



City of Conway

Community Development Annual Action Plan Amendment Program Year 2011

Prepared by: Lauralee Wilcox McCool
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September 6, 2011

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application * If Revision, select appropriate letter(s) <input type="checkbox"/> New <input type="checkbox"/> Continuation *Other (Specify) _____ <input checked="" type="checkbox"/> Revision	
3. Date Received:		4. Applicant Identifier: B-11-MC-05-0010
5a. Federal Entity Identifier: AR 506000 CONWAY	*5b. Federal Award Identifier:	
State Use Only:		
6. Date Received by State:	7. State Application Identifier:	
8. APPLICANT INFORMATION:		
*a. Legal Name: City of Conway, Arkansas		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 71-6001898	*c. Organizational DUNS: 098563026	
d. Address:		
*Street 1: <u>1201 Oak Street</u>		
Street 2: _____		
*City: <u>Conway</u>		
County: <u>Faulkner</u>		
*State: <u>Arkansas</u>		
Province: _____		
*Country: <u>USA</u>		
*Zip / Postal Code <u>72032</u>		
e. Organizational Unit:		
Department Name: Community Development	Division Name:	
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <u>Ms.</u>	*First Name: <u>Lauralee</u>	
Middle Name: <u>Wilcox</u>		
*Last Name: <u>McCool</u>		
Suffix: _____		
Title: Director of Community Development		
Organizational Affiliation: Staff Member		
*Telephone Number: 501-513-3570		Fax Number: 501-328-4175
*Email: lauralee.mccool@cityofconway.org		

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*9. Type of Applicant 1: Select Applicant Type:

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

*10 Name of Federal Agency:

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*12 Funding Opportunity Number:

*Title:

Community Development Block Grant _____

13. Competition Identification Number:

Not Applicable _____

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Conway, Faulkner County, State of Arkansas

*15. Descriptive Title of Applicant's Project:

Boys and Girls Club – Construction of new facility including environmental and site prep, design services, material and all other costs related to construction and project delivery costs for CDBG administration.

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***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

Not applicable

B. CDBG INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)

(1) Activity Name: 2011 Faulkner County Boys and Girls Club new construction

(2) Activity Narrative:

The Boys and Girls Club of Faulkner County provides services for at-risk youth who are five to 18 years old. Many of the children are “latch-key children” - spending two or more hours a day at home unsupervised. The Boys and Girls Club has outgrown their significantly dated facilities. The new facility will be in one of the lowest income areas of the city. This amendment fulfills a previous step multi-year commitment from the city toward construction.

The city seeks to allocate \$251,225 including \$250,000 to the Boys and Girls Club and \$1,225 to the CD Staff for project delivery.

Funds will come from several previously awarded projects:

- 1) 2011 Pine Street Revitalization - \$85,000. The commitment to Pine Street is ongoing. The city and neighborhood CDC will be consulting with CHDOs from neighboring cities to consider a partnership in obtaining HOME funds for new construction. Also, the city is looking into improvements in the Markham Street corridor of this neighborhood that will address slum/blight and economic development.
- 2) 2011 Housing Rehabilitation - \$65,000. The city initially planned to hire additional staff in order to take a housing rehabilitation in house that had previously been operated by a local non-profit. This activity did not occur.
- 3) 2011 Boys and Girls Club - \$50,000. This line item remains unchanged.
- 4) 2010 Downtown Drainage - \$50,000. This is also an ongoing project. The allocation initially was designated for assistance in preparing a Brownfields Grant. The city was provided technical assistance free of charge and was successful in receiving funding for the Region VI office.
- 5) 2011 \$1,225 undesignated – This is the balance of 2011 project funds.

The project meets the National Objective by benefiting low and moderate income persons. Additionally, the facility will be located in one of the lowest income level areas of the city surrounded by low income rental housing. This project falls into the Public Facilities and Improvements eligible activity in that the Boys and Girls Club is a non-profit constructing a public facility open to children of the general public.

(3) Responsible Organization:

City of Conway, Community Development Department, 1201 Oak Street, Conway, AR 72032
Administrator: Lauralee McCool, Director of Community Development
Phone: 501-513-3570 Email: lauralee.mccool@cityofconway.org

Review and Comment Notice

Community Development Block Grant – (CDBG)

The Amendment for the Program Year 2011 Consolidated Annual Action Plan will be available for review by any interested party at the Library of Faulkner County's main branch (1900 Tyler Street) and the City Clerk's Office at Conway City Hall (1201 Oak Street) during normal business hours Monday-Friday. Additionally, the plan will be accessible in a portable document file (pdf) by going to www.CityofConway.org, going to Departments and clicking on Community Development.

Information presented in the amendment to the 2011 Annual Action Plan includes the allocation of \$251,225 for construction of a Faulkner County Boys and Girls Club facility at Robins Street and South German Lane. The Amendment is to be submitted to the HUD Little Rock Field Office on October 7, 2011.

Written comments concerning the amendment will be submitted to: Lauralee McCool, Community Development, City of Conway, 1201 Oak Street, Conway, AR 72032 no later than 2 p.m. on October 7, 2011. Written comments received by that date will be submitted with the Annual Action Plan Amendment to the Department of Housing and Urban Development.

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 under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

(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) **Consultation with Local Governments.** The jurisdiction certifies that, for community development activities, it engages or will engage in planning; that it provides or will provide technical assistance to local governments; and that it will not refuse to distribute funds on the basis of the particular eligible activity selected by the local government to meet its community development needs, except that a Jurisdiction is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

(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 will require units of general local government that receive CDBG-R funds to certify that they have adopted and are 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 Jurisdiction 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 laws.** The jurisdiction will comply with applicable laws.

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

(15) **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.

(16) **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.

(17) **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.

(18) **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.

(19) **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.

Authorized Signature

By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete, and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any

false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

B. Tab Townsell
Signature/Authorized Official

September 6, 2011

Date

Mayor
Title