

## **Substantial Amendment to the Consolidated Plan 2008 Action Plan for CDBG funding under the American Recovery and Reinvestment Act of 2009**

Grantees like the City of Bakersfield who are eligible to receive additional Community Development Block Grant (CDBG) funding under the American Recovery and Reinvestment Act of 2009 (Recovery Act) are required to complete a substantial amendment to their Consolidated Plan (ConPlan) 2008 Action Plan. This narrative sets forth the required format for this substantial amendment. A final and approved substantial amendment by the Bakersfield City Council is due to HUD by no later than **June 5, 2009**.

To aid grantees in meeting this submission deadline, the CDBG Recovery (R) Notice reduces the requirement for a 30-day public comment period to no less than seven (7) calendar days for this substantial amendment. 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) An approved Substantial Amendment, and
- 3) Signed and dated General Consolidated Plan and additional CDBG R certifications.

For additional information regarding the CDBG R program, visit HUD's Recovery Act website - (<http://www.hud.gov/offices/cpd/index.cfm> or [http://portal.hud.gov/portal/page?\\_pageid=153,1&\\_dad=portal&\\_schema=PORTAL](http://portal.hud.gov/portal/page?_pageid=153,1&_dad=portal&_schema=PORTAL)). These sites are regularly updated to include CDBG-R resources developed by HUD and its technical assistance providers.

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**A. General Information**

<b>Grantee Name</b>	City of Bakersfield
<b>Name of Entity or Department Administering Funds</b>	Economic and Community Development Department
<b>HPRP Contact Person</b> (person to answer questions about this amendment and HPRP)	Rhonda Barnhard
<b>Title</b>	Assistant Director
<b>Address Line 1</b>	1600 Truxtun Ave, STE 300
<b>Address Line 2</b>	
<b>City, State, Zip Code</b>	Bakersfield, CA 93301
<b>Telephone</b>	661-326-3765
<b>Fax</b>	661-852-2138
<b>Email Address</b>	EDCD@bakersfieldcity.us
<b>Authorized Official</b> (if different from Contact Person)	Alan Tandy
<b>Title</b>	City Manager
<b>Address Line 1</b>	1600 Truxtun Ave
<b>Address Line 2</b>	First Floor
<b>City, State, Zip Code</b>	Bakersfield, CA 93301
<b>Telephone</b>	661-326-3765
<b>Fax</b>	661-324-1850
<b>Email Address</b>	AdmMgr@bakersfieldcity.us
<b>Web Address where this Form is Posted</b>	<a href="http://www.bakersfieldcity.us/edcd/commdev/index.htm">http://www.bakersfieldcity.us/edcd/commdev/index.htm</a>

<b>Amount Grantee is Eligible to Receive*</b>	<b>\$897,462</b>
<b>Amount Grantee is Requesting</b>	<b>\$897,462</b>

\*Amounts are available at <http://www.hud.gov/offices/cpd/index.cfm>

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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.

Response:

The City of Bakersfield followed its Citizen Participation Plan by publishing the substantial amendment on May 13, 2009 for a minimum of seven days in the Bakersfield Californian (City local English paper of general circulation). As required by the Citizen Participation Plan, the notice was also published in El Popular (local Spanish newspaper) and uploaded to the City's EDCD internet site. A draft hard copy was made available for review at EDCD – 1600 Truxtun Ave., STE 300, 93301; and Downtown Beale Library, 701 Truxtun Ave., 93301.

On May 20, 2009, the substantial amendment will be submitted to the City Council for review and approval. The amendment will be mailed to HUD prior to the June 5, 2009 deadline.

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.  
*(to be determined)*

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:

*(to be determined)*

## **C. Distribution and Administration of Funds**

1. Activity Description, Funding sources/Amounts (includes providing information in an electronic spreadsheet provided by HUD
  - Activity Name
  - Activity Description
  - CDBG-\$ dollar amount budgeted

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- Eligibility Category
- National Objective Citation
- Additional Recover Act funds for the Activity received from other programs
- Total Activity Budget

Response:

See attached spreadsheet that reflects this information.

2. Description of how the distribution and uses of the Grantee's CDBG-R funds will meet the requirements of Title XII of Division A and Section 1602 of the Recovery Act; that in selecting projects to be funded, 1) priority to projects that can award contracts on bids within 120 calendar days from the date the funds are made available to the recipients and 2) recipients shall give preference to activities that can be started and completed expeditiously, including a goal of using at least 50 percent of the funds for activities that can be initiated not later than 120 calendar days after February 17, 2009.

Response:

The City intends to prepare bid documents and initiate project bidding this summer. Bids will be received beginning FY 2009-10 and contract award is expected by no later than August 19, 2009. Construction is expected to begin by September 1, 2009 with completion by no later than the end of the calendar year.

3. Written description of how the use of CDBG-R funds for the activity will maximize job creation and economic benefit in relation to the CDBG-R funds obligated, and will address the Recovery Act, by:
  - A. Preserving and creating jobs and promoting economic recovery;
  - B. Assisting those most impacted by the recession;
  - C. Providing investing needed to increase economic efficiency;
  - D. Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits;
  - E. Minimizing or avoiding reductions in essential services; or
  - F. Fostering energy independence

Response:

The proposed street activities will be implemented by City street crews and an outside contractor. This would provide temporary work. The street crews would set up and prep the streets for reconstruction, and an outside contractor would complete the street repaving work, C/G, sidewalk and tie-ins as needed. Approximately 16 persons would be employed during the construction phase of this activity.

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In addition, by investing CDBG-R funds in street (transportation) improvements, the neighborhood residents will have an improved or more accessible road network for commuting to job centers for employment.

4. For each activity, the number of full and part-time jobs estimated to be created or retained by the activity (including permanent, construction and temporary jobs).

Response:

As noted above, approximately 16 persons would be employed during the construction phase of this activity. These street improvements do not anticipate creating any permanent jobs.

5. A description of the activities that will be carried out with CDBG-R funds that promote energy conservation, smart growth, green building technologies or reduced air pollution.

Response:

The proposed activities for the use of the CDBG-R funds include street reconstruction. By repaving the streets there will be an increase in auto fuel efficiency for neighborhood residents and by installing C/G and sidewalks (in some cases) there will be an incentive to walk versus automobile use which helps reduce air pollution (auto emissions).

**D. 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 the CDBG – R funded 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>CDBG-R Estimated Budget Summary</b>	
<b>Activity</b>	<b>Total Amount Budgeted</b>
Street Improvements	\$853,462
<b>Subtotal</b>	<b>\$853,462</b>
Planning/Administration (up to 10% of allocation)	\$44,000
<b>Total CDBG-R Amount Budgeted<sup>4</sup></b>	<b>\$897,462</b>

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**E. 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)

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Signature/Authorized Official	Date
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Title

**F. Certifications**

In addition to a signed standard federal form SF-424, an entitlement jurisdiction must provide signed general Consolidated Plan certifications per 24 CFR 91.225(a) and (b) (except for those certifications waived per the HUD CDBG – R Program Notice: 24 CFR 91.225(b)(1), 24 CFR 91.225(b)(4)(ii), 24 CFR 91.325(b)(1), 91.325(b)(2)(i) and (v), and 24 CFR 91.325(b)(4)(ii)); and additional Recovery Act certifications that convey the following information.

1. A certification that the jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.
2. A certification that in selecting projects to be funded, the grantee will give priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipients, and will ensure maximum job creation and economic benefit.
3. A certification that when CDBG-R funds are being used 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.
4. A certification 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

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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.

5. A certification from the Governor, mayor, or other chief executive, as appropriate, 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 may certify 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.

6. A certification that, for activities carried out with CDBG-R funds using the urgent need national objective where the urgent need is the current economic conditions, 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 resources of funding are not available.

7. A certification stating that the aggregate use of CDBG-R funds shall principally benefit low- and moderate- income families 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.

### **G. Map of CDBG-R Funded Street Infrastructure Activities**

(see attached map)

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CITY OF BAKERSFIELD – EDCD

