

**CITY OF BROWNSVILLE  
OFFICE OF GRANT MANAGEMENT  
AND COMMUNITY DEVELOPMENT**

**SUBSTANTIAL AMENDMENT  
TO**

**FISCAL YEAR 2007 - 2012**

**ANNUAL ACTION PLANS**

**HOME INVESTMENT PARTNERSHIP PROGRAM**

AUGUST 30, 2013  
CITY OF BROWNSVILLE  
1034 E. LEVEE STREET

**Substantial Amendment to the 2007-2008, 2008-2009, 2009-2010, 2010-2011, and 2011-2012 Annual Action Plans  
City of Brownsville**

Grantee Name:	City of Brownsville
Name of Department Administering Funds:	Office of Grant management & Community Development
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Title:	City Manager
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### **EXECUTIVE SUMMARY**

The Substantial Amendment to the 2007-2008, 2008-2009, 2009-2010, 2010-2011, and 2011-2012 Annual Action Plans (October 1, 2007 through September 30, 2012) describes program and funding amendments to previous City of Brownsville Annual Action Plans, as proposed by the Office of Grant Management and Community Development (OGMCD).

The City of Brownsville is an Entitlement City in the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program and a Participating Jurisdiction in the HOME Investment Partnership Program. As per the City's Citizen Participation Plan and 24 CFR Part 91, a Substantial Amendment is required when there is a change in the use of HOME funds from one activity to another of \$50,000.00 or more, and/or when an activity is added or eliminated from the One Year Action Plan.

### **BACKGROUND**

The City of Brownsville (City) Office of Grant Management & Community Development (OGMCD) receives funding on an annual basis from HUD for the Community Development Block Grant (CDBG) Program; HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) Program. These funds are allocated by the City of Brownsville to various activities through the preparation and submission of a three to five year Consolidated Plan and Annual Action Plans. The OGMCD is the lead department responsible for the development and administration of the Annual Action Plans for the City.

During the 2013 Program Year, the City undertook a review of its past HOME program expenditures through the use of HUD's Integrated Disbursement and Information System (IDIS), which provides tracking of funded projects/activities for compliance and performance measurements. Through this process the City identified the previously funded projects/activities that were completed below budget or had unspent funding as well as funds that had never been committed to projects. Additionally, due to higher than anticipated receipts from program income, the City of Brownsville projects that a total of \$5,226,771 in HOME Funds from prior years is available to be reallocated to activities in the coming year. The additional funds outlined in this Substantial Amendment enable the City to commit unused funds to projects and activities already described in the Consolidated Plan and Annual Action Plan previously submitted to HUD, as well as to a new activity, Housing Rehabilitation for Resale.

In accordance with HUD rules, receipted program income funds will be drawn first prior to entitlement. Any excess entitlement funds or program income funds will be reallocated in 2013 or the subsequent program year(s) as appropriate at the discretion of the City. If said reallocation triggers a Substantial Amendment, the appropriate process will be followed. The City also reserves the right to utilize program income funds for administrative costs up to the maximum 10 percent available in the local HOME account during a program year.

### *HOME Compliance*

The City of Brownsville proposes this Substantial Amendment to its Fiscal Years 2007–2012 Annual Action Plans to carry out activities in accordance to the 2013 HOME Final Rule requirements. The proposed amendments will create new projects for the upcoming fiscal year, modify the HOME funding allocations and will meet one following national objectives:

- Benefiting low- and moderate- income (LMI) persons;
- Aid in the prevention or addressing slums or blight; or
- Meeting a particularly urgent community development need.

Funding allocations in this Substantial Amendment will provide new construction, housing rehabilitation and other economic activities in the City of Brownsville, creating and sustaining employment. If it is determined that the proposed projects adequately meet the screening guidelines and selection criteria, the City will be authorized to execute an agreement with the agency. The City is in the process of revising checklists, agreements, and the existing policies and procedures for all programs (homebuyer assistance, rental and homebuyer development, and homeowner rehabilitation programs) to reflect the Final Rule regulatory requirements.

The City of Brownsville consulted with the representatives from Cloudburst Group, a nationally recognized consulting firm that the U.S. Department of Housing and Urban Development has contracted with to provide one-on-one assistance to the City, in preparation of this Substantial Amendment. In August 2013, the Cloudburst Group provided feedback and guidance on the City of Brownsville's HOME program design, eligible activities for HOME funding, funding allocations, and the qualified Community Housing Development Organization's (CHDO) proposed projects. Based on this assistance, the City is requesting the reallocation of \$5,180,000 in prior year HOME Investment Partnerships Program funds be reallocated to the qualified projects and activities including an owner-occupied home rehabilitation loan

project, homebuyer assistance and Tenant Based Rental Assistance (TBRA) programs if approved by HUD.

### *Community Engagement*

Community Engagement regarding this Substantial Amendment was achieved through several methods. The Notice of Public Hearing and Request for Public Comment was advertised in The Brownsville Herald on Sunday, September 1, 2013 (see Appendix A). The notice was also posted on the City's website, the City Libraries, the Community Network Centers and the Brownsville Housing Authority. Finally, the notice was also emailed to the Brownsville Citizen Advisory Committee (BCAC) and the City Commissioners. Notice was provided in both English and Spanish.

The City held two Public Hearings in addition to the 30-day comment period. On September 25, 2013, a public hearing was held before the Brownsville Citizens Advisory Committee at their monthly meeting (6:00 p.m.; 1001 E. Elizabeth Street, HR Training Room). On October 1, 2014, the second public hearing was held before the City Commission at their regularly scheduled meeting, (6:00 p.m.; 1001 E. Elizabeth Street, Commission Chambers). A summary of comments received at the public hearing and in writing during the public comment period, along with the City's responses, will be provided in Appendix B.

The City also held multiple meetings with the local Community Housing Development Organizations (CHDO's), Public Housing Authority and multifamily housing developers to discuss the proposed projects and obtain their input on projects under consideration for the Substantial Amendment.

**PROPOSED CHANGES**

The City of Brownsville proposes the following changes in its Substantial Amendment:

Program Year/Activity Title	Prior Budget Amount	Funds Remaining	New Budget Amount
<b>FY 2007-2008 Prior Year Activities</b>			
Candlewick Affordable Housing Preservation	\$ 400,000	\$ 187,146	\$ -
<b>FY 2008-2009 Prior Year Activities</b>			
BAHC Energy Efficient Homes	\$ 393,751	\$ 95,879	\$ 95,879
<b>FY 2009-2010 Prior Year Activities</b>			
Homeowner Reconstruction	\$ 601,641	\$ 601,641	\$ -
Tenant Based Rental Assistance	\$ 200,000	\$ 200,000	\$ -
<b>FY 2010-2011 Prior Year Activities</b>			
BAHC Energy Efficient Homes	\$ 716,002	\$ 716,002	\$ 224,121
<b>FY 2011 – 2012 Prior Year Activities</b>			
BAHC Energy Efficient Homes	\$ 171,462	\$ 171,462	\$ -
Brownsville Down Payment Assistance Program	\$ 600,000	\$ 429,500	\$ 429,500
<i>Subtotal</i>	\$ 3,082,856	\$ 2,401,630	
<b>2013 New/Modified Activities</b>			
HOME Homebuyer Assistance	Previous Years Uncommitted Funds:		\$ 570,500
HOME Tenant Based Rental Assistance		\$ 1,750,000	
HOME Owner-Occupied Housing Rehabilitation		\$ 1,000,000	
HOME Single Family New Housing Construction		\$ 740,000	
HOME Housing Rehabilitation for Resale		\$ 370,000	
	\$ 2,825,141		
<b>Total</b>		<b>\$ 5,226,771</b>	<b>\$ 5,180,000</b>

- 1) For FY 2007-2008, the City of Brownsville budgeted \$400,000 for the rehabilitation of the Candlewick Townhomes, a multifamily rental complex that was also a low income housing tax credit project with 132 low income rental housing units. The entire amount was not needed for the project and therefore the remaining \$187,146 will be reprogrammed for the 2013 New/Modified Activities.
- 2) In 2008, the City of Brownsville budgeted \$393,751 in the FY 2008-2009 Annual Action Plan for the Brownsville Affordable Homeownership Corporation (BAHC) to construct new, energy-efficient homes for eligible low and moderate income households. BAHC acquired housing lots

in residential neighborhoods, built homes and assisted households with down payment and closing costs using a total of \$297,892 from its funding allocation. BAHC was unable use its full allocation and therefore \$95,879 remains. This Substantial Amendment ensures that these remaining funds are still available to BAHC for the same assistance to households in upcoming funding period.

- 3) In 2009, the City of Brownsville planned to spend \$601,641 on Homeowner Reconstruction and \$200,000 on Tenant Based Rental Assistance, as shown in the FY 2009-2010 Annual Action Plan. The Homeowner Reconstruction funds were to be used to assist an estimated six eligible low-income households living in substandard housing conditions by reconstructing their homes. The City of Brownsville never undertook the Homeowner Reconstruction project and therefore all \$601,641 in HOME funds remain available for reprogramming. The \$200,000 in Tenant-Based Rental Assistance was intended to provide rental subsidy, in the form of rent, security deposits and utility deposits, for eligible households seeking affordable housing. The City of Brownsville never undertook the Tenant Based Rental Assistance project and therefore all \$200,000 in HOME funds remain available for reprogramming.
- 4) In the FY 2010-2011 Annual Action Plan, the City of Brownsville budgeted \$716,002 for the Brownsville Affordable Homeownership Corporation (BAHC) to construct new, energy-efficient homes for eligible low and moderate income households. At that time, BAHC was still working to complete affordable housing under previously awarded HOME funds and therefore never used the \$716,002 allocation. This Substantial Amendment sets aside \$224,121 of those funds for use by BAHC for the same first-time homeowner assistance in upcoming funding period. The remaining \$491,881 in HOME funds remain available for reprogramming.
- 5) In 2011, the City of Brownsville planned to provide \$171,462 to BAHC to construct new homes for eligible low and moderate income households and \$600,000 in Down Payment Assistance to eligible first-time homebuyers. At that time, BAHC was still working to complete affordable housing under previously awarded HOME funds and therefore never used the \$171,462 allocation. This Substantial Amendment reprograms the unused BAHC funds for new projects in 2013 New/Modified Activities. In addition, the City of Brownsville was able to assist first-time homebuyers through \$170,500 in Down Payment Assistance funds; however, \$429,500 still remains. This Substantial Amendment ensures that these remaining funds are still available for Down Payment Assistance, also called Homebuyer Assistance, to eligible low to moderate income households.
- 6) 2013 New/Modified Activities. In preparing for the FY 2013-2014 HOME Program Year, the City of Brownsville proposes this Substantial Amendment in order to reprogram unused funds from prior years and uncommitted funds from prior years. This Substantial Amendment allows the City to commit available funds to the following projects, which were identified as priorities in previous Annual Action Plans:

Homebuyer Assistance – Down payment and closing cost assistance will be provided through the City of Brownsville’s Homebuyer Assistance Program as part of its Consolidated Plan goals to “provide down payment and closing cost assistance” and “to provide gap-financing assistance”. The level of homebuyer assistance will be based on the gap between the purchase price of the home and the approved mortgage loan, not to exceed \$20,000 in Down Payment Assistance and \$5,000 in closing costs.

- For FY 2013-2014, the Community Development Corporation of Brownsville (CDCB) will administer the Homebuyer Assistance program as a third party administrator of the City of Brownsville. An estimated 45 households will receive approximately \$22,222 in homebuyer assistance as part of the \$1,000,000 contract. CDCB will use HUD’s Income & Allowances Calculator (Part 5 definition) to determine the income eligibility and assistance amounts for applicants; applicants must also meet the federally established median household income limits for Brownsville.

Tenant Based Rental Assistance (TBRA) - TBRA will be provided to low-income households through the Housing Authority of the City of Brownsville (HACB) as part of the City’s efforts and Consolidated Plan goal to “promote affordable housing opportunities” for low-income households. HACB administers the Low-Rent Housing and Section 8 Programs, which are instrumental in preventing homelessness among extremely low-income families, and is a high performing Public Housing Authority. HABC currently provides an estimated 2,163 Section 8 Housing Choice Vouchers to low-income families, allowing them to choose affordable rental housing within the City of Brownsville and providing them a chance for a better quality of life by providing access to greater employment opportunities, access to better schools, and after-school programs.

- For FY 2013-2014, the Housing Authority of the City of Brownsville (HACB) will administer the TBRA program on behalf of the City of Brownsville in the total amount of \$1,750,000. An estimated 180 households will receive an approximate average of \$10,000 per year through the City of Brownsville’s HOME-funded TBRA Program. HACB will use HUD’s Income & Allowances Calculator (Part 5 definition) to determine the income eligibility and assistance amounts for applicants; applicants must also meet the federally established median household income limits for Brownsville. Rental payment amounts will be determined by using the highest of either (1) 30% of their monthly adjusted income, after allowed deductions; (2) 10% of their monthly gross income; or (3) \$50 minimum rent.

Owner-Occupied Housing Rehabilitation – The City of Brownsville will continue to administer the Owner-Occupied Housing Rehabilitation program to benefit extremely low, low and moderate income households as part of its Consolidated Plan goals to “reduce the rehabilitation costs to the homeowners through grants and low interest loans” and “to rehabilitate existing homeownership units”.

- For FY 2013-2014, the City of Brownsville plans to assist an estimated 50 households with \$1,000,000 in HOME funds. Households will receive up to \$25,000 in rehabilitation assistance through a deferred loan program; rehab work will be conducted by qualified contractors. As with its other HOME-funded programs, the City of Brownsville will use the HUD Income Calculator (Part 5 definition) and federally established income limits to qualify households for the program.

Single-Family New Housing Construction – The City of Brownsville will execute written agreements with certified Community Housing Development Organizations (CHDO’s) for the development of single-family new housing construction for qualified homebuyers as part of its Consolidated Plan goals to “provide gap-financing assistance” and “promote affordable housing opportunities”. The single-family new housing construction program has been a fundamental component of the City’s HOME program for many years and the region currently has three CHDO’s that actively implement this program: Architecture for Charity, Brownsville Affordable Homeownership Corporation and Community Development Corporation of Brownsville.

- For FY 2013-2014, CHDO’s will construct homes for an estimated 34 households using approximately \$1,060,000 in HOME funds. The HOME funds will be used for homebuyer assistance, developer fees, and interim construction financing as needed by the CHDO.

Housing Rehabilitation for Resale – As part of its work its Consolidated Plan goal “to promote affordable housing opportunities”, the City of Brownsville will use HOME funds to support the acquisition of dilapidated homes within central Brownsville for rehabilitation and resale to eligible low and moderate income families.

- For FY 2013-2014, Community Development Corporation of Brownsville will implement the City’s Housing Rehabilitation for Resale program through the purchase and rehabilitation of approximately 10 homes at an approximate total cost of \$370,000. Qualified homebuyers will participate in the design of their rehabilitated home. HOME funds will be used for homebuyer assistance, developer fees and interim construction financing as needed by the CHDO. Eligible households will be those that qualify under the same guidelines as the City of Brownsville’s other HOME-funded programs.

### **Substantial Amendment Process Schedule**

**COMMENT PERIOD:** The City is accepting written comments on this proposed Substantial Amendment for a 30-day period beginning Monday, September 2, 2013 and ending at 5:00 p.m. Tuesday, October 1, 2013. Any interested party may submit their written comments to Ms. Stephanie Reyes, Director of Grant Management & Community Development Department, RE: Substantial Amendment Public Input, 1034 E. Levee Street, 2<sup>nd</sup> Floor, Brownsville, TX 78520; Phone: (956) 548-6167; e-mail: [stephanie.reyes@cob.us](mailto:stephanie.reyes@cob.us); fax: (956) 548-6161.

**Public Hearings:** In addition to the 30-day comment period, the City will hold two (2) Public Hearings on the proposed changes to receive public comment. Written and oral comments will be taken at the public hearings for the following dates, times and locations:

- September 25, 2013 (6pm): Brownsville Citizens Advisory Committee Meeting  
City Hall, 4<sup>th</sup> Floor 1001 E. Elizabeth Street (HR Training Room)
- October 1, 2013 (6pm): Brownsville City Commission Meeting  
City Hall, 2<sup>nd</sup> Floor 1001 E. Elizabeth Street (Commission Chambers)

**SUBMISSION:** The substantial amendment will be submitted to HUD on or about **October 17, 2013**. HUD has 30 days to comment or request additional information.

The City of Brownsville does not discriminate on the basis of disability in the admission of, access to, treatment of, or employment in its programs, activities, or public meetings. Any individual with a disability in need of an accommodation is encouraged to contact the ADA Coordinator at (956) 548-6037 (voice or Relay TX). Requests from individuals needing special accommodations should be received at least 2- 3 days prior to the function.

### **CERTIFICATIONS**

- (1) **Affirmatively further 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 HOME 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 HOME 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 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 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 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 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 funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, unless CDBG 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 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 funds if the jurisdiction certifies that it lacks 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 HOME 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 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 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 for LMI.** The aggregate use of CDBG 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 grant.

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

\_\_\_\_\_  
Date

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

Title

#### **PUBLIC NOTICE**

The City of Brownsville provided public notice of a 30-Day Comment Period (September 2, 2013 – October 1, 2013) in the Brownsville Herald, a local newspaper (See Attachment). All interested parties were encouraged to submit their written comments to Ms. Stephanie Reyes, Director of Grant Management & Community Development Department

**SF424** (See Attachment)



# PUBLIC NOTICE REQUEST FOR COMMENTS



## City of Brownsville

### Notice of Proposed Substantial Amendment to the 2007-2008, 2008-2009, 2009-2010, 2010-2011, and 2011-2012 One-Year Action Plans

COMMENT PERIOD: September 2-October 1, 2013



Notice is hereby given that the City of Brownsville (City) is considering a Substantial Amendment to its 2007-2008, 2008-2009, 2009-2010, 2010-2011, and 2011-2012 One-Year Action Plans (October 1, 2007 through September 30, 2012). The total amount of the Substantial Amendment is \$5,180,000.

The City is an Entitlement City in the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program and a Participating Jurisdiction (PJ) in the HOME Investment Partnership Program. Public Notice and Public Hearings are required for Substantial Amendments to our One-Year Action Plan. As per the City's Citizen Participation Plan and 24 CFR Part 91, a Substantial Amendment is required when there is a change in the use of HOME funds from one activity to another of \$50,000.00 or more, and/or when an activity is added or eliminated from the One-Year Action Plan.

#### Proposed Changes:

The following activities are proposed for the HOME Program from the above years (2007 through 2012) and vary by \$50,000 or more from the amount listed in the associated One-Year Action Plan.

Project Name	Budget Amount	Estimated No. of Households Assisted
HOME Homebuyer Assistance	\$1,000,000	40
HOME Tenant Based Rental Assistance	\$1,750,000	180
HOME Owner-Occupied Housing Rehabilitation	\$1,000,000	50
HOME Single Family New Housing Construction	\$1,060,000	34
HOME Housing Rehabilitation for Resale	\$370,000	10
<b>Total</b>	<b>\$5,180,000</b>	<b>314</b>

A full description of the proposed Substantial Amendment can be reviewed online at <http://grants.cob.us> and at the following locations:

- Brownsville Public Library, 2600 Central Blvd., Brownsville, TX
- Southmost Public Library, 4320 Southmost Blvd., Brownsville, TX
- Southmost Community Network Center, 2900 Southmost Road, Brownsville, TX
- Westside Community Network Center, 1763 U.S. Highway 281, Brownsville, TX
- Brownsville Housing Authority, 24 Elm Street, Brownsville, TX

**COMMENT PERIOD:** The City is accepting written comments on this proposed Substantial Amendment for a 30-day period beginning Monday, September 2, 2013 and ending at 5:00p.m. Tuesday, October 1, 2013. Any interested party may submit their written comments to Ms. Stephanie Reyes, Director of Grant Management & Community Development Department, RE: Substantial Amendment Public Input, 1034 E. Levee Street, 2nd Floor, Brownsville, TX 78520; Phone: (956) 548-6167; e-mail: [stephanie.reyes@cob.us](mailto:stephanie.reyes@cob.us); fax: (956) 548-6161.

**Public Hearings:** In addition to the 30-day comment period, the City will hold two (2) public hearings on the proposed changes to receive public comments.

- September 25, 2013 (6pm): Brownsville Citizens Advisory Committee Meeting City Hall, 4th Floor 1001 E. Elizabeth Street (HR Training Room)
- October 1, 2013 (6pm): Brownsville City Commission Meeting City Hall, 2nd Floor 1001 E. Elizabeth Street (Commission Chambers)

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1-866-572-SELL

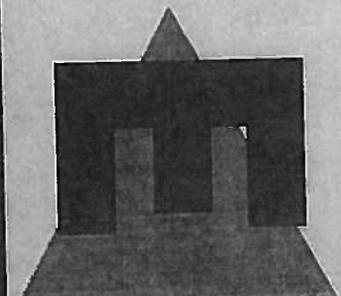
SUNDAY, SEPTEMBER 1, 2013

1-866-572-SELL

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# AVISO PUBLICO PETICIÓN DE OBSERVACIONES



## Ciudad de Brownsville

Notificación de la Propuesta de modificación sustancial del Plan de Acción Anual de los siguientes años 2007-2008, 2008-2009, 2009-2010, 2010-2011, y 2011-2012



**PERIODO DE COMENTAR: 2 de Septiembre -1 de Octubre, 2013**

Se hace saber que la ciudad de Brownsville (Ciudad) está considerando una modificación sustancial del Plan de Acción Anual de los siguientes años 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012 (1 de octubre de 2007 hasta septiembre 30, 2012). El importe total de la modificación sustancial es \$ 5.18 millones.

La ciudad es una comunidad con derecho a subsidios autorizados en el Programa de Subsidios Globales para el Desarrollo Comunitario (CDBG, por sus siglas en ingles) del Departamento de Vivienda y Desarrollo Urbano (HUD, por sus siglas en ingles), y una jurisdicción participante en el Programa de Asociación para Inversiones en Vivienda HOME. Los avisos publicos y las audiencias publicas son requeridos para las enmiendas sustanciales del Plan de Desempeño Anual del Ayuntamiento. En conformidad con el Plan de Participación del Ciudadano del Ayuntamiento y de la ley 24 CFR parte 91, una Enmienda Sustancial es requerida cuando se produce un cambio en el uso de los fondos de HOME de una actividad a otra de \$50,000 o mas, y/o cuando una actividad es agregada o eliminada del Plan de Desempeño Anual.

Se proponen las siguientes actividades para el Programa HOME de los años y varía de \$ 50.000 o más de la cantidad que figura en el Plan de desempeño anual asociado.

Nombre de Proyecto	Presupuesto Importe	Número estimado de hogares asistidos
HOME Asistencia para Compradores de Vivienda	\$1,000,000	40
HOME Ayuda para Alquiler Basada Inquilino	\$1,750,000	180
HOME Ocupada por el propietario de Rehabilitación de Viviendas	\$1,000,000	50
HOME Casa Nueva Construcción de Viviendas	\$1,060,000	34
HOME Construcción de Casas Nuevas Viviendas	\$370,000	10
<b>Total</b>	<b>\$5,180,000</b>	<b>314</b>

Una descripción completa de la propuesta de enmienda sustancial puede ser revisado en el sitio web <http://grants.cob.us> y en los siguientes lugares:

- Brownsville Public Library, 2600 Central Blvd., Brownsville, TX
- Southmost Public Library, 4320 Southmost Blvd., Brownsville, TX
- Southmost Community Network Center, 2900 Southmost Road, Brownsville, TX
- Westside Community Network Center, 1763 U.S. Highway 281, Brownsville, TX
- Brownsville Housing Authority, 24 Elm Street, Brownsville, TX

**PERÍODO DE COMENTARIOS:** La ciudad está aceptando comentarios por escrito sobre esta propuesta de modificación sustancial de un período de 30 días que comienza Lunes, 02 de Septiembre 2013 y termina a las 5:00 pm Martes, 01 de Octubre 2013. Las partes interesadas podrán presentar sus observaciones por escrito a la Sra. Stephanie Reyes, Directora de Office of Grant Management and Community Development, RE: Modificación Sustancial de entrada Pública, 1034 E. Levee Street, 2nd Floor, Brownsville, TX 78520, Tel: (956) 548-6167, e-mail: [stephanie.reyes@cob.us](mailto:stephanie.reyes@cob.us), fax: (956) 548-6161.

**Audiencias públicas:** Además del período de comentarios de 30 días, la ciudad tendra dos (2) audiencias públicas sobre los cambios propuestos para recibir comentarios del publico.

- 25 de Septiembre 2013 (6pm): Brownsville Citizens Advisory Committee Meeting City Hall, 4th Floor 1001 E. Elizabeth Street (HR Training Room)
- 1 de Octubre 2013 (6pm): Brownsville City Commission Meeting City Hall, 2nd Floor 1001 E. Elizabeth Street (Commission Chambers)

La ciudad de Brownsville no discrimina por motivos de discapacidad en la admisión, acceso, tratamiento, o empleo en sus programas, actividades o reuniones públicas. Cualquier persona con una discapacidad con necesidad de alojamiento se recomienda ponerse en contacto con el Coordinador de ADA al (956) 548-6037 (voz o Relay TX). Por favor, proporcionan 2-3 días de antelación para que los alojamientos adecuados pueden ser proporcionados.

1-866-572-SELL

SUNDAY, SEPTEMBER 1, 2013

1-866-572-SELL

valleyclassifieds.com

**Application for Federal Assistance SF-424**

**\* 1. Type of Submission:**

- Preapplication
- Application
- Changed/Corrected Application

**\* 2. Type of Application:**

- New
- Continuation
- Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

**State Use Only:**

6. Date Received by State:

7. State Application Identifier:

**8. APPLICANT INFORMATION:**

\* a. Legal Name:

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

\* c. Organizational DUNS:

**d. Address:**

\* Street1:

Street2:

\* City:

County/Parish:

\* State:

Province:

\* Country:

\* Zip / Postal Code:

**e. Organizational Unit:**

Department Name:

Division Name:

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix:

\* First Name:

Middle Name:

\* Last Name:

Suffix:

Title:

Organizational Affiliation:

\* Telephone Number:

Fax Number:

\* Email:

**Application for Federal Assistance SF-424**

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

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

**11. Catalog of Federal Domestic Assistance Number:**

CFDA Title:

**\* 12. Funding Opportunity Number:**

\* Title:

**13. Competition Identification Number:**

Title:

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

Add Attachment

Delete Attachment

View Attachment

**\* 15. Descriptive Title of Applicant's Project:**

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424**

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

\* a. Federal

\* b. Applicant

\* c. State

\* d. Local

\* e. Other

\* f. Program Income

\* g. TOTAL

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on .

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes  No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*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)**

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:

\* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:

\* Date Signed: