

# Funding Approval/Agreement

Title I of the Housing and Community Development Act (Public Law 930383)

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development  
Community Development Block Grant Program

HI-00515R of 20515R

Name of Grantee (as shown in item 5 of Standard Form 424) City of Waco	3. Grantee's 9-digit Tax ID Number <del>756000513</del> 746002468	4. Date use of funds may begin 06/04/09
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) P. O. Box 2570 Waco, TX 76702-2570  DUNS# 075090779	5a. Project/Grant No. 1 B-09-MY-48-0029	6a. Amount Approved \$448,313
	5b. Project/Grant No. 2	6b. Amount Approved
	5c. Project/Grant No. 3	6c. Amount Approved

**Grant Agreement:** This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name) Katie S. Worsham	Grantee Name City of Waco
Director, Community Planning & Development	Title City Manager
Signature <i>Gary Haeberly</i>	Signature <i>Katie S. Worsham</i>
Date AUG 17 2009	Date 8/24/09

7. Category of Title I Assistance for this Funding Action (Check only one) <input checked="" type="checkbox"/> a. Entitlement, Sec 106(b) <input type="checkbox"/> b. State-Administered, Sec 106(d)(1) <input type="checkbox"/> c. HUD-Administered Small Cities, Sec 106(d)(2)(B) <input type="checkbox"/> d. Indian CDBG Programs, Sec 106(a)(1) <input type="checkbox"/> e. Surplus Urban Renewal Funds, Sec 112(b) <input type="checkbox"/> f. Special Purpose Grants, Sec 107 <input type="checkbox"/> g. Loan Guarantee, Sec 108	8. Special Conditions (Check one) <input type="checkbox"/> None <input checked="" type="checkbox"/> Attached	9a. Date HUD Received Submission 06/04/09	10. Check one <input checked="" type="checkbox"/> a. Orig. Funding Approval <input type="checkbox"/> b. Amendment Amendment Number	
		9b. Date Grantee Notified AUG 17 2009		
11. Amount of Community Development Block Grant		9c. Date of Start of Program Year		
		FY (09)	FY ( )	FY ( )
a. Funds Reserved for this Grantee		\$448,313		
b. Funds now being Approved		\$448,313		
c. Reservation to be Cancelled (11a minus 11b)				

12a. Amount of Loan Guarantee Commitment now being Approved N/A	12b. Name and complete Address of Public Agency
Loan Guarantee Acceptance Provisions for Designated Agencies: The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.	12c. Name of Authorized Official for Designated Public Agency
	Title
	Signature

**HUD Accounting use Only**

Batch	TAC	Program Y	A Reg Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153								
	176								
		Y			Project Number		Amount		
		Y			Project Number		Amount		

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By
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**SPECIAL CONDITIONS TO THE GRANT AGREEMENT FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT RECOVERY (CDBG-R) FUNDS  
AUTHORIZED AND APPROPRIATED  
UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009  
(PUBLIC LAW 111-5, FEBRUARY 17, 2009)**

**CDBG-R GRANTEE:** City of Waco, Texas

**CDBG-R GRANT NUMBER:** B-09-MY-48-0029

**CDBG-R GRANT AMOUNT:** \$ 448,313

**CDBG-R APPROVAL DATE:** AUG 17 2009

**Special Conditions:**

The terms of the Grant Agreement include the following special conditions:

1. The Grant Agreement between the U.S. Department of Housing and Urban Development (HUD) and the above named Grantee, is made pursuant to the authority of Title XII of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the Recovery Act). The Grantee acknowledges that the CDBG-R grant is one-time funding.
2. The Grant Agreement is governed by and the Grantee shall comply with the requirements of the Recovery Act; the Notice of Program Requirements for Community Development Block Grant Program Funding Under the American Recovery and Reinvestment Act of 2009, 74 Fed. Reg. 21816 (May 11, 2009) available at <http://www.hud.gov/recovery/cdblock.cfm> (as now in effect and as may be amended from time to time) (the Notice); Title I of the Housing and Community Development Act of 1974, as amended (42 USC 5301 et seq.) (as modified by the Notice); and, the HUD regulations at 24 CFR part 570 (as now in effect and as may be amended from time to time) as modified by the Notice (the Regulations). The Grantee's submissions, the Notice, the Funding Approval/Agreement (form HUD-7082) and the special conditions described herein are incorporated by reference and constitute part of the Grant Agreement. Submissions include the CDBG-R action plan substantial amendment, including the certifications and assurances and any information or documentation required to meet any grant award conditions. In the event of conflict between a provision of the Grantee's submissions and any other provision of this Grant Agreement document, the latter shall control.
3. The Grantee shall comply with governmentwide guidance and standard award terms established by the Office of Management and Budget (OMB) concerning the implementation of the Recovery Act, including *Requirements for Implementing Sections 1512, 1605, and 1606 of the American Recovery and Reinvestment Act of 2009 for Financial Assistance Awards*, 74 Fed. Reg. 18449 (April 23, 2009) (to be codified at 2 CFR Part 176) (as now in effect and as may be amended from time to time). Notwithstanding the foregoing, the

Grantee shall comply with Section 110 of the CDBG Statute concerning the Davis-Bacon Act. The Grantee shall comply with reporting requirements established by HUD and OMB (including all revisions to such reporting requirements), as well as Sections 1511, 1515, and 1553 of the Recovery Act (including implementing guidance).

4. The Grantee shall at all times maintain an up-to-date copy of its Grantee Submission, including all amendments approved by HUD, on its Internet website as required by the Notice. The Grantee shall maintain information on all drawdowns, deposits, and expenditures of grant funds and program income under this Grant Agreement and any other records required by applicable law, in its files, and shall make such information available for audit or inspection by duly authorized representatives of HUD, HUD's Office of the Inspector General, the Recovery Act Transparency Board, or the Comptroller General of the United States.
5. In addition to other lawful remedies, HUD reserves the right to restrict access to grantees' CDBG-R funds for delinquent, incomplete, or inaccurate reporting. This includes the right to suspend access to the Integrated Disbursement and Information System (IDIS) should the Grantee fail to comply with quarterly CDBG-R reporting requirements.
6. The Grantee may take advantage of the pre-award costs provisions at 24 CFR 570.200(h) to incur pre-award costs associated with the development of the substantial amendment to the action plan beginning May 5, 2009. The Grantee may also incur costs prior to the grant award for specific activities as of the date the CDBG-R action plan substantial amendment was submitted to HUD.
7. The Grantee is advised that providing false, fictitious or misleading information with respect to CDBG-R funds may result in criminal, civil or administrative prosecution under 18 U.S.C. § 1001, 18 U.S.C. § 1343, 31 U.S.C. § 3729, 31 U.S.C. § 3801 or another applicable statute. The Grantee shall promptly refer to HUD's Office of the Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving CDBG-R funds.
8. In any contract involving the use of CDBG-R funds, the Grantee shall include, and require its subrecipients and contractors to include, a project sign provision consistent with criteria established by the Secretary.
9. The Grantee shall have until September 30, 2012, to expend the entire CDBG-R Grant Amount. CDBG-R funds not expended by September 30, 2012, will be recaptured by HUD.
10. The Grantee shall extend all applicable terms and conditions of this grant award to subrecipients and contractors, including obtaining a DUNS number (or updating the existing DUNS record), and registering with the Central Contractor Registration (CCR).
11. The Grant Agreement may be amended in writing by HUD. In considering proposed amendments to this Grant Agreement, HUD shall review, among other things, whether the amendment is otherwise consistent with the Recovery Act, the Housing and Community Development Act, the Notice and the Regulations.



## Housing & Community Development Services

Post Office Box 2570  
Waco, Texas 76702-2570  
254 / 750-5656  
Fax: 254 / 750-5604  
[www.waco-texas.com](http://www.waco-texas.com)

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August 24, 2009

Ms. Katie Worsham, Director  
Office of Community Planning and Development  
U.S. Dept. of Housing and Urban Development  
801 Cherry St. Unit #45, Ste. 2500  
Fort Worth, Texas 76102

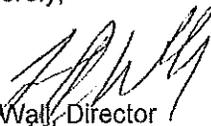
Subject: Community Development Block Grant Recovery (CDBG-R) Grant Agreement  
Grant Number: B-09-MY-48-0029

Dear Ms. Worsham,

Enclosed are two (2) signed originals of the Community Development Block Grant Recovery (CDBG-R) Grant Agreement.

We thank you in advance for your assistance.

Sincerely,

  
Jeff Wall, Director  
Housing and Community Development Services

Enclosures

# **CDBG-R SUBMISSION TEMPLATE**

The American Recovery and Reinvestment Act of 2009 ("Recovery Act") was signed into law by President Obama on February 17, 2009. The Recovery Act awards \$1 billion in CDBG Recovery (CDBG-R) funds to be distributed to cities, counties, insular areas and states, of which \$10 million has been reserved by HUD for its administrative costs and \$10 million of which will be awarded to Indian tribes. Recipients of the remaining \$980 million of CDBG-R funds will be the approximately 1,200 jurisdictions that received CDBG funding in Fiscal Year 2008. This template sets forth the suggested format for grantees receiving funds from CDBG-R. A complete submission contains the information requested below, including:

- (1) The CDBG-R Substantial Amendment (template attached below)
- (2) Spreadsheet for Reporting Proposed CDBG-R Activities (see <http://www.hud.gov/recovery>)
- (3) Signed and Dated Certifications (see <http://www.hud.gov/recovery>)
- (4) Signed and Dated SF-424.

Grantees should also attach a completed CDBG-R Substantial Amendment Checklist to ensure completeness and efficiency of review (attached below).

## THE CDBG-R SUBSTANTIAL AMENDMENT

<b>Grantee Name</b>	City of Waco
<b>Name of Entity or Department Administering Funds</b>	Housing and Community Development Services Department
<b>CDBG-R Contact Person</b>	Vicki Halfmann
<b>Title</b>	Financial Supervisor
<b>Address Line 1</b>	P O Box 2570
<b>Address Line 2</b>	
<b>City, State, Zip Code</b>	Waco, Texas 76702-2570
<b>Telephone</b>	254-750-5656
<b>Fax</b>	254-750-5604
<b>Email Address</b>	<a href="mailto:vhalfmann@ci.waco.tx.us">vhalfmann@ci.waco.tx.us</a>
<b>Authorized Official</b>	Larry Groth
<b>Title</b>	City Manager
<b>Address Line 1</b>	P O Box 2570
<b>Address Line 2</b>	
<b>City, State, Zip Code</b>	Waco, Texas 76702-2570
<b>Telephone</b>	254-750-5640
<b>Fax</b>	254-750-5604
<b>Email Address</b>	<a href="mailto:larryg@ci.waco.tx.us">larryg@ci.waco.tx.us</a>
<b>Web Address where this Form is Posted</b>	<a href="http://www.waco-texas.com">www.waco-texas.com</a>

## **ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS**

Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation’s infrastructure, improve energy efficiency, and expand educational opportunities and access to health care. HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings. While the full range of CDBG activities is available to grantees, the Department strongly suggests that grantees incorporate consideration of the public perception of the intent of the Recovery Act in identifying and selecting projects for CDBG-R funding.

### ***A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES***

Grantees must provide information concerning CDBG-R assisted activities in an electronic spreadsheet provided by HUD. The information that must be reported in the spreadsheet includes activity name, activity description, CDBG-R dollar amount budgeted, eligibility category, national objective citation, additional Recovery Act funds for the activity received from other programs, and total activity budget. An electronic copy of the spreadsheet and the format is available on HUD’s recovery website at <http://www.hud.gov/recovery>.

***B. CDBG-R INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)***

- (1) **Activity Name:** (Grantees should follow the same order that activities are listed in the Spreadsheet for Reporting Proposed CDBG-R Activities – this will allow HUD to easily match activity narratives with the information provided in the spreadsheet.)

South Waco Community Center Improvements

- (2) **Activity Narrative:**

In addition to the Spreadsheet for Reporting Proposed CDBG-R Activities, grantees must provide a narrative for each activity describing how the use of the grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of ARRA. The grantee's narrative must also state how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:

- Preserving and creating jobs and promoting economic recovery;

This project will provide jobs through construction contractors during the construction phase and employment of contract instructors and building attendants upon completion of the project.

- Assisting those most impacted by the recession;

The CDBG-R funds will be used to renovate the South Waco Community Center and convert approximately 3,500 square feet of open space into meeting rooms and two classrooms. This Community Center is located in Census Tract 5.98 Block Group 6, which has 69.6% low-mod income residents.

The additional of the new meeting rooms and classrooms will allow specific programs to be provided simultaneously to larger groups of guests simultaneously. The area will be used for the following programs that will serve residents in this low-income area of the city:

Health Seminars – classes offered in collaboration with the Waco-McLennan County Public Health District including safety, hygiene and human development, nutrition, and infectious and chronic disease education

Community, public, and neighborhood meetings

Collaborative community programs

Central Texas Senior's Meals On Wheels Lunch Monday, Wednesday, and Friday

South Waco Community Center Senior Breakfast Tuesday and Thursday

GED classes

English as Second Language (ESL) classes

TAKS Review

TASP Review

Other classes offered in collaboration with McLennan Community College Adult Education

Waco Independent School District Parents as Teachers education classes

After-school mentoring/tutoring programs

Notary services, Spanish language translation, etc.

- Providing investment needed to increase economic efficiency;

The completion of this project will provide educational programming to help citizens improve personal economic efficiency. For example, GED and English as a Second Language (ESL) classes will increase employment options for class participants.

Parent education programs and TAKS and TASP test preparation helps prepare our youth for, high school graduation, college, employment, and economic self sufficiency. It also improves the education level of our work force, which in turn attracts more employers and increased economic development activity, and this results in more jobs for the City of Waco.

Financial tax preparation helps low income working parents access the earned income tax credit benefits.

Health seminar classes promote healthy lifestyles that may result in decreased health care costs.

The renovated rooms also promote senior independent living by providing a place for seniors to meet and eat a lunch provided by Meals on Wheels every Monday, Wednesday, and Friday and a breakfast provided by Community Center staff on Tuesday and Thursday.

- Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;

The renovated South Waco Community Center will provide much needed space for more training and educational classes; therefore, supporting this community better than it has in the past. The renovated rooms also promote senior independent living by providing a place for seniors to meet and eat a lunch provided by Meals on Wheels every Monday, Wednesday, and Friday.

- Minimizing or avoiding reductions in essential services; or

The Community Center will provide space for many services essential to this community. The renovations will provide space for many of these services to be offered simultaneously – thus increasing the availability of the services. Services will include:

- Health Seminars – classes offered in collaboration with the Waco-McLennan County Public Health District including safety, hygiene and human development, nutrition, and infectious and chronic disease education
- Community, public, and neighborhood meetings
- Collaborative community programs
- Central Texas Senior’s Meals On Wheels Lunch Monday, Wednesday, and Friday
- South Waco Community Center Senior Breakfast Tuesday and Thursday
- GED classes
- English as Second Language (ESL) classes
- TAKS Review
- TASP Review
- Other classes offered in collaboration with McLennan Community College Adult Education
- Waco Independent School District Parents as Teachers education classes

After-school mentoring/tutoring programs  
 Notary services, Spanish language translation, etc.

- Fostering energy independence.

We do not plan to foster energy independence with this project at this time.

- (3) **Jobs Created:** (Report the number of full- and part-time jobs estimated to be created and retained by the activity (including permanent, construction, and temporary jobs)).

The bids have not been released yet, however we estimate that with this additional funding approximately 30 Full/Time, and 6 Part/Time jobs will be required. Whether the Full/Time jobs are newly created or retained we are unable to predict.

- (4) **Additional Activity Information:** (A description of how the activity will promote energy conservation, smart growth, green building technologies, or reduced pollution emissions, if applicable.)

At this time, we do not anticipate that this project will promote energy conservation, smart growth, green building technologies, or reduce pollution emissions.

- (5) **Responsible Organization:** (Contact information for the organization that will implement the CDBG-R activity, including its name, location, and administrator contact information)

<b>Grantee Name</b>	City of Waco
<b>Name of Entity or Department Administering Funds</b>	Housing and Community Development Services Department
<b>CDBG-R Contact Person</b>	Vicki Halfmann
<b>Title</b>	Financial Supervisor
<b>Address Line 1</b>	P O Box 2570
<b>Address Line 2</b>	
<b>City, State, Zip Code</b>	Waco, Texas 76702-2570
<b>Telephone</b>	254-750-5656
<b>Fax</b>	254-750-5604
<b>Email Address</b>	<a href="mailto:vhalfmann@ci.waco.tx.us">vhalfmann@ci.waco.tx.us</a>

### *C. PUBLIC COMMENT*

Provide a summary of public comments received to the proposed CDBG-R Substantial Amendment.

*Note:* A Proposed CDBG-R Substantial Amendment must be published via the usual methods and posted on the jurisdiction's website for no less than 7 calendar days for public comment.

#### Response:

The Waco Citizen Participation Plan requires the City to notify citizens of any substantial amendments to the Final Annual Action Plan. Substantial amendments include the addition of any activity not originally described in the annual action plan.

Therefore, upon notification from the U. S. Department of Housing and Urban Development (HUD) that the City could receive \$448,313 a supplemental allocation of Community Development Block Grant (CDBG-R) funding under the American Recovery and Reinvestment Act of 2009, the City of Waco completed the CDBG-R Template Substantial Amendment to the Consolidated Plan 2008 Action Plan to add the CDBG-R to the Plan.

On May 19, 2009, staff will ask the Waco City Council for authorization to publish the amendment for public comment. In accordance with the Citizen Participation Plan and HUD's Notice of Allocations, Application Procedures, and Requirements for CDBG-R Grantees under the American Recovery and Reinvestment Act of 2009, staff will publish a public notice notifying the public that the amendment will be available for review for at least 7 days at locations designated in the Citizen Participation Plan. The notice will also inform the public of the deadline for written comments, May 27, 2009, and the public hearing concerning the amendment scheduled June 2, 2009.

# CDBG-R Substantial Amendment Grantee Checklist

*For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the CDBG-R Substantial Amendment, Spreadsheet for Reporting Proposed CDBG-R Activities, and SF-424.*

## Contents of a CDBG-R Action Plan Substantial Amendment

Jurisdiction(s): _____ Lead Agency _____ Jurisdiction Web Address: <i>(URL where CDBG-R Substantial          Amendment materials are posted)</i>	CDBG-R Contact Person: Address: Telephone: Fax: Email:
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The elements in the substantial amendment required for the CDBG recovery funds are:

### ***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 \_\_\_\_\_

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: \_\_\_\_\_

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) \_\_\_\_\_
- the Eligibility citation (eligibility regulatory cite or HCDA cite),  
 Yes  No  Verification found on page(s) \_\_\_\_\_
- the CDBG national objective citation,  
 Yes  No  Verification found on page(s) \_\_\_\_\_

**B. CDBG-R INFORMATION BY ACTIVITY**

Does the submission contain information by activity describing how the grantee will use the 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) \_\_\_\_\_
- projected number of jobs created for each activity,  
Yes  No  Verification found on page(s) \_\_\_\_\_
- whether an activity will promote energy efficiency and conservation,  
Yes  No  Verification found on page(s) \_\_\_\_\_
- the name, location, and contact information for the entity that will carry out the activity,  
Yes  No  Verification found on page(s) \_\_\_\_\_
- evidence that no more than 10% of the grant amount will be spent on administration and planning,  
Yes  No  Verification found on page (s) \_\_\_\_\_
- evidence that no more than 15% of the grant amount will be spent on public services,  
Yes  No  Verification found on page (s) \_\_\_\_\_
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,  
Yes  No  Verification found on page (s) \_\_\_\_\_

**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) \_\_\_\_\_

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

Yes  No  Verification found on page(s) \_\_\_\_\_

**D. CERTIFICATIONS**

The following certifications are complete and accurate:

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace                   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying                         | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction             | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

- (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

***D. STATE 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 State Yes  No
- (6) Consistency with plan Yes  No
- (7) Section 3 Yes  No
- (8) Community development plan Yes  No
- (9) Consultation with Local Governments Yes  No
- (10) Use of Funds Yes  No
- (11) Excessive Force Yes  No
- (12) Compliance with anti-discrimination laws Yes  No
- (13) Compliance with laws Yes  No
- (14) Compliance with ARRA Yes  No
- (15) Project selection Yes  No
- (16) Timeliness of infrastructure investments Yes  No
- (17) Buy American provision Yes  No
- (18) Appropriate use of funds for infrastructure investments Yes  No
- (19) 70% of CDBG-R for LMI Yes  No

Optional Certification

- (20) Urgent Need Yes  No

CDBG-R

Activity Data Spreadsheet

Jurisdiction/Grantee Name: City of Waco, Texas		CDBG-R Formula Grant Amount \$448,313				Date: May 18, 2009	
Activity Name	Activity Description	Eligibility (Regulatory or FCDA Citation)	National Objective Citation	CDBG-R Project Budget (\$)	Additional Recovery Funds (\$)	Other Leveraged Funding (\$)	Total Activity Budget
South Waco Community Center Improvements	Funding will be used for South Waco Community Center Improvements to include renovations to create multipurpose community meeting spaces and two classrooms. The area will house the daily senior group meeting, periodic community and neighborhood association meetings, public meetings, etc. The area will include a kitchen/concessions space for the Meals on Wheels senior meal program. The classrooms will be used for health seminars, GED, English as a Second Language, Waco ISD parent education courses, and McLennan Community College adult education courses.	570.201(c)	L/M area 570.208(a)(1)	403,482	0	2,100,000	2,503,482
Program Administration	The administrative staff will be responsible for the implementation of the project. Staff members will prepare contract, reimbursements, monitor project and submit reports to HUD. It will ensure that the City of Waco complies with all federal regulations in obtaining, expending, and disbursing CDBG-R funds effectively.	570.206	N/A	\$44,831	\$0	\$0	44,831
							0
							0
							0
							0
							0
							0
Total				\$448,313		\$2,100,000	2,548,313
							0



CITY OF WACO

PUBLIC NOTICE

Notice of Public Hearing and Availability for Review  
Proposed Amendments to the 2008/2009  
Consolidated Annual Action Plan

The Department of Housing and Urban Development Notice of Program Requirements for Community Development Block Grant Program (CDBG-R) Funding Under the American Recovery and Reinvestment Act of 2009 requires the City to make an amendment to the Program Year 2008 Consolidated Annual Action Plan to add the CDBG-R funds in the plan and make such an amendment available for a sufficient period of time (7 days) to permit citizens' comments on the proposed amendment before it is submitted to HUD.

The City of Waco is proposing to make the following amendment to add \$448,313 CDBG-R funds to the Program Year 2008/2009 Consolidated Annual Action Plan:

Activity Name	Description	CDBG-R Budget
South Waco Recreation Center Improvements	Funding will be used for South Waco Recreation Center improvements to include renovation of the HVAC, current electrical system, and design enhancements of a new corridor with increased overhangs, and energy efficient doors and windows.	\$403,482
Program Administration	Funding will be used for administrative staff to prepare grant agreements, reimbursement requests, monitor project, submit required reports to HUD, and ensure compliance with all federal regulations in obtaining, expending, and disbursing CDBG-R funds effectively.	\$44,831
<b>Total</b>		<b>\$448,313</b>

Draft copies of the Proposed Amendment to the Program Years 2008/2009 Consolidated Annual Action Plan will be made available to the public from May 20, 2009 through May 27, 2009 on the City's website <http://www.waco-texas.com> and at the following locations:

City Secretary's Office  
City of Waco  
City Hall  
300 Austin Avenue  
Waco, Texas 76702

Housing and Community Development Services  
City of Waco  
City Hall, Basement  
300 Austin Avenue  
Waco, Texas 76702

S:\Housing\Consolidated Plan 2008.2009\Amendment #3 CDBG-R Public Notice Availability (To Post at CH).doc

Waco-McLennan County Library locations:

Main Library  
1717 Austin Avenue  
Waco, Texas 76701

East Waco Library  
901 Elm Street  
Waco, Texas 76704

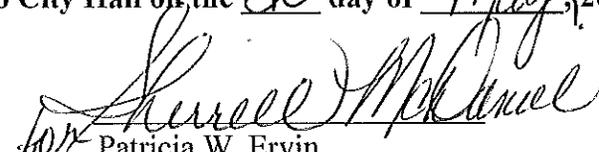
R.B. Hoover Library  
Lake Air Court  
1428 Wooded Acres #104  
Waco, Texas 76710

South Waco Library  
2737 South 18<sup>th</sup> Street  
Waco, Texas 76706

A Public Hearing will be held on June 2, 2009 in the Bosque Theatre at the Waco Convention Center. Written comments on the report submitted to Housing & Community Development Services at the address listed below no later than 5:00 p.m., May 27, 2009 will be presented at the Council meeting. Copies of the documents may also be obtained by contacting:

Housing and Community Development Services  
City of Waco  
P.O. Box 2570  
Waco, Texas 76702-2570  
(254) 750-5656

This notice is being posted at Waco City Hall on the 20<sup>th</sup> day of May, 2009 at 4:00 P.M.

*for*   
Patricia W. Ervin  
City Secretary

NOTE: Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services should contact Patricia Ervin, City Secretary, at (254) 750-5750 at least twenty-four (24) hours before this meeting so that appropriate arrangements can be made.

It is the opinion of the City Attorney's office that this meeting is being held and conducted in accordance with Chapter 551 of the Texas Government Code

  
Leah Hayes, City Attorney

## 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.

MW   
\_\_\_\_\_  
Signature/Authorized Official

6/3/09  
Date

\_\_\_\_\_  
City Manager  
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.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

N/A



## CITY OF WACO

### PUBLIC NOTICE

Notice of Public Hearing and Availability for Review  
Proposed Amendments to the 2008/2009  
Consolidated Annual Action Plan

The Department of Housing and Urban Development Notice of Program Requirements for Community Development Block Grant Program (CDBG-R) Funding Under the American Recovery and Reinvestment Act of 2009 requires the City to make an amendment to the Program Year 2008 Consolidated Annual Action Plan to add the CDBG-R funds in the plan and make such an amendment available for a sufficient period of time (7 days) to permit citizens' comments on the proposed amendment before it is submitted to HUD.

The City of Waco is proposing to make the following amendment to add \$448,313 CDBG-R funds to the Program Year 2008/2009 Consolidated Annual Action Plan:

Activity Name	Description	CDBG-R Budget
South Waco Recreation Center Improvements	Funding will be used for South Waco Recreation Center improvements to include renovation of the HVAC, current electrical system, and design enhancements of a new corridor with increased overhangs, and energy efficient doors and windows.	\$403,482
Program Administration	Funding will be used for administrative staff to prepare grant agreements, reimbursement requests, monitor project, submit required reports to HUD, and ensure compliance with all federal regulations in obtaining, expending, and disbursing CDBG-R funds effectively.	\$44,831
Total		\$448,313

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City of Waco  
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Waco, Texas 76702-2570  
(254) 750-5656

Patricia W. Ervin  
City Secretary