

Table of Contents

Community Development Block Grant Program – Recovery (CDBG-R).....1

Town of Davie – CDBG-R Allocation1

Citizen Participation Process.....1

Revised Proposed Activities1

Project Area Description2

CDBR- Funding Job Creation and Economic Benefit.....3

Jobs Created/Retained3

Revised Project Budgets4

Revised Activity Budget Summary.....4

CDBG National Objective/Permitted Use Eligibility4

Attachment A: Certifications

Attachment B: Project Area Maps

Attachment C: Town Council Adoption of Substantial Amendment

Attachment D: Application for Federal Assistance and Activity Data Spreadsheet

Town of Davie

FY 2008/09 Annual Action Plan Amendment October 1, 2008 - September 30, 2009

REVISED Community Development Block Grant – Recovery Substantial Amendment

American Recovery and Reinvestment Act- Community Development Block Grant

The American Recovery and Reinvestment Act (ARRA) of 2009 appropriated \$1 billion dollars in Community Development Block Grant (CDBG) funds to eligible state and local governments. Funding through the ARRA has clear purposes, which are to stimulate the economy through measures to modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and the access to health care. CDBG funding allocated through the ARRA is referred to as CDBG-R is to be used to address priority needs aligned with the ARRA's goals of job creation and to provide an economic benefit. As a CDBG grantee, the Town is required to submit a substantial amendment to its existing 2008/09 Action Plan to the U.S. Department of Housing and Urban Development (HUD) by June 5, 2009 to receive its CDBG-R allocation. The Town's 2008/09 Action Plan and five year Consolidated Plan are available as reference documents that detail the Town's community development needs and funding priorities.

CDBG-R Allocation

The Town's CDBG-R allocation was based on the same formula used in the annual allocation of CDBG funds. Based on that formula the Town has been allocated \$171,629 in CDBG-R funds.

Citizen Participation Process

In order to expedite the process and to ensure that grant funds are awarded in a timely fashion, HUD has waived the Town's requirement to follow its citizen participation plan for its substantial amendment. As required by HUD, the Town opened its citizen comment period for 7 calendar days from May 15, 2009 to May 22, 2009. The Town posted this notification on its official website and the notice was also posted at Town Hall located at 6591 Orange Drive, Davie, Florida.

Revised Proposed Activities

HUD urges grantees to give priority to projects that can award contracts based on bids within 120 calendar days from the date funds are made available. Based on that direction the Town of Davie proposes to utilize 73% of its CDBG-R funds to make upgrades and retrofit existing public facilities within the Towns' CDBG Target Areas to improve energy efficiency. The Town proposes to replace existing a/c units and lighting fixtures in the Neighborhood Service Center, Orange Park Community Center and the EASE Foundation building. Based on HUD's recommendation the Town has revised its amendment to use 17% of the CDBG-R funds for an Energy Efficiency Rehabilitation Program to make minor home repairs to improve the energy efficiency of income eligible Davie single family households. The remaining 10% of the CDBG-R funds will be used for grant management and eligible costs related to administration of the grant funds.

Project Areas Description

CDBG-R Target Area Improvement Program: Public facilities located within the following areas:

Western Target Area a/k/a Orange Park: The Western Target Area is located north of SW 14th Street between 130-136th Avenues, in Census Tract 703.05 BG 1, which encompasses the Orange Park Trailer Park, Flamingo Elementary School, and Western High School. (See Attached Map)

Census Tract/Block Group	703.05 BG 1
Total Population	3,341
Total Minority Population	669
Low-Moderate Income Population	68%
Unemployment Rate	4.92%
Average Household Income	\$40,669
Female Head of Households	31%

Eligible Facility:

Orange Park Community Center – 841 SW 133rd Avenue: The building is leased to Firewall Ministries, a not-for-profit agency that provides free youth programs to at-risk youth within the Town's Western Target Area.

Eastern Target Area a/k/a Eastside-Potter Park: The Eastern Target Area is bounded to the north by SW 29th Street (near Nova Drive), on the south by Orange Drive, formerly bounded to the west by Davie Road, and to the East by the Florida Turnpike. The areas southern boundary was amended by the Town Council in 2007 to coincide with the Community Redevelopment Area, and to encompass the Town's new Neighborhood Service Center at 4700 SW 64 Avenue. (See Attached Map)

Census Tract/Block Group	701.01 BG 1&2 - 706.00 BG 1&2
Total Population	7,437
Total Minority Population	2,844
Low/Moderate Income Population	77%
Unemployment Rate	7.10%
Average Household Income	\$31,707
Low/Moderate Income Population	77%
Unemployment Rate	7.10%
Average Household Income	\$31,707

Eligible Facilities:

E.A.S.E Foundation Building – 4302 SW 57th Terrace: The EASE Foundation is a non-for-profit that provides financial assistance, referrals to social service agencies and has a food pantry on site for Davie low/moderate income residents.

Neighborhood Service Center (NSC) – 4700 SW 64th Avenue: The Town's NSC provides a myriad of housing and social services. The current renovation of this building will be complete in July and will have services from the following agencies:

- Broward County Human Services
- Crisis Housing Solutions
- Hope Outreach

CDBG-R Funding – Job Creation and Economic Benefit

The Town is required to provide a description of how the use of the CDBG-R will maximize job creation and economic benefit. The Town is confident that its proposed projects are aligned with the goals of the ARRA and will provide both immediate job creation and a long-term economic benefit to the Town of Davie.

CDBG-R Target Area Improvement Program

The public facilities that are eligible for energy efficiency improvements are located in the Town's CDBG Target Areas which contain the highest concentrations of persons whose incomes are 80 %< of the median income. These facilities provide at-risk youth programs and social services to Target Area residents. The proposed improvements will reduce utility costs and provide a cost savings to the Town that will allow for the provision of additional services to low/moderate income residents and in many cases minimize loss of essential services due to budget cuts.

CDBG-R Energy Efficiency Rehabilitation Program

The Town will target income eligible single family households to provide repairs and improvements to improve energy efficiency. To include, but not limited to the replacement of light bulbs, insulation, replacement of water heaters, repair or replacement of A/C units and/or heating and cooling ducts, installation of programmable thermostats, etc. The proposed repairs will reduce utility costs and provide a cost savings to low/moderate single family Davie households, while creating new jobs for local contractors.

Jobs Created

The Town's proposed projects will create approximately 28 temporary jobs.

CDBG-R Target Area Improvement Program

Table 1: Jobs Created

Task	Projected Jobs Part-time
A/C TECHNICIAN	2
SURVEY	3
SITE PREP	3
ELECTRICIAN	3
A/C INSTALLER	7
Total	18

CDBG-R Energy Efficiency Rehabilitation Program

Table 2: Jobs Created

	Projected Jobs Part-time
REHAB INSPECTOR	1
TECHNICIANS	4
LABORERS	5
Total	10

Revised Budgets

CDBG-R Target Area Improvement Program:

Improvements to the public facilities are projected to cost \$124,513. Any additional funds necessary for the completion of the improvements will be covered by the Town’s regular CDBG funds.

Table 1: Projected Cost

Site	Proposed Improvement	Cost
EASE Foundation Building	Replacement of A/C unit	\$21,000
Neighborhood Service Center	Replacement of A/C units	\$39,000
Orange Park Community Center	Replacement of A/C units	\$15,500
All Sites	Replacement of light fixtures	\$49,013
	Total	\$124,513

CDBG-R Energy Efficiency Rehabilitation Program

Revised Activity Budget Summary

Energy Efficiency repairs to an estimated 10 Davie households is projected to cost \$30,000.

Table 2: Project Cost

Site	Proposed Improvement	Cost	Units
Income Eligible Davie Household	Eligible Home Repairs	\$3,000 per unit	10

Table 3: CDBG-R Activity Budget

Fiscal Year	Activity	Previous Budget	Proposed Budget	Amended Amount
2008	CDBG-R Target Area Improvement Program	\$0	\$124,513	\$124,513
2008	CDBG-R Energy Efficiency Rehabilitation Program	\$0	\$30,000	\$30,000
2008	Planning and Administration	\$0	\$17,116	\$17,116
			TOTAL	\$171,629

CDBG Eligibility and National Objective

CDBG-R Target Area Improvement Program \$124,513

The activities under this program are eligible under Public Infrastructure/Public Improvements 570.201 (C). The activities meet the low/moderate area (LMA) benefit national objective under 570.208(a)(1).

CDBG-R Energy Efficiency Rehabilitation Program \$ 30,000

The activities under this program are eligible under Homeowner Rehabilitation 570.202. The activities meet the low/moderate housing activities (LMH) national objective under 570.208(a)(3).

Grantee Certifications

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will, or will continue, to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

2. Establishing an ongoing drug-free awareness program to inform employees about:

- (a) The dangers of drug abuse in the workplace;
- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will:

- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

5. Notifying the agency in writing, within ten calendar days after receiving notice under sub- paragraph 4 (b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:

- (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Title

Specific CDBG Certifications

The Entitlement Community (Town of Davie) certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.

2. **Overall Benefit.** The aggregate use of CDBG funds including Section 108 guaranteed loans during program year(s) 2008/09 (a one year period), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or

exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR §570.608;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Title

Appendix to Certifications
Instructions Concerning Lobbying and Drug-Free Workplace Requirements:

A. Lobbying Certification - This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.

2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).

6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: The certification with regard to the drug-free workplace is required by 24 CFR Part 24, Subpart F.

Town of Davie, 6591 Orange Drive, Davie, FL 33314

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

7. Definitions of terms in the Non procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. The Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance. "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge"

employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of sub-recipients or subcontractors in covered workplaces).

CDBG-R Substantial Amendment Schedule

7 Day Comment Period Notice	May 15, 2009
7 Day Comment Period Ends	May 22, 2009
Town Council Approval/Adoption	June 3, 2009
Delivery Approved Amendment to HUD	June 5, 2009
Delivery of Revised Amendment to HUD	July 9, 2009

ATTACHMENT B: Project Area Maps

**ATTACHMENT C:
Town Council Adoption of Substantial
Amendment to the
FY 2008/09 Action Plan**

ATTACHMENT D:
Application for Federal Assistance