

**Consolidated Annual Action Plan
Fourth Program Year Action Plan
FY 2008-2009**



**CDBG-RECOVERY
Substantial Change
One-Year Action Plan Amendment**

Prepared by:
The City of Sunrise, Florida
Planning & Development Department
Redevelopment and Grants Division
3495 North Hiatus Road, Suite 200
Sunrise, Florida 33351

Submitted to:
The Community Planning and Development Division,
Miami Field Office
U.S. Department of Housing and Urban Development
909 S.E. First Avenue, Suite 500
Miami, FL 33131-3028

THE CDBG-R SUBSTANTIAL AMENDMENT

Jurisdiction(s): City of Sunrise, Florida Jurisdiction Web Address: www.sunrisefl.gov <ul style="list-style-type: none">http://www.sunrisefl.gov/Planning_Notices.html (URL where CDBG-R Substantial Amendment materials are posted)	CDBG-R Contact Person: Carl J. Freeman, AICP Redevelopment and Grants Administration Address: 3495 North Hiatus Road, Suite 200 Sunrise, Florida 33351 Telephone: 954 578-4766 Fax: 954 578-4768 Email: cfreeman@cityofsunrise.org
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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.

The City of Sunrise in developing the proposed activities considered the speed and timeliness of when the selected activity could be implemented. The Sidewalk improvements are considered as the City’s best alternative to meet the timeliness requirement and the public perception of of the intent of the Recovery Act.

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>.

There is only one activity-Infrastructure Improvements. The spreadsheet is provided on the next page.

Jurisdiction/Grantee		CDBG-R Fomula Grant Amount:				Date:	
City of Sunrise, Florida		\$198,522				Monday, June 01, 2009	
<i>Activity Name</i>	<i>Activity Description</i>	<i>Eligibility (Regulatory or HCDA Citation)</i>	<i>National Objective Citation</i>	<i>CDBG-R Project Budget (\$)</i>	<i>Additional Recovery Funds (\$)</i>	<i>Other Leveraged Funding (\$)</i>	<i>Total Activity Budget</i>
Infrastructure Improvements	sidewalks, etc.	24 CFR 570.201 (c)	24 CFR 570.208 (a)(1)	\$198,522	0	0	\$198,522
							0
							0
							0
							0
							0
							0

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.)

The Infrastructure Improvements include sidewalks, curbing, crosswalks, and related streetscape improvements for accessibility. The target area is describe as south of Oakland Park Boulevard, west of the City limit boundary with the City of Lauderhill, north of Sunrise Boulevard, and east of NW 68th Avenue to the shared City limit boundary with the City of Plantation. Priority is given to thoroughfares in this target area.

More specifically, the target area is describe by the following census tracts and block groups and the percent low and moderate income is 56% as determined using the Low and Moderate Income summary Date (LMSID) provided by the U.S. Department of Housing and Urban Development.

Low and Moderate Income Target Area			
Census Tract/Block	Low and Moderate Income	Total Population	Total Percent
602.08/1	720	1,339	
602.08/2	641	1,296	
602.08/3	1,593	2,986	
602.03/1	1,084	1,941	
602.03/2	2,405	3,575	
602.09/2	631	1,579	
Total	7,074	12,716	56.00%

(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;
Response: A contractor would employ up to 10 (part-time) people for a maximum of 8 months
- Assisting those most impacted by the recession;
Response: The area south of Oakland Park Boulevard, west of the City limit boundary with the City of Lauderhill, north of Sunrise Boulevard, and east of NW 68th Avenue to the shared City limit boundary with the City of Plantation has been determined to be an area with a high rate of foreclosure.
- Providing investment needed to increase economic efficiency;
Response: This residential area has a small neighborhood commercial shopping area, city public facilities, and an elementary school and the sidewalk improvements will facilitate pedestrian activity.
- Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;
Response: The provision of new sidewalks will promote pedestrian activity to the neighborhood shopping facilities and the other public facilities.

(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 contractor competitively selected would employ up to 10 (part-time) people for a maximum of 8 months, it is estimated.

(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.)

Response: Providing sidewalks and related accessibility improvements may stimulate a willingness on the part of residents to walk rather than use personal vehicles for local shopping and related errands.

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

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The City of Sunrise, Florida
Planning & Development Department
Redevelopment and Grants Division
3495 North Hiatus Road, Suite 200
Sunrise, Florida 33351
954 578-4766
cfreeman@cityofsunrise.org

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: See Public Display Notice published on May 18, 2009 in the Sun-Sentinel which is more than seven days before the City Commission Hearing. No comments were made at the public hearing conducted on May 26th before the City Commission as advertised. No comments were submitted or received as of the date of the submittal. The Public Notice appeared as shown on the following page.

**PUBLIC NOTICE
CITY OF SUNRISE, FLORIDA
SECOND SUBSTANTIAL CHANGE AMENDMENT
2008 ANNUAL ACTION PLAN
FIVE YEAR CONSOLIDATED PLAN/
PROPOSED USE OF FUNDS/ FISCAL YEAR 2008-2009**

Federal regulations governing the City of Sunrise 2005-2010 Consolidated Plan require that citizens be provided the reasonable notice of an opportunity to comment on any substantial amendment to the Plan as indicated below per 24 CFR Section 91.505. City of Sunrise hereby invites citizens to comment upon the specific substantial amendments to the activities identified in the amended Action Plan for FY 08-09, a copy of which may be obtained at the address cited below.

NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FUNDS

Additional funding under the American Recovery and Reinvestment Act and the CDBG Recovery Act (CDBG-R) and pursuant to federal regulations published in the Federal Register at Docket Number FR 5309-N-01 is available for application to the U.S. Department of Housing and Urban Development for receipt by June 5, 2009. The purpose of the funding is to assist in the stimulation of the economy. The submission is to include a signed Standard Form 424, signed certifications, and a substantial action plan amendment conforming to HUD requirements as provided in the above rule. HUD has abbreviated the citizen participation requirements and this notice complies with those requirements. This notification is seven days in advance of the Public Hearing, which will occur at 6:30 p.m. on May 26, 2009 at the Sunrise City Hall, 10770 West Oakland Park Boulevard in Sunrise.

SUBSTANTIAL AMENDMENTS TO ACTIVITIES IN THE ACTION PLAN

Activity/Eligible Use	Budget Amount
Infrastructure Improvements to include sidewalks, curbing, crosswalks, and related streetscape improvements for accessibility south of Oakland Park Boulevard, west of the City limit boundary with the City of Lauderhill, north of Sunrise Boulevard, and east of NW 68 th Avenue to the shared City limit boundary with the City of Plantation. Priority will be given to thoroughfares in this target area.	\$198,522
TOTAL CDBG-R FUNDS	\$198,522

City of Sunrise hereby invites all interested agencies, organizations, and persons to comment upon the proposed substantial amendments for the above-referenced CDBG-R activities identified in the amended Action Plan. To comment or for more specific information, please contact Carl J. Freeman at the City of Sunrise, Redevelopment and Grants Division, 3495 N. Hiatus Road, Suite 200, Sunrise, Florida 33351, (954) 572-2315 by June 3, 2009, Monday through Friday, 9 am to 5 pm.

All those who require special assistance are encouraged to call (954) 746-3250, so that special arrangements can be made. The Florida Relay Telephone number is (800) 955-8770 for those persons who are hearing impaired.

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): City of Sunrise, Florida Jurisdiction Web Address: www.sunrisefl.gov • http://www.sunrisefl.gov/Planning_Notices.htm 1 (<i>URL where CDBG-R Substantial Amendment materials are posted</i>)	CDBG-R Contact Person: Carl J. Freeman, AICP Redevelopment and Grants Administration Address: 3495 North Hiatus Road, Suite 200 Sunrise, Florida 33351 Telephone: 954 578-4766 Fax: 954 578-4768 Email: cfreeman@cityofsunrise.org
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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 **3**

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 2, 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) **3**

- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes No Verification found on page(s) **3**

- the CDBG national objective citation,
 Yes No Verification found on page(s) **3**

Grantee Checklist

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) 3
- projected number of jobs created for each activity,
Yes No Verification found on page(s) 4
- whether an activity will promote energy efficiency and conservation,
Yes No Verification found on page(s) 4
- the name, location, and contact information for the entity that will carry out the activity,
Yes No Verification found on page(s) 4
- 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

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) 5

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

Yes No Verification found on page(s) 4

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 |

Grantee Checklist

(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

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.

**CITY OF SUNRISE, a Florida
Municipal Corporation**

By: _____
Roger B. Wishner, Mayor

This ____ day of _____, 2009.

AUTHENTICATION:

Felicia M. Bravo, City Clerk

Date _____ 2009.

(SEAL)

Instruction Page

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).