

RESOLUTION NO. R-94-3

WHEREAS, the City of Conway is entering the first year of its Community Development Block Grant Program; and

WHEREAS, it is necessary to identify the official representative of the City authorized to act in its behalf for submission of all necessary documents concerning this program.

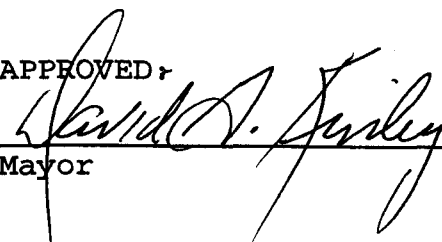
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS, THAT:

The Mayor is authorized to act as the City's official representative in all matters concerning the submission of documentation required for the Community Development Block Grant Program.

Passed this 8th day of February, 1994.

ATTEST:


City Clerk

APPROVED:


Mayor

STATEMENT OF COMMUNITY
DEVELOPMENT OBJECTIVES AND
PROPOSED USE OF FUNDS

The City of Conway will be entering into the first year of its Community Development Block Grant Program on January 1, 1994. It is cognizant of the many community development and public improvement needs in the City and is aware that there are not sufficient funds available to meet all of these needs. The City is also mindful of the continuing statutory charge to design and carry out the Community Development Block Grant Program for maximum feasible benefit to persons of low income.

Within the guidelines of this knowledge and commitment, the City now presents the community development objectives and activities described herein as the proposed use of funds during the first year of the Community Development Block Grant Program.

This Statement of Community Development Objectives and Proposed Use of Funds is put together in accordance with the 1983 Amendments (Housing and Urban-Rural Recovery Act of 1983), P.L. 98-181, 97 Stat. 1153 to Title I of the Housing and Community Development Act of 1974 (the Act) and subsequent technical amendments. This statement was submitted to the City Council for review and approval to form a guiding basis for carrying out the proposed first program year. It was prepared through a process of

attaining the most feasible public accountability, including one public hearing and the publication of this statement; and by making available to citizens the information concerning the amount of funds available for the program, the policy adopted for minimizing the displacement of persons as a result of CDBG activities and assistance that will be provided in the event displacement does occur and copies of this statement.

No comments on this statement were received from citizens to be forwarded to the City Council prior to their approval of this Statement of Community Development Objectives and Proposed Use of First Year funds.

I. COMMUNITY DEVELOPMENT OBJECTIVES

Through implementation of the 1994 year program described below, the City intends to serve the following community development objectives:

1. To design and carry out a Community Development Block Grant Program with the most feasible benefit to persons of low and moderate income.
2. To provide for the reconstruction of streets with curbs, gutters, and storm drainage facilities as necessary.

Although there are many more community development objectives, these are the ones the City will carry out in the 1994 year program described on the following page.

II. PROPOSED USE OF FUNDS

It is anticipated that the City will receive an entitlement grant in the amount of \$352,000. Should the City receive less than the above stated amount, it proposes to pro rate down the costs of the projects and activities set forth below rather than to eliminate anything from the proposed program. If the City receives more than the amount stated above, it proposes to add the additional amount of funds to the Street Improvements Project.

The City proposes to undertake and complete the following projects during the first year of the Community Development Block Grant Program:

PUBLIC IMPROVEMENTS - \$352,000

One-Year Project (1994) consisting of asphalt or concrete paving, curbs, gutters and storm drainage facilities as needed. Improvements will be carried out in the following locations:

Spencer Street - from Smith Street north to Mill

Factory Street - from Oak north to Mill

2nd Avenue - from 6th Street north to Vine Street

2nd Street - from 1st Avenue east to 3rd Avenue

Poplar Street - from 1st Avenue east to 3rd Avenue

Pine Street - from Spencer east to Markham

Walnut Street - from Spencer east to Markham

Erbach Street - from Mitchell west to Donaghey

Torreyson Street - from Mitchell west to Donaghey

Baridon Street - from Erbach north to Robins

Mitchell Street - from Erbach north to Robins

DITCHES

- 1) Rework present ditch and construct top; Mill south to Willow then east to Markham then south to Garland streets
- 2) East side of Miller's Mall

Regulatory Cites Elig./Nat. Obj. (24 CFR 570) 201(c)/208(a) (1)
TOTAL C.D.B.G. FUNDS PROGRAMMED FOR USE IN FY 1994 - \$352,000

III. EFFECTIVENESS

When the City Council approves the Statement of Community Development Objectives and Proposed Use of Funds, as their final statement the adopted statement will become the controlling document for program administration and project implementation.

Funds for the 1994 year program have been approved and should be made available to the City approximately 30 days after the submission of the approved Amended Statement of Community Development Objectives and Proposed Use of Funds to the Little Rock Area Office of the Department of Housing and Urban Development. Prior to submitting the approved to HUD, the City will have published the statement in proposed form and as finally approved by the City Council.

Copies of this statement are available for public review and inspection during normal business hours, Monday-Friday, in the offices of the City Clerk and Finance Office at City Hall, 1201 Oak Street, Conway, Arkansas. The statement will remain in full force and effect for the duration of the First Year Program, or until it may be amended by the City Council.

This is the Statement of Community Development Objectives and Proposed Use of Funds for the City of Conway's first year Community Development Program for 1994.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

GRANTEE CERTIFICATIONS

In accordance with the Housing and Community Development Act of 1974, as amended, and with 24 CFR 570.303 of the Community Development Block Grant regulations, the grantee certifies that:

- (a) It possesses legal authority to make a grant submission and to execute a community development and housing program;
- (b) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the grantee to submit the final statement and amendments thereto and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required;
- (c) Prior to submission of its final statement to HUD, the grantee has:
 - 1. Met the citizen participation requirements of 570.301(b);
 - 2. Prepared its final statement of community development objectives and projected use of funds in accordance with 570.301(c) and made the final statement available to the public;
- (d) It is following a detailed citizen participation plan which:
 - 1. Providing for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
 - 2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by the regulations of the Secretary, and relating to the actual use of funds under the Act;
 - 3. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;

4. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the the handicapped;
 5. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
 6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate;
- (e) The grant will be conducted and administered in compliance with:
1. Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 U.S.C./2000d et seq.); and
 2. The Fair Housing Act (42 U.S.C. 3601-20);
- (f) It will affirmatively further fair housing;
- (g) It has developed its final statement of projected use of funds 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 final statement of projected use of funds 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); except that the aggregate use of CDBG funds received under section 106 of the Act, and if applicable, under section 108 of the Act, during the program year, (a period specified by the grantee consisting of one year, shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70% of such funds are used for activities that benefit such persons during such period;
- (h) It has developed a community development plan, for the period specified in paragraph (g) above, that identifies community development and housing needs and specifies both short and long-term community development objectives that have been developed in accordance with the primary objective and requirements of the Act;

- (i) It is following a current comprehensive housing affordability strategy (CHAS) which has been approved by HUD pursuant to 570.306 and Part 91, and that any housing activities to be assisted with CDBG funds will be consistent with the CHAS;
- (j) It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Act or with amounts resulting from a guarantee under section 108 of the Act 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, unless:
 - 1. Funds received under section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Act; or
 - 2. For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient funds received under section 106 of the Act to comply with the requirements of subparagraph (1) above;
- (k) Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with 570.608;
- (l) It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under 570.606(b) and Federal implementing regulations; and it is following a residential antidisplacement and relocation assistance plan as required under section 104(d) of
- (m) 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;

(n) To the best of its 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, 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 (n) 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;

(o) It 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 as 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 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 requirement 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.
- (p) It will comply with the other provisions of the Act and with other applicable laws.

Mayor, City of Conway

Date