

ORDER OF THE BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN APPROVING AN AMENDMENT TO THE CITY OF NEW HAVEN'S ANNUAL 2013-2014 CONSOLIDATED ACTION PLAN STATEMENT OF ACTIVITIES TO BE SUBMITTED TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FEDERAL FINANCIAL ASSISTANCE UNDER PROVISIONS OF TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED, (PL 93-383); THE CRANSTON GONZALEZ NATIONAL AFFORDABLE HOUSING ACT OF 1990 AS AMENDED (PL 101-625);

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974, as amended, (P.L. 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990 as amended (P.L. 101-625); and as further amended an authorized by the Housing and Community Development Act of 1992 (PL 102-550); hereafter referred to as "Housing and Community Development Programs", the Department of Housing and Urban Development is authorized to provide financial assistance to cities for undertaking and carrying out housing and community development activities on an annual basis; and

WHEREAS, under the provisions of an Act concerning Community Development, Public Act No. 75-443, Connecticut Municipalities are authorized to undertake housing and community development programs in accordance with the provisions of Title I of the Housing and Community Development Act of 1974, as amended, and Public Act No. 75-443; and

WHEREAS, in order to receive "Housing and Community Development Program" funding HUD requires the submission of a planning document incorporating housing and non-housing community development strategies in a consolidated plan to be prepared in accordance with the process prescribed in 24CFR Part 91; and

WHEREAS, the City has an approved Five Year Consolidated Plan covering 2010 through 2014, which includes a description of the community participation process, a needs analysis, objectives and priorities for the five year strategy period; and

WHEREAS, in accordance with federal regulations requiring Consolidated Submission for Community Planning and Development Programs (24CFR 91), the Mayor has caused to be prepared and has submitted to this Board an Annual 2013-2014 Consolidated Action Plan, Statement of Activities and Use of Funds for submission to the Department of Housing and Urban Development for the purpose of obtaining financial assistance to undertake and carry out community development activities; and

WHEREAS, on May 6, 2013 the Board of Aldermen of the City of New Haven approved an Annual 2013-2014 Consolidated Action Plan - Statement of Activities and Use of Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grant (ESG) funds to be submitted to the Department of Housing and Urban Development for federal financial assistance for planning and community development activities under the provisions of Title I of the Housing and Community Development Act of 1974 as amended, (PL 93-383); the Cranston Gonzalez National Affordable Housing

Act of 1990 as amended(PL 101-625); the McKinney - Vento Homeless Assistance Act of 2000 (PL 106-400); and the AIDS Housing Opportunity Act (PL 102-550); Hereafter referred to as "Housing and Community Development Programs" for the program year July 1, 2013 through June 30, 2014; and

WHEREAS, the City received notification from the U.S. Department of Housing and Urban Development that it would receive an additional \$436,972 in Community Development Block Grant (CDBG) and \$65,911 Home Investment Partnership (HOME) funding under the PY2013 Annual 2013-2014 Consolidated Action Plan; and

WHEREAS, the City has developed priorities for the use of the additional (CDBG) and (HOME) Program funds consistent with its Five Year Consolidated Plan; and

WHEREAS, in accordance with the federal regulations requiring Consolidated Submission for Community Planning and Development Programs (24CFR 91) and the actions necessary for amendments to approved programs, the Mayor has caused to be prepared and has submitted to this Board a Amendment to the City's FY 2013-2014 Consolidated Annual Action Plan in accordance with the process prescribed in 24CFR Part 91 which describes the proposed budget and use of the PY2013 additional Allocation from unutilized federal disaster recovery funding from HOME and CDBG for submission to the Department of Housing and Urban Development for the purpose of obtaining financial assistance to undertake and carry out specific programs and activities; and

WHEREAS, prior to submission to HUD, the mayor and other public officials have afforded the public, in accordance with the published regulations and its citizen participation program, the opportunity to comment on the receipt of and proposed use of the funds; and

WHEREAS, prior to submission to HUD, the Amendment to the 2013-2014 Annual Action Plan, describing the usage of the additional allocation of CDBG and HOME funds, was made available for public review and comment and the Mayor and other public officials have had opportunity to hear citizen views on the proposed program and homelessness, housing and prevention needs; and

WHEREAS, a copy of the Amendment to the 2013-2014 Annual Action Plan and information describing the additional PY2013 Allocation from unutilized federal disaster recovery funding from HOME and CDBG programs have been made available on the City's website for public review and comment; and

WHEREAS, the Amendment to the 2013-2014 Annual Action Plan, describing the PY2013 additional Allocation of unutilized federal disaster recovery funding from HOME and CDBG programs has been on file at the office of the City/Town Clerk, 200 Orange Street, for at least thirty days for the purpose of public inspection; and

WHEREAS, this Board acting through the Joint Committee on Community Development and Human Resources held public hearings pursuant to notices published in accordance with Public Act No. 75-443 at which times the views of the public with respect to the strategies, objectives and activities proposed in the Five Year Consolidated Plan and the Amendment to the 2013-2014 Annual Action Plan were communicated to this Board; and

WHEREAS, this Board has also received or has provided the opportunity for written communications from various City officials and members of the general public regarding the Amendment to the 2013-2014 Annual Action Plan, as it describes the PY2013 from unutilized federal disaster recovery funding from HOME and CDBG program; and

WHEREAS, it is necessary that this Board take appropriate official action respecting the Amendment to the City's 2013-2014 Consolidated Annual Action Plan which forms part of the application to the Department of Housing and Urban Development for the financial assistance and acceptance of the from unutilized federal disaster recovery funding from HOME and CDBG Program funds; and

WHEREAS, this Board is cognizant of the conditions imposed upon the Mayor and the City with respect to undertaking and carrying out housing and community development activities under the provisions of the Housing and Community Development Programs administered by HUD, and Public Act No. 75-443.

NOW, THEREFORE, BE IT ORDERED by the Board of Aldermen of the City of New Haven as follows:

1. It is hereby found and determined that:
  - (a) The projects and programs proposed for funding under the additional allocation of FY 2013 from unutilized federal disaster recovery funding from HOME and CDBG Programs and contained in the Amendment to the Annual 2013-2014 Consolidated Action Plan are in keeping with the intent of Title I of the Housing and Community Development Act of 1974, as amended, (P.L. 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990 as amended (P.L. 101-625); and as further amended an authorized by the Housing and Community Development Act of 1992 (PL 102-550) and are designed to meet community needs as determined in the program planning process and address the goals and objectives outlined in the City's Five Year Consolidated Plan for Housing and Community Development.
  - (b) There has been (i) adequate information provided to citizens concerning the amount of funds available for activities proposed under the FY 2013 additional HOME and CDBG Allocation and the range of activities which may be undertaken and other important program requirements, (ii) adequate opportunity for citizens and stakeholders to

participate in the development of the plan amendment, and (iii) adequate opportunity by this Board to obtain the views of citizens on homelessness, housing needs, the proposed program and the plan amendment.

- (c) The Annual 2013-2014 Consolidated Action Plan Program, as amended, will be conducted and administered in compliance with the Civil Rights Act of 1964 and 1968, P.L. 88-52 and P.L. 90-284, as from time to time amended, the Fair Housing Amendments Act of 1988, P.L. 100-430, section 109 of the Housing and Community Development Act of 1974, as amended, and Sections 31-26, 33-34, 53-35, 53-35a of the General Statutes.
  
- (e) In implementing the 2013-2014 Consolidated Plan Program as amended, the City shall comply with the provisions of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, P.L. 91-646, as from time to time amended.
  
- (f) If applicable, all laborers and mechanics employed by contractors or subcontractors on construction of rehabilitation work, except as provided under Section 110 of said Housing and Community Development Act of 1974, as amended, and Part III of Chapter 557 and Part I of Chapter 558 of the general statutes, shall be paid wages at rates not less than those prevailing on similar construction within the locality, as determined by the United States Secretary of Labor under the provisions of the Davis-Bacon Act, as from time to time amended; 40 U.S.C., Sections 276a to 276a-5, inclusive, or by the labor commissioner under Section 31-53 of the federal statutes, and all such persons shall receive overtime compensation in accordance with the provisions of the Contract Work Hours and Safety Standards Act, 40 U.S.C., Section 327 to 332, inclusive and Section 31-60 of the general statutes, or where no such federal financial assistance is to be provided, then compliance with Part III of Chapter 557 and Part I of Chapter 558 of the general statutes, or where no such federal financial assistance is to be provided, then compliance with Part III of Chapter 557 and Part I of Chapter 558 of the general statutes shall be required.
  
- (g) In implementing the 2013-2014 Consolidated Plan Program, as amended, the City shall comply with Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations at 24 CFR Part 135. Section 3, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed to low and very low income persons,

particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities to low and very low income persons.

- (h) In implementing the 2013-2014 Consolidated Plan Program, as amended, the City shall comply with notification, inspection, testing and abatement procedures concerning lead-based paint as required by 24 CFR 570.608.
- (i) In implementing the 2013-2014 Consolidated Plan Program as amended, the City shall comply with provisions of Executive Order 12372, Intergovernmental Review of Federal Programs.
- (j) That the Annual 2013-2014 Consolidated Action Plan, Statement of Activities and Use of Funds, as amended, and approved by this Board, complies with the requirements of Title I of the Housing and Community Development Act of 1974, as amended, (PL 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990, as amended (P.L. 101-25); the McKinney-Vento Homeless Assistance Act of 2000 (P.L. 106-400), as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009; AIDS Housing Opportunity Act (AOHA) and amended by the Housing and Community Development Act of 1992 (P.L. 102-550); hereafter referred to as "Housing and Community Development Programs", Public Act No. 75-443 and other applicable provisions of the law and regulations subject to the securing of further local approvals, such as urban renewal plan amendments, which may be required.

2. That the Amendment to the Annual 2013-2014 Consolidated Plan, describing the additional Allocation of Title I of the Housing and Community Development Act of 1974, as amended, (PL 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990, as amended (P.L. 101-25), has had an opportunity for citizen comment as outlined in the City's Citizen Participation Plan.

3. That the Substantial Amendment to the Annual 2013-2014 Consolidated Plan, describing the PY2013 additional funding Allocation of Title I of the Housing and Community Development Act of 1974, as amended, (PL 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990, as amended (P.L. 101-25)Emergency Solutions Grant Funding, as approved by this Board, complies with the requirements of the McKinney-Vento Homeless Assistance Act of 2000 (P.L. 106-400)as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009; Public Act No. 75-443 and other applicable provisions of the law and regulations subject to the securing of further local approvals, such as urban renewal plan amendments, which may be required.

NOW, THEREFORE, IT IS ORDERED that the Annual 2013-2014 Consolidated Action Plan, Statement of Activities and Use of Funds, as amended, through the receipt of an additional allocation of Title I of the Housing and Community Development Act of 1974, as amended, (PL 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990, as amended (P.L. 101-25) having been incorporated in this Order by reference, is hereby approved and the Mayor is authorized and directed to take all steps necessary to undertake and carry out the housing and community development activities described in said amendment and plan; and

IT IS FURTHER ORDERED that the Mayor is authorized to enter into contractual agreements and/or amendments irrespective of fiscal year expenditures restrictions and other ordinance restrictions in order to insure the performance of the approved Title I of the Housing and Community Development Act of 1974, as amended, (PL 93-383); the Cranston Gonzalez National Affordable Housing Act of 1990, as amended (P.L. 101-25); and

IT IS FURTHER ORDERED that the Mayor is authorized and directed to take whatever steps necessary to secure the approval of these funds and the amendment to the Annual 2013-2014 Consolidated Action Plan, Statement of Activities and Use of Funds and the City's application for financial assistance to the Secretary of Housing and Urban Development; and

BE IT FURTHER ORDERED that the Mayor has express approval to enter into an agreement with a start date that relates back to the commencement of the grant year regardless of when approval is obtained is hereby approved.

IT IS FURTHER ORDERED that the Mayor is authorized and directed to certify or give assurances, on behalf of the City, to the Secretary of Housing and Urban Development as to the matters determined and found by this Board; and

IT IS FURTHER ORDERED that in the event financial assistance is made available by the State of Connecticut under the provisions of Public Act No. 74-443 or related legislation to support the housing community development activities included as part of or contemplated under the Annual 2013-2014 Consolidated Action Plan, Statement of Activities and Use of Funds as amended and approved by this Board, that the Mayor is authorized to take whatever steps as are necessary to secure such financial assistance.

IT IS FURTHER ORDERED that pursuant to Consolidated Plan application requirements, prior to the authorization for and/or release of funding, all agencies and organizations receiving Consolidated Plan funds through the City must be current on all municipal taxes; provide proof of fiscal accountability including the filing of all federal tax forms 990 or 990EZ and the completion of the annual audits as required; and clear of all significant audit findings. If an agency is unable to fulfill these requirements, funding shall be reprogrammed.

Consolidated Plan Activity	FY 2013-14 Proposed	Description
<b>CDBG</b>		
<b>PUBLIC IMPROVEMENTS</b>		
Neighborhood Facility Public Improvements	200,000	City Activity. To provide for a neighborhood public improvement program in low/moderate income areas benefiting public facilities which includes code improvements, repairs and permanent enhancements. The individual project funding will be based upon the proposed benefit to the clients / neighborhoods. Projects will be reviewed by Community Services Administration and then recommended to the Livable City's Initiative for feasibility and project management.
<b>INTERIM ASSISTANCE</b>		
Facility Emergency Repair	84,032	City Activity. To correct any unsafe conditions which constitute an imminent and substantial danger to the welfare and safety of occupants. Conditions include: lack of water, heat, electricity or gas services caused by faulty mechanical systems and necessary repairs to prevent additional structural damage to the facility. Projects will be reviewed by Community Services Administration and then recommended to the Livable City's Initiative for feasibility and project management.
<b>REHABILITATION</b>		
Beulah Land Development Corp	40,000	Location: 774 Orchard St. The program's goal is to diminish the impact of poverty and blight in neighborhoods by transforming dilapidated, absentee-owned residential structures and vacant infill lots into renovated affordable housing. BLDC works to eliminate blight, decay and property abandonment through ongoing revitalization efforts, increasing the tax base, identifying properties and developing affordable housing for residents who are expending more than 30% of their income on housing. BLDC's is requesting funding for the rehabilitation of 693 and 718 Orchard St. Both properties required substantial rehabilitation. The project will result in two rehabbed houses for low income homeownership. The request will result in a change of project from new construction described below to rehabilitation. This activity has been an ongoing project with its completion date for the end of the program year
<b>SPECIAL ACTIVITY BY SUBRECIPIENT</b>		
Beulah Land Development Corp	(40,000)	Location: 774 Orchard St. To acquire vacant property at 1-7 Shelton Ave. The parcel is located across the street from BLDC development at 340 Dixwell Avenue. The land will provide for 6 units of new construction for home ownership. The owners

Consolidated Plan Activity	FY 2013-14 Proposed	Description
		<p>will be at or below 80% of median income. Construction is targeted for fall of 2013 and should be completed by the summer of 2014. Funds will be used for program delivery costs and legal expenses. The estimated cost of the project is \$1,908,056. Construction has been delayed resulting in a change in activity to an ongoing rehab project described above. Funding level remains the same.</p>
Hardware Total	284,032	
<b>PLANNING &amp; ADMINISTRATION</b>		
General Administration	87,394	<p>City Activity. To provide funding for the planning and development of the Consolidated Plan and the Five Year Plan. The plan will require input from the public, non-profits, for-profits and various other municipalities. The information provided will determine the needs and the gaps and priorities of the community. In addition, the activity will insure compliance with federal regulation, program monitoring, over site and changing reporting requirements.</p>
Planning & Admin Total	87,394	
<b>PUBLIC SERVICE</b>		
Columbus House	26,578	<p>Location: 586 Ella Grasso Blvd. \$3,496 will provide for the operational expenses specifically utilities at the main shelter which is open throughout the year. Approximately 100 men and women reside in the shelter which provides for extended stay beds. Location: 232 Cedar St. \$23,082 will provide for operational expenses specifically lease, utilities and site security costs. The overflow shelter is open on a seasonal basis for males. It gives them an opportunity to go into a safe, secure and structured environment with 2 meals and the provision of basic needs.</p>
Immanuel Baptist Shelter	27,076	<p>Location: 645 Grand Ave. Funding will be used for operational expenses specifically for lease payments and utilities. The ESMS program specializes in providing shelter and services for homeless men operating a 75-bed facility. Client check-in starts at 4:00 pm and wake up is 7am with all clients departing shelter by 7:30 am.</p>
Liberty Community Services	5,946	<p>Location: 210 State St. Funding will be used to cover operational expenses specifically for utility and maintenance. The facility known as Safe Haven provides 33 apartments for people who were chronically homeless and a Day Program for people currently homeless.</p>



Consolidated Plan Activity	FY 2013-14 Proposed	Description
New Haven Home Recovery	5,946	Location: 559 Howard Ave. Funding will be used to cover the operational expenses, specifically for heat and utilities, at the facility known as Martha's Place which serves 18 single women and 3 women with children who are literally homeless.
Public Service Total	65,546	
CDBG Grand Total	436,972	
<b>HOME</b>		
HOME Program	65,911	<p>City Activity. For program costs, monitoring and other allowable costs of the HOME program which will provide loans for the rehabilitation and construction of low-income, owner-occupied structures and rental properties. For the correction of code violations, basic repairs, hazardous material abatement, etc. and loans/grants to support the rehabilitation of existing houses. The City is required by HUD to set-aside a 15% reserve for Community Housing Development Organizations (CHDO's). The highest priority is given to developments with homeownership as the outcome.</p> <p>HOME (CHDO Set-Aside) - \$9,887  HOME (Housing Development) - \$49,433  HOME (Admin) - \$6,591</p>
HOME Grand Total	65,911	