

**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**

**December 8, 2011**

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

### **PROPOSED SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN PY 2011 ACTION PLAN PY 2002 ACTION PLAN PY 2001 ACTION PLAN PY 2000 ACTION PLAN**

#### **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, Program Year (PY) 2002 (July 1, 2002 thru June 30, 2003) Action Plan One Year Use Of Funds, Program Year (PY) 2001 (July 1, 2001 thru June 30, 2002) Action Plan One Year Use Of Funds, Program Year (PY) 2000 (July 1, 2000 thru June 30, 2001) 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 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 2000, 2001, 2002, and 2011 ACTION PLAN:**

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

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

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

###### **Infrastructure-Fountain Heights Recreation Center:**

The City proposes creating the line item Infrastructure and re-programming **\$150,000.00** to the sub-category Fountain Heights Recreation Center. Project ID/Local ID 27; Project Title: Infrastructure; Description: The new building will include a gymnasium and several smaller meeting rooms. All spaces will be flexibly designed to accommodate meetings and activities of neighborhood groups, youth activities and senior citizen activities; 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 -0015.00-LM 82.0%; HUD Matrix Code: 03F Parks Recreation Facility; Proposed Accomplishments: 1 Public Facility; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living; Performance Measure Outcome: #1-Availability/Accessibility.

###### **Infrastructure-Park Improvements and Renovations:**

The City proposes creating the line item Infrastructure and re-programming **\$789,771.42** to the sub-category Park Improvement and Renovations. Project ID/Local ID 27; Project Title: Infrastructure; Description: This activity will provide Renovation to Dolomite Park to include handicap accessible sidewalks, restrooms, and various improvements and upgrades. 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 - 0139.01-LM 61.0%; HUD Matrix Code: 03F Parks Recreation Facility; Proposed Accomplishments: 1 Public Facility; Start Date: 7/1/2011; Completion Date: 6/30/2012; Performance Measure Objective: #1-Suitable Living; Performance Measure Outcome: #1-Availability/Accessibility.

Source of CDBG Funds:

These proposed increases total \$939,771.42 and would be funded from the re-programming of previously authorized funds from:

2000 CDBG Miscellaneous Park Improvements	\$93,069.29
2000 CDBG Park Facility Reconstruction	\$44,132.46
2001 CDBG Miscellaneous Park Improvements	\$226,127.86
2002 CDBG Carver Avenue Street Improvements	\$126,570.43
2002 CDBG Recreation Center Reconstruction	\$106,276.08
2002 CDBG Administration/Planning and Management	\$267,240.14
2002 CDBG Community Resource Program-Administration	<u>\$76,355.16</u>

**Total** **\$939,771.42**

This adopted action will create a new line item of Infrastructure with subcategory Fountain Heights Recreation Center and increase the funding of this item from \$0 to an amended \$150,000.00. Under the Infrastructure subcategory Park Improvements and Renovations would also be created and increase the funding of this item from \$0 to an amended \$789,771.42. It decreases the City's 2002 Community Resource Program Administration by \$76,355.16 from a previously authorized level of \$852,090 to an amended level of \$775,734.84, decreases the City's 2002 Administration/Planning and Management by \$267,240.14 from a previously authorized level of \$1,010,950 to an amended level of \$743,709.86, decreases the City's 2002 Recreation Center Reconstruction by \$106,276.08 from a previously authorized level of \$550,000 to an amended level of \$443,723.92, decreases the City's 2002 Carver Avenue Street Improvements by \$126,570.43 from a previously authorized \$420,000 to an amended level of \$293,429.57, decreases the City's 2001 Miscellaneous Park Improvements by \$226,127.86 from a previously authorized \$691,648 to an amended level of \$4665,520.14, decreases the City's 2000 Park Facility Reconstruction by \$44,132.46 from a previously authorized level of \$592,000 to an amended level of \$547,867.54, decreases the City's 2000 Miscellaneous Park Improvements by \$93,069.29 from a previously authorized level of \$400,000 to an amended level of \$306,930.71; 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 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 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, November 3, 2011 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 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 4:00 p.m.; Monday November 21, 2011 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

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Birmingham Times  
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File name: PY 2011 SUBSTANTIAL AMENDMENT #3

## **PART II**

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