

## Substantial Amendment to FY 10-11 Community Development Block Grant Action Plan

The City of Burlington is proposing an amendment to its FY 10-11 Community Development Block Grant Annual Plan. The purpose of the amendment will allow for the transfer of funding from several completed community development projects. These completed projects came in under budget allowing for a reallocation for eligible projects. Through discussion with various City Departments, Recreation and Park identified several projects which are considered eligible under CDBG guidelines established by the US Department of Housing and Urban Development's CDBG Program.

### Non-Housing Community Development Priorities/Objectives

#### *Priority Needs:*

- Improvement or development of public infrastructure to revitalize neighborhoods and create a suitable living environment.
- Access to local public facilities and services that contribute to neighborhood development.
- Promotion of job training and development.

*Objective SL-1.2:* Provide improved recreational facilities for residents in East Burlington.

Using CDBG funds of approximately \$66,703, the City plans make several Recreation and Parks upgrades in East Burlington. Each activity and budget allocation are listed under the below heading, Description of Activities.

#### Description of Activities

- 1) Fairchild Park Improvements-The City plans to use \$11,284.68 to purchase 250 chair and 27 tables to replace worn out chairs and tables at the City-owned Fairchild Park Community Center. This improvement will be listed under the public service category for eligible activities.
- 2) North Park Improvements-The City plans to use \$13,058.13 to purchase and install a new drinking water foundation at the City-Owned North Park/Bigelow Community Center. The City also plans to install six permanent picnic sites with concrete slabs at various sites throughout North Park.
- 3) Picnic Site Improvements-The City plans to use \$12,360.00 to purchase permanently placed picnic tables and grills for Elmira Park, Northwest Park, Robinson Park, Fairchild Park, North Park and Forest Hills Park.
- 4) Playground Equipment Upgrade-The City plans to use \$30,000.00 to purchase upgraded playground equipment for Robinson Park, Petersburg Park, North Park, Forest Hills, and Fairchild Park. The equipment installed at Forest Hills will be appropriate for preschool children to supplement activities for the WE School which is held at the Community Center. The other parks will have equipment installed appropriate for children ages 5-12.

## Implementation Schedule

Table 1 located below shows the implementation schedule to accomplish the City's activities included in the substantial amendment. Table 3C Listing of Projects located in Appendix A, table displays the information on the regulatory citations and other details of the individual projects.

Table 1

CDBG Action Plan Amendment Schedule				
Activity	2 <sup>nd</sup> Quarter (Dec.) Expenditures	3 <sup>rd</sup> Quarter (Jan.-Mar.) Proposed Expenditures	4 <sup>th</sup> Quarter (Apr.-June) Proposed Expenditures	Cum Total
Fairchild Park Improvements	\$11,284.68			\$11,284.68
North Park Improvements		\$6,529.06	\$6,529.07	\$13,058.13
Playground Equipment Upgrade	\$ 30,000.00			\$30,000.00
Picnic Site Improvements		\$6,180.00	\$6,180.00	\$12,360.00

## Resources

Estimated federal resources from unused previously approved budgets for the proposed CDBG activities and planned expenditures are exhibited in the Table 2 shown below.

Table 2

CDBG Action Plan Amendment Budget	
<b>Source</b>	
Unused CD Funds (left from under budget projects)	\$66,702.81
<b>Expenditures</b>	
Fairchild Park Improvements	\$11,284.68
North Park Improvements	\$13,058.13
Playground Equipment Upgrade	\$30,000
Picnic Site Improvements	\$12,360
Total	\$66,702.81

## Leveraged Funds

The City plans to leverage funds through the purchase of playground equipment at Robinson Park, Petersburg Park, North Park, Forest Hills Park, and Fairchild Park through a special promotion with GAMETime, Inc.

CDBG funds in the amount of \$30,000 will be allocated to this project and the City through its General Fund will allocate \$25,000 for a total project allocation of \$55,000. GAMETime, Inc. will match \$55,000 through its special promotion allowing the City to receive \$110,000 of playground equipment for \$55,000. The equipment will be installed at City-Owned parks identified above. All of these parks are in area identified as low to moderate income areas of the City.

Below are renderings of the before and after pictures of the proposed playground equipment project.

North Park Before



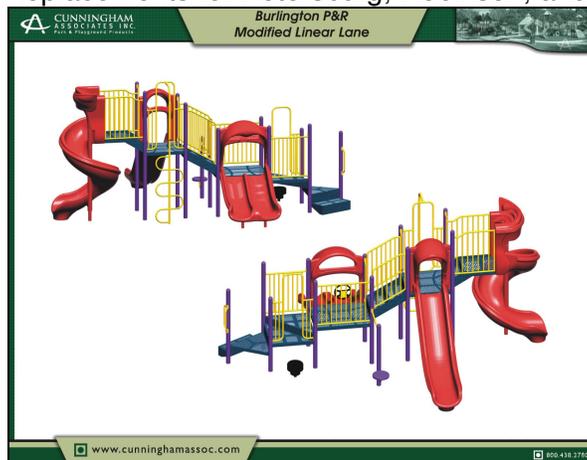
Robinson Park Before



Petersburg Park Before



Proposed Replacements for Petersburg, Robinson, and North Park



### Fairchild Park Before



### Proposed Replacement for Fairchild



Forest Hills currently does not have any playground equipment. The proposed replacements will be for preschool age children.



## Other Actions

### Affirmatively Furthering Fair Housing

During Spring 2006, the City conducted an analysis of impediments to fair housing choice in its jurisdiction. The City identified two primary concerns that can have an impact on equal choice in housing in the Burlington area. These concerns are as follows:

- Attitudes and Bias or NIMBY Syndrome
- Lending Policies and Practices

This study serves as a guide for developing a plan to affirmatively further fair housing and to remedy conditions that may impede fair housing choice. The City's planned annual activities and efforts to remove barriers to affordable housing and to further fair housing choice are part of an ongoing process to integrate non-discrimination and fair housing choice for all individuals into all aspects of the City's community development program. During the program year, proposed activities are as follows:

- Conduct an education and outreach program – the City will distribute and display brochures on fair housing rights and remedies for discriminatory practices to program participants and other entities in the community.
- Maintain partnerships and coordinate with realtors, public/private housing providers and housing counselors – the City will refer potential first-time homebuyers to certified housing counselors at Alamance County Community Services Agency and/or local mortgage lenders and to the Consumer Credit Counseling Service of Burlington.
- Encourage affordable housing developments – the City will continue to work with the designated Community Housing Development Organization (CHDO) and other non-profits, i.e. Habitat for Humanity, to develop affordable housing for qualified low and moderate-income households.

### Obstacles to Meeting Underserved Needs

The City's objectives, proposed activities and projects to be undertaken during the program year are intended to help overcome obstacles to meeting underserved needs to the extent possible with available resources. In the description of annual activities, the City proposes efforts to leverage private and other public funds to fill gaps to finance projects and to assist and coordinate efforts with agencies and non-profits to develop, finance and provide programs, services and housing for low and moderate-income people, the homeless and special needs populations.

### Foster and Maintain Affordable Housing

In the description of planned housing activities for the program year, the City discusses its suggested actions to foster and maintain affordable housing. The City proposes using part of its CDBG and its HOME Investment Partnerships (HOME) Program funds for housing projects, such as housing rehabilitation and the housing development project of its designated Community Housing Development Organization (CHDO).

### Anti-Poverty Strategy

Through its established programs and policies, the City will strive to alleviate the impact of poverty and to reduce the number of households with incomes below the poverty level. The City will

coordinate its efforts among public and private housing providers and health and human service agencies to ensure the objectives are met. Planned activities are as follows:

- Provision of adequate and affordable housing by maintaining and improving the available supply of housing.
- Neighborhood stabilization through infrastructure projects.
- Maintenance and expansion of special needs housing by working with housing providers and health and human service providers that target the homeless and non-homeless persons with special needs.

#### Institutional Structure and Coordination of Resources

During fiscal year 2010-11, the City plans to strengthen its institutional structure and to enhance the coordination of resources to carry out its affordable and supportive housing strategies, as follows:

- Continue to administer its housing programs with experienced community development program staff and use the technical expertise and resources of other City Departments, such as Inspections, Engineering, Public Works, Fire, Police, and Recreation.
- Participate in the federal HOME Program Consortium consisting of governments in two counties to maximize the funds available to provide affordable housing in the area.
- Continue to participate on the Alamance County Interagency Council on Homeless Assistance to maintain and strengthen the existing area continuum of care system for providing and coordinating housing and services for the area homeless and persons threatened with homeless.
- Assist the Alamance County Interagency Council for Homeless Assistance develop relationships/systems, such as the Balance of State Continuum of Care, to coordinate activities statewide and especially, regionally with other entities in the Piedmont area of the state.
- Coordinate and integrate its efforts to deliver assistance for housing rehabilitation, construction and homeownership, and to leverage available funds with banks and other public and non-profit housing organizations, such as the public housing authorities, CHDO and Habitat for Humanity.
- Assist agencies and non-profits, such as Habitat for Humanity, Alamance County Community Services Agency, the housing authorities, and various human service providers, to apply for private and public funds for housing projects by supplying information, letters of support and technical help as needed.
- Encourage continued communication, information exchange and referrals between the local governmental agencies and non-profits to provide supportive facilities and services, housing programs and coordinated efforts to "weed out" crime and initiate revival and improvement of low-income areas.

Participate in the North Carolina Construction Training Partnership Program to provide job training in the construction industry and improve the stock of affordable housing for low-income area residents.

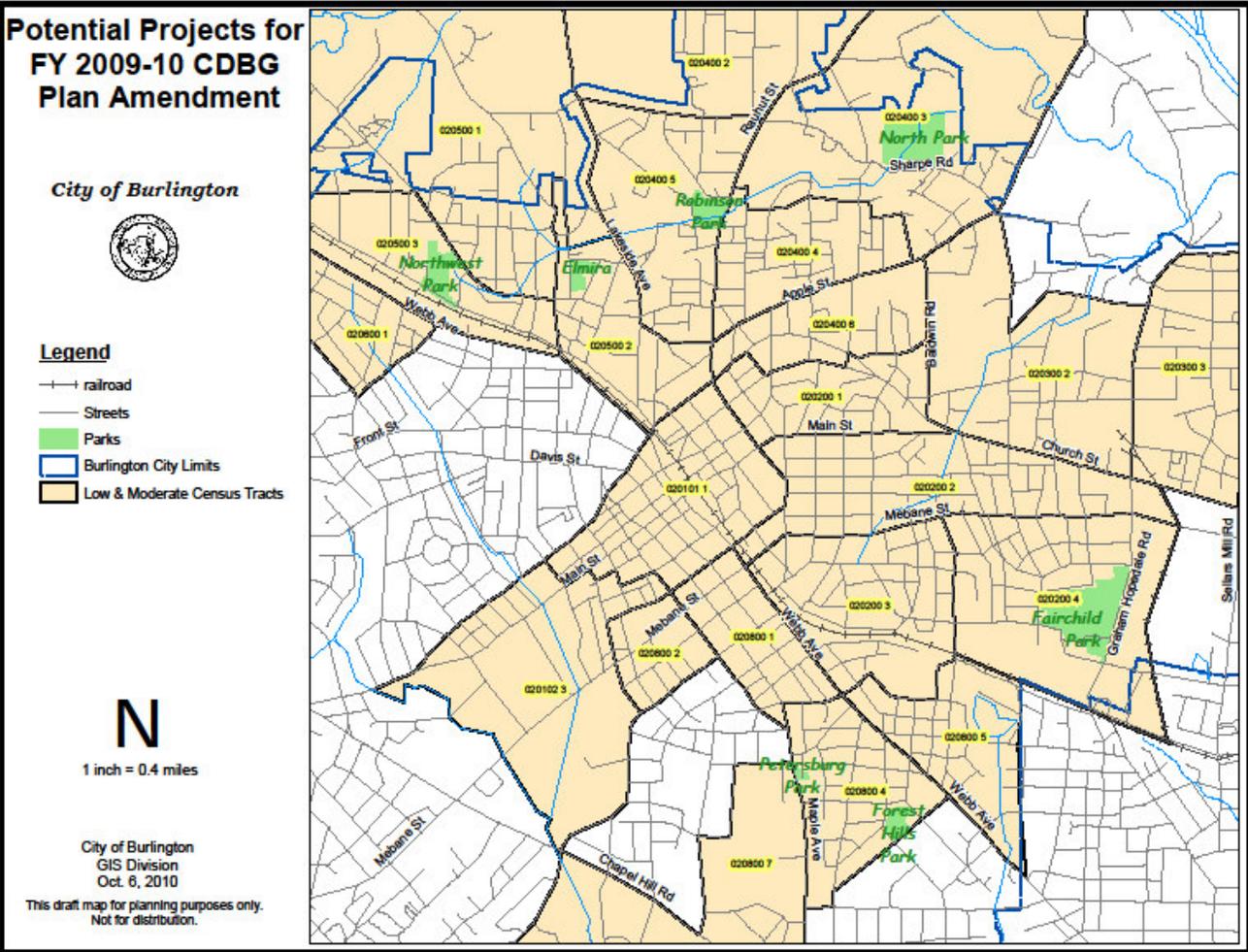
### Monitoring Standards and Procedures

The City of Burlington reviews activities to find out whether its programs are carried out according to its Consolidated Plan. City staff continually monitors the City's HUD-funded programs to ensure compliance with required regulations, statutes, procedures, standards, and affordability. For HUD funds granted to other public institutions or non-profits, the City annually obtains information on the number and categories of households served by these funds. The requirements reviewed during monitoring include, but are not limited to:

Acquisition and relocation  
Administrative requirements  
Americans with Disabilities Act  
Audits  
Davis Bacon Act/Federal Labor Standards  
Environmental Review  
Equal Opportunity/Civil Rights Laws  
Fair Housing  
Financial Management  
Housing Quality Standards  
Income eligibility of program participants  
Lead-based paint  
Long-term affordability of rental units rehabilitated  
Record-keeping  
Section 3 provisions  
Section 504 accessibility

- Public Facilities and Improvements: December- June
  - (a) Document compliance with federal regulations/requirements for the Fairchild Park Improvement, North Park Improvements, Playground Equipment Upgrade, and Picnic Site Improvements during request for bids and hiring of contractors.

Displayed below is a map which details CDBG project for the FY 10-11 Action Plan Amendment



## PART 3 – SUPPORTING DOCUMENTS

### Certifications

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within its jurisdiction, 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.

**Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 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 the CDBG or HOME programs.

**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 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.

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

**Consistency with plan --** The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA 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

Date 12/8/10

Mayor, City of Burlington  
 \_\_\_\_\_

Title

## Specific CDBG Certifications

The Entitlement Community certifies that:

**Citizen Participation --** It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan --** Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

**Following a Plan --** It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

**Use of Funds --** 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. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2004, 2005 & 2006 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public Improvements assisted with CDBG funds including Section 108 loan guaranteed 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 that relates 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, including Section 108, 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. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force --** 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 which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

**Compliance With Anti-discrimination laws --** The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint --**Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR §570.608;

**Compliance with Laws --** It will comply with applicable laws.

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

12/8/10  
\_\_\_\_\_  
Date

Mayor, City of Burlington  
\_\_\_\_\_  
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)

City of Burlington Planning and Community Development Department,  
425 South Lexington Avenue, Burlington, Alamance County, North Carolina 27216

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).

# Appendix A-Consolidated Plan Listing

**Table 3C  
Consolidated Plan Listing of Projects**

**Jurisdiction's Name** City of Burlington, North Carolina

**Priority Need:** Improvement and access of public facility for Access to local public facilities that contribute to neighborhood development.

**Project:** Fairchild Park Improvements

**Activity:** Purchase tables and chairs to supplement a local public facilities and services that contribute to neighborhood development.

**Description:** Purchase tables and chairs for City -owned Fairchild Park Recreation Center

**Objective category:**  Suitable Living Environment     Decent Housing     Economic Opportunity  
**Outcome category:**  Availability/Accessibility     Affordability     Sustainability

**Location/Target Area:**  
827 Graham Hopedale Rd. Burlington, NC 27215

Specific Objective Number SL 1.2	Project ID 1
HUD Matrix Code 03F	CDBG Citation 570.201(e)
Type of Recipient Local Government	CDBG National Objective 570.208 (a) 1-LMA
Start Date (12/15/2010)	Completion Date (06/30/2011)
Performance Indicator Number of person with improved access to recreation facility.	Annual Units 1 public facility
Local ID	Units Upon Completion 1 public facility

**Funding Sources:**

CDBG	\$11,284.68
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding	
Total	\$11,284.68

The primary purpose of the project is to help:

- the Homeless
- Persons with HIV/AIDS
- Persons with Disabilities
- Public Housing Needs

**Table 3C  
Consolidated Plan Listing of Projects**

**Jurisdiction's Name:** City of Burlington, North Carolina.....

**Priority Need:** Improvement and access of public facility that contributes to neighborhood development.

**Project:** North Park Upgrades

**Activity:** Installation of picnic sites and drinking water fountain.

**Description:** Plans to provide funds to install six concrete slabs which will be fitted with six permanent picnic tables and grills. A drinking water fountain is also planned to be purchased and installed.

**Objective category:**  Suitable Living Environment     Decent Housing     Economic Opportunity  
**Outcome category:**  Availability/Accessibility     Affordability     Sustainability

**Location/Target Area:** 849 Sharpe Rd., Burlington, NC 27217

Specific Objective Number SL 1.2	Project ID 2
HUD Matrix Code 03F	CDBG Citation 570.201 (c)
Type of Recipient Local Government	CDBG National Objective 570.208 (a) 1-LMA
Start Date (12/15/2010)	Completion Date (06/30/2011)
Performance Indicator Number of person with improved access to recreation facility.	Annual Units 1 public facility
Local ID	Units Upon Completion 1 public facility

**Funding Sources:**

CDBG	13,058.13
ESG	.....
HOME	.....
HOPWA	.....
Total Formula	.....
Prior Year Funds	.....
Assisted Housing	.....
PHA	.....
Other Funding	.....
Total	13,058.13

The primary purpose of the project is to help:

- the Homeless
- Persons with HIV/AIDS
- Persons with Disabilities
- Public Housing Needs

**Table 3C  
Consolidated Plan Listing of Projects**

**Jurisdiction's Name:** City of Burlington, North Carolina

**Priority Need:** Improvement and access of public facility that contributes to neighborhood development.

**Project:** Park Upgrades at Various City-Owned Parks

**Activity:** Permanent Picnic Tables and Grill Installation at Various City-Owned Parks

**Description:** Plans to provide funds to install thirty permanently secured picnic tables and permanent grills at five different City-owned Parks. These park include: Elmira, Northwest Park, Robinson Park, North Park, Fairchild Park, and Forest Hills Park

**Objective category:**  Suitable Living Environment     Decent Housing     Economic Opportunity  
**Outcome category:**  Availability/Accessibility     Affordability     Sustainability

**Location/Target Area:**

Elmira Park-810 Wicker St., Burlington, NC 27217; Northwest Park-1200 N Park Ave., Burlington, NC 27217; Robinson Park -1140 Rauhut St., Burlington, NC 27217; Forest Hills Park-227 Williamson St., Burlington, NC 27215; North Park-849 Sharpe Rd. Burlington, NC 27217

Specific Objective Number SL 1.2	Project ID 3
HUD Matrix Code 03F	CDBG Citation 570.201 (c)
Type of Recipient Local Government	CDBG National Objective 570.208 (a) 1-LMA
Start Date (12/15/2010)	Completion Date (06/30/2011)
Performance Indicator Number of person with improved access to recreation facility.	Annual Units 1 public facility
Local ID	Units Upon Completion 1 public facility

**Funding Sources:**

CDBG	12,360.00
ESG	
HOME	
HOPWA	
Total Formula	
Prior Year Funds	
Assisted Housing	
PHA	
Other Funding-Revolving Loan Funds	
<b>Total</b>	<b>12,360.00</b>

The primary purpose of the project is to help:

- the Homeless
- Persons with HIV/AIDS
- Persons with Disabilities
- Public Housing Needs

**Table 3C  
Consolidated Plan Listing of Projects**

**Jurisdiction's Name:** City of Burlington, North Carolina

**Priority Need:** Improvement and access of public facility that contributes to neighborhood development

**Project:** Playground Equipment Upgrade

**Activity:** Install upgraded playground equipment at five area City-owned Parks.

**Description:** The City will install playground equipment at Petersburg Park, Robinson Park, North Park and Fairchild Park which will be designed for children ages 5-12 years old. An equipment set will be installed at Forest Hills Park for pre-school children to assist in WE School run at this location. The City is receiving a special promotion from GAME TIME which allows for an equipment match of \$55,000. The City will input \$25,000 and CDBG funds of \$30,000 will offset the match. All five sets of playground equipment will be installed at City-Owned parks in areas identified as low to moderate areas.

**Objective category:**  Suitable Living Environment     Decent Housing     Economic Opportunity  
**Outcome category:**  Availability/Accessibility     Affordability     Sustainability

**Location/Target Area:** Petersburg Park-1407 Maple Ave., Burlington, NC 27215; Robinson Park 1140 Rauhut St., Burlington, NC 27217; North Park 849 Sharpe Rd., Burlington, NC 27217; Forest Hills Park-227 Williamson St., Burlington, NC 27215; Fairchild Park-849 Graham Hopedale Rd., Burlington, NC 27215

Specific Objective Number SL 1.2	Project ID 4
HUD Matrix Code 03F	CDBG Citation 570.201 (c)
Type of Recipient Local Government	CDBG National Objective 570.208 (a) 1-LMA
Start Date (12/15/2010)	Completion Date (06/30/2011)
Performance Indicator Performance Indicator Number of person with improved access to recreation facility.	Annual Units 1 public facility
Local ID	Units Upon Completion 1 public facility

**Funding Sources:**

CDBG	30,000.00
ESG	.....
HOME	.....
HOPWA	.....
Total Formula	.....
Prior Year Funds	.....
Assisted Housing	.....
PHA	.....
Other Funding	.....
<b>Total</b>	<b>30,000.00</b>

The primary purpose of the project is to help:

- the Homeless
- Persons with HIV/AIDS
- Persons with Disabilities
- Public Housing Needs

# **Appendix B – Citizen Participation Plan**

## **CITIZEN PARTICIPATION PLAN**

### **COMMUNITY DEVELOPMENT PROGRAM**

The City of Burlington has developed a Citizen Participation Plan in accordance with the Department of Housing and Urban Development (HUD) Regulations (24 CFR Part 91.105) for Community Development programs funded under HUD's formula grant programs. This Plan is designed to further the City of Burlington's commitment to encourage the participation of citizens in the planning, execution and assessment of its Community Development programs and activities.

Further, the Plan sets forth procedures to assure citizen involvement. Citizens are involved in the development, implementation, monitoring, and evaluation of programs. The Plan also outlines provisions for the timely distribution of information to citizens about Community Development programs and activities.

This Plan shall be effective as of March 1, 2004 and shall remain in effect until all Community Development activities assisted under the Housing and Community Development Act of 1974, as amended, and the Cranston-Gonzalez National Affordable Housing Act, as amended, are completed, or until superseded by a new Plan. This Plan also supersedes any Plan that may be in effect currently.

### **CITIZEN PARTICIPATION PROCESS**

The Burlington City Council and Planning and Community Development Department are responsible for assuring the Citizen Participation Plan is implemented and followed. Multiple opportunities are provided annually for citizens to suggest or comment on proposed and ongoing Community Development activities and to assess the performance of the Community Development Program. This narrative describes the actions or steps that the City of Burlington generally follows to encourage citizen participation.

#### **Public Hearings/Comment Periods**

During the development of the Consolidated/Action Plan, the City Council holds at least two public hearings. For each public hearing, the City places a public hearing notice, 10 to 14 days in advance, in the local newspaper. Staff also sends to public agencies and interested citizens a written request and notices to post to publicize the public hearing. These agencies and interested parties represent or work with low and moderate-income persons, including public housing and assisted housing residents, slum and blighted area residents, minorities, non-English speaking persons, and persons with disabilities/special needs.

A public hearing is held before City staff begins to work on the Consolidated/Action Plan to solicit citizen proposals and recommendations for future activities. The public hearing notice includes the expected amount of revenue (grant funds and program income), the type of activities that may be undertaken to benefit low and moderate-income persons and persons with special needs/disabilities. Public hearing notices also indicate that a minimum of 70 percent of program funds must be used for the benefit of eligible low and moderate-income persons. Following the first public hearing, City staff reviews the proposals made by the citizens, consults with other public agencies and individuals, and develops a preliminary Community Development Program. The City publishes a notice of a 30-day comment period and a summary of the proposed Consolidated/Action Plan in the local newspaper. This summary includes the revenue sources and proposed activities and funding levels and the availability of the Plan in

the Planning and Community Development Department, City Municipal Building. Within the notices and the Plan document, the City states that Community Development Program funds are used to minimize displacements. (See section on Displacements.)

Staff also sends information on the proposed Consolidated/Action Plan with notices to the public agencies and interested parties. During the 30-day comment period, the City presents the proposed annual program at a second public hearing to encourage and consider citizen comments. Based on the responses during the comment period and at the hearing, the recommended program may be modified. Staff responds to comments during public hearings or by written correspondence within 15 days when practicable. These responses explain the reasons for including or not including a suggested activity in the Plan.

The City summarizes and incorporates any citizen's comments or proposals made during the 30-day comment period and hearings and its disposition of these (reasons for including or not including) in the document submitted to HUD. After the public comment period concludes, staff completes the Consolidated/Action Plan for City Council to approve and authorize its submission.

At the end of each program year in the local newspaper, the City publishes a notice of a public hearing and 15-day comment period on its Consolidated Annual Performance and Evaluation Report (CAPER) and the availability of the document in the City Planning and Community Development Department. The public hearing is held at the conclusion of the comment period. A summary of any comments submitted by citizens and the City's disposition of these are forwarded to HUD with the performance report.

Each public hearing concerning a plan or funding application is held in accordance with City of Burlington policy and procedures. First, in a regular City Council meeting, the Council is asked to schedule a public hearing for a future Council meeting. City staff then advertises the hearing 10 to 14 days in advance in a local general subscription newspaper. These notices specify the date, time, and place of the hearing, topics to be considered, and when (including length of comment period) and where additional information is available. For public hearings on the proposed Consolidated/Action Plan and funding applications, the notice will indicate the planned activities, funding amount(s), where the documents are available for review, and the length of the review period. The published summary of the proposed Consolidated/Action Plan will also describe the contents and purpose of the plan. Review periods for performance reports are advertised with pertinent information.

#### Accessibility of Information

The City of Burlington conducts all aspects of citizen participation in an open manner with freedom of access for all interested persons or groups including residents of public and assisted housing developments, low and moderate-income citizens, minorities, non-English speaking persons, and persons with disabilities. Information pertinent to Community Development activities is circulated to the public and is also available upon either written or oral request from the Planning and Community Development Department, City Municipal Building. This information and all program records are made public subject to all applicable laws regarding confidentiality and personal privacy in the Community Development Office during normal office hours of the City. The City keeps on file for public review all records related to the Consolidated Plan and use of program funds for a minimum of five years.

Normal business and public hearings are conducted in public facilities, which are accessible to the handicapped. The City has removed architectural barriers and modified its Municipal Building to accommodate handicapped individuals. Also, the city has installed a telecommunications device (TDD) to provide access to the City programs and services for the hearing impaired individuals. By request, the City Human Resources department will arrange for assistance for the hearing impaired.

For non-English speaking residents, the City will arrange for the translation of basic information into the appropriate language. The City Human Resources Department has an inventory of available interpreters and will provide an interpreter's assistance on a one-to-one basis upon request.

## Program Amendments

The Citizen's Participation Process is applicable to substantial amendments as required in 24 CFR 91.105 of the Consolidated Submission for Community Planning and Development Programs Regulations. Substantial amendments are whenever the use of funds is changed from one eligible activity to another activity, not previously described in the action plan, or whenever changes in the purpose, scope, location or beneficiaries of an activity vary by more than 10 percent from the original plans.

Prior to amending the Consolidated/Action Plan, the City gives citizens notice and opportunity to comment for 30 days on any proposed substantial change and/or reuse of funds, not previously described in the Plan. The public notice indicates the specific criteria or reason for the amendment to the Plan. During the comment period, a public hearing is held in accordance with City policy and procedures. Citizens' comments are considered and, if appropriate, the proposed amendments to the Plan are modified. A letter describing the adopted amendments and any comments received along with the reasons some were rejected are transmitted to HUD.

## Displacements

The City of Burlington's policy is to minimize displacement of persons as a result of projects assisted with Community Development Block Grant and HOME Investment Partnerships funds. If a HUD assisted project results in displacement of persons, the City will replace all occupied and vacant habitable lower income housing demolished or converted to a use other than lower income housing. Replacement housing will be provided within three years after the commencement of the demolition or conversion. Prior to entering a contract to demolish or convert a housing unit, the City publishes a notice in the local newspaper in accordance with its "Residential Anti-Displacement and Relocation Assistance Plan". This plan requires the notice to include pertinent information on the type and level of assistance.

## Procedure for Complaints

The City of Burlington Planning and Community Development Department responds to all written and oral complaints, grievances or proposals. Responses are provided within 15 working days, unless there are unusual and extraordinary circumstances. In no case shall a proposal remain unanswered for a period longer than 30 working days.

## Technical Assistance

City staff members are responsible for providing technical assistance to organizations or interested citizens representing very low- and low-income persons and persons with special needs. Assistance includes, but is not limited to, providing support and advice in developing funding proposals for programs covered by the Consolidated Plan, explaining City policies and referring questions and concerns to appropriate City departments and other agencies.

## Citizen Participation Plan/Amendments

In the local newspaper, at least 15 days in advance, the City publishes a public hearing notice with a summary of the Citizen Participation Plan or any proposed amendments. Citizens may comment on the original Citizen Participation Plan and any proposed amendments for a minimum of 15 days prior to the public hearing. The City makes the Plan and any amendments available to the public in its Planning and Community Development Department. Before approving and adopting the Plan or any amendments, the City Council considers all citizen comments. Staff responds to any citizen comments in accordance with the procedure heretofore explained in this document.

Read, approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, to become effective the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Ronnie K. Wall, Mayor  
City of Burlington

Jondeen Terry  
City Clerk

### **FY 10-11 Action Plan Amendment Schedule**

October 11, 2010	Memo to Council Requesting Approve November 16, 2010 as Date of Public Hearing.
October 15, 2010	Advertise Public Hearing
October 19, 2010	City Council to Approve November 16, 2010 as Date of Public Hearing
October 21, 2010	Memo to Council Requesting to Ad Public Hearing to Agenda
November 16, 2010	Hold Public Hearing for Revision to FY 10-11 CD Action Plan
November 18, 2010	Advertise Environmental Review with required 15-Day Comment Period
December 3, 2010	End of 15-Day Comment Period for Environmental Review
December 7, 2010	City Council Approval of CD Program Budget Amendment
December 8, 2010	Send Request for Release of Funds to HUD

## **Appendix C – Summary of Citizen Comments**

On October 15, 2010, in the local daily newspaper, Burlington Times-News the City of Burlington published a notice that the Burlington City Council planned to hold a public hearing on November 16, 2010 to receive citizen input on the substantial amendment to the FY 10-11 Action Plan.

During the 30 day comment period the City did not receive any comments on the proposed amendment to the plan.

On November 16, 2010, the City Council held the advertised public hearing in the Council Chambers of the Municipal Building. There were no comments received during the public hearing.

On December 7, 2010, the City Council approved the budget amendment to allow for the new accounts to be established for the projects identified in the 2010-11 CDBG Plan Amendment.

## Appendix D – Public Notices

**PUBLIC HEARING NOTICE  
CITY OF BURLINGTON  
COMMUNITY DEVELOPMENT PROGRAM  
2010 AMENDMENT TO FY 10-11 ACTION PLAN**

The Burlington City Council will conduct a public hearing to consider a substantial amendment to the FY 10-11 Community Development Action Plan:

**Tuesday, November 16, 2010  
7:00 p.m.  
City Council Chamber  
Municipal Building  
425 South Lexington Avenue  
Burlington, NC**

Citizens and interested parties are encouraged to examine the proposed amendment to the FY 2010-11 Action Plan. Copies of the amendment are available for review from 8:30 a.m. to 4:30 p.m., Monday through Friday, in the Burlington Planning and Community Development Department, 425 South Lexington Avenue, Burlington, North Carolina.

The City of Burlington will provide reasonable accommodations, auxiliary aids and services for any qualified disabled person interested in attending the public hearing. To request the above, you may call John Nixon at (336) 222-5076 (Voice) or (336) 229-3107 (TDD) seven days before the date of the public hearing.

Jondeen Terry  
City Clerk  
City of Burlington

Publication Date: October 15, 2010



**City Council Public Hearing  
Public Meeting  
Annual FY 10-11 Action Plan  
Attendance**

Date: November 16, 2010

**Name**

**Address**

No Attendees