

August 10, 2011

**VIA MAIL**

Mr. Charles Franklin  
Director, CPD Division  
U.S. Department of Housing and Urban Development  
Birmingham Office-Region IV  
Medical Forum Building, Suite 900  
950 22<sup>nd</sup> Street North  
Birmingham, Alabama 35203-5301

ATTN: Ed Coberly

RE: Minor Amendment #1 to PY 2011 Action Plan-One year Use of Funds

Dear Charles:

As a follow-up to a discussion between Ed Coberly and me regarding the delayed allocation amounts for CDBG, HOME, ESG, and HOPWA for PY 2011:

Due to the City did not having the final allocation amounts for CDBG, HOME, ESG, and HOPWA, funding estimates were made in order to submit the City's Action Plan to HUD before the May 17, 2011 deadline. Per the City's adopted substantial amendment requirements, a substantial amendment is required whenever a line item is changed in the Action Plan budget plus or minus 25%. We believe that, although estimates were made, a substantial amendment to the City's PY 2011 Action Plan-One Year Use of Funds has not been triggered because no line item will be changed plus or minus 25%. This letter is, therefore, being sent as the minor amendment to the Action Plan with the final allocated amounts taking place of the printed Action Plan amounts.

The final allocation amounts:

CDBG: \$6,021,660  
HOME: \$1,990,104  
ESG: \$292,639  
HOPWA: \$586,116

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Previously estimated allocation amounts:

CDBG: \$6,500,803.50  
HOME: \$2,033,116.20  
ESG: \$291,788  
HOPWA: \$593,523

As mentioned above, we do not believe this minor PY 2011 budget adjustment requires a Substantial Amendment of the City's PY 2011 Action Plan which would involve a 30 day citizen comment period and a public hearing. Specifically, this minor budget adjustment does not substantially change the purpose, scope, location, or beneficiaries of the any activity in the PY 2011 Action Plan, nor does it change the total budgeted amount for that activity by more than 25% as required by the City's HUD approved Consolidated Plan Amendment Policy. The City's Consolidated Plan Amendment Policy is contained in Appendix B, Item 13 of our current HUD Approved Consolidated Plan.

Accordingly, we are requesting that you accept this budget adjustment as a Minor Amendment to the City's PY 2011 Action Plan. We have placed a copy in our PY 2011 Action Plan-One Year Use of Funds file and will post a copy of this minor amendment on the Community Development Department Webpage at [www.birminghamal.gov](http://www.birminghamal.gov).

If in your review of this matter you should have any questions, please feel free to contact this office.

Sincerely,  
James F. Fenstermaker, Director  
Community Development Department

JFF/jr