CITY OF ATLANTA
GEORGIA

Amendment to the 2008 Annual Action Plan of the 2005-2009 Consolidated Plan

Community Development Block Grant Program (CDBG-R)
Funding Under the American Recovery and Reinvestment Act of 2009

June 5, 2009

CITY OF ATLANTA, GEORGIA

Amendment to the 2008 Annual Action Plan for the 2005-2009 Consolidated Plan

Community Development Block Grant Program (CDBG-R) Funding Under the American Recovery and Reinvestment Act of 2009

Prepared for the U.S. Department of Housing and Urban Development

City Officials

Mayor	**Shirley Franklin**
President of the City Council	**Lisa Borders**
Councilmember District 1	**Carla Smith**
Councilmember District 2	**Kwanza Hall**
Councilmember District 3	**Ivory Lee Young, Jr.**
Councilmember District 4	**Cleta Winslow**
Councilmember District 5	**Natalyn Archibong**
Councilmember District 6	**Anne Fauver**
Councilmember District 7	**Howard Shook**
Councilmember District 8	**Clair Muller**
Councilmember District 9	**Felicia Moore**
Councilmember District 10	**C.T. Martin**
Councilmember District 11	**Jim Maddox**
Councilmember District 12	**Joyce Sheperd**
Councilmember Post 1	**Ceasar Mitchell**
Councilmember Post 2	**Mary Norwood**
Councilmember Post 3	**H. Lamar Willis**
Chief Operating Officer	**Greg Giornelli**
Chief Financial Officer	**James W. Glass**

June 5, 2009

TABLE OF CONTENTS

- Checklist with Local Contact Information — P. 1-2
- Checklist: Supplemental Explanation and Comments — P. 3
- Activity Data Spreadsheet — P. 4
- HUD Table 3A, CDBG-R Proposed Projects — P. 5-10
    - Description of selected projects
    - Description to priority need(s)
    - Estimate of full-time and part-time job creation and retention
- Citizen Participation Plan – Amended — P. 11
- Form 424 — P. 12
- Certifications — P. 13-17
- Legislation — P. 18

City of Atlanta, Georgia CDBG-R Substantial Amendment
Grantee Checklist: Contents of CDBG-R Action Plan Substantial Amendment

Local Contact Information

Jurisdiction(s): City of Atlanta Lead Agency: Office of Grants Management Jurisdiction Web Address: http://www.atlantaga.gov/	CDBG-R Contact Person: Jocelyn Ross Address: 68 Mitchell Street, Atl. GA 30303 Telephone: 404-330-6113 Fax: 404-658-6249 Email: jross@atlantaga.gov

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Does the submission contain a paper copy of the Spreadsheet for Reporting Proposed CDBG-R Activities?

Yes☒ No☐ Verification found on page **4**

Does the submission include an electronic version of the Spreadsheet for Reporting Proposed CDBG-R Activities sent to the email box CDBG-R@hud.gov?

Yes☒ No☐ Date Spreadsheet was emailed: **June 5, 2009**

Does the Spreadsheet for Reporting Proposed CDBG-R Activities include, for each activity:

- amount of funds budgeted for each activity, including CDBG-R funds, any additional Recovery Funds used and total activity budget,
  Yes☒ No☐ Verification found on page(s) **4**
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
  Yes☒ No☐ Verification found on page(s) **4**
- the CDBG national objective citation,
  Yes☒ No☐ Verification found on page(s) **4**

B. CDBG-R INFORMATION BY ACTIVITY

Does submission contain information by activity describing how grantee will use funds, including:

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,
  Yes☒ No☐ Verification found on page(s) **10**
- projected number of jobs created for each activity,
  Yes☒ No☐ Verification found on page(s) **5-10**
- whether an activity will promote energy efficiency and conservation,
  Yes☒ No☐ Verification found on page(s) **5-10**
- the name, location, and contact information for the entity that will carry out the activity,
  Yes☐ No☐ Verification found on page(s) **3**

- evidence that no more than 10% of the grant amount will be spent on administration and planning,
  Yes☒ No☐ Verification found on page (s) **3**

- evidence that no more than 15% of the grant amount will be spent on public services,
  Yes☒ No☐ Verification found on page (s) **3**

- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
  Yes☒ No☐ Verification found on page (s) **3; 5-9**

C. Public Comment Period

Was the proposed action plan amendment published via the jurisdiction's usual methods and on the Internet for no less than 7 calendar days of public comment?

Yes☒ No☐. Verification found on page(s) **3**

Is there a summary of citizen comments included in the final amendment?

Yes☒ No☐ Verification found on page(s) **3**

D. Certifications

The following certifications are complete and accurate:

(1) Affirmatively furthering fair housing	Yes☒	No☐
(2) Anti-displacement and relocation plan	Yes☒	No☐
(3) Drug-free Workplace	Yes☒	No☐
(4) Anti-lobbying	Yes☒	No☐
(5) Authority of jurisdiction	Yes☒	No☐
(6) Consistency with plan	Yes☒	No☐
(7) Section 3	Yes☒	No☐
(8) Community development plan	Yes☒	No☐
(9) Following a plan	Yes☒	No☐
(10) Use of Funds	Yes☒	No☐
(11) Excessive Force	Yes☒	No☐
(12) Compliance with anti-discrimination laws	Yes☒	No☐
(13) Lead-based paint procedures	Yes☒	No☐
(14) Compliance with laws	Yes☒	No☐
(15) Compliance with ARRA	Yes☒	No☐
(16) Project selection	Yes☒	No☐
(17) Timeliness of infrastructure investments	Yes☒	No☐
(18) Buy American provision	Yes☒	No☐
(19) Appropriate use of funds for infrastructure investments	Yes☒	No☐
(20) 70% of CDBG-R for LMI	Yes☒	No☐

Optional Certification

(21) Urgent Need	Yes☐	No☐

Checklist: Supplemental Explanation and Comments

A. Spreadsheet for Reporting Proposed CDBG-R Activities

The reporting spreadsheet is on the following page; an electronic copy was emailed on June 5, 2009.

B. CDBG-R Entity, Location, and Contact by Activity

Municipal Market Improvements
Entity Name: Municipal Market Company
Location: 209 Edgewood Avenue, Atlanta GA 30303
Contact: Pamela Joiner, Market Manager
PH: 404-659-1665 Fax: 404-659-2834
Email: pjoiner@sweetauburncurbmarket.com

Furniture Bank Acquisition
Entity Name: Furniture Bank of Metro Atlanta, Inc.
Location: 538 Permalume Place, Atlanta, GA 30318
Contact: Megan S. Anderson, Director
PH: 404-355-8530 x225 Fax: 404-352-8792
Email: manderson@furniturebankatlanta.org

Housing Weatherization
Entity Name: Southeast Energy Assistance, Inc.
Location: 214 14th Street NW, Atlanta, GA 30318
Contact: Lila Blake, Executive Director
PH: 404-885-1877 Fax: 404-885-1877
Email: lila@southeastenergy.org

Housing Demolition
Entity Name: City of Atlanta Bureau of Code Compliance
Location: 55 Trinity Avenue SE, Atlanta GA 30303
Contact: Mike Renshaw, Director
PH: 404-300-6190 Fax: 404-546-8266
Email: mrenshaw@atlantaga.gov

Clean Street Team
Entity Name: Samaritan House of Atlanta, Inc.
Location: 458 Edgewood Avenue, Atlanta, Georgia 30312
Contact: Dana Johnson, Interim Executive Director
PH: 404-523-1239 x 112 Fax: 404-681-1592
Email: DInman@samhouse.org

B. Breakout of Use of Grant Funding

Project	Funding	Type Activity	Low/Mod	% of Grant
Municipal Market Improvements	$789,040	Business Rehab	Yes	35%
Furniture Bank Acquisition	$600,000	Community Facility	Yes	27%
Housing Weatherization	$500,000	Residential Energy Efficiency	Yes	22%
Housing Demolition	$190,000	Demolition in low/mod areas	Yes	8%
Clean Street Team	$170,000	Public Service	Yes	8%

C. Citizen Review

The City of Atlanta uses a "Neighborhood Planning Unit" or NPU structure for all of its citizen-participation processes including the Consolidated Plan programs. A description of the City's CDBG-R process was provided to all 26 NPUs by email on May 26, 2009. The NPU notice included allocation, HUD requirements and priorities, timeline, City parameters for project selection, and descriptions of the proposed projects with funding amounts and explanation of why project was selected for CDBG-R. NPU comments were requested; none were received by the June 5 submission date.

The Grants Management unit uses the Website of the Tri-Jurisdictional Collaborative on Homelessness to post grant notices and funding opportunities, since a broad array of non-profit service providers and concerned community groups regularly access this site. The CDBG-R public information notice was also posted at www.tri-j.net to ensure that these groups were informed as well.

Compliance with 120-day Contracting Requirement

The Mayor's Stimulus Task Force, meeting weekly and headed by a senior policy advisor, manages all Stimulus-related activities and assures that critical actions occur in a timely manner. Any problems encountered in contract execution will be reported to the Task Force for immediate intervention.

To expedite contracting: 1) processing of legislation began prior to the Grant Agreement, saving a month or more in the legislative process; 2) projects have been set up in the accounting system, with funds to be added after Grant Agreement is executed; and 3) contracts will be developed and all phases of the signature process completed as rapidly as possible, so that execution can complete in the 120 day period.

CDBG-R Activity Data Spreadsheet

Jurisdiction/Grantee Name: CITY OF ATLANTA GEORGIA		CDBG-R Formula Grant Amount: $2,249,040				Date: June 5, 2009	
Activity Name	*Activity Description*	*Eligibility (Regulatory or HCDA Citation)*	*National Objective Citation*	*CDBG-R Project Budget ($)*	*Additional Recovery Funds ($)*	*Other Leveraged Funding ($)*	*Total Activity Budget*
Clean Street Team	Employment related program for homeless adults by providing litter cleanup within commercial and business corridors.	570.201(e)	570.208(a)(2)	170,000.00	$0	$0	170,000.00
Furniture Bank Acquisition	Acquisition of vacant warehouse to be used as a center to provide furniture and other critical household items to homeless individuals and families.	570.201(a)	570.208(a)(1)	600,000.00	$0	$0	600,000.00
Housing Demolition	Asbestos removal and demolition of dilapidated residential and commercial structures.	570.201(d)	570.208(a)(3)	190,000.00	$0	$0	190,000.00
Housing Weatherization	Energy-related repairs to very low-income elderly and/or disabled homeowners.	570.202	570.208(a)(3)	500,000.00	$0	5,500,000.00	6,000,000.00
Municipal Market Improvements	Roof replacement, electrical, plumbing and lighting improvements, security, fire safety and elevators upgrades, door replacements, energy audit assessment and supporting small minority businesses at an historic curb market.	570.203(a)	570.208(a)(1)	789,040.00	$0	$0	789,040.00
			TOTAL	2,249,040.00	$0	5,500,000.00	7,749,040.00

Insert pdf of Project Tables, pages 5-9

DESCRIPTION OF PRIORITY NEED(S)

Project Name: Clean Street Team
Organization: Samaritan House, Inc.
Priority Need(s) Supports economic development through targeting to commercial areas; provides temporary employment and a track to permanent employment for homeless persons, supporting both a Consolidated Plan priority and an HPRP population.

Project Name: Furniture Bank Acquisition
Organization: Furniture Bank of Metro Atlanta, Inc.
Priority Need(s) Directly related to the City's ARRA Homelessness Prevention and Rapid Re-Housing Program (HPRP). Furniture Bank is the critical central resource for furnishings for households being placed under the HPRP, including persons recently evicted and quickly re-housed to minimize economic hardship. Will retain 7 jobs in City and allow 1 half-time job to become full-time; will reduce Furniture Bank operating costs long-term; will remove blighting influence of vacant, vandalized building and enhance volunteer presence at both the Furniture Bank and the nearby Food Bank. Renovation of warehouse will use energy-efficient lighting and HVAC.

Project Name: Housing Demolition
Organization: DPCD/Bureau of Code Compliance
Priority Need(s) Long-term economic benefit by eliminating vacant structures that are determined to be nuisances to residential and commercial communities. Assistance in stabilization of communities targeted under NSP. Timely contracting due to use of approved annual contractors. Supports 118 short-term construction jobs.

Project Name: Housing Weatherization
Organization: Southeast Energy Assistance, Inc.
Priority Need(s) Energy efficiency project; City funding leverages State ARRA housing weatherization funds; improves City housing stock and benefits low/mod City homeowners; creates 30-35 local jobs over the 3-year life of the State weatherization program.

Project Name: Municipal Market Improvements
Organization: Municipal Market Company
Priority Need(s) Directly related to stated HPRP goals by providing investments needed to increase economic efficiency and to foster energy independence through interior and exterior improvements to the historic City-owned facility. Improvements contribute to the Market's self-sufficiency and improve economic viability by reducing energy costs, assisting 25 existing and 4 new tenants impacted by the economy by improving retail space, and creating 35 temporary constructions jobs. Serves low/moderate income shoppers in an area with no other food-shopping options.

CITY OF ATLANTA CITIZEN PARTICIPATION AMENDED PLAN
FOR THE 2008 COMMUNITY DEVELOPMENT BLOCK GRANT-RECOVERY PROGRAM (CDBG-R)

CITIZEN PARTICIPATION REQUIREMENTS	CITY ACTIONS	DATE(S) AND PLACE(S)
I. Furnish citizens with information on the development of the 2005-2009 Consolidated Plan, the amount of funds expected to be available for the coming year for community development and housing activities, the range of activities which may be undertaken with these funds, the estimated amount of funds which will be used to benefit low- and very low-income persons, plans to minimize displacement of persons and to assist any persons displaced, and the types and levels of assistance to persons displaced. Obtain citizens' views on policies for the 2005-2009 Consolidated Plan, community development and housing needs, program amendments, the citizen participation plan, and the performance of the grant programs.	All Neighborhood Planning Units provided with description of CDBG-R including amount of funding expected, eligible activities, timeline, expenditure guidelines, and recommended projects with descriptions and funding levels.	May 21, 2009
	Recommended CDBG-R projects presented to City Council Community Development Committee.	May 26, 2009
	Draft CDBG-R Plan on file for citizen review.	May 28, 2009 at Office of Grants Management, 68 Mitchell Street SW, Ste. 15100, Atlanta, GA 30303
	Authorizing Resolution to submit the CDBG-R Substantive Amendment to the 2008 Annual Action Plan adopted by the Atlanta City Council.	June 1, 2009

OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

2. Date Submitted: 06/05/2009	Applicant Identifier: DUNS# 0653725000
3. Date Received by State: NA	State Applicant Identifier: NA
4. Date Received by Federal Agency: 06/05/2009	Federal Identifier: B-08-13-MC-0002

1. Type of Submission

Application	*Preapplication*
☐ Construction	☐ Construction
☒ Non-Construction	☐ Non-Construction

5. APPLICANT INFORMATION

Legal Name: City of Atlanta, Georgia

Organizational Unit: Department of Finance/Grants Management

Address *(give city, county, state, and zip code)*:
68 Mitchell Street, Suite 1500
Atlanta, Georgia 30303 Fulton and Dekalb Counties

Name and telephone number of the person to be contacted on matters involving this application (give area code)
Jocelyn Ross
404-330-6112

6. EMPLOYER IDENTIFICATION NUMBER (EIN):

5 8 6 0 0 0 0 5 5 1

7. TYPE OF APPLICANT: *(enter appropriate letter in box)* C

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Nonprofit
O. Public Housing Agency
P. Other (Specify)

8. TYPE OF APPLICATION:

☒ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es): ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration

D. Decrease Duration Other *(specify): Amendment*

9. NAME OF FEDERAL AGENCY:
U.S. Department of Housing and Urban Development

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 1 4 . 1 2 8

TITLE: Community Development Block Grant Program

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:
2008 Annual Action Plan Amendment-CDBG-R Program

12. AREAS AFFECTED BY PROJECT *(cities, counties, states, etc.)*:
City of Atlanta; Fulton and Dekalb Counties

13. PROPOSED PROJECT:

Start Date	Ending Date
06/05/2009	09/30/2012

14. CONGRESSIONAL DISTRICTS OF:

a. Applicant	b. Project
4th and 5th	4th and 5th

15. ESTIMATED FUNDING:

a. Federal	$ 2,249,040
b. Applicant	0
c. State	0
d. Local	0
e. Other	0
f. Anticipated Program Income	0
g. Total	$ 2,249,040

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE

b. NO. ☒ PROGRAM IS NOT COVERED BY E.O. 12372

OR ☐ PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

☐ Yes If "Yes," attach an explanation. ☒ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Typed Name of Authorized Representative	b. Title	c. Telephone number (Include Area Code)
Lee Hannah	Director Grant Services	404-330-6430

d. Signature of Authorized Representative

e. Date Signed (mm/dd/yyyy)

CERTIFICATIONS

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify 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 the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 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 CDBG-R.

(3) **Drug Free Workplace.** The jurisdiction 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 subparagraph 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.

(4) **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 subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

(5) **Authority of Jurisdiction**. The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(6) **Consistency with Plan**. The housing activities to be undertaken with CDBG-R funds are consistent with its consolidated plan.

(7) **Section 3**. The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Community development plan.** The jurisdiction certifies that the consolidated housing and community development plan identifies housing and community development needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program.

(9) **Following a plan**. The jurisdiction is following a current consolidated plan that has been approved by HUD.

(10) **Use of funds**. The jurisdiction has developed activities so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention of slums or blight. Additional activities may be included that are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs It has complied with the following criteria:

1. **Maximum Feasible Priority**. With respect to activities expected to be assisted with CDBG-R 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. **Special Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R 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-R funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG-R 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-R funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds, unless CDBG-R 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-R funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds if the jurisdiction certifies that it lacks CDBG-R or CDBG funds to cover the assessment.

(11) **Excessive Force**. The jurisdiction certifies that 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 that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws**. The CDBG-R grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws**. The jurisdiction will comply with applicable laws.

(15) **Compliance with ARRA.** The jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

(16) **Project selection.** The jurisdiction will select projects to be funded, by giving priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipient, and that will ensure maximum job creation and economic benefit.

(17) **Timeliness of infrastructure investments.** When the jurisdiction uses CDBG-R funds for infrastructure investments, the grantee will give preference to quick-start and finish activities, including a goal to use at least 50 percent of the funds for activities within 120 days of enactment of the Recovery Act.

(18) **Buy American provision.** The jurisdiction will ensure that all iron, steel and manufactured goods used in construction, alteration, repair, or maintenance of a public building or public work project assisted with CDBG-R funds under the Recovery Act must be produced in the United States unless the Secretary finds that: (1) the requirement is inconsistent with public interest; (2) those goods are not reasonably available or produced in sufficient quantity in the U.S.; (3) or the use of the goods will increase the project cost by more than 25 percent.

(19) **Appropriate use of funds for infrastructure investments.** The Governor, mayor, or other chief executive, as appropriate certifies, that any infrastructure investments have received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Alternatively, a grantee's chief elected official certifies that infrastructure investments will receive the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

(20) **70% of CDBG-R for LMI.** The aggregate use of CDBG-R funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the grant is expended for activities that benefit such persons over the life of the CDBG-R grant.

Lee Hannah
Signature/Authorized Official

Date

Director, Grant Services
Title

OPTIONAL CERTIFICATION

CDBG-R

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

Where the urgent need is the current economic conditions, the grantee certifies that the activity is alleviating current economic conditions which pose a threat to the economic welfare of the community in which the activity is being carried out, the recipient is unable to finance the activity on its own, and other sources of funding are not available.

Lee Hannah
Signature/Authorized Official

Date

Director, Grant Services
Title

CITY COUNCIL
ATLANTA, GEORGIA

SUBSTITUTE RESOLUTION BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

09-R-0681

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AN AMENDMENT TO THE CITY OF ATLANTA'S 2009 ANNUAL ACTION PLAN SO AS TO APPLY FOR AND ACCEPT $2,249,040.00 UNDER THE 2009 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; AND FOR OTHER PURPOSES

WHEREAS, under the American Recovery and Reinvestment Act of 2009, $1 billion has been appropriated nationally to fund the Community Development Block Grant Program to provide financial assistance and services to preserve and create jobs and promote economic recovery; and

WHEREAS, the funds can be used for a variety of eligible community and economic development activities normally allowed by the program, and further defined in recent regulations, with priority given to projects that can award contracts based on bids within 120 days from the date of grant award to the City; and

WHEREAS, HUD has awarded the City of Atlanta $2,249,040.00 as stimulus funds to address a variety of community development initiatives.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor or her designee is hereby authorized to apply and accept $2,200,000.00 in 2009 Community Development Block Grant (CDBG) by submitting to the U.S. Department of Housing and Urban Development an amendment to Atlanta's 2009 Annual Action Plan for the 2005-2009 Consolidated Plan.

Section 2: That the Mayor or her designee is hereby authorized to accept upon receipt and execute the appropriate grant agreements for the CDBG Stimulus funding under the American Recovery and Reinvestment Act of 2009.

Section 3: That the following projects are hereby approved for inclusion in Atlanta's 2009 Annual Action Plan for the 2005-2009 Consolidated Plan:

Project	Allocation
Municipal Market Improvements	$789,040.00
Furniture Bank Acquisition	$600,000.00
Housing Weatherization	$500,000.00
Housing Demolition/Reclamation	$190,000.00
Clean Street Team	$170,000.00
TOTAL	$2,249,040.00

Section 4: That all resolutions and parts of resolutions in conflict with this resolution are hereby repealed.

A true copy,
Rhonda Laughlin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council JUN 01, 2009
APPROVED by Mayor Shirley Franklin JUN 09, 2009