

**PROPOSED SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN  
PY 2012 ACTION PLAN  
PY 2011 ACTION PLAN  
PY 2010 ACTION PLAN  
PY 2009 ACTION PLAN  
PY 2008 ACTION PLAN  
PY 2007 ACTION PLAN  
PY 2006 ACTION PLAN**

**30 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) 2012 (July 1, 2012 thru June 30, 2013) Action Plan One Year Use Of Funds, Program Year (PY) 2011 (July 1, 2011 thru June 30, 2012) Action Plan One Year Use Of Funds, Program Year (PY) 2010 (July 1, 2010 thru June 30, 2011) Action Plan One Year Use Of Funds, Program Year (PY) 2009 (July 1, 2009 thru June 30, 2010) Action Plan One Year Use Of Funds, Program Year (PY) 2008 (July 1, 2008 thru June 30, 2009) Action Plan One Year Use Of Funds, Program Year (PY) 2007 (July 1, 2007 thru June 30, 2008) Action Plan One Year Use Of Funds, Program Year (PY) 2006 (July 1, 2006 thru June 30, 2007) Action Plan One Year Use Of Funds for citizen comment for a period of at least thirty (30) calendar days from the date of that publication. The Proposed Substantial Amendments are published in order to afford affected citizens an opportunity to examine its contents and to submit comments relating thereto.

**I. BACKGROUND:**

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

In summary, the Consolidated Plan actually serves four separate, but integrated, functions. The Consolidated Plan is 1) A planning document for the City, which builds on a participatory process; 2) An application for federal funds under HUD's formula grant programs referenced above; 3) A strategy to be followed in carrying out HUD programs, and lastly; 4) An action plan that provides a basis for assessing performance. The City's current Five Year Consolidated Plan covers the period July 1, 2010 thru June 30, 2015 and contains six basic components: (1) housing and homeless needs assessment, (2) housing market analysis, (3) strategies and priority needs and objectives,

(4) action plan, (5) certifications, (6) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval.

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

## **II. PY 2012 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) 2012 (July 1, 2012 thru June 30, 2013) 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 2012.

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 2012 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 2012, 2011, 2010, 2009, 2008, 2007 and 2006 ACTION PLAN:**

The City proposes the following substantial amendment to its PY 2012 Action Plan, thereby adjusting previous years as described below:

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

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

Infrastructure-Pratt Infrastructure:

The City proposes creating the line item Infrastructure and re-programming **\$2,000,000.00** to the sub-category Pratt Infrastructure. Project ID/Local ID 16; Project Title: Infrastructure; Description: Infrastructure funding for the Pratt City Disaster Area caused by April 27, 2011 tornadoes; Priority Need 1-Infrastructure; Eligibility (570.208(a)(1) –Low/Mod Area)-Area benefit Activity; National Objective 570.201 (c)- Improve quality/increase quantity of public improvements for low income persons; Help the Homeless? No; Help people with HIV or AIDS? No; Sub-recipient: N/A; Location: Census tract -0011.00-LM 58.5%; HUD Matrix Code: 03 Public Facilities and Improvements (General); Proposed Accomplishments: 3500 People; Start Date: 7/1/2012; Completion Date: 6/30/2013; Performance Measure Objective: #1-Suitable Living; Performance Measure Outcome: #1-Availability/Accessibility.

Source of CDBG Funds:

These proposed increases total \$2,000,000.00 and would be funded from the re-programming of previously authorized funds from:

2011 CDBG Multi-Family Loan Program	\$600,000.00
2010 CDBG Administration	\$125,943.16

2010 CDBG Property Acquisition/Demolition	\$ 41,000.00
2010 CDBG Multi-Family Loan Program	\$ 25,000.00
2010 CDBG Rehabilitation Loan Program	\$376,547.33
2009 CDBG Birmingham Healthcare for the Homeless	\$ 14,271.51
2009 CDBG Rehabilitation Loan Program	\$ 50,000.00
2009 CDBG Property Acquisition/Demolition	\$ 41,000.00
2009 CDBG Homebuyer Assistance Program	\$ 18,025.00
2009 CDBG Relocation	\$ 18,025.00
2009 CDBG Mortgage Redemption Program	\$ 18,025.00
2009 CDBG Multi-Family Loan Program	\$ 25,000.00
2008 CDBG Birmingham Healthcare for the Homeless	\$ 18,972.00
2008 CDBG Administration	\$ 18,247.00
2008 CDBG Rehabilitation Loan Program	\$ 50,000.00
2008 CDBG Deferred Payment Loan Program	\$124,500.00
2007 CDBG Rehabilitation Loan Program	\$ 15,044.00
2007 CDBG Buy/Rehab/Sell Program	\$ 72,100.00
2007 CDBG Property Acquisition/Demolition	\$ 41,000.00
2007 CDBG Homebuyer Assistance Program	\$ 18,025.00
2007 CDBG Relocation	\$ 18,025.00
2007 CDBG Warranty Program	\$ 18,025.00
2007 CDBG Mortgage Redemption Program	\$ 18,025.00
2007 CDBG Multi-Family Loan Program	\$ 25,000.00
2006 CDBG Buy/Rehab/Sell Program	\$ 72,100.00
2006 CDBG Property Acquisition/Demolition	\$ 41,000.00
2006 CDBG Homebuyer Assistance Program	\$ 18,025.00
2006 CDBG Relocation	\$ 18,025.00
2006 CDBG Warranty Program	\$ 18,025.00
2006 CDBG Mortgage Redemption Program	\$ 18,025.00
2006 CDBG Multi-Family Loan Program	<u>\$ 25,000.00</u>

**Total** **\$2,000,000.00**

This adopted action will create a new line item of Infrastructure with subcategory Pratt Infrastructure and increase the funding of this item from \$0 to an amended \$2,000,000.00. It decreases the City's 2011 Multi-Family Loan Program by \$600,000.00 from a previously authorized level of \$600,000.00 to an amended level of \$0, decreases the City's 2010 Administration by \$125,943.16 from a previously authorized level of \$1,413,892.38 to an amended level of \$1,287,949.22, decreases the City's 2010 Property Acquisition/Demolition by \$41,000.00 from a previously authorized level of \$41,000.00 to an amended level of \$0, decreases the City's 2010 Multi-Family Loan Program by \$25,000.00 from a previously authorized \$25,000.00 to an amended level of \$0, decreases the City's 2010 Rehabilitation Loan Program by \$376,547.33 from a previously authorized \$1,050,000.00 to an amended level of \$673,452.67, decreases the City's 2009 Birmingham Healthcare for the Homeless by \$14,271.51 from a previously authorized level of \$18,972.00 to an amended level of \$4,700.49, decreases the City's 2009 Rehabilitation Loan Program by \$50,000.00 from a previously authorized level of

\$50,000.00 to an amended level of \$0, decreases the City's 2009 Property Acquisition/Demolition by \$41,000.00 from a previously authorized level of \$41,000.00 to an amended level of \$0, decreases the City's 2009 Homebuyer Assistance Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2009 Relocation by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2009 Mortgage Redemption Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2009 Multi-Family Loan Program by \$25,000.00 from a previously authorized level of \$25,000.00 to an amended level of \$0, decreases the City's 2008 Birmingham Healthcare for the Homeless by \$18,972.00 from a previously authorized level of \$18,972.00 to an amended level of \$0, decreases the City's 2008 Administration by \$18,247.00 from a previously authorized level of \$1,469,608.35 to an amended level of \$1,451,361.35, decreases the City's 2008 Rehabilitation Loan Program by \$50,000.00 from a previously authorized level of \$50,000.00 to an amended level of \$0, decreases the City's 2008 Deferred Payment Loan Program by \$124,500.00 from a previously authorized level of \$200,000.00 to an amended level of \$75,500, decreases the City's 2007 Rehabilitation Loan Program by \$15,044.00 from a previously authorized level of \$50,000.00 to an amended level of \$34,956.00, decreases the City's 2007 Buy/Rehab/Sell Program by \$72,100.00 from a previously authorized level of \$72,100.00 to an amended level of \$0, decreases the City's 2007 Property Acquisition/Demolition by \$41,000.00 from a previously authorized level of \$41,000.00 to an amended level of \$0, decreases the City's 2007 Homebuyer Assistance Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2007 Relocation by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2007 Warranty Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2007 Mortgage Redemption Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2007 Multi-Family Loan Program by \$25,000.00 from a previously authorized level of \$25,000.00 to an amended level of \$0, decreases the City's 2006 Buy/Rehab/Sell Program by \$72,100.00 from a previously authorized level of \$72,100.00 to an amended level of \$0, decreases the City's 2006 Property Acquisition/Demolition by \$41,000.00 from a previously authorized level of \$41,000.00 to an amended level of \$0, decreases the City's 2006 Homebuyer Assistance Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2006 Relocation by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2006 Warranty Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2006 Mortgage Redemption Program by \$18,025.00 from a previously authorized level of \$18,025.00 to an amended level of \$0, decreases the City's 2006 Multi-Family Loan Program by \$25,000.00 from a previously authorized level of \$25,000.00 to an amended level of \$0; thereby balancing sources and uses of CDBG funds.

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

**The City encourages citizens to participate in the development of the City's Final Substantial Amendments to its PY 2012 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 Proposed Substantial Amendment are available for inspection in the City's Community Development Department, 710 North 20th Street, Room 1000, Birmingham, Alabama from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. Copies are also available for inspection at the Birmingham Public Central Library, 2100 Park Place, Birmingham, Alabama, during regular business hours and a copy is posted on the City's website at [www.birminghamal.gov](http://www.birminghamal.gov) under the Community Development Department.**

**The City's Community Development Department will conduct a public hearing on Thursday, July 26, 2012 at 9:00 a.m. the Birmingham City Council Chamber, 710 North 20<sup>th</sup> Street, 3<sup>rd</sup> Floor City Hall; Birmingham, Alabama. The purpose of the hearing will be to obtain comments regarding the proposed use of PY 2012 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 2012 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 2012 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 4:00 p.m.; Wednesday, August 15, 2012 to be considered in the development of the City's Final PY 2012 Action Plan Substantial Amendment. No comments submitted by e-mail or fax transmission will be accepted or considered.**

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

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