

## Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Grantees eligible to receive funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) are required to complete a substantial amendment to their Consolidated Plan 2008 Action Plan. This form sets forth the required format for this substantial amendment. A completed form is due to HUD within 60 days of the publication of the HUD HPRP notice.

To aid grantees in meeting this submission deadline, the HPRP Notice reduces the requirement for a 30-day public comment period to no less than 12 calendar days for this substantial amendment. With this exception, HPRP grantees are required to follow their Consolidated Plan's citizen participation process, including consultation with the Continuum of Care (CoC) in the appropriate jurisdiction(s). Grantees are also required to coordinate HPRP activities with the CoC's strategies for homeless prevention and ending homelessness. To maximize transparency, HUD strongly recommends that each grantee post its substantial amendment materials on the grantee's official website as the materials are developed.

A complete submission contains the following three documents:

- 1) A signed and dated SF-424,
- 2) A completed form HUD-40119 (this form), and
- 3) Signed and dated General Consolidated Plan and HPRP certifications.

For additional information regarding the HPRP program, visit the HUD Homelessness Resource Exchange ([www.hudhre.info](http://www.hudhre.info)). This site will be regularly updated to include HPRP resources developed by HUD and its technical assistance providers.

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The information collection requirements contained in this application have been submitted to the Office of Management and Budget (OMB) for review under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

*Information is submitted in accordance with the regulatory authority contained in each program rule. The information will be used to rate applications, determine eligibility, and establish grant amounts.*

Public reporting burden for this collection of information is estimated to be 16 hours, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. To the extent that any information collected is of a confidential nature, there will be compliance with Privacy Act requirements. However, the substantial amendment to the Consolidated Plan 2008 Action Plan does not request the submission of such information.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the  
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

**A. General Information**

<b>Grantee Name</b>	City of Rochester
<b>Name of Entity or Department Administering Funds</b>	Department of Community Development
<b>HPRP Contact Person</b> (person to answer questions about this amendment and HPRP)	Bret Garwood
<b>Title</b>	Director of Development Services
<b>Address Line 1</b>	Bureau of Housing and Project Development
<b>Address Line 2</b>	30 Church Street, 028B
<b>City, State, Zip Code</b>	Rochester, New York 14614
<b>Telephone</b>	(585) 428-6150
<b>Fax</b>	(585) 428-6229
<b>Email Address</b>	garwoodb@cityofrochester.gov
<b>Authorized Official</b> (if different from Contact Person)	Robert J. Duffy
<b>Title</b>	Mayor
<b>Address Line 1</b>	City Hall, 307A
<b>Address Line 2</b>	30 Church Street
<b>City, State, Zip Code</b>	Rochester, New York 14614
<b>Telephone</b>	(585) 428-7045
<b>Fax</b>	(585) 428-6059
<b>Email Address</b>	duffy@cityofrochester.gov
<b>Web Address where this Form is Posted</b>	www.cityofrochester.gov

<b>Amount Grantee is Eligible to Receive*</b>	<b>\$3,954,235</b>
<b>Amount Grantee is Requesting</b>	<b>\$3,954,235</b>

\*Amounts are available at <http://www.hud.gov/recovery/homelesspreventrecov.xls>

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**B. Citizen Participation and Public Comment**

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

Response: The City of Rochester followed the approved Citizen Participation Plan, as it applies to Amendments. A public notice regarding the availability of HPRP funds appeared in the Democrat and Chronicle newspaper on April 9, 2009. A public hearing was held on May 12, 2009 at 8:00 PM, City Hall, 30 Church Street to obtain public comments and input.

The Substantial Amendment (HUD-40119) was available during the public comment period from April 9, 2009 to May 12, 2009 on the City of Rochester website at <http://www.cityofrochester.gov>. Copies of this document was available for review at the Department of Community Development, City Hall 30 Church Street, Room 125 B, Rochester, NY 14614.

Special informational meetings sponsored by the City and County were held with key community stakeholders, including the Rochester/Monroe County Homeless Continuum of Care (CoC) and the Homeless Services Network (HSN); a network consisting of more than 60 organizations providing housing and/or services for the homeless. In addition, ongoing public input and guidance was provided from the Rapid Rehousing (RRH) Committee. The RRH was formed in January 2009 to develop a RRH model in our community that would include a central intake and common assessment process. In anticipation of the funds three joint planning meetings were held to prioritize and facilitate the development of the HPRP model.

2. Provide the appropriate response regarding this substantial amendment by checking one of the following options:

Grantee did not receive public comments.

Grantee received and accepted all public comments.

Grantee received public comments and did not accept one or more of the comments.

3. Provide a summary of the public comments regarding this substantial amendment. Include a summary of any comments or views not accepted and the reasons for non-acceptance.

Response: The comment period was from April 9, 2009 to May 12, 2009. No comments were received.

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**C. Distribution and Administration of Funds**

Reminder: The HPRP grant will be made by means of a grant agreement executed by HUD and the grantee. The three-year deadline to expend funds begins when HUD signs the grant agreement. Grantees should ensure that sufficient planning is in place to begin to expend funds shortly after grant agreement.

1. Check the process(es) that the grantee plans to use to select sub grantees. Note that a sub grantee is defined as the organization to which the grantee provides HPRP funds.

X Competitive Process

Formula Allocation

Other (Specify: \_\_\_\_\_)

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

Response: Based upon input and guidance from key homeless stakeholders discussed in Section B., data from our CoC Homeless Management Information System (HMIS) and interest received in advance of this Amendment, the City is aware that the demand is strong and continuing to grow to address the homeless needs within our community. Therefore, requests for HPRP funds will likely exceed the amount available to both the County CDA and the City of Rochester.

Given the required spending plans of HPRP resources, the HPRP funds will only be obligated to organizations with the demonstrated capacity and expertise to address the areas of greatest need and that also ensure that projects can be implemented efficiently and successfully to address all program requirements within the statutory time frame.

To accomplish this, the County and City plan to issue a joint County / City Notice of Funding Availability (NOFA) process on or about May 22, 2009 to solicit proposals for specific HPRP projects in the areas of greatest need. Priority will be given to the following eligible activities permitted under HPRP: Short-Term Rental Assistance; Housing Relocation and Stabilization Services; Housing Search Assistance; Mediation or Outreach to Property Owners; Case Management; and other Appropriate Homelessness Prevention and Re-Housing Activities. A special joint City/County HPRP Applicant Workshop will be conducted shortly after issuance of the NOFA.

*put on RFP*

Proposals will be due on or about June 22, 2009. This will allow applicants at least 30 days to develop proposals for the HPRP funding round. The proposal due date is subject to change based upon HUD's approval of this Amendment, and/or changes issued to the Notice or interpretation of the Notice as clarified on the HUD

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Homelessness Resource Exchange website at ([www.hudhre.info](http://www.hudhre.info)) for this program.

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

Response: A newly formed HPRP Review Committee consisting of representatives from the City, County CDA and DHS, CoC, HSN, United Way of Greater Rochester and RRH will evaluate and rank projects based on specific project evaluation criteria (HPRP Rating Forms) as developed by the Review Committee. The City and County CDA reserve the right to reject any application that does not meet requirements of the statute or fails to demonstrate the capacity to carry out the proposed activities in an effective and timely manner. Further, the County CDA and City reserve the right to contact individual applicants to submit additional information needed to make final determinations.

The anticipated HPRP application due date of June 22, 2009 will become effective after this Substantial Amendment due date, therefore, it is not possible to exactly predict or commit to specific allocations or specific uses of HPRP funds. However, input received from the key stakeholders and discussed in Section B.1. and interest obtained from potential HPRP applicants, helped substantially to establish the priority eligible activities described in the NOFA.

Based on competitive bids, the County CDA and City will award funds and/or enter into legally binding grant agreements with all sub grantees by September 30, 2009.

County and City payments will be made, respectively, to the subgrantees for eligible HPRP activities. Subgrantees may be paid in advance pursuant to procedures outlined in 24 CFR 84.22 for non-profit organizations and 24 CFR 85.21 for units of government. The County CDA, City, or sub grantees if applicable, will draw down funds at least quarterly from IDIS.

4. Describe the grantee's plan for ensuring the effective and timely use of HPRP grant funds on eligible activities, as outlined in the HPRP Notice. Include a description of how the grantee plans to oversee and monitor the administration and use of its own HPRP funds, as well as those used by its subgrantees (limit 500 words).

Response: In accordance with the HPRP Notice (Docket No. FR-5307-N-01), the City must obligate funds to their subgrantees by September 30, 2009. Pursuant to the Recovery Act, the spending plan stipulates that 60 percent of HPRP grant funds must be expended within two years of the date that funds become available to the City and County CDA for obligation (the date that HUD signs the grant agreement), and 100 percent of funds within three years of this date. As discussed in Section C.2., given the required HPRP spending plans for HPRP resources, HPRP funds will only be obligated to organizations with the

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demonstrated capacity to address the areas of greatest need and that possess the expertise to ensure that projects can successfully be implemented to address all program requirements within the statutory time frame.

All subgrantee HPRP Agreements will clearly define all spending plan requirements, program implementation plan, and the required performance measures (goals and outcomes) for all proposed prevention, diversion and re-housing activities. Subgrantees will be required to meet or exceed all performance measurements and document that the incomes of households served are at or below 50 percent of the Area Median Income (AMI), and are either homeless or at risk of losing housing as defined in detail in the HPRP Notice.

At a minimum, program oversight and monitoring of subgrantees will be conducted in accordance with the project monitoring and compliance procedures described in the approved City Consolidated Plan. In addition, the joint City/County/CoC HPRP Team will develop a comprehensive HPRP monitoring reporting form to be consistently utilized during all subgrantee monitoring visits to be conducted by the County CDA and City.

All HPRP subgrantees will be required to participate in the CoC Homeless Management Information System (HMIS) for the purpose of collecting data and reporting on outputs and outcomes as required by HUD pursuant to the required data elements that will be collected in HMIS for HPRP as defined in the revised HMIS Data and Technical Standards.

Respectively, Quarterly Performance Reports will be submitted by the County CDA and City to HUD and will establish systems and internal controls in place that allow for separately tracking and reporting on Recovery Act funds as outlined in Section 1512 of the Recovery Act. An Initial Performance Report, which will cover the period between the grant agreement execution date and September 30, 2009 and which will serve as the first Quarterly Performance Report, will be provided to HUD in a timely manner prior to the October 10, 2009 due date.

### **D. Collaboration**

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

Response: To most effectively utilize all resources, applicants will be encouraged to establish partnerships to integrate and coordinate programs within our community whenever possible.

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The County CDA and City will collaborate with local agencies that can serve similar target populations which will receive additional funding under the American Recovery and Reinvestment Act of 2009:

- Emergency Food and Shelter Program (EFSP) Local Board: Since EFSP funds can be used for homelessness prevention, the grantee will work with the local board to ensure that this community maximizes funds available for prevention activities, and that the organizations funded with EFSP will use the same assessment and criteria for potential participants. Local EFSP allocations have not been announced at this time.
  - Monroe County Department of Human Services (MCDHS): County CDA will meet with MCDHS once the guidelines are made available for the Temporary Assistance to Needy Families (TANF) Emergency Contingency Fund to maximize use of this funding to benefit households at risk of homelessness. MCDHS is an active member of the CoC Team
  - Rochester City School District (RCSD): RCSD is very interested in playing an active role in outreach efforts to households that are doubled up and/or at imminent risk of homelessness and who would benefit from support to secure and stabilize permanent housing that would be the least disruptive to the education of children in the household.
  - Rochester Works, Inc. (RWI): RWI, through its career center operations, will provide employment preparation services to clients of local agencies who are ready to pursue job search and employment. Services include job readiness training, skill development, career counseling, job search workshops and individualized job search assistance.
2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

Response: The County CDA and City are active members of the CoC Team and are currently involved in planning efforts with the CoC Team and RRH Committee to develop a local model to ensure that HPRP funding is used efficiently and effectively to reduce the number of persons entering the homeless system and to move persons residing in emergency or transitional housing to permanent housing as quickly as possible. Homelessness prevention activities and rapid re-housing represent two of the three strategies identified in the CoC 's plan to end homelessness "Housing Options for All."

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The CoC's membership is diverse and includes representatives from the providers of mainstream resources, ie. – health care, entitlement benefits, education, etc. There are ten (10) ex-officio members of the CoC Team appointed by private and public organizations that were deemed necessary to have at the table to develop, maintain, monitor and continuously improve a comprehensive, flexible and coordinated continuum of care system of housing and services for homelessness in this community. These members represent: Monroe County Department of Human Services, Monroe County Office of Mental Health, Rochester/Monroe County Youth Bureau, Monroe County Department of Planning and Development - CDA; City of Rochester - Bureau of Youth Services and Department of Community Development, United Way, Rochester Housing Authority, and the HSN - two elected members from this consortium of more than 60 organizations and individuals providing housing and/or services to homeless populations in this community.

All HUD funded projects in the continuum are required to meet or exceed performance measurements in linking participants with mainstream resources. Planning work groups include both members of the CoC Team and the Homeless Services Network (HSN).

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

Response: HPRP funds will be used in a manner consistent with the Homeless CoC Action Plan described in the Consolidated Plan. With increased resources for prevention services, funds will be used to reduce numbers of homeless persons by diverting at risk households from the homeless system.

Rapid Re-Housing funds will provide new resources to move homeless households to permanent housing quickly and provide short-term support services to ensure housing is stabilized, preventing future episodes of homelessness.

ESG activities which include eviction prevention, utility assistance and other emergency services by experienced providers are in and consistent with the 2008-09 Annual Action Plan of the Consolidated Community Development Plan. The allowance for these services are also included in the City's newly adopted Housing Policy.

We will continue to enhance our Discharge Planning Protocols Policy to reduce the numbers of homeless who have been discharged from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions), in order to prevent such discharge from immediately resulting in homelessness for such persons. However, persons who are being imminently discharged into homelessness from such publicly funded



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institutions are eligible to receive financial assistance or services through HPRP as long as they meet the minimum requirements as discussed in section D.2 of the HPRP Notice.

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**E. Estimated Budget Summary**

HUD requires the grantee to complete the following table so that participants in the citizen participation process may see the grantee's preliminary estimated amounts for various HPRP activities. Enter the estimated budget amounts for each activity in the appropriate column and row. The grantee will be required to report actual amounts in subsequent reporting.

<b>HPRP Estimated Budget Summary</b>			
	<b>Homelessness Prevention</b>	<b>Rapid Re- housing</b>	<b>Total Amount Budgeted</b>
Financial Assistance <sup>1</sup>	\$843,421	\$618,508	\$1,461,929
Housing Relocation and Stabilization Services <sup>2</sup>	\$843,420	\$1,443,186	\$2,286,606
<b>Subtotal</b> (add previous two rows)	<b>\$1,686,841</b>	<b>\$2,061,694</b>	<b>\$3,748,535</b>

Data Collection and Evaluation <sup>3</sup>	\$8,000
Administration (up to 5% of allocation)	\$197,700
<b>Total HPRP Amount Budgeted<sup>4</sup></b>	<b>\$3,954,235</b>

<sup>1</sup>Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

<sup>2</sup>Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

<sup>3</sup>Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

<sup>4</sup>This amount must match the amount entered in the cell on the table in Section A titled "Amount Grantee is Requesting."

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**F. Authorized Signature**

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)

**The final amendment submitted to HUD will include a signed and dated SF-424, a signed HUD-40119 (this form), and signed and dated General Consolidated Plan and HPRP certifications.**

<u></u> Signature/Authorized Official	<u>5-15-09</u> Date
<u>Mayor</u> Title	

**Application for Federal Assistance SF-424**

Version 02

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

- Preapplication
- Application
- Changed/Corrected Application

**\*2. Type of Application**

- New
- Continuation
- Revision

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

A. Increase Award

**\*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: City of Rochester

\*b. Employer/Taxpayer Identification Number (EIN/TIN):  
16-6002551

\*c. Organizational DUNS:  
002465805

**d. Address:**

\*Street 1: 30 Church Street

Street 2: \_\_\_\_\_

\*City: Rochester

County: Monroe

\*State: New York

Province: \_\_\_\_\_

\*Country: United States of America

\*Zip / Postal Code 14614

**e. Organizational Unit:**

Department Name:  
Community Development

Division Name:  
Bureau of Housing and Project Development

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

Prefix: Mr.

\*First Name: Bret

Middle Name: \_\_\_\_\_

\*Last Name: Garwood

Suffix: \_\_\_\_\_

Title: Director of Development Services

Organizational Affiliation:  
City of Rochester

\*Telephone Number: (585)428-6150

Fax Number: (585)428-6229

\*Email: garwoodb@cityofrochester.gov

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

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

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

Department of Housing and Urban Development, Office of Community Planning and Development

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

14.257

CFDA Title:

Homelessness Prevention and Rapid Re-Housing Program (HPRP)

**\*12 Funding Opportunity Number:**

\*Title:

Funding Availability for the Homeless Prevention Fund created under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 ("Recovery Act"), "Homeless Prevention and Rapid Re-Housing Program (HPRP)

**13. Competition Identification Number:**

Title:

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

City of Rochester, New York and Monroe County

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

Homeless Prevention Rapid Re-Housing (HPRR).

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16. Congressional Districts Of:

\*a. Applicant: 28

\*b. Program/Project: 28

17. Proposed Project:

\*a. Start Date: July, 2009

\*b. End Date: June, 2012

18. Estimated Funding (\$):

*a. Federal	_____	3,954,535
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	3,954,235

\*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.)

Yes       No

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: Mr.      \*First Name: Robert  
Middle Name: John  
\*Last Name: Duffy  
Suffix: \_\_\_\_\_

\*Title: Mayor

\*Telephone Number: (585) 428-7045

Fax Number: (585) 428-6059

\* Email: duffyr@cityofrochester.gov

\*Signature of Authorized Representative: 

\*Date Signed: 5-15-09

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**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

NA

## GENERAL CERTIFICATIONS FOR STATE OR LOCAL GOVERNMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the state, territory, or local government certifies that:

**Affirmatively Further Fair Housing** -- The state, territory, or local government will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction or state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Drug-Free Workplace** -- It 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.

**Anti-Lobbying --** To the best of the state, territory, or local government'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 paragraphs 1 and 2 of this 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.

**Authority of Local Government, State, or Territory --** The submission of the consolidated plan is authorized under state law and local law (as applicable) and the jurisdiction or state possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with Plan --** The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

**Section 3 --** It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

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

5-15-09  
\_\_\_\_\_  
Date

Mayor  
\_\_\_\_\_  
Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The Grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check  if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

## Homelessness Prevention and Rapid Re-Housing Program (HPRP) Certifications

The HPRP Grantee certifies that:

**Consolidated Plan** – It is following a current HUD-approved Consolidated Plan or CHAS.


**Consistency with Plan** – The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

**Confidentiality** – It will develop and implement procedures to ensure:

- (1) The confidentiality of records pertaining to any individual provided with assistance; and
- (2) That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

**Discharge Policy** – A certification that the State or jurisdiction has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

**HMIS** – It will comply with HUD's standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.

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

5-15-07  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Title

**HEARING NOTICE  
AND  
NOTICE OF  
AMENDMENT  
HOMELESSNESS  
PREVENTION FUND  
2008-09 CONSOLIDATED  
COMMUNITY  
DEVELOPMENT PLAN  
ANNUAL ACTION PLAN**

NOTICE IS HEREBY GIVEN that at a meeting of the Council of the City of Rochester to be held at the Council Chambers, Third Floor, City Hall, 30 Church Street, Rochester, New York 14611, on the 12th day of May, 2009, at 9:00 AM, a public hearing will be held to consider and amend the 2008-09 Consolidated Community Development Plan Annual Action Plan. The following items are for public hearing and public review and comment:

- 1. HPRP Estimated Budget Summary
- Financial Assistance Homelessness Prevention - \$843,421
- Rapid Re-housing - \$1,608,608
- Total Amount Budgeted - \$2,452,029
- Housing Relocation and Stabilization Services - \$843,420
- Rapid Re-housing - \$1,443,188
- Total Amount Budgeted - \$2,286,608
- Subtotal - \$4,738,637
- Homelessness Prevention - \$1,886,241
- Rapid Re-housing - \$2,201,396
- Total Amount Budgeted - \$4,087,637
- Data Collection and Evaluations - \$9,000
- Amplification (to be allocated) - \$1,077,000
- Total HPRP Amount - \$5,964,239

Budgeted: \$3,954,239

1. Financial assistance includes the following activities: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

2. Housing relocation and stabilization services include the following activities: case management, outreach, housing search, and placement, legal services, mediation, and credit repair.

Data collection and evaluation costs associated with the HUD-assisted homelessness management information systems for purposes of collecting, duplicating, courts, of homeless persons and analyzing them for use of HPRP funds.

A Substantive Amendment to the Consolidated Plan 2008 Action Plan for Homelessness Prevention and Rapid Re-housing Program will be available for public review and comment from May 12, 2009 to May 19, 2009. The City of Rochester website at: <http://www.cityofrochester.gov>. Copies of the document will also be available for review at the Department of Community Development, 125-B City Hall, 30 Church Street, Rochester, New York.

Assisted living services and other services, including American Sign Language (ASL) interpreters, are available upon request. To make appropriate arrangements for these services, please telephone the City Clerk at (585) 428-7421 (voice) or (585) 428-7800 (TDD) during regular business hours, 9:00 AM to 5:00 PM on the day before the meeting. Call requests will be accommodated to the extent possible.

All public comments on the Consolidated Community Development Plan Citizen Participation Plan to the City of Rochester will be made available to the public. To make appropriate arrangements for these services, please telephone (585) 428-7771 during regular business hours, at least three (3) business days prior to the City Council meeting.

Comments should be submitted to: Joe Muccio, Assistant to the Commissioner of Community Development, City Hall, Room 125-B, 30 Church Street, Rochester, New York 14614 by May 12, 2009. Mr. Muccio can be reached at (585) 428-7421.

Meeting with the public will be held at a similar public location to be held on the 12th day of May, 2009, at 9:00 AM. Regarding this amendment to the 2008 Consolidated Plan Action Plan to account for \$25,000 in Homeless Prevention and Rapid Re-housing Program (HPRP) funds under the American Recovery and Reinvestment Act, the City of Rochester and the County intend to solicit proposals on the allocation of these funds. In cooperation with the Rochester-Hamilton County Homeless Continuum of Care (CoC) and in accordance with a Joint Notice of Fund Availability to solicit proposals from homeless service providers and supportive housing agencies.

Daniel B. Kahn  
City Clerk 2008.1X



City of Rochester

City Clerks Office

## Certified Ordinance

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Rochester, N.Y., \_\_\_\_\_

### TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **May 12, 2009** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **May 13, 2009** in accordance with the applicable provisions of law.

Ordinance No. 2009-149

Authorizing An Amendatory 2008-09 Community  
Development Program Plan For The Homelessness  
Prevention And Rapid Re-Housing Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves a substantial amendment to the 2008-09 Community Development Program Plan to enable the City to receive and administer Homelessness Prevention and Rapid Re-Housing Program funds from the U.S. Department of Housing and Urban Development under the American Recovery and Reinvestment Act of 2009.

Section 2. The Mayor is hereby authorized to submit the substantial amendment and enter into all necessary agreements to enable the City to receive and administer Homeless Prevention and Rapid Re-Housing Program funds from the U.S. Department of Housing and Urban Development under the American Recovery and Reinvestment Act of 2009.

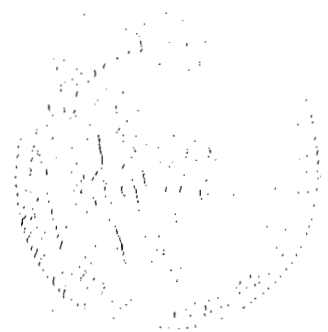
Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Santiago, Councilmembers Conklin, Lightfoot, McFadden, Miller,  
Palumbo, Pritchard, Spaul, Warren - 9.

Nays - None - 0.



Attest

City Clerk