

**CITY OF ROCHESTER
CONSOLIDATED COMMUNITY DEVELOPMENT PLAN
SUBSTANTIAL AMENDMENT TO THE 2008-09 ANNUAL ACTION PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT**

CDBG-R SUBSTANTIAL AMENDMENT NO. TWO (#2)

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 the U.S. Department of Housing and Urban Development (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.

Jurisdiction: City of Rochester Lead Agency: Department of Neighborhood & Business Development Jurisdiction Web Address: www.cityofrochester.gov	CDBG-R Contact Person: Bret Garwood Address: 30 Church Street, Rm. 005-A Rochester, NY 14614 Telephone: (585) 428-6150 Fax: (585) 428-6229 Email: garwoodb@cityofrochester.gov
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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, HUD 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.

- 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>.
- B. CDBG-R Information by Activity (Complete for each activity)
 - 1. Activity Name:
 - a. EDD Financial Assistance Loan & Grant Program/College Channel
 - b. EDD Financial Assistance Loan & Grant Program/Nothnagle Realtors
 - c. Neighborhood Right-of-Way Improvements (new activity being proposed by this Substantial Amendment)

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;
- Assisting those most impacted by the recession;
- Providing investment needed to increase economic efficiency;
- Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;
- Minimizing or avoiding reductions in essential services; or
- Fostering energy independence.

The Community Development Block Grant (CDBG) program enables local governments to undertake a wide range of activities intended to create suitable living environments and provide decent affordable housing and create economic opportunities primarily for persons of low and moderate income.

On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Public Law 111-5) was signed into law. The Act provides \$2,585,159 in supplemental CDBG funds to the City of Rochester for housing and community development activities.

Under the Recovery Act, the City of Rochester will give priority to projects and activities that can award contracts within 120 days from the date the funds are made available to the recipients. The projects chosen are poised for rapid implementation and have an accelerated implementation schedule. The City of Rochester is investing funds in economic development activities with the goal quickly spur economic investment and job creation and retention. For infrastructure projects, there is a goal of at least 50% of the funds for activities that can be initiated not later than 120 days after the date of enactment of this act.

To receive the funding, the City of Rochester prepared a substantial amendment to the 2008-09 Consolidated Community Development Plan / Annual Action Plan and submitted it to HUD on May 29, 2009. The substantial amendment gave the public an opportunity to comment on the proposed use of the supplemental CDBG funding. The substantial amendment also served as the application for the funding. The City of Rochester is proposing a second substantial amendment to the 2008-09 Consolidated Community Development Plan / Annual Action Plan whereby \$686,000 will be transferred from the EDD Financial Assistance Loan and Grant Program account within the Promoting Economic Stability Objective to the Neighborhood Right-of-Way Improvements account within the General Community Needs Objective (a portion of the \$2,585,159 received from HUD under the Recovery Act).

The City of Rochester will give the public an opportunity to comment on the proposed substantial amendment. The hearing will be held on the proposed transfer. According to CDBG-R guidance from HUD dated June 22, 2012, subsequent amendments to the CDBG-R substantial amendment do not require HUD approval.

Following is a summary:

EDD Financial Assistance Loan & Grant Program (reduced from \$2,585,189 to \$1,899,189): Two projects are being funded from the American Recovery and Reinvestment Act supplemental CDBG allocation through the Main Street Assistance Program. Each project is described in the first substantial amendment.

Neighborhood Right-of-Way Improvements (\$686,000): These activities include, but are not limited to, pavement improvements (micropaving and milling and resurfacing), curbing, tree lawns, catch basins, traffic calming features, and sidewalk repair/replacement will be made in CDBG eligible locations.

None of the funds will be used for administration and planning.

None of the funds will be used for public services.

At least 70% of the grant amount will benefit persons of low and moderate income.

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).

a. EDD Financial Assistance Loan & Grant Program/College Channel:

Permanent:	Full Time Created	200	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0
Construction:	Full Time Created	5	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0
Temporary:	Full Time Created	0	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0

b. EDD Financial Assistance Loan & Grant Program/Nothnagle Realtors:

Permanent:	Full Time Created	35	Full Time Retained	40-50
	Part Time Created	0	Part Time Retained	
Construction:	Full Time Created	49	Full Time Retained	0
	Part Time Created	26	Part Time Retained	0
Temporary:	Full Time Created	0	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0

c. Neighborhood Right-of-Way Improvements:

Permanent:	Full Time Created	0	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0
Construction:	Full Time Created	7	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0
Temporary:	Full Time Created	0	Full Time Retained	0
	Part Time Created	0	Part Time Retained	0

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.)

Under the codes of New York State, the buildings shall be reviewed for the regulations of design and construction for the effective use of energy. The proposed right-of-way improvements promote smart growth by strengthening the existing public infrastructure.

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

City of Rochester
30 Church Street
Rochester, NY 14614

Bret Garwood, Director of Development Services
(585) 428-6150
garwoodb@cityofrochester.gov

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 jurisdictions website for no less than 7 calendar days for public comment:

Response:

Citizen Participation Process--The City of Rochester follows an approved Citizen Participation Plan. While HUD modified the need to follow the Citizen Participation Plan, the City took the following actions to encourage citizen participation in the substantial amendment:

- Made the substantial amendment available at the Department of Neighborhood and Business Development giving citizens seven (7) calendar days to review and comment.
- A 7-day public notice was published on September 12, 2012 in the legal section of the Democrat and Chronicle advertising that the substantial amendment is available for public review and that a public hearing on the substantial amendment will be held on September 19, 2012. Citizens were invited to submit comments to the Department of Neighborhood and Business by September 19, 2012.
- The substantial amendment was posted on the City's website for 7 days for review and comment.

A summary of any comments received regarding the substantial amendment will be submitted to HUD by the City of Rochester.

Amendment Availability:

Copies of the Substantial Amendment are available at the following locations which are accessible to the disabled:

Department of Neighborhood and Business Development
City Hall, Room 125B
30 Church Street
Rochester, NY 14614

Office of the City Clerk
City Hall, Room 300A
30 Church Street
Rochester, NY 14614

Communications Bureau
City Hall, Room 202A
30 Church Street
Rochester, NY 14614

Rochester Public Library/Rundel Memorial Building
115 South Avenue
Rochester, NY 14604

Public Comment:

Comments on the amendment should be submitted to Bret Garwood, Director of Development Services, City Hall, Room 005A, 30 Church Street, Rochester, NY 14614 by September 19, 2012.

Public Hearing:

A public hearing on the Substantial Amendment to the 2008-09 Annual Action Plan Community Development Block Grant will take place at a meeting of the Council of the City of Rochester to be held in the Council Chambers, Third Floor, City Hall, 30 Church Street, Rochester, NY 14614 on the 19th day of September 2012 at 7:30 PM. The hearing will consider the amendment.

Assisted listening devices and/or alternative formats are available upon request. American Sign Language (ASL) interpreters, other auxiliary aids and services, or reasonable modifications to City Council meeting policies and or/procedures, such as to assist members of the disabled community who would like to request a disability-related accommodation in addressing the City Council, are available if requested at least three (3) business days prior to the City Council meeting. Later requests will be accommodated to the extent feasible. Please telephone the City Clerk at (585) 428-7421 (voice) or (585) 428-7600 (TTY), from 9:00 AM to 5:00 PM Monday through Friday.

The City provides bilingual services to the Hispanic community. For assistance, please telephone (585) 428-8662 from 9:00 AM to 5:00 PM Monday through Friday at least three (3) business days prior to the City Council meeting to request these services.