

AMENDMENT  
City of Medford 2008 Action Plan  
STRATEGY IMPLEMENTATION  
**Amendment Dated May 12, 2009, pages 29-30 Amended**

Jurisdiction(s): <u>City of Medford</u> Lead Agency: City Mgr Office Jurisdiction Web Address: <ul style="list-style-type: none"><li>• <a href="http://www.ci.medford.or.us">www.ci.medford.or.us</a></li></ul>	CDBG-R Contact Person: Lynette O'Neal Address: 411 West 8 <sup>th</sup> St., Medford OR 97501 Telephone: 541-774-2000 Fax: 541-618-1700 Email: <a href="mailto:lynette.oneal@ci.medford.or.us">lynette.oneal@ci.medford.or.us</a>
---	---

**ENSURING RESPONSIBLE SPENDING OF RECOVERY ACT FUNDS**

The City of Medford is scheduled to receive \$166,819 in Community Development Block Grant Recovery (CDBG-R) funds. These funds are to stimulate the economy and benefit low/moderated income citizens in our community. The Housing and Community Development Commission met in a special meeting on May 11, 2009 to discuss funding options for the use of the CDBG-R funds. The projects recommended are the Homeowner Repair Program and the West Main Apartments Rehabilitation. Each program provides funds for rehabilitation to low and moderate income persons. The Homeowner repair program allows low/moderate income persons to rehabilitate their homes and provide them with safe and decent housing. The West Main Apartments rehabilitation will provide eight households with affordable, safe and decent rental units.

The following Substantial Amendment to the City of Medford 2008 Action Plan outlines the recommendations of the Commission for use of the funding that meet the eligibility requirements of the American Recovery and Reinvestment Act and CDBG funds.

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

*Please see page 4 for the spreadsheet.*

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

**AFFORDABLE AND WORKFORCE HOUSING**

*Goal 1: Increase the affordability of housing for the City's lower-income workforce and special needs households.*

Strategy 1-1 Improve the quality and long-term affordability of existing rental and/or homeowner housing occupied by lower-income households.

Objective: Improve the ability of homeowners to maintain their properties.

**Activity 1: Homeowner Repair Program**

Provide emergency rehabilitation loans to low-income homeowners for provision of emergency repairs

for roofs, electrical, plumbing or heating systems, or other health or safety-related problems.

Location: Citywide

Subrecipient: Housing Authority of Jackson County

Funding: \$100,000 CDBG and \$76,004 in estimated program income

Outcome: Approximately 12 homes rehabilitated.

**Affordability**

Affordability for the purpose of providing decent housing

Housing Rehabilitation

Outcome statement: Twelve low income and/or senior households will be improved through rehabilitation to provide safe and decent housing.

- 1. Amendment: Provide an additional \$102, 691 to provide emergency rehabilitation loans to low-income homeowners for provision of emergency repairs for roofs, electrical, plumbing, or heating systems, or other health or safety related problems.**

**Eligibility/National Objective Citation: 570.202/570.208(a)(3)**

**Outcome statement: An additional twelve low-income and/or senior households will be improved through rehabilitation to provide safe and decent housing. Replacing windows with energy efficient windows conserves energy and replacing older HVAC systems and/or wood stoves with high efficiency HVAC systems reduces pollution emissions and conserves energy.**

- 2. The Homeowner Repair Program is estimated to retain 247 local jobs; 5 local general contractors, 20 sub-contractors, 40 suppliers with an average of 5 employees each, and 2 housing rehabilitation specialists. In addition, it is expected that additional jobs will be retained/created at manufacturing facilities through the purchase of supplies needed for the rehabilitation projects.**
- 3. The Homeowner Repair Program promotes revitalization in some of the most distressed neighborhoods in the City of Medford.**
- 4. The Program is administered by the Housing Authority of Jackson County. Contact information: Jeff L. Jackson, Housing Rehabilitation Specialist, 2251 Table Rock Road, Medford OR 97501, Phone-541-779-5785 x 1019, FAX-541-857-1118.**

Objective: Continue to support efforts to improve the maintenance and habitability of rental properties, including publicly owned housing.

**Activity 2: West Main Apartment Rehabilitation**

Provide funds to rehabilitate the West Main Street Apartments

Location: 1608 and 1612 West Main Street, Medford

Subrecipient: Housing Authority of Jackson County

Funding: \$35,380 of new CDBG funds, \$37.00 in carryover funds  
Outcome: Rehabilitation of 8 rental units for low income citizens

Sustainability

Sustainability for the purpose of providing decent housing

Multi-Unit Residential Rehabilitation

Outcome Statement: Affordable rental housing for 8 low income households will be maintained through rehabilitation to provide decent and safe housing.

- 1. Amendment: Provide an additional \$47,448 to complete rehabilitation of 8 rental units for low-income citizens.**

**Eligibility/National Objective Citation: 570.202(b)(1)/570.208(a)(3)**

**Outcome statement: Completing the rehabilitation will provide decent and safe housing and maintain affordable rental housing for 8 low-income households.**

- 2. The rehabilitation project is estimated to retain/create 22 local jobs; one local general contractor with three construction jobs created, two sub-contractors with three construction jobs retained, three suppliers with five employees each, and one housing rehabilitation specialist job retained. In addition, it is expected that additional jobs will be retained/created at manufacturing facilities through the purchase of supplies needed for the rehabilitation project.**
- 3. The continued rehabilitation of the West Main apartments will provide affordable housing for 8 low-income households. Windows and doors are being replaced, along with siding and trim, entry gables, and paint contributing to increased energy efficiency. In addition, some of the units are in need of HVAC systems, which will also conserve energy.**
- 4. The West Main Street apartment rehabilitation project is being done by the Housing Authority of Jackson County. Contact information: Steven Kraft, Housing Rehabilitation Specialist, 2251 Table Rock Road, Medford OR 97501, Phone-541-779-5785 x 1036, FAX-541-857-1118.**

## **Public Comments**

The City of Medford posted our Substantial Amendment and 7-day public comment period notice on our website, emailed the amendment to all applicants of General Fund and CDBG grants as well as many public service agencies, posted the notices at the Medford Public Library, Santo Community Center, and City Hall offices and provided handouts at these locations. We sent the notice of the substantial amendment and public comment period to the media including newspaper and television.

No public comments were received.

In addition, The City held a public hearing on May 21, 2009 at 7:00 p.m. which was noticed in the newspaper and posted on the City website.

One comment was received and is shown below.

### **120. Public hearings**

- 120.4 COUNCIL BILL 2009-105 A resolution approving a substantial amendment to the City of Medford's *2008/09 Action Plan for Housing and Community Development* to receive additional funding in the amount of \$166,819.00 in Community Development Block Grant (CDBG) Recovery funds and allocation.

Lynette O'Neal, Grants Coordinator addressed the council and provided a staff report and noted that this amendment will allow the City to receive stimulus funding which will be used to fund additional services for homeowner repair program, the west main street apartment rehab and administration of the additional funds. She noted that the Housing & Community Development Commission and staff recommend approval.

Public hearing opened.

1. Steven Kraft, 1118 W. 11<sup>th</sup> St. who is an employee of the Jackson County Housing Authority addressed the council and thanked them for support of the housing rehab program as well as the W. Main project.

Public hearing closed.

Councilmember Kuntz noted as he is an employee of the Housing Authority, he will be abstaining on this item.

Motion: Approve the resolution approving a substantial amendment.

Moved by: Greg Jones

Seconded by: Jill Stout

Roll Call: Councilmembers Chris Corcoran, Dick Gordon, Greg Jones, Bob Strosser, Jill Stout and Ben Truwe voting yes. Councilmember James Kuntz abstained.

Council Bill 2009-105 was duly adopted.

## **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 undersubparagraph 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.

\_\_\_\_\_  
Gary H. Wheeler

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor

OPTIONAL CERTIFICATION

CDBG-R

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

Where the urgent need is the current economic conditions, the grantee certifies that the activity is alleviating current economic conditions which pose a threat to the economic welfare of the community in which the activity is being carried out, the recipient is unable to finance the activity on its own, and other sources of funding are not available.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title