the Community Development Department.

The City's Community Development Department conducted a public hearing on Tuesday, August 30, 2011 at 9:00 a.m. the 10th Floor Conference Room, 710 North 20th Street, 10th 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 Tuesday, August 30, 2011 by 9:30 a.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 20th Street
10th Floor City Hall
Birmingham, Alabama 35203

Web Site Posting: www.birminghamal.gov

File name: PY 2011 FINAL SUBSTANTIAL AMENDMENT-

APPENDIX A

PROPOSED SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN PY 2011 ACTION PLAN 7 DAY COMMENT PERIOD

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 seven (7) calendar days from August 16, 2011. The Proposed Substantial Amendments are published in order to afford affected citizens an opportunity to examine its contents and to submit comments relating thereto.

I. BACKGROUND:

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

In summary, the Consolidated Plan actually serves four separate, but integrated, functions. The Consolidated Plan is 1) A planning document for the City, which builds on a participatory process; 2) An application for federal funds under HUD's formula grant programs referenced above; 3) A strategy to be followed in carrying out HUD programs, and lastly; 4) An action plan that provides a basis for assessing performance.

The City's current Five Year Consolidated Plan covers the period July 1, 2010 thru June 30, 2015 and contains six basic components: (1) housing and homeless needs assessment, (2) housing market analysis, (3) strategies and priority needs and objectives, (4) action plan, (5) certifications, (6) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval.

Copies of the City's PY 2010-2015 Consolidated Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at www.birminghamal.gov.

II. PY 2011 ACTION PLAN:

The City's Proposed Action Plan is an annual description of the City's Federal and other resources that are expected to be available to address its priority needs and how the Federal funds will leverage other resources. The description includes proposed activities for Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) to address the needs identified in the City's PY 2010 thru 2015 Five Year Consolidated Plan. The Action Plan explains where the assistance will be directed by geographic area during PY 2011.

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

Copies of the PY 2011 Action Plan are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours. Copies are also available for inspection on the City's website at www.birminghamal.gov.

III. CONSOLIDATED PLAN AMENDMENT POLICY:

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

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

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

A waiver has been requested from the City that the comment period, for this amendment, be

reduced to seven (7) days, due to time constraints. A second, simultaneous, notice is being published and will be void if the waiver is granted.

IV. PROPOSED SUBSTANTIAL AMENDMENTS TO PY 2011 ACTION PLAN:

The City proposes the following substantial amendment to its PY 2011 Action Plan:

A. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG):

The City proposes the increase of funds for administration from a previously authorized level of \$1,544,436.70 to an amended \$1,579,436.70.

1. PROJECT: ADMINISTRATION: \$1,544,436.70 **(570.206)**

Project ID/Local ID #1; Project Title: General Program Administration; Priority Need: N/A; Eligibility 570.206-Program Administration; National Objective N/A; Help the Homeless? Yes; Help people with HIV or AIDS? Yes; Subrecipient: N/A; Location: 710 North 20th Street, Birmingham, Al 35203; HUD Matrix Code: 21A-General Program Administration; Proposed Accomplishments: Program Administration; Start Date: 7/1/2011; Completion Date: 6/30/2012. Performance Measure Objective: N/A; Performance Measure Outcome: N/A; Description: These funds provide CDBG support for planning and administration of the City's Consolidated Formula Allocation grants and activities including CDBG, ESG, HOME, HOPWA, CDBG-R, and any other Community Development Activities assisted in whole or in part with CDBG funds. Supportive funds will be allocated towards general program administration, legal services, planning, environmental reviews, public information, and fair housing.

The City proposes the increase of funds for Sub-category: Single Family Rehabilitation Program from a previously authorized level of \$2,311,764 to \$2,626,764. In amending this Sub-category it will also amend the Activity: Rehabilitation Activity Costs from a previously authorized \$4,084,714 to an amended \$4,399,714 and Project: Housing Rehabilitation from a previously authorized \$4,865,464.80 to an amended \$5,180,464.80

6. PROJECT: HOUSING REHABILITATION: \$5,180,464.80 **(570.202)**

Project ID/Local ID 6; Project Title: Housing Rehabilitation Activities; Priority Need 1- Provide decent and affordable housing for low and very low-income households; Priority Need 2- Provide down-payment assistance to first-time homebuyers meeting program income guidelines and requirements; Priority Need 3- Provide housing services for populations with special needs; Priority Need 4- Provide housing and supportive services for homeless populations; Eligibility (570.202)-Eligible Rehabilitation and preservation activities; National Objective 570.208 (a)-Activities Benefiting low-and moderate-income persons; Help the Homeless? No; Help people with HIV or AIDS? No; Subrecipient: N/A; Location: City Wide; HUD Matrix Code: 14A-Rehabilitation Single Unit Rehabilitation and 14B-Rehabilitation Multi-Unit Residential:

Proposed Accomplishments: See individual activities; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #2-Affordability; Description:

Provides for the rehabilitation of owner-occupied and rental substandard structures on a City wide basis, non-profit organization housing service provider agreements, and associated program operation costs. Also includes loan processing and servicing costs, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation activities authorized under this section. Detailed descriptions of these and other housing related programs are available in the Community Development Department-Housing Division, 710 North 20th Street, Room 700; Birmingham, Al 35203. This activity is anticipated to generate program income and is to be administered by the City's Community Development Department-Housing Division on a city wide basis.

B. Rehabilitation Activity Costs: \$4,399,714

- Single Family Rehabilitation Program: \$2,626,764

Provides grants of eligible rehabilitation expenses to low-and moderate income homeowners up to \$15,000 per qualified homeowner. Proposed Accomplishments: 125 Housing Units to be rehabilitated. Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #2-Decent Housing; Performance Measure Outcome: #1-Availability/Accessibility.

CITIZEN COMMENT PERIOD & PUBLIC HEARING:

The City encourages citizens to participate in the development of the City's Final Substantial Amendment 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 seven (7) calendar days from August 16, 2011. Copies of the City's Proposed Substantial Amendment are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours and a copy is posted on the City's website at www.birminghamal.gov under the Community Development Department.

The City's Community Development Department will conduct a public hearing on Tuesday, August 30, 2011 at 9:00 a.m. the 10th Floor Conference Room, 710 North 20th Street, 10th 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 Tuesday, August 30, 2011 by 9:30 a.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 20th Street
10th Floor City Hall
Birmingham, Alabama 35203

August 17, 2011

Date of Publication

Birmingham News

Birmingham Times-August 18, 2011

Web Site Posting: www.birminghamal.gov

File name: PY 2011 SUBSTANTIAL AMENDMENT-PROPOSED PUBLICATION

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

TIME, DATE, AND PLACE OF THE MEETING:

Date: Tuesday, August 30, 2011

Time: 9:00 a.m.

Location: 10th Floor Conference Room, 710 North 20th Street; 10th 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 August 30, 2011, 9:30 a.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 on August 17, 2011 and Birmingham Times on August 18, 2011. Copies are available for inspection in the Community Development Department; 710 North 20th Street; 10th Floor City Hall; Birmingham, Alabama

POSTING DATE: August 15, 2011; Bill Board; 2nd floor City Hall.

File name: 8-15-11 bill board

August 18, 2011

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

ATTN: Mr. Ed Coberly

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

Dear Charles:

I have attached a copy of the Substantial Amendment to PY 2011 Action Plan One Year Use of Funds. Due to the City's request for a seven day comment period, two notices are being advertised simultaneously. In the event that HUD grants the City's requested waiver for a condensed public comment period the notice with a longer comment period will be voided.

Please note that the Community Development Department will be conducting a public hearing August 30, 2011 at 9:00 p.m. Should your office have any suggestions 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 August 30, 2011; 9:30 a.m. if the waiver has been granted or September 16; 4:30 p.m. if the waiver has not been granted.

If you have any questions, please advise.

Sincerely,

James F. Fenstermaker, Director
Community Development Department

JFF/jr
Attachment

August 18, 2011

Ms. Sheila Tyson
President, Citizens Advisory Board
1233 14th 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 July 21, 2011 at 9:30 p.m. The City has requested from HUD a condensed public comment period due to time constraints. 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 August 30, 2011, at 9:30 a.m., if the waiver is granted. If the waiver is not granted comments are due by September 16, 2011 at 4:30 p.m.

Sincerely,

James F. Fenstermaker, Director
Community Development Department

JFF:jr

Attachments

cc: Melony Martin
Susan Pelmer
Florence Underwood
Michael Shine

CITY OF BIRMINGHAM
DEPARTMENT OF COMMUNITY DEVELOPMENT

INTER-OFFICE MEMORANDUM

August 18, 2011

TO: Renee Blalock, Director
Birmingham Public Library

ATTN: Government Documents Department

RE: 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 September 16, 2011; 4:30 p.m. The City has requested a waiver for a condensed comment period which would change the comment period end date to August 30; 9:00 a.m. 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

APPENDIX B

**CITY OF BIRMINGHAM
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**PY 2011 ACTION PLAN ONE-YEAR USE OF FUNDS SUBSTANTIAL AMENDMENT
PUBLIC HEARING MINUTES FOR August 30, 2011 - 9:00 a.m.**

AND PUBLIC COMMENTS RECEIVED

On Tuesday, August 30, 2011, a public hearing was conducted in the City Council Chamber at 9:00 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 9:00 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 reallocation of funds from the Department of Housing and Urban Development, which included CDBG. He 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

Public Written Comments:

There were no written comments received as of the close of the seven day public comment period.

APPENDIX C

APPENDIX D