



CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 04/27/10

SUBJECT: Amendments to Fiscal Year 2009 CDBG Action Plan

DEPARTMENT: COMMUNITY DEVELOPMENT

RECOMMENDED MOTION:

Approval, by Resolution No. 10- 28, of amendments to Fiscal Year 2009 CDBG Action Plan.

SUMMARY

The following amendments to the FY 2009 CDBG Action Plan are submitted for approval by Resolution. A public comment period has concluded and no citizen comments were received.

1. Elimination of Buschman Park Improvements activity in the amount of \$100,000
2. Amendment to existing project: Port Orange Adult Activity Center Improvements
Increase funding from \$128,772.00 to \$228,772

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other Support Documents

DEPARTMENT HEAD  Wayne Clark, Director Date 4/8/10

FINANCE DEPARTMENT Approved as to Budget Requirements Date

CITY ATTORNEY  Approved as to Form and Legality Date 4-20-10

CITY MANAGER  Approved Agenda Item For: 4/27/10

COUNCIL ACTION: Approved as Recommended Disapproved

Tabled Indefinitely Continued to Date Certain

Approved with Modification:

RESOLUTION NO. 10-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AUTHORIZING THE CITY COUNCIL TO APPROVE THE CITY'S AMENDED COMMUNITY DEVELOPMENT BLOCK GRANT FY 2009 ACTION PLAN; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERALBILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Department of Housing and Urban Development requires submission of an annual action plan for each year the City's entitled to funds under the Community Development Block Grant; and

WHEREAS, the FY 2009 Action Plan represents the best thinking and planning of the City, its residents, local organizations and social service providers; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA:

Section 1. The City Council of the City of Port Orange hereby approves the City's Amended Community Development Block Grant for FY 2009 Action Plan, attached as Exhibit A.

Section 2. The Mayor and City Manager are hereby designated and authorized to execute any documents and certificates required by the Department of Housing and Urban Development as related to the FY 2009 Action Plan, as amended, and to do all things necessary and proper to carry out the terms and conditions of said program.

Section 3. This resolution shall take effect immediately upon its adoption.

MAYOR ALLEN GREEN

ATTEST:

Kenneth W. Parker, City Manager

Adopted this day of

Reviewed and Approved:

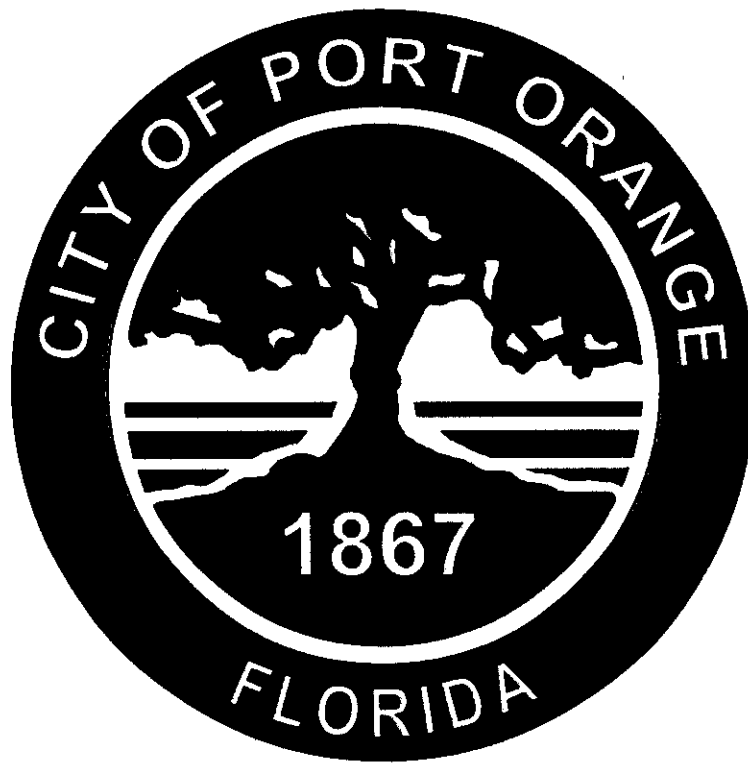


City Attorney

CITY OF PORT ORANGE

FY2009

***COMMUNITY DEVELOPMENT BLOCK GRANT
ACTION PLAN***





FY-2009 Action Plan

Executive Summary

INTRODUCTION

As a recipient of federal funds, HUD requires the City to prepare a Consolidated Plan and yearly Action Plans to direct the use of these funds. **The City of Port Orange has prepared a FY2009 Action Plan.**

LEAD AGENCY

The Community Development Department is the lead agency. The City is submitting its fourth Action Plan, which is for Fiscal Year 2009 funding.

CITIZEN PARTICIPATION PROCESS

The City has adopted a Citizen Participation Plan and Anti-Displacement Plan that meets all HUD requirements. The City's citizen participation process includes extensive ongoing consultations with participating social service/housing agencies and citizens. A public meeting was held to solicit housing and community development needs. A thirty-day public comment period was established to take public comment on the Fiscal Year 2009-2010 Action Plan.

CONSULTATIONS

Consultation is an ongoing process for departmental staff; they maintain a finger on the pulse of housing and community development issues and needs through the following:

1. Meeting with local housing and community development providers.
2. Participation on City boards, committees, and agencies.
3. Discussions at committees supported by the City:
4. Technical assistance to agencies and other entities.
5. Participation in public forums.
6. Holding public hearings.
7. Preparation of documents; flyers and brochures regarding specific programs.
8. Special studies.
9. Membership in local and state organizations.

BASIS FOR ALLOCATING INVESTMENTS

Housing

'Working-poor' and low income elderly families (making below 50% of the median income) continue to have the most trouble in the housing market. They will be the main focus for the City's affordable housing programs. The City's State Housing Initiatives Partnership (SHIP)

affordable housing program will operate citywide. The City will not be receiving SHIP funding for fiscal year 2009-2010. Some state funding in the amount of \$61,474 will be received for use in the state Homebuyer Opportunity Program.

Homeless

The City's homeless priorities were developed by the Volusia/Flagler County Homeless Coalition (Continuum of Care). The Continuum's priorities continue to be homelessness prevention, families with children, chronic homeless and the development of transitional housing. The Coalition is the Lead Agency and the City supports and participates in the Continuum of Care process. This program operates countywide.

Non-Homeless Special Needs

The City will support the provision of supportive housing for persons with special needs on a citywide basis.

Community Development

The City will support the construction of affordable housing; expanding social services; creating economic opportunities; and revitalizing its low income neighborhoods.

NOTE: In the event of a natural disaster, the City may decide to utilize these funds for eligible recovery/relief efforts.

HOUSING

The City does not receive HOME funds.

MEASURABLE OBJECTIVES

FY2009:

- Homebuyer Opportunity Program – 7.5 households

Source of Funds: State

HOMELESS

The City does not receive Emergency Shelter Grant (ESG) funds. The City has given the homeless a medium priority and does not plan any activities within this area.

SPECIAL NEEDS

The City has given Persons with Special Needs a medium priority and does not plan any activities within this area.

COMMUNITY DEVELOPMENT: FY2009 Objective

- Port Orange Adult Activity Center Facility Improvements
- Buschman Park Improvements

RESOURCES:

Community Development Block Grant:	\$ 285,969
State:	<u>\$ 61,474</u>

TOTAL: \$ 347,443

FY2009 PROPOSED USE OF CDBG FUNDS:

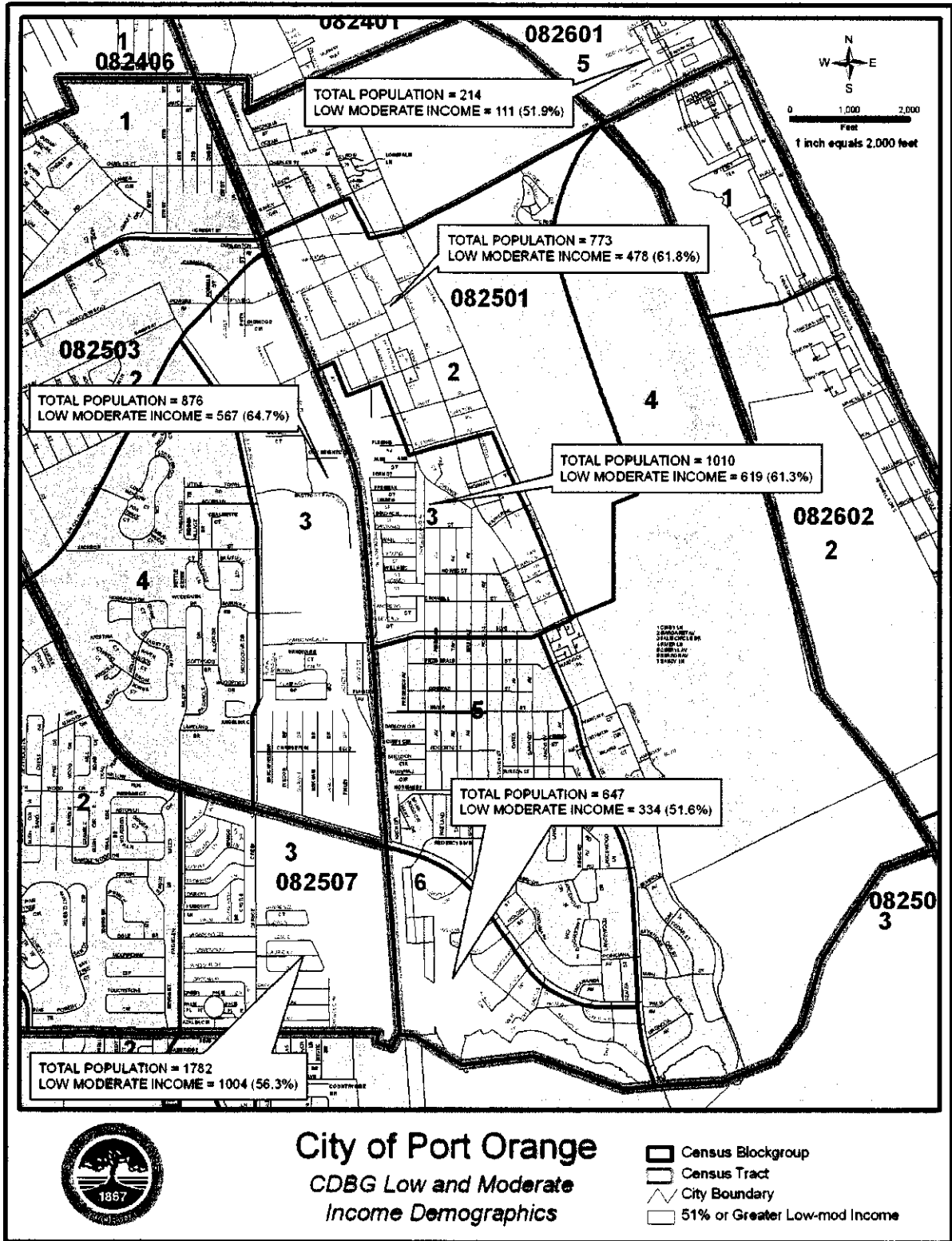
Port Orange Adult Activity Center Facility Improvements	\$228,772.00
Buschman Park Improvements	\$100,000.00
Planning and Administration	\$ 57,197.00

TOTAL: \$ 285,969.00

General Questions

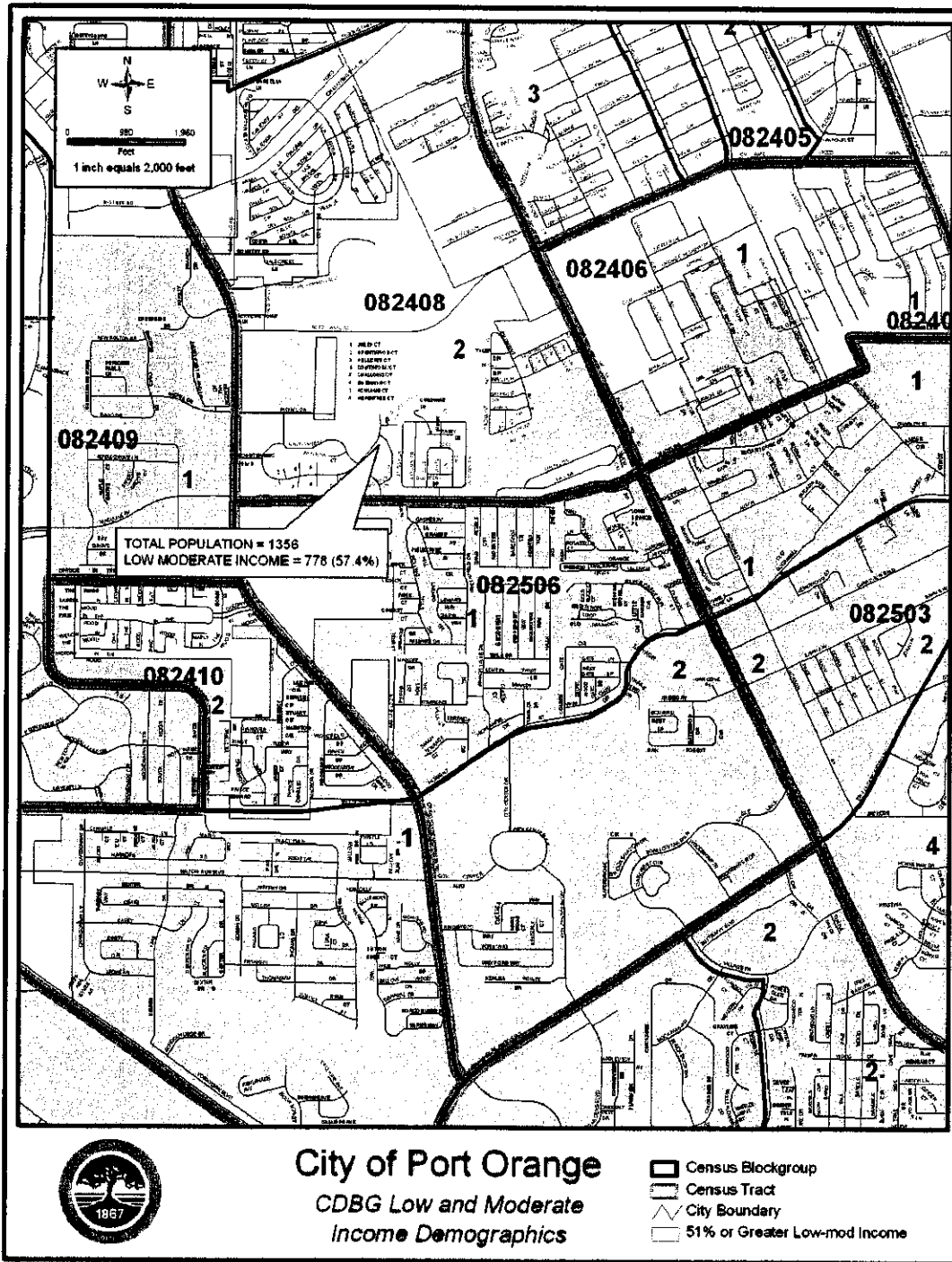
1. GEOGRAPHIC AREA

Maps ONE and TWO displays those areas (Census Block Groups) where more than 51% of the residents had incomes below 80% of the Volusia County Median Family Income.

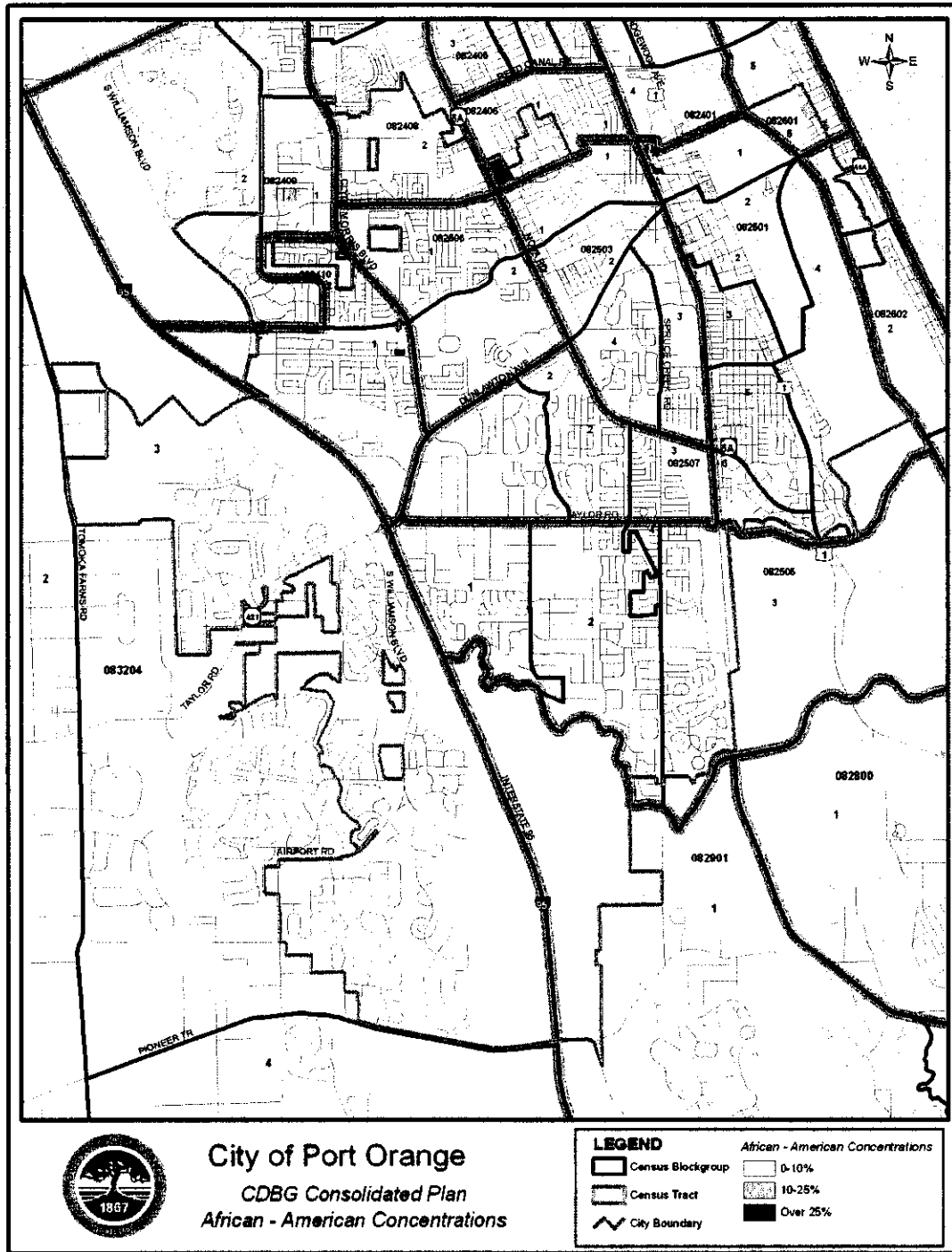


Income data provided by U.S. Census Bureau

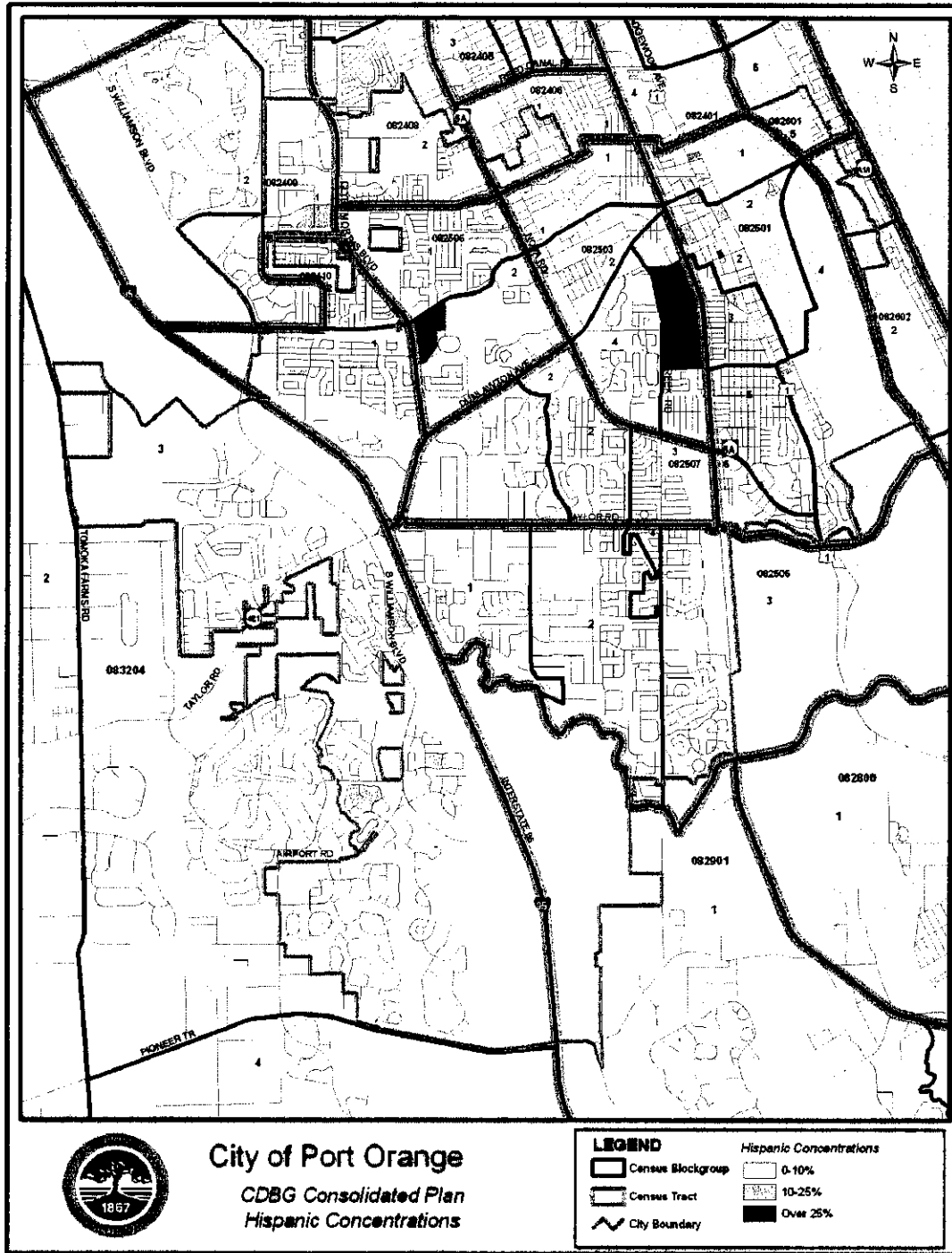
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Map THREE displays those areas within the small areas in the City where there are concentrations of African Americans. African Americans make up 2% of the City's population.



Map FOUR displays those small areas within the City where there are concentrations of Hispanics, who makeup 3% of the City's populations.



2. BASIS FOR ALLOCATING INVESTMENTS

Housing

'Working-poor' and low income elderly families (making below 50% of the median income) continue to have the most trouble in the housing market. They will be the main focus for the City's affordable housing programs. Volusia County's HOME housing programs operate countywide. The City's SHIP affordable housing program will operate citywide. The City does not expect to receive any SHIP funding in FY2009. The City will receive a special allocation in the amount of \$61,474 in Homeownership Opportunity Program funding from the state in FY2009.

Homeless

The City's homeless priorities were developed by the Volusia/Flagler County Homeless Coalition (Continuum of Care). The Continuum's priorities continue to be homelessness prevention, families with children, chronic homeless and the development of transitional housing. The Coalition is the Lead Agency and the City supports and participates in the Continuum of Care process. This program operates countywide.

Non-Homeless Special Needs

The City will support the provision of supportive housing for persons with special needs on a citywide basis.

Community Development

The City will support the construction of affordable housing; expanding social services; creating economic opportunities; and revitalizing its low income neighborhoods.

NOTE: In the event of a natural disaster, the City may decide to utilize these funds for eligible recovery/relief efforts.

How These Forces Shaped City Priorities

Rapidly rising housing prices continue to increase the need for affordable housing and rental units for households unable to become homeowners. The City has also found a need for rehabilitation programs to enable low-income owners maintain their property. The City also receives State affordable housing funds through the State of Florida's State Housing Initiatives Partnership (SHIP) program. These funds are targeted for affordable housing and will be used to fund first-time homebuyer and owner-occupied rehabilitation programs.

On the positive side, existing homeowners have benefited and rising housing prices have made the City's older neighborhoods more attractive for infill housing. Rising prices and strong demand will also create new opportunities for economic development/redevelopment in the future.

3. OBSTACLES TO MEETING UNDERSERVED NEEDS

The major obstacle to meeting the City's underserved needs will continue to be the declining levels of federal/state financial support for these programs.

4. FY2009 AVAILABLE RESOURCES:

Federal:

- Community Development Block Grant: \$ 285,969

State:

- Homeownership Opportunity Program: \$ 61,474

TOTAL: \$ 347,443

Managing the Process

Managing the Process Response:

1. LEAD AGENCY

The City's Community Development Department is the lead agency. The City is submitting its FY 2009 Action Plan as approved by the City Council on July 21st, 2009.

2. CITIZEN PARTICIPATION PROCESS

The City has adopted a Citizen Participation Plan and Anti-Displacement Plan that meet all HUD requirements. The participation process includes extensive ongoing consultations with participating social service/housing agencies and citizens. A thirty-day public comment period was established to take public comment on the draft FY 2009 Action Plan. Two public hearings were held, on May 27th, 2009 and June 24th, 2009 to take comments on the Draft Plan.

The City **did not** receive written comments, which were used in setting priorities.

3. CONSULTATIONS

Consultation is an ongoing process for departmental staff; they monitor housing and community development issues and needs through the following means:

1. Quarterly meetings with local housing and CD providers.
2. Participation by City staff on boards, committees and agencies.
3. Discussions at committees supported by the City:
4. Technical assistance to agencies and other entities.
5. Working with local lenders on Community Reinvestment Act commitments and requirements.
6. Participation in public forums.
7. Holding public hearings.
8. Preparation of documents; flyers and brochures regarding specific programs.
9. Special studies.
10. Membership in local, regional and state organizations.

The following public and private agencies and entities were consulted throughout the year concerning ongoing topics of mutual interest, or were consulted in preparation of the FY 2009 Action Plan or through forums for discussion. In some cases, specific reports and plans of the agencies were used.

Public Agencies

Volusia County.

Health Department:

Lead based paint poisoning cases, efforts to remove and reduce LBP hazards and promote screening and communitywide poisoning prevention education.

City Planning/Community Development Departments:

Coordination with the Comprehensive Plan - Housing Element; barriers to affordable housing, development issues, and population projections. Code enforcement.

Police/Sheriff's Office:

Crime prevention programs; runaway youth; coordination of resources and programs.

Volusia County Department of Economic Development:

Antipoverty strategy.

Regional Planning Council:

Coordination on regional issues regarding housing and community development.

Area Agency on Aging:

Priority needs of the elderly.

WAGES Coalition:

Antipoverty strategies.

Workforce Development Board:

Antipoverty strategies.

Quasi-Public Agencies

Volusia/Flagler County Homeless Coalition:

Homeless needs, including persons with HIV.

In addition, the City sent detailed questionnaires on community development and housing needs to sixteen nonprofit organizations that operate in Port Orange and Volusia County.

Citizen Participation

1. CITIZEN PARTICIPATION PROCESS

This process included holding a public hearing early in the Action Plan development process to review the existing activities and to solicit community needs; provide technical assistance; advertise the availability of funds; and provide a thirty-day public comment period and public hearing on the Draft FY 2009 Action Plan.

2. SUMMARY OF CITIZEN COMMENTS RECEIVED

No individuals elected to attend the May 27th or June 24th 2009 meetings to make comments on the draft FY 2009 Action Plan.

3. EFFORTS MADE TO BROADEN THE PROCESS

The City, through its ongoing public participation/consultation process continually seeks to broaden this process by involving new nonprofit organizations in its various programs and by continuing its efforts to provide information to residents.

To achieve this, the City expanded its public notice efforts by running public notices on its public access channel.

4. COMMENTS NOT ACCEPTED/REASONS

There were no comments received that were not accepted.

Institutional Structure

1. INSTITUTIONAL STRUCTURE

During the coming year the City will work with its community groups and non-profit service providers to establish and implement the City's CDBG and Homeownership Opportunity Programs.

Monitoring

1. MONITORING

Standards

Each program activity conducted by a subrecipient will have a contract that will include the specific performance expected to be carried out, the performance timeline, project milestones, expenditures and specific program requirements/regulations that must be met.

Procedures

The City assigns a Project Manager to each community development activity. The project manager performs on-site inspections, checks progress against the performance schedule, monitors financial expenditures with program progress, reviews invoices for accuracy and contract compliance along with regulatory compliance.

Self-Monitoring

City staff will monitor the office project tracking system on a monthly basis to oversee total program progress as well as individual projects. The tracking system will also document the City's overall performance and program compliance in meeting the specific goals/objectives established in the Consolidated Plan. In addition, expenditure timelines are monitored on a monthly basis and reported to the City Manager.

2. SUBRECIPIENT MONITORING

A significant portion of the City's programs may be carried out by subrecipients. All subrecipients will receive federal and local regulations relating to their specific activity, along with an explanation as to how they apply to the particular project. Specific performance agreements will be executed with each subrecipient, giving measurable objectives for the eligible activity to be carried out. Each project is monitored on an ongoing basis and all preconstruction conferences are attended by community development staff. Documentation submitted with reimbursement requests is reviewed for compliance with applicable and measurable objectives prior to issuing funds.

On-site monitoring of selected subrecipients is scheduled and completed annually by the City. A checklist is completed and reviewed to ensure all aspects of the activity are carried

out in accordance with applicable regulations. A follow-up letter is sent to the subrecipient stating the outcome of the monitoring visit.

In addition to the above, any subrecipient determined to be in need of and/or requesting additional training on how to meet grantee and federal requirements receives technical assistance in the form deemed most appropriate to the circumstances of the City. Additional technical assistance, if needed or requested, is provided at the time of the annual monitoring.

3. HOUSING CODE COMPLIANCE

The City does not receive any HOME/ADDI funds. The City's Building Division is responsible for enforcing the Florida State Building Code.

HOME:

N/A **The City does not receive HOME funds.**

Lead-based Paint

1. LEAD BASED PAINT REDUCTION

The overall goal of the City is to reduce or eliminate lead-based paint hazards and prevent childhood lead poisoning. This will be accomplished through a coordinated effort of public and private sectors. The County's Board of Health will continue to test school children suspected of having lead-based poisoning.

All housing within the City proposed for rehabilitation through the CDBG program will be screened by the year built to determine possible LBP hazard. The owner will be given the EPA Fact Sheet - *Identifying Lead Hazards in Your Home* and the EPA publication - *Protect Your Family From Lead In Your Home*. During the feasibility inspection, if the inspector identifies a potential LBP problem, he notifies the owner and may test the suspect area with a swab or take a sample to be processed through the County Health Department.

In every program where federal funds are expended on a housing unit, the City will incorporate the current procedures for hazard reduction or LBP abatement guidelines as defined in 24 CFR Part 35.

Specific Housing Objectives

1. PRIORITIES AND SPECIFIC OBJECTIVES

The City has placed its highest priority on helping 'working poor' renter households find affordable housing and assisting low-income households maintain their homes.

Port Orange's Specific Housing Objectives for FY2009 are:

- Provide Homeownership Opportunity funding to 7.5 households.
State/Other Funds
- Preserve the existing housing stock through the rehabilitation of 4 existing units for

low-income owner households.

State/Other Funds: prior year SHIP.

2. RESOURCES

State Housing Incentives Partnership (SHIP) program:	\$ 0.00
State Homeownership Opportunity Program:	\$61,474.00

Needs of Public Housing

N/A The City of Port Orange does not have a Public Housing Authority.

Barriers to Affordable Housing

1. BARRIERS TO AFFORDABLE HOUSING

The City will implement its State mandated Regulatory Reduction Review of all its development regulations to ensure they do not create any barriers to affordable housing.

As part of this process the City has established an expedited review system that gives priority to affordable housing projects and established a committee to review all proposed new ordinances for their impacts on affordable housing.

In addition, group homes are allowed in all residential districts as special exceptions, and the City maintains an inventory of all surplus property that can be used for affordable housing.

HOME/ American Dream Down payment Initiative (ADDI)

N/A The City does not receive HOME/ADDI funds.

Specific Homeless Prevention Elements

The City does not receive Emergency Shelter Grant (ESG) funds.

The City is a member of the Volusia/Flagler County Homeless Coalition (the regional Continuum of Care) and supports the Coalitions efforts.

The City has given the Homeless a medium priority and does not plan to directly fund any homeless activities this year.

Emergency Shelter Grants (ESG)

N/A

Community Development

1. COMMUNITY DEVELOPMENT PRIORITIES

Port Orange's Community Development Priorities for the FY2006 to FY2010 Program Years are:

- Provide direct down payment/closing cost assistance to 50 low income homebuyers
- Preserve the existing housing stock by funding the acquisition/rehabilitation of 50 existing units for low income households
- Preserve existing housing stock by funding the rehabilitation of 50 units for low income home owners
- Acquire five lots for the construction of affordable housing

2. BASIS FOR ASSIGNING PRIORITIES:

The City assigned its priorities based on its survey of community needs and completion of the CDBG projects identified for Volusia County's FY2005-FY2009 Consolidated Plan, of which Port Orange was a participant.

3. OBSTACLES

The major obstacles to meet the identified priorities will continue to be the lack of federal/state funds, both entities of which continue to reduce their funding commitments to address these problems.

4. SPECIFIC OBJECTIVES

Port Orange has identified the following Community Development Objectives for FY2009:

- Port Orange Adult Activity Center Facility Improvements
- ~~Bushman Park Improvements~~

Funding Source: CDBG

Antipoverty Strategy

1. ANTIPOVERTY STRATEGY

The City of Port Orange is a member of the Volusia County Economic Development Partnership. Volusia County has three major initiatives designed to reduce unemployment and increase economic opportunities for its poverty level residents.

First, the County has an ongoing Economic Development Program. This plan is designed to both attract new businesses to the County and to help existing businesses expand. One of the goals of this public/private partnership is to reduce unemployment and to increase the number of high paying new jobs. As part of this strategy the County established a trust fund to provide incentives for companies that expand or locate in Volusia County.

Second, as an important component of this economic development effort, the County's community college funds a Small Business Development Center (BDC) which teaches potential business people how to successfully start a new company. The Community college

also provides State funded *customized* job training programs that train local residents (most of whom are unemployed or underemployed) to take specific jobs at new or expanding programs.

Third, in conjunction with the state's WAGES, Welfare to Work program, the County, through the Community College provides both life skill and customized job training for the County's low-income residents. These courses are designed to help under-skilled workers obtain jobs in the private sector.

Collectively, these efforts represent a realistic county-level antipoverty strategy.

Non-homeless Special Needs (91.220 (c) and (e))

1. PRIORITIES AND SPECIFIC OBJECTIVES

The City has given Non-Homeless Persons with Special Needs a medium priority and will not fund any activities this year.

Housing Opportunities for People with AIDS

N/A The City is not a HOPWA

Specific HOPWA Objectives

N/A