



## Staff Summary Report

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Council Meeting Date: 05/28/09

Agenda Item Number: \_\_\_\_\_

**SUBJECT:** Request approval of a resolution to approve the Substantial Amendment to the City's Community Development Block Grant (CDBG) Consolidated FY 2008-2009 Action Plan.

**DOCUMENT NAME:** 20090528cdch01 COMMUNITY DEVELOPMENT BLOCK GRANT (0207-30)  
RESOLUTION No. 2009.46

**SUPPORTING DOCS:** Yes

**COMMENTS:** N/A

**PREPARED BY:** Craig Hittie, Affordable Housing Supervisor (480-350-8960)

**REVIEWED BY:** Liz Chavez, Housing Services Administrator (480/350-8958)

**APPROVED BY:** Chris Salomone, Community Development Manager (480/350-8294)

**LEGAL REVIEW BY:** Teresa Voss, Assistant City Attorney (480/350-8814)

**FISCAL NOTE:** All funding for the proposed activities is federal. No fiscal impact to the City's general fund.

**RECOMMENDATION:** Adopt Resolution 2009.46

**ADDITIONAL INFO:** The U.S. Department of Housing and Urban Development (HUD) required recipients to request Community Development Block Grant Recovery (CDBG-R) funding via an amendment to their Community Development Block Grant (CDBG) Consolidated 2008 Action Plan. This Substantial Amendment outlines the City's planned activities for CDBG-R funds. On May 19, 2009, the Housing Committee reviewed and approved the activities described in the Substantial Amendment.

**RESOLUTION NO. 2009.46**

**A RESOLUTION OF THE CITY COUNCIL OF TEMPE,  
ARIZONA TO APPROVE THE SUBSTANTIAL  
AMENDMENT TO THE CITY'S COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED  
FY 2008-2009 ACTION PLAN**

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) has reserved approximately \$432,569 for the City of Tempe, Arizona, for the FY 2008-2009 Community Development Block Grant Recovery Program; and

**WHEREAS**, the City of Tempe desires to participate in the Community Development Block Grant Recovery Program and pursuant to the program requirements, has held one (1) public meeting and one (1) public hearing allowing citizens and groups to participate in the determination of expenditure of the HUD funds, and

**WHEREAS**, the City of Tempe has held a public hearing to receive public comment on the City's Substantial Amendment to the CDBG Consolidated FY 2008-2009 Action Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE ARIZONA**, as follows:

**Section 1:** The Substantial Amendment to the City's Community Development Block Grant Consolidated 2008-2009 Action Plan and proposed activities for the Community Development Block Grant Recovery Program are hereby approved.

**Section 2:** The City Manager is authorized and directed to execute the required certifications of compliance associated with the Substantial Amendment to the City's Community Development Block Grant Consolidated 2008-2009 Action Plan.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA**, this 28th day of May, 2009.

\_\_\_\_\_  
Mayor Hugh Hallman

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



**City of Tempe  
Community Development Department  
Housing Services Division**

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the  
Community Development Block Grant Recovery (CDBG-R) Program**

Grantees eligible to receive funds under the Community Development Block Grant Recovery (CDBG-R) 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 the HUD field office by June 5, 2009.

To aid grantees in meeting this submission deadline, the CDBG-R Notice reduces the requirement for a 30-day public comment period to no less than seven calendar days for this substantial amendment. In addition, HUD is requiring the substantial amendment materials be posted on the grantee's official website as the materials are developed, published, and submitted to HUD. Grantees are cautioned that, despite the expedited application and plan process, they are still responsible for ensuring that all citizens have equal access to information about activities assisted with CDBG-R funds. Since not all citizens have internet access, HUD encourages grantees to make copies of substantial amendments available in public places such as libraries and government buildings.

Title XII of Division A of the Recovery Act requires that in selection CDBG-R projects to be funded, grantees shall give priority to projects that can award contracts based on bids within 120 calendar days from the date the funds are made available to the recipients.

Additionally, HUD desires that CDBG-R grantees carefully evaluate proposed projects for consistency with the overarching goals of the Recovery Act. To this extent, HUD strongly urges grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents or activities that promote energy efficiency and conservation through rehabilitation or retrofitting of existing buildings.

A complete submission contains the following three documents:

- 1) A signed and dated SF-424,

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the  
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- 2) A paper copy of a spreadsheet provided by HUD that outlines the CDBG-R activities to be funded (an electronic version will also be emailed to: [CDBG-R@hud.gov](mailto:CDBG-R@hud.gov)),
- 3) A completed Substantial Amendment to the Consolidated Plan 2008 Action Plan (this form), and
- 4) Signed and dated certifications.

For additional information regarding the CDBG-R program, visit [www.hud.gov/recovery](http://www.hud.gov/recovery).

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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  
Community Development Block Grant Recovery (CDBG-R) Program**

**A. General Information**

<b>Grantee Name</b>	City of Tempe
<b>Name of Entity or Department Administering Funds</b>	City of Tempe Housing Services
<b>CDBG-R Contact Person</b> (person to answer questions about this amendment and CDBG-R)	Elizabeth Chavez
<b>Title</b>	Housing Services Administrator
<b>Address Line 1</b>	21 E. 6 <sup>th</sup> Street
<b>Address Line 2</b>	Suite 214
<b>City, State, Zip Code</b>	Tempe, AZ 85212
<b>Telephone</b>	480-350-8950
<b>Fax</b>	480-350-8902
<b>Email Address</b>	<a href="mailto:liz_chavez@tempe.gov">liz_chavez@tempe.gov</a>
<b>Authorized Official</b> (if different from Contact Person)	Charles W. Meyer
<b>Title</b>	City Manager
<b>Address Line 1</b>	31 E. 5 <sup>th</sup> Street
<b>Address Line 2</b>	
<b>City, State, Zip Code</b>	Tempe, AZ 85281
<b>Telephone</b>	480-350-8821
<b>Fax</b>	480-350-8930
<b>Email Address</b>	<a href="mailto:charlie_meyer@tempe.gov">charlie_meyer@tempe.gov</a>
<b>Web Address where this Form is Posted</b>	<a href="http://www.tempe.gov/housing">www.tempe.gov/housing</a>

<b>Amount Grantee is Eligible to Receive*</b>	<b>\$432,569</b>
<b>Amount Grantee is Requesting</b>	<b>\$432,569</b>

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

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**B. 2005-2009 Consolidated Plan**

- 1. Briefly describe how the grantee's proposed activity to be undertaken is consistent with the grantee's Consolidated Plan.**

Response:

The City of Tempe's 2005-2009 Consolidated Plan, as adopted, currently states with respect to Community Development, Public Facility priorities:

“CDBG funds may be used to upgrade commercial facades to enhance their economic viability and revitalize businesses within eligible census tracts.

CDBG funds may also be used to expand and revitalize deteriorated public parks or recreation facilities within areas meeting national objectives.”

The City of Tempe's 2005-2009 Consolidated Plan, (Community Development, Public Facilities priorities section 91.215(e)) is hereby amended to read:

“CDBG funds may be used to upgrade commercial facades to enhance their economic viability and revitalize businesses within eligible census tracts.

CDBG funds may also be used to expand and revitalize deteriorated public parks, *upgrade existing public neighborhood lighting to assist with the City's goal of greater energy efficiency and reduced carbon emissions* or recreation facilities within areas meeting national objectives.”

**C. Citizen Participation Alternative Requirement**

- 1. Briefly describe how the grantee followed HUD's alternative requirement to 42 U.S.C. 5304(a)(2) and (3), to expedite distribution of grant funds and to provide for expedited citizen participation for the CDBG-R substantial amendment.**

Response:

On April 9, 2009, a Public Hearing requesting citizen input was held at a regularly held Formal City Council meeting. City Council meeting notices are posted in advance; on the Friday afternoon prior to a Thursday Council meeting. Council agendas are located in the City Clerk's office on the second floor of City Hall, the bulletin board outside of the City Council Chambers and on the internet at [www.tempe.gov/clerk](http://www.tempe.gov/clerk). Additionally, pursuant to the guidance provided by HUD and described in Section II(A)(3)(a), the City of Tempe posted a draft copy of the Substantial Amendment to the Consolidated Plan 2008 Action Plan (Substantial

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Amendment) on the City of Tempe Housing Service's official website: [www.tempe.gov/housing](http://www.tempe.gov/housing) for no less than seven calendar days. The draft Substantial Amendment was posted on May 15, 2009 and remained available to download by the public until May 27, 2009. Additionally, hard copies were printed and made available to members of the public for the same period in the City's Housing Services Division offices located at: 21 E. 6<sup>th</sup> Street, Suite 214, Tempe, AZ 85281.

**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:

As of May 15, 2009, no public comments have been received. However, public comments received prior to Council adoption, will be included in the Amendment submitted to HUD.

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the  
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**D. Distribution and Administration of Funds**

**Reminder: The CDBG-R 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 subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.**

Competitive Process

Formula Allocation

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

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

Response:

The City of Tempe will immediately work to issue a Request for Quotes (RFQ) soliciting low cost bids for the purchase and installation of energy efficient induction luminaries.

- 3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees within the 120-day deadline as required by the CDBG-R Notice (limit 250 words).**

Response:

An evaluation team will review all responses to the RFQ received. The factors to be considered will include the respondents' total anticipated costs, the experience level the respondent has in installing such items, the anticipated start and end date of the installation process, the organizational capacity of the respondent to perform the scope of work outlined in the proposal and the completeness of the proposal/acceptance of terms and conditions.

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

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Response:

The City is aware of the urgent nature of the funding source and will comply with the funding commitment requirements. The Community Development Department and the Public Works Department will jointly oversee the contract and bidding process for the identified project and work directly with the selected contractor(s) to ensure that the project schedule is maintained. Additionally, the Community Development Housing Services staff is directly responsible for the oversight of several CDBG programs and subgrantees who receive CDBG dollars. Monitoring tasks include executing written agreements, periodic review of all subgrantees and taking effective correction and remedial action towards subgrantees who do not comply. This proposed public improvement project will utilize the entire CDBG-R allocation and installation of the inductive lighting systems will begin promptly after the successful RFQ respondents are identified and the contract award is approved by City Council.

### **E. Activity Description**

1. **For each activity, provide a 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 either:**
  - (A) **Preserving and creating jobs and promoting economic recovery; or**
  - (B) **Assisting those most impacted by the recession; or**
  - (C) **Providing investment needed to increase economic efficiency; or**
  - (D) **Investing in transportation, environmental protection, or other infrastructure that will provide long-term economic benefits; or**
  - (E) **Minimizing or avoiding reductions in essential services; or**
  - (F) **Fostering energy independence.**

Response:

The City of Tempe intends to use the CDBG-R funds to replace highly inefficient high-pressure sodium lighting with energy efficient induction lighting in streetlights in neighborhoods where at least 51% of the area residents are low or moderate-income persons.

Induction lamps (or commonly known as electrode-less lamp) are high frequency (HF) light sources, which follow the same basic principles of converting electrical power into visible radiation as conventional fluorescent lamps. The fundamental difference between induction lamps and conventional fluorescent lamps is that the former operate without electrodes. The absence of the electrodes in the induction lamps enhances the lamp life.

The loss of cathode emission materials, due to evaporation and sputtering caused by ion bombardment, limits the life of fluorescent lamps to between 5,000 to

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15,000 hours. However, the life of some induction lamps on the market today reaches 60,000 hours. The long lifetime of the induction lamps, allow them to be applied in cases where lamp maintenance and access are very difficult or expensive.

The benefits of induction lamps are:

- Extremely long life
- Highly Efficient and Energy Saving (anticipated energy reduction of approximately 30%)
- Instant starting, no cold-start
- No flickering
- Perform well under extreme cold conditions
- Bright, white light (CRI  $\geq$  80)
- Improved visibility and security
- No glare and light pollution
- Green Light Source

For the past six months, the City of Tempe's Traffic Operations Division has been conducting a pilot project to evaluate energy efficient inductive street lighting on residential streets. The information gathered to date has been extremely helpful as the City moves forward with its energy efficient street lighting initiatives. The pilot project target area consisted of the residential area on the South side of Knox Road, between Rural Road and Warner Ranch Road.

According to information provided by the City's consultant working on the pilot program, replacing existing high pressure sodium (HPS) street lighting with 80 watt inductions lights will reduce energy costs by thirty percent; a 80 watt induction burns at 81 watts while 100 watt HPS burns at 110 watts.

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

Response:

It is anticipated that approximately 4 full time jobs will be created or retained by this activity.

3. **Describe the activities that will be carried out with CDBG-R funds that promote energy conservation, smart growth, green building technologies, or reduced pollution emissions**

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Response:

**The proposed replacement of HPS lighting with energy efficient induction lighting will promote energy conservation and affect the environment in a positive manner through the following means:**

- Annual CO<sub>2</sub> Reduction:  
Equal to 780,595 Pounds of CO<sub>2</sub> Removed from Earth's Atmosphere
- Annual Carbon Reduction:  
Equal to 349,978 Pounds of Carbon Removed from Earth's Atmosphere
- Annual Acres of Trees Planted:  
Equal to 122 Acres of Trees Planted
- Annual Cars Removed from Road:  
Equal to 107 Cars Removed from Road
- Annual Gallons of Gasoline Saved:  
Equal to 55,125 Gallons of Gas Not Used

**\*\*Note:** these figures represent 20% of total figures estimated by the consultant. The CDBG-R funds requested will cover approximately 20% of total project costs. The environmental impact figures set forth above are limited to the impact provided by the lighting purchased and installed with CDBG-R funds. The project's total figures are based on replacing 5,000 streetlights; the numbers set forth above reflect the environmental impact of replacing approximately 20% of the total project or approximately 1000 streetlights. Additionally, these numbers reflect a total of \$389,312 being spent directly on procurement and installation of replacement lighting. A maximum of \$43,255 will be set aside from the total award of \$432,312 (10%) for general program planning and administration.

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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)

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager