

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Grantees eligible to receive funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) are required to complete a substantial amendment to their Consolidated Plan 2008 Action Plan. This form sets forth the required format for this substantial amendment. A completed form is due to HUD within 60 days of the publication of the HUD HPRP notice.

To aid grantees in meeting this submission deadline, the HPRP Notice reduces the requirement for a 30-day public comment period to no less than 12 calendar days for this substantial amendment. With this exception, HPRP grantees are required to follow their Consolidated Plan's citizen participation process, including consultation with the Continuum of Care (CoC) in the appropriate jurisdiction(s). Grantees are also required to coordinate HPRP activities with the CoC's strategies for homeless prevention and ending homelessness. To maximize transparency, HUD strongly recommends that each grantee post its substantial amendment materials on the grantee's official website as the materials are developed.

A complete submission contains the following three documents:

- 1) A signed and dated SF-424,
- 2) A completed form HUD-40119 (this form), and
- 3) Signed and dated General Consolidated Plan and HPRP certifications.

For additional information regarding the HPRP program, visit the HUD Homelessness Resource Exchange (www.hudhre.info). This site will be regularly updated to include HPRP resources developed by HUD and its technical assistance providers.

The information collection requirements contained in this application have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Information is submitted in accordance with the regulatory authority contained in each program rule. The information will be used to rate applications, determine eligibility, and establish grant amounts.

Public reporting burden for this collection of information is estimated to be 16 hours, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. To the extent that any information collected is of a confidential nature, there will be compliance with Privacy Act requirements. However, the substantial amendment to the Consolidated Plan 2008 Action Plan does not request the submission of such information.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

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A. General Information

Grantee Name	City of Birmingham, Alabama
Name of Entity or Department Administering Funds	Community Development Department
HPRP Contact Person (person to answer questions about this amendment and HPRP)	James F. Fenstermaker
Title	Director, Community Development Department
Address Line 1	710 North 20 th Street, 10 th Floor City Hall
Address Line 2	
City, State, Zip Code	Birmingham, Al 35203
Telephone	205-254-2483
Fax	205-254-2282
Email Address	jim.fenstermaker@birminghamal.gov
Authorized Official (if different from Contact Person)	Carole C. Smitherman
Title	City Council President
Address Line 1	710 North 20 th Street
Address Line 2	
City, State, Zip Code	Birmingham, Al 35203
Telephone	205-254-2294
Fax	205-254-2603
Email Address	
Web Address where this Form is Posted	www.birminghamal.gov

Amount Grantee is Eligible to Receive*	\$2,735,730.00
Amount Grantee is Requesting	\$2,735,730.00

*Amounts are available at <http://www.hud.gov/recovery/homelesspreventrecov.xls>

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B. Citizen Participation and Public Comment

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

Response: In accordance with the Consolidated Plan Amendment Policy as outlined in the City's Citizen Participation Plan (page 30), the City must amend its Consolidated Plan (Action Plan) 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 final statement (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 shall consider any such comments, and if the City deems appropriate, modify the proposed changes. The City shall 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 shall be attached to the substantial amendment of the Consolidated Plan.

This process was followed in the adoption of the development of this HPRP substantial amendment with one exception. Per the HPRP Notice of funding allocations and requirements, effective March 19, 2009, the minimum time period for citizens to comment on the substantial amendment was reduced to 12 days.

2. Provide the appropriate response regarding this substantial amendment by checking one of the following options:

- Grantee did not receive public comments.
- Grantee received and accepted all public comments.
- Grantee received public comments and did not accept one or more of the comments.

3. Provide a summary of the public comments regarding this substantial amendment. Include a summary of any comments or views not accepted and the reasons for non-acceptance.

Response: The City plans to consider all comments received in the development of its Final HPRP submission. A summary of any comments received will be attached to the City's Final HPRP submission.

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C. Distribution and Administration of Funds

Reminder: The HPRP grant will be made by means of a grant agreement executed by HUD and the grantee. The three-year deadline to expend funds begins when HUD signs the grant agreement. Grantees should ensure that sufficient planning is in place to begin to expend funds shortly after grant agreement.

1. Check the process (es) that the grantee plans to use to select subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.

X Competitive Process

Formula Allocation

Other (Specify: _____)

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

Response: The City may, at its discretion, determine to utilize a non-profit or for-profit developer(s) for all or a portion of the activities proposed. Entities chosen for this purpose will be selected through competitive proposals with an emphasis on experience and capacity in order to facilitate the highest and best use of the funds within the allocated time frame. This process will begin on or after the submission of the City's HPRP Substantial Amendment to HUD and will conclude prior to September 30, 2009.

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

Response: Upon receipt of HPRP Grant funding by the City, the city will allocate all HPRP grant proceeds to subgrantees by September 30, 2009 through the execution of a sub-grant agreement between the City and any its HPRP subgrantee partner(s). This process is governed by City Executive Order 1-76, as amended, and by City Council Ordinance 09-43 whereby all contracts and agreements shall prior to execution by the City's authorized official shall be approved by City Council Resolution, Approved by the City Attorney, a budget approved purchase requisition to be supplied by the City's Purchasing Agent certifying that sufficient funding is available to fulfill the entire financial obligations required by the

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HPRP Agreement. This process is dependent upon the receipt of a grant agreement from HUD no later than September 1, 2009. This process is further dependent upon the removal of all grant conditions prior to September 30, 2009 by HUD to enable the City to obligate funding by that date.

4. Describe the grantee's plan for ensuring the effective and timely use of HPRP grant funds on eligible activities, as outlined in the HPRP Notice. Include a description of how the grantee plans to oversee and monitor the administration and use of its own HPRP funds, as well as those used by its subgrantees (limit 500 words).

Response:

The City of Birmingham recognizes its responsibility to be fiscally and administratively accountable for its activities regarding federal assistance programs to be implemented under the Consolidated Plan. In carrying out the goals, objectives, and priorities of the One Year Action Plan through the involvement of inter-governmental service departments; selected community-based non-profit organizations; public/private partnerships; for-profit agencies and other eligible entities, the City will closely monitor its programs and activities, to ensure that planned performance goals and objectives are being met in accordance with all Federal Uniform Administrative Requirements, and specific program regulations governing each component of the Consolidated Plan.

In all aspects, the City's approach to monitoring will be to improve program accountability and support results-oriented management by clearly communicating established priorities, needs and goals; providing measurable indicators of progress; and reporting on progress against these measures. Ongoing collaborations with participating agencies, organizations and departments will take place to share knowledge, experiences and to take advantage of their learning to solve similar problems. The City is committed to the provision of technical assistance to non-profits and others that will ultimately result in enhancing Subrecipient service delivery and contract management capabilities. Periodic meetings with the Consolidated Plan Task Force, inter-departmental meetings, daily project tracking and performance reviews will also play a major role in solidifying the planned impact of these coordinated efforts. Details regarding the City's monitoring standards and procedures are contained in Subpart III-15 of the City's current Action Plan on file with HUD.

The City will comply with the Contractual Regulatory Requirements, as referenced at Section 24 of the Code of Federal Regulations, Part 570, which outlines the following basic provisions which all Subrecipient agreements must address: Detailed description of work to be performed, quantifying specific performance goals/milestones for completion of activities, and how the project will ensure that intended beneficiaries are served. Detailed budget of projected resources, indicating clearly how funds will be used to support planned activities.

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Record-keeping Requirements

Identifying the Subrecipient's responsibility for providing timely financial reports, accurately documenting program progress, the frequency of reports required by the City and Federal Government. Documentation of participant and/or area eligibility.

Program Income (if applicable)

Specific management and reporting procedures for those activities that may generate program income to ensure that funds are properly recorded reported and expended.

Program Financial Audit

Detailing regulatory guidelines by which the City and Subrecipient agencies will be governed regarding the financial and programmatic responsibilities of grant administration.

Other Program Requirements

Addressing such special areas as labor standards, fair housing requirements, prescribed conditions governing the participation of religious organizations, and other assurances and certifications where applicable.

Suspension and Termination Clause

Sets forth provisions for the City to terminate or suspend agreements for reasons of non-compliance or convenience. These actions which provide Subrecipients with all the necessary contract management and program implementation tools, will provide adequate and detailed information to effectively monitor both the Sub recipient's and the City's performance under the Consolidated Plan.

D. Collaboration

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

Response: The City began its collaboration efforts by attending a meeting conducted on March 26, 2009 in Montgomery, Alabama by the Alabama Department of Economic and Community Affairs (ADECA). The purpose of the meeting was to collaborate with local agencies and state agencies that receive or are likely to receive funding under the American Recovery and Reinvestment Act of 2009, specifically, HPRP. Present at the meeting were representatives from State wide and local agencies from Birmingham who serve similar target populations. These agencies included Continuum of Care agencies as well as Community Action agencies all who serve target populations who are homeless or are in danger of becoming homeless.

Additionally, the City has preliminarily identified the following local agencies who have received funding under the American Recovery and Reinvestment Act of

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2009 who serve similar target populations. They are as follows: Jefferson County, Alabama; Alabama Department of Community and Economic Affairs (ADECA); Alabama Association of Habitat Affiliates; Aletheia House; Jefferson County Committee for Economic Opportunity, United Way, MBSH, Mission Birmingham, and others. A meeting was held on April 2, 2009 with representatives from the United Way, MBSH, and Pathways, Inc. to discuss possible allocation of resources under the HPRP program. A follow-up meeting was held with representatives from the Jefferson County Committee for Economic Opportunity (JCCEO) to further discuss possible allocation of resources under the HPRP program.

Additionally, the City has scheduled a public hearing during its 12 day citizen comment period to receive comments from citizens and agencies regarding its Proposed HPRP Substantial Amendment. The hearing is scheduled for April 30, 2009 at 9:30 a.m. in the City Council Chamber and any comments received will be considered prior to the adoption of a Final HPRP Substantial Amendment. The City is also planning a request for proposal process upon approval of its HPRP submission and will likely include participation in the American Recovery and Reinvestment Act of 2009 as a rating factor for the evaluation of proposals.

All of these processes will assist the City in determining the provision of homeless prevention services relating to the targeting of HPRP funding to persons in need in Birmingham to address the current national economic crisis that resulted in the enactment of the American Recovery and Reinvestment Act of 2009. The City will consider all comments and recommendations received during these processes in determining the delivery of services to eligible participants under the HPRP.

2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

Response: As outlined in the City=s current HUD approved 2005-2010 Consolidated Plan and Action Plan, the City has assisted in the development of a Continuum of Care system in Birmingham. This effort is coordinated by the Metropolitan Birmingham Services for the Homeless (MBSH), an agency that the City has and presently supports through its Community Development Block Grant Program.

MBSH is a coalition of approximately 30 service providers working to meet the needs of the homeless population in the Birmingham area and surrounding areas. The geographic area covered includes Jefferson, Shelby, St. Clair, and Blount Counties. Membership includes the following:

Shelters: First Light Women=s Shelter, Jimmie Hale Mission, Interfaith hospitality house, The YWCA, Salvation Army, Cooperative Downtown Ministries-Old Firehouse Shelter, Safe House, Family Connections.

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Service Agencies: Traveler=s Aid, Community Kitchens, JBS MH/MR Authority, AIDS Alabama, Birmingham Hospitality network, Pathways, Christian Service Mission, Birmingham Health Care, Independent Living Center, Shelby Emergency Assistance, Aletheia House, Jefferson County housing Authority, Jolene James for NAMI, Urban Ministries.

Municipal Affiliations: City of Birmingham, City Action Partnership, Operation New Birmingham, Reggie Holloway for Shelby County Commission, Chad Richmond for State of Alabama Veterans Employment.

Faith Based: Ministerial Brotherhood, Highlands United Methodist Church.

The primary goal of MBSH is to coordinate Birmingham=s Continuum of Care system in the homeless service arena, to identify and eliminate gaps in service, develop a community wide service plan, and to assist with the application for funds under the HUD Super-NOFA published annually. Additionally, MBSH received a grant from HUD for the installation of an HMIS system. The system is operational with 16-20 sub-recipient agencies trained to utilize and report through the system. This supports the fact that MBSH is working hard to not only take care of Birmingham=s homeless population, but also to coordinate the City=s Continuum of Care in an effective manner.

A series of meetings with these and other agencies involved in the provision of homeless prevention services have been scheduled to discuss targeting of HPRP funding to persons in need in Birmingham to address the current national economic crisis that resulted in the enactment of the American Recovery and Reinvestment Act of 2009. The City will consider all comments and recommendations made at this meeting in the delivery of services to eligible participants under the HPRP.

Additionally, the City plans to utilize MBSH as its primary data collection and evaluation provider through HMIS as required under the HPRP. Additionally, the City has a HUD approved 10 year plan to end chronic homelessness which is posted on its website at www.birminghamal.gov under the Community Development Department. To the extent possible, the City plans to utilize HPRP funding as an implementation mechanism to address priorities identified in that plan relating to homeless prevention and the prevention of chronic homelessness.

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

Response:

The City=s PY 2005-2010 Consolidated Plan contains a five-year Strategic Plan which sets forth the following areas of priority need:

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- 1. *Provide decent and affordable housing for low and very low-income households.***
- 2. *Provide down-payment assistance to first-time homebuyers meeting program income guidelines and requirements.***
- 3. *Provide housing and services for populations with special needs***
- 4. *Provide housing and supportive services for homeless populations.***
- 5. *Promote city wide economic development.***
- 6. *Provide public facility/infrastructure activities.***

Within these broad areas of priority need, the City has begun to make considerable progress on the dual programmatic goals of: 1) revitalizing low-moderate income neighborhoods through the provision of housing, economic opportunity, key services and infrastructure improvements while 2) providing a significant level of services to meet the basic needs of our citizens with the greatest needs, including the homeless, those with HIV/AIDS or with physical/mental disabilities and the very poor elderly.

Accordingly, in order to continue to seek these two broad goals, and implement a program within the areas of priority need identified within the City's five-year strategic plan, during PY 2009 the City will give priority consideration to projects/activities in the following areas:

- 1) Construction or rehabilitation of housing for low-moderate income persons. These activities should be targeted and clustered in limited geographic areas. Rental housing that contributes to revitalization will be considered, but priority will be given to activities that support homeownership.
 - 2) Provision of services in support of affordable housing, particularly to the provision of homeownership counseling, credit counseling and other services as needed.
 - 3) Economic development activities in targeted geographic areas that create job opportunities for low-moderate income persons and/or provide needed services to adjacent low-moderate income neighborhoods.
 - 4) Improvements to public facilities and/or public infrastructure in support of targeted housing or economic development activities.
 - 5) Provision of public services that support housing and economic revitalization activities in specific targeted geographic areas.
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- 1) Housing rehabilitation and development for low-moderate income renters and homeowners. Particular emphasis on the very low income, the elderly, and persons with disabilities.

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- 2) Public services in support of low income housing, including housing counseling, assistance to persons with disabilities, assistance to persons with HIV/AIDS, lead-based paint hazard assistance and similar services.
- 3) Provision of emergency shelter, transitional shelter and permanent housing, along with appropriate supportive services at these various levels for the homeless.
- 4) Provision of infrastructure, improvements, assistance to and/or services to provide economic opportunity for low-moderate income residents, including direct assistance and support to organizations that create opportunities and/or jobs for low-moderate income persons, or to organizations that provide essential services to persons in support of economic development, such as child care for working parents, transportation, etc.

Clearly, HPRP grant funds for financial assistance and housing relocation/stabilization services are consistent with these Consolidated Plan stated goals, particularly in the areas of providing decent and affordable housing to low and moderate income persons.

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E. Estimated Budget Summary

HUD requires the grantee to complete the following table so that participants in the citizen participation process may see the grantee’s preliminary estimated amounts for various HPRP activities. Enter the estimated budget amounts for each activity in the appropriate column and row. The grantee will be required to report actual amounts in subsequent reporting.

HPRP Estimated Budget Summary			
	Homelessness Prevention	Rapid Re-housing	Total Amount Budgeted
Financial Assistance ¹	\$738,647	\$738,647	\$1,477,294
Housing Relocation and Stabilization Services ²	\$492,432	\$492,432	\$984,864
Subtotal (add previous two rows)	\$1,231,079	\$1,231,079	\$2,462,158
Data Collection and Evaluation ³			\$136,786
Administration (up to 5% of allocation)			\$136,786
Total HPRP Amount Budgeted⁴			\$2,735,730

¹Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

²Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

³Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

⁴This amount must match the amount entered in the cell on the table in Section A titled “Amount Grantee is Requesting.”

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F. Authorized Signature

By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete, and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

Signature/Authorized Official

Date

Title

File name: C: HUD-40119 Form