



June 4, 2009

U.S. Department of HUD
Attn: Katie S. Worsham, Director of CPD
801 Cherry, Unit #45, Suite 2500
Fort Worth, TX 76102

Dear Ms. Worsham:

Please find enclosed the 2008 CDBG-R Substantial Amendment for the City of Lewisville CDBG Program. The amendment and related activity were approved by City Council and the application is signed by the City Manager. The project funded in the amendment will continue to carry out the objectives of the 2007 Consolidated Plan. We look forward to working with you and your staff on this Recovery Act program.

Please contact me at (972) 219-3780 should there be any questions or requirements for additional information.

Sincerely,

A handwritten signature in cursive script that reads "Jamey Kirby".

Jamey Kirby
Grants Coordinator

Enclosure

THE CDBG-R SUBSTANTIAL AMENDMENT

| | |
|--|---|
| Jurisdiction(s): City of Lewisville, Texas | CDBG-R Contact Person: Jamey Kirby |
| Jurisdiction Web Address: <ul style="list-style-type: none">• www.cityoflewisville.com Link "CDBG Recovery Act Funding" in 'Find Out About' menu on home page. | Address: PO Box 299002 Lewisville, TX 75029-9002 Telephone: 972-219-3780 Fax: 972-219-3698 Email: jkirby@cityoflewisville.com |

The American Recovery and Reinvestment Act of 2009 ("Recovery Act") was signed into law by President Obama on February 17, 2009. The Recovery Act awards \$1 billion in CDBG Recovery (CDBG-R) funds to be distributed to cities, counties, insular areas and states. Funding available under the Recovery Act has clear purposes – to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand educational opportunities and access to health care.

The City of Lewisville has proposed to use its allocation of \$151,565 in CDBG-R funding for a project to improve infrastructure in a single-family low-to-moderate income neighborhood which has been designated as a Targeted Revitalization and Reinvestment Neighborhood (TRAIN) identified in the City's 2007 Consolidated Plan for Housing and Community Development. The Edwards Street Sanitary Sewer Line Replacement Project will replace aging 6" clay sewer lines with new 8" lines using a trenchless pipe-bursting method. Public comments in past years have identified sewer line replacement in this area as a priority need. The CDBG-R funding from the Recovery Act will allow the City to meet this need as well as provide temporary construction jobs to assist in meeting the overall goal of economic recovery.

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

~~Insert Spreadsheet with all information completed behind this page.~~

The attached spreadsheet was emailed to CDBG-R@hud.gov on June 4, 2009 for the webpage <http://www.hud.gov/recovery>

| Jurisdiction/Grantee Name: City of Lewisville, TX | | CDBG-R Formula Grant Amount: \$151,565 | | | Date: 05/15/09 | | |
|---|---|--|---|----------------------------|--------------------------------|------------------------------|-----------------------|
| Activity Name | Activity Description | Eligibility (Regulatory or HCDA Citation) | National Objective Citation | CDBG-R Project Budget (\$) | Additional Recovery Funds (\$) | Other Leveraged Funding (\$) | Total Activity Budget |
| Edwards Street Sanitary Sewer Line Replacement | Replace aging 6" Sanitary Sewer Line with new 8" lines on Edwards Street from Charles to Edna | Eligible Activity 270.201(c) Public Facilities HUD Matrix Code 03J for Water/Sewer Improvements | CDBG Eligibility 570.208(a) (1) – Low/ Mod Area | \$151,565 | \$0.00 | \$0.00 | \$151,565 |
| | Administration Cost (\$0.00) | | | | | | |
| | Public Services Cost (\$0.00) | | | | | | |

B. CDBG-R INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)

(1) Edwards Street Sanitary Sewer Line Replacement Project

Activity Narrative:

The project will replace sanitary sewer mains and connections on the streets listed below. A map of the project service area is provided as Attachment A. (green and yellow segments).

- Edwards Street, from Charles Street to Milton Street
- Edwards Street, from Milton Street to Hatcher Street
- Edwards Street, from Hatcher Street to Cowan Avenue
- Edwards Street, from Cowan Avenue to Edna Avenue (Alternate segment)

The replacement will consist of updating the sewer system from 6" mains to 8" mains, which will alleviate the blockage and back-up issues experienced in the area.

ARRA Objectives: This project meets a CDBG National Objective, is a CDBG Eligible Activity and addresses the following Recovery Act objectives: preserving jobs by providing construction work in a down market and investing in infrastructure that will provide long-term economic benefits.

The project is completely within a low-to-moderate-income target neighborhood, which will directly meet one of the CDBG funding priorities identified in the City's 2007 Consolidated Plan (Community Development – Infrastructure – Sanitary Sewer Improvements) as well as one of the National Objectives (Provides direct benefit to low and moderate-income persons). Note, however, that an income survey will be performed in order to document that the project service area (Edwards Street from Charles to Edna) is income eligible as the 2000 census data is not adequate evidence in this neighborhood. A similar survey was conducted in the same neighborhood for the 2007 Street and Sewer Rehabilitation project.

This activity will provide long term improvements to sewer system function in the target neighborhood that will assist in improving quality of life in the neighborhood, which is being target for revitalization. The area is part of Old Town Lewisville where the City is conducting other economic and community development projects. Several streets immediately to the north of this project have already been rehabilitated with street and sewer line replacement completed as part of the CDBG 2007 Annual Action Plan projects. An additional area intersecting with this project is budgeted but not yet contracted to compete sewer line replacement in the 2008 Milton Street Project. (Attachment A blue and red segments) Funding this project with CDBG-R funds will complete sewer line improvements for the Edna-Charles TRAIN. (TRAIN map Attachment B)

This project is "shovel ready" and will assist with modernizing the city's infrastructure both of which are in direct support of the American Recovery and Reinvestment Act (ARRA). The entire project is expected to be completed by November 2009. The quick implementation of the project will preserve and create employment opportunities to assist with economic recovery. Engineering design is not required for the project but the income survey mentioned above and environmental clearances must be completed before the project can be contracted. If at all possible the project will be completed within 120 days from the date that an agreement is signed with HUD.

The CDBG-R allocation of \$151,565 may not be adequate to complete the project. The first three segments from Charles to Cowan are expected to cost over \$129,000. The City will consider using general fund money set aside for sewer line maintenance to complete the final segment of the project

from Cowan to Edna. If bids are too high and/or that funding is still not available, the segment from Cowan to Edna would be dropped from the project.

At this time, the full CDBG-R allocation is budgeted for project construction costs and 100% of the funds will benefit low-to-moderate income areas. Administrative costs are expected to be absorbed in the regular CDBG budget but in no instance would they constitute more than 10% of the allocation. No CDBG-R funds will be used for Public Services.

Jobs Created:

The city estimates that this project will create approximately 10 temporary, full-time construction jobs. It is not known whether contractors will be able to add new hires. If not, certainly existing employees would benefit from preserving employment in a market where construction activity is down. Based on previous project of similar scope, the City estimates that 10-12 workers will be employed for 6-8 weeks resulting in the equivalent of approximately 1.5 annualized full-time positions.

Additional Activity Information:

This activity will not specifically address or promote energy conservation, smart growth, green building technology or reducing pollution emissions.

Responsible Organization:

The City of Lewisville's Community Development Department will be responsible for administration of the project. The City's Public Services Department will develop specifications and provide oversight and inspection of construction activities. For additional information on the project, please contact:

City of Lewisville-Community Development Department
Jamey Kirby, Grants Coordinator
Planning and Community Services Division
P.O. Box 299002
Lewisville, TX 75029
Phone: 972-219-3780
Fax: 972-219-3698
Email: jkirby@cityoflewisville.com

City of Lewisville
Maurice Strickland, Operations Supervisor
Utility Line Maintenance Division
P.O. Box 299002
Lewisville, TX 75029
Phone: 972-219-3517
Fax: 972-219-3508
Email: mstrickl@cityoflewisville.com

C. PUBLIC COMMENT

As allowed by the U.S. Department of Housing and Urban Development (HUD) under FR-5309-N-01, the City of Lewisville provided a 7-day public notice.

A notice announcing a public hearing and consideration of a proposed amendment to the 2008 Annual Action Plan for expenditure of CDBG-R funds was published in the Southern Denton Neighbors newspaper (an insert in the Friday edition of the Denton Record Chronicle) on May 22, 2009, ten days before the public hearing. In addition, the notice of public hearing and proposed project information was available for review at City Hall, 151 W. Church Street and at the Lewisville Public Library reference desk. In addition, notice of the public hearing was made available on the city's website, www.cityoflewisville.com, on the Library bulletin board and on the City's television channel, LVTV.

Prior to approval by City Council, the project was discussed by the CDBG Advisory Committee which recommended approval of the CDBG-R amendment. The Advisory Committee is made up of seven citizens appointed by City Council to provide input and oversight of the CDBG Program. Their meeting on May 26 was also advertised in the public notice. The agenda for this meeting was posted at City Hall as well. Mention of both the Council public hearing and the committee meeting was made in an email notice to all social service agencies.

The public hearing took place on June 1, 2009 at City Hall, 151 W Church Street, in the City Council Chambers. No citizens took the opportunity to comment on the project. The City Council voted 3 -1 to approve the amendment and to authorize the City Manager to submit the CDBG-R Amendment and application to HUD.

No public comments were received during the review period. One member of the Lewisville City Council explained his opposition to the Recovery Act itself but did not comment on the amendment or the project.

CDBG-R Substantial Amendment Grantee Checklist

For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the CDBG-R Substantial Amendment, Spreadsheet for Reporting Proposed CDBG-R Activities, and SF-424.

Contents of a CDBG-R Action Plan Substantial Amendment

| | |
|--|--|
| Jurisdiction(s): City of Lewisville Lead Agency Jurisdiction Web Address: <u>www.cityoflewisville.com</u> Link "CDBG Recovery Act Funding" in 'Find Out About' menu on home page | CDBG-R Contact Person: Jamey Kirby Address: PO Box 299002 Lewisville, TX 75029-9002 Telephone: 972-219-3780 Fax: 972-219-3698 Email: <u>jkirby@cityoflewisville.com</u> |
|--|--|

The elements in the substantial amendment required for the CDBG recovery funds are:

A. SPREADSHEET FOR REPORTING PROPOSED CDBG-R ACTIVITIES

Does the submission contain a paper copy of the Spreadsheet for Reporting Proposed CDBG-R Activities?

Yes No Verification found on page 2

Does the submission include an electronic version of the Spreadsheet for Reporting Proposed CDBG-R Activities sent to the email box CDBG-R@hud.gov?

Yes No Date Spreadsheet was emailed: 6/4/09

Does the Spreadsheet for Reporting Proposed CDBG-R Activities include, for each activity:

- amount of funds budgeted for each activity, including CDBG-R funds, any additional Recovery Funds used and total activity budget,
 Yes No Verification found on page(s) 2
- the Eligibility citation (eligibility regulatory cite or HCDA cite),
 Yes No Verification found on page(s) 2
- the CDBG national objective citation,
 Yes No Verification found on page(s) 2

B. CDBG-R INFORMATION BY ACTIVITY

Does the submission contain information by activity describing how the grantee will use the funds, including:

- a narrative for each activity describing how CDBG-R funds will be used in a manner that maximizes job creation and economic benefit,
Yes No Verification found on page(s) 4
- projected number of jobs created for each activity,
Yes No Verification found on page(s) 4
- whether an activity will promote energy efficiency and conservation,
Yes No Verification found on page(s) 4
- the name, location, and contact information for the entity that will carry out the activity,
Yes No Verification found on page(s) 4
- evidence that no more than 10% of the grant amount will be spent on administration and planning,
Yes No Verification found on page (s) 2+4
- evidence that no more than 15% of the grant amount will be spent on public services,
Yes No Verification found on page (s) 2+4
- evidence that at least 70% of the grant amount will benefit persons of low and moderate income,
Yes No Verification found on page (s) 4+12

C. PUBLIC COMMENT PERIOD

Was the proposed action plan amendment published via the jurisdiction's usual methods and on the Internet for no less than 7 calendar days of public comment?

Yes No Verification found on page(s) Attach. C

Is there a summary of citizen comments included in the final amendment?

Yes No Verification found on page(s) 5

D. CERTIFICATIONS

The following certifications are complete and accurate:

- | | | |
|---|---|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of jurisdiction | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

- | | | |
|--|---|--|
| (6) Consistency with plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (9) Following a plan | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use of Funds | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (11) Excessive Force | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (13) Lead-based paint procedures | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with laws | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (15) Compliance with ARRA | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (16) Project selection | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (17) Timeliness of infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (18) Buy American provision | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (19) Appropriate use of funds for infrastructure investments | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| (20) 70% of CDBG-R for LMI | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Optional Certification | | |
| (21) Urgent Need | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

D. STATE CERTIFICATIONS

The following certifications are complete and accurate:

N/A

- | | | |
|--|------------------------------|-----------------------------|
| (1) Affirmatively furthering fair housing | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (2) Anti-displacement and relocation plan | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (3) Drug-free Workplace | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (4) Anti-lobbying | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (5) Authority of State | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (6) Consistency with plan | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (7) Section 3 | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (8) Community development plan | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (9) Consultation with Local Governments | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (10) Use of Funds | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (11) Excessive Force | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (12) Compliance with anti-discrimination laws | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (13) Compliance with laws | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (14) Compliance with ARRA | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (15) Project selection | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (16) Timeliness of infrastructure investments | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (17) Buy American provision | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (18) Appropriate use of funds for infrastructure investments | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (19) 70% of CDBG-R for LMI | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Optional Certification | | |
| (20) Urgent Need | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

CERTIFICATIONS

- (1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.
- (2) **Anti-displacement and relocation plan.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 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 CDBG-R.
- (3) **Drug Free Workplace.** The jurisdiction 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.

(4) **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.

(5) **Authority of Jurisdiction.** The jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(6) **Consistency with Plan.** The housing activities to be undertaken with CDBG-R funds are consistent with its consolidated plan.

(7) **Section 3.** The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Community development plan.** The jurisdiction certifies that the consolidated housing and community development plan identifies housing and community development needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG program.

(9) **Following a plan.** The jurisdiction is following a current consolidated plan that has been approved by HUD.

(10) **Use of funds.** The jurisdiction has developed activities so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention of slums or blight. Additional activities may be included that are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG-R 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. **Special Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R 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-R funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG-R 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-R funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG-R funds, unless CDBG-R 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-R funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG-R funds if the jurisdiction certifies that it lacks CDBG-R or CDBG funds to cover the assessment.

(11) **Excessive Force.** The jurisdiction certifies that 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 that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The CDBG-R grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(13) **Compliance with lead-based paint procedures.** The activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(14) **Compliance with laws.** The jurisdiction will comply with applicable laws.

(15) **Compliance with ARRA.** The jurisdiction will comply with Title XII of Division A of the American Recovery and Reinvestment Act of 2009.

(16) **Project selection.** The jurisdiction will select projects to be funded, by giving priority to projects that can award contracts based on bids within 120 days from the date the funds are made available to the recipient, and that will ensure maximum job creation and economic benefit.

(17) **Timeliness of infrastructure investments.** When the jurisdiction uses CDBG-R funds for infrastructure investments, the grantee will give preference to quick-start and finish activities, including a goal to use at least 50 percent of the funds for activities within 120 days of enactment of the Recovery Act.

(18) **Buy American provision.** The jurisdiction will ensure that all iron, steel and manufactured goods used in construction, alteration, repair, or maintenance of a public building or public work project assisted with CDBG-R funds under the Recovery Act must be produced in the United States unless the Secretary finds that: (1) the requirement is inconsistent with public interest; (2) those goods are not reasonably available or produced in sufficient quantity in the U.S.; (3) or the use of the goods will increase the project cost by more than 25 percent.

(19) **Appropriate use of funds for infrastructure investments.** The Governor, mayor, or other chief executive, as appropriate certifies, that any infrastructure investments have received the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. Alternatively, a grantee's chief elected official certifies that infrastructure investments will receive the full review and vetting required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars.

(20) **70% of CDBG-R for LMI.** The aggregate use of CDBG-R funds shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the grant is expended for activities that benefit such persons over the life of the CDBG-R grant.



Signature/Authorized Official

6/4/09
Date

Claude King, City Manager
Title

Application for Federal Assistance SF-424

| | |
|--|---|
| *1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application | *2. Type of Application * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision *Other (Specify) _____ |
|--|---|

| | |
|--------------------------|---------------------------------|
| 3. Date Received: | 4. Applicant Identifier: |
|--------------------------|---------------------------------|

| | |
|---------------------------------------|---------------------------------------|
| 5a. Federal Entity Identifier: | *5b. Federal Award Identifier: |
|---------------------------------------|---------------------------------------|

State Use Only:

| | |
|-----------------------------------|---|
| 6. Date Received by State: | 7. State Application Identifier: |
|-----------------------------------|---|

8. APPLICANT INFORMATION:

| | |
|---|--|
| *a. Legal Name: City of Lewisville | |
| *b. Employer/Taxpayer Identification Number (EIN/TIN): 75-6000583 | *c. Organizational DUNS: 078364312 |

d. Address:

| | |
|---------------------------|-----------------------------|
| *Street 1: | <u>151 W. Church Street</u> |
| Street 2: | _____ |
| *City: | <u>Lewisville</u> |
| County: | <u>Denton</u> |
| *State: | <u>Texas</u> |
| Province: | _____ |
| *Country: | <u>USA</u> |
| *Zip / Postal Code | <u>75057</u> |

e. Organizational Unit:

| | |
|--|--|
| Department Name: Community Development | Division Name: Planning & Community Services |
|--|--|

f. Name and contact information of person to be contacted on matters involving this application:

| | |
|---------------------------------|----------------------------------|
| Prefix: <u>Mr.</u> | *First Name: <u>Jamey</u> |
| Middle Name: _____ | |
| *Last Name: <u>Kirby</u> | |
| Suffix: _____ | |

| |
|----------------------------------|
| Title: Grants Coordinator |
|----------------------------------|

| |
|------------------------------------|
| Organizational Affiliation: |
|------------------------------------|

| | |
|--|---------------------------------|
| *Telephone Number: 972-219-3780 | Fax Number: 972-219-3698 |
|--|---------------------------------|

| |
|--|
| *Email: jkirby@cityoflewisville.com |
|--|

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

Department of Housing and Urban Development (HUD)

11. Catalog of Federal Domestic Assistance Number:

14.253 _____

CFDA Title:

Community Development Block Grant, American Recovery and Reinvestment (CDBG-R) _____

***12 Funding Opportunity Number:**

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Lewisville, Texas

Local Target Area

***15. Descriptive Title of Applicant's Project:**

Edwards Street Sanitary Sewer Line Replacement

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: 26

*b. Program/Project: 26

17. Proposed Project:

*a. Start Date: June 5, 2009

*b. End Date: September 30, 2010

18. Estimated Funding (\$):

| | |
|--------------------|-----------|
| *a. Federal | \$151,565 |
| *b. Applicant | \$0.00 |
| *c. State | \$0.00 |
| *d. Local | \$0.00 |
| *e. Other | \$0.00 |
| *f. Program Income | \$0.00 |
| *g. TOTAL | \$151,565 |

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes
- No

21. *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)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

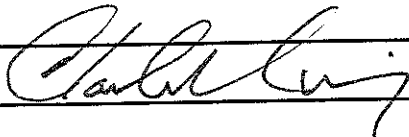
Prefix: Mr. _____ *First Name: Claude _____
Middle Name: _____
*Last Name: King _____
Suffix: _____

*Title: City Manager

*Telephone Number: 972-219-3405

Fax Number: 972-219-3410

* Email: cking@cityoflewisville.com

*Signature of Authorized Representative: 

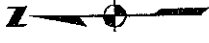
*Date Signed: 6/4/09

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.



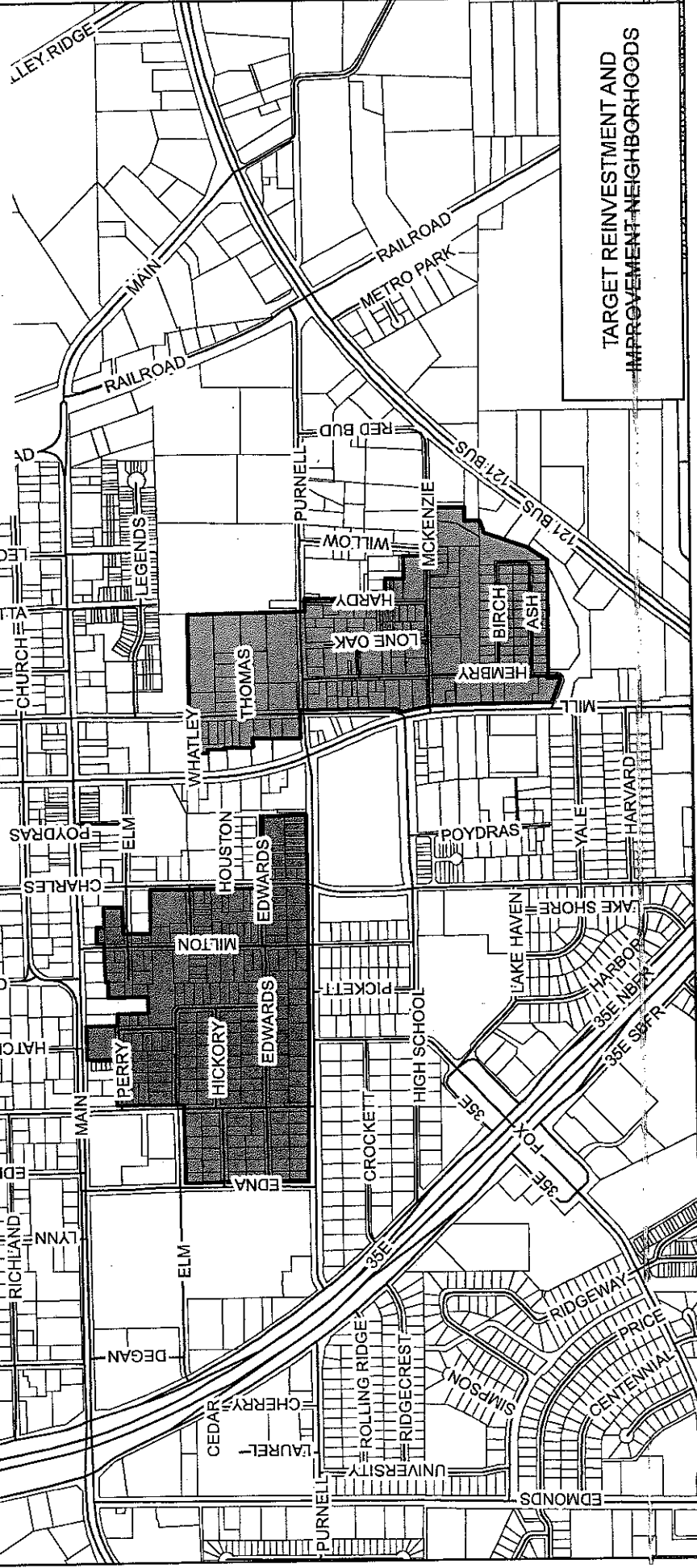
N.T.S

Legend

College St (Established 2001)

Mckenzie-Hembry (Established 2007)

Edna-Charles (Established 2007)



TARGET REINVESTMENT AND IMPROVEMENT NEIGHBORHOODS

LEGAL NOTICE

| ATTENTION | | SENDER | |
|---------------|--|-------------|--|
| Today's Date: | May 18, 2009 | # of Pages: | 1 of 1 |
| To: | Legal Notices | From: | City Of Lewisville |
| Dept: | Legal Advertising Dept. | Attn: | Gillian Goldthorpe |
| Company: | Denton Record Chronicle | Dept: | Planning & Community Services |
| Tel: | 940-387-7755 | Tel: | 972-219-3455 |
| Fax: | 940-566-6818 | Fax: | 972-219-3698 |
| E-Mail: | classads@dentonrc.com | E-Mail: | ggoldthorpe@cityoflewisville.com |

NOTE:

The notice below is to run in the Southern Denton County Neighbors paper on the following date:

FRIDAY, MAY 22, 2009

NOTICE OF PUBLIC HEARING

City of Lewisville Public Hearing Notice: American Recovery and Reinvestment Act, Community Development Block Grant Allocation

The City of Lewisville will receive \$151,565 from the American Recovery and Reinvestment Act (ARRA), Community Development Block Grant (CDBG) allocation known as CDBG-R. The City's CDBG Advisory Committee will consider recommending approval to expend CDBG-R funds on the completion of a sanitary sewer line replacement along Edwards Street from Cowan Street to Charles Street on Tuesday, May 26, 2009, at 6:30 p.m. at Lewisville City Hall, 151 W. Church St. A public hearing will be held by the Lewisville City Council to solicit public comments on Monday, June 1, 2009, at 7 p.m. at the same address.

Any comments or questions about this hearing can be directed to Jamey Kirby at (972) 219-3780 or by email at jkirby@cityoflewisville.com.

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DentonRC.com
Denton Record-Chronicle

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Traditional
Services,
Cremation
Services,
Prearrangement
Planning

- Search the Denton Record-Chronicle Classifieds.
- Classified Center

Your ads basket returned 1 ads.

Ads basket. Check to add. Uncheck to remove.

NOTICE OF PUBLIC HEARING City of Lewisville Public Hearing Notice: American Recovery and Reinvestment Act Community Development Block Grant Allocation The City of Lewisville will receive \$351,565 from the American Recovery and Reinvestment Act (ARRA) Community Development Block Grant (CDBG) allocation known as CDBG-R. The City's CDBG Advisory Committee will consider recommending approval to expand CDBG-R funds on the completion of a sanitary sewer line replacement along Edwards Street from Cowan Street to Charles Street on Tuesday, May 26, 2009, at 6:30 p.m. at Lewisville City Hall, 151 W. Church St. A public hearing will be held by the Lewisville City Council to solicit public comments on Monday, June 1, 2009, at 7 p.m. at the same address. Any comments or questions about this hearing can be directed to Jamey Kirby at (972) 219-3780 or by email at jkirby@cityoflewisville.com. LV/FM/HV Neighbors 05/22/09

Legalz - The Denton Record-Chronicle - 05/22/2009



CITY OF LEWISVILLE, TX

Monday June 1, 2009

Search Our Website

Search input field with a 'Go' button and radio buttons for 'Any', 'All', 'Exact', and 'Advanced'.

Translate Our Website

Language selection dropdown menu with a flag icon.

Mayor Dean Heckerl

- Welcome from the Mayor
• Mayor's Corner
• Contact the Mayor

Helpful Links

- Texas Department of Public Safety
• Denton County Home Page
• WorkInTexas.com
• Connect Local Bus Service
• Power To Choose
• State Highway Project

Welcome to the City of Lewisville!

Lewisville offers a small community atmosphere while still providing all of the urban amenities. We offer attractive neighborhoods, abundant recreational, educational and cultural entertainment, great shopping, fine dining, and diverse businesses and industries. Learn more why people love to Live, Work and Play in Lewisville. More

City News and Events

NOTICE OF PUBLIC HEARING

City of Lewisville Public Hearing Notice. American Recovery and Reinvestment Act, Community Development Block Grant Allocation More

Early voting schedule set for June 13 runoff election

Early voting for the City Council Place 4 runoff election will start Monday, June 1. Two candidates - John Gorena and T.J. Gilmore - are contending for the vacant seat. More



City aquatic parks set for summer season

Lewisville's two aquatic parks have prepared for the summer season by installing several



Contact Info

- Contact Us
• Email Us

eServices

Dropdown menus for 'Online Services' and 'Download Forms'.

Quick Links

- Old Town Post Office Letter Activities
• WDW Brochure - Classes and Activities
• Submit Public Comments on Oil/Gas Ordinances
• Online Library Catalog
• Report A Citizen Issue Online



Final

**Notice of Funding Availability:
May 15, 2009**

The City of Lewisville will receive \$582,110 from the **Community Development Block Grant (CDBG)** program for the fiscal year beginning October 1, 2009. \$87,316 of this award was made available to qualified nonprofit service providers in a separate NOFA along with \$173,250 from the City Social Service Agency Fund. Applications for those funds were received in March. The City may spend up to 20% of the award, \$116,422, on Administration of the program. **\$378,372 is being made available in this NOFA for Housing and Community Development Projects.** City Departments and qualified nonprofit agencies are invited to submit project proposals. While individuals and community organizations without nonprofit status are not eligible to apply, they may submit project ideas and community needs.

To receive an "Intent to Apply" form and Request for Proposals application packet, please contact:

Jamey Kirby
Grants Coordinator
151 W. Church Street
Lewisville TX 75057
jkirby@cityoflewisville.com
972-219-3780

The intent to apply form must be submitted by fax or email before 5:00 p. m., Friday May 22, 2009. Presentations will be made to the CDBG Advisory Committee on May 26 at 6:30 p. m. in the Community Development Conference Room at City Hall, 151 W. Church Street. A Project Outline and Budget will also be due at that meeting. Complete applications may be turned in by Friday, June 5, for the committee's final consideration at their June 16 meeting.

The City will also receive a supplemental CDBG award of \$151,565 for the current 2008 Program Year from the American Recovery and Reinvestment Act. However, as these funds must be spent on an accelerated schedule, the City will administer them directly. The CDBG Advisory Committee will consider recommending allocation of these funds at its meeting on May 26 (see below) and the City Council will hold a public hearing at its regular City Council meeting on June 1, 7:00 p. m. Staff is preparing a proposal to use the funds to replace sanitary sewer lines on Edwards Street.

5/15/09 emailed to social service agencies.

RECOMMENDATION:

That the City Council conduct the public hearing.

4. **Public Hearing:** Consideration of an Amendment to the 2008 Community Development Block Grant Annual Action Plan Allocating a Supplemental CDBG-R Award of \$151,565 for an Edwards Street Sanitary Sewer Replacement Project; and Authorization for the City Manager to Submit the Amendment to the U.S. Department of Housing and Urban Development.

ADMINISTRATIVE COMMENTS:

The American Recovery and Reinvestment Act (ARRA) of 2009 includes supplemental funding for the Community Development Block Grant (CDBG) program. This funding is being disbursed to current CDBG grantees. The City has been awarded \$151,565 in CDBG-R funds. To receive the funds, the City must amend its 2008 Annual Action Plan adopted August 4, 2008. Staff has identified Sanitary Sewer Replacement on Edwards Street as a "shovel ready" project for funding. This Amendment was made available for an expedited 7 day Public Comment period and is now ready for a Public Hearing before adoption. The CDBG Advisory Committee approved this amendment with a vote of 7-0 at their May 26, 2009 meeting.

RECOMMENDATION:

That the City Council approve the amendment; and authorize the City Manager to submit the amendment to the U.S. Department of Housing and Urban Development.

PRESENTATION: Jamey Kirby, Grants Coordinator

- E. **VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.
- F. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

Item No.: GC1

Proposed Meeting Date: June 1, 2009

Exhibits: Staff Memorandum, Location Map, Public Hearing Notice.

Person Submitting Request: Eric Ferris
Director of Community Development

CAPTION:

1. **Public Hearing: Consideration of an Amendment to the 2008 Community Development Block Grant Annual Action Plan Allocating a Supplemental CDBG-R Award of \$151,565 for an Edwards Street Sanitary Sewer Replacement Project; and Authorization for the City Manager to Submit the Amendment to the U.S. Department of Housing and Urban Development.**

ADMINISTRATIVE COMMENTS:

The American Recovery and Reinvestment Act (ARRA) of 2009 includes supplemental funding for the Community Development Block Grant (CDBG) program. This funding is being disbursed to current CDBG grantees. The City has been awarded \$151,565 in CDBG-R funds. To receive the funds, the City must amend its 2008 Annual Action Plan adopted August 4, 2008. Staff has identified Sanitary Sewer Replacement on Edwards Street as a "shovel ready" project for funding. This Amendment was made available for an expedited 7 day Public Comment period and is now ready for a Public Hearing before adoption. The CDBG Advisory Committee considered a recommendation for this amendment at its meeting on May 26, 2009.

RECOMMENDATION:

It is City staff's recommendation that the City Council approve the amendment; and authorize the City Manager to submit the amendment to the U.S. Department of Housing and Urban Development.

PRESENTATION: Jamey Kirby, Grants Coordinator

MEMORANDUM

TO: Claude King, City Manager

FROM: Gene Lewis, Planning & Community Services Manager

VIA: Eric Ferris, Director of Community Development

DATE: May 26, 2009.

SUBJECT: **Public Hearing: Consideration of an Amendment to the 2008 Community Development Block Grant Annual Action Plan Allocating a Supplemental CDBG-R Award of \$151,565 for an Edwards Street Sanitary Sewer Replacement Project; and Authorization for the City Manager to Submit the Amendment to the U.S. Department of Housing and Urban Development.**

BACKGROUND

The American Recovery and Reinvestment Act (ARRA) of 2009 includes supplemental funding for the Community Development Block Grant (CDBG) program administered by the U.S. Dept. of Housing and Urban Development (HUD). This funding is being disbursed to current CDBG grantees. The City has been awarded \$151,565 designated as CDBG-R funds. To receive the funds, the City must amend its 2008 Annual Action Plan (AAP) adopted August 4, 2008 and submit the amendment to HUD by June 5, 2009.

The proposed project includes replacement of old, deteriorating 6" sanitary sewer lines with new 8" lines on the following segments of Edwards St.:

| Street: | Estimated Cost |
|--------------------------------|-----------------|
| Edwards from Charles to Milton | \$35,125 |
| Edwards from Milton to Hatcher | \$30,140 |
| Edwards from Hatcher to Cowan | \$64,406 |
| Contingency | <u>\$21,894</u> |
| Total project | \$151,565 |

Alternate segment:
Edwards from Cowan to Edna

If bids are lower than the estimated costs, the alternate segment will be considered for inclusion in the project. Unspent ARRA funds at project completion may not be available for other CDBG projects.

Congress passed ARRA with the purpose of stimulating the economy through funding improvements to infrastructure, energy efficiency, educational opportunities and access to health care. The Act also includes measures to ensure transparency and accountability. The Act appropriated an additional \$1 billion dollars to the CDBG Program. Projects must still meet the eligible requirements of the CDBG program. Funds are meant to be used in an expedited manner. HUD was authorized to make certain waivers including a shortened public comment period. HUD requests that Grantees select projects that can award contracts within 120 days from the date funds are made available.

ANALYSIS

Staff has identified the Edwards Street Sanitary Sewer Replacement as a "shovel ready" project for funding. In the 2008 AAP the City funded a project for Sanitary Sewer and Street Rehabilitation on Milton Street from Main to Purnell with segments on Elm and Samuel. The proposed CDBG-R project can be awarded along with the Milton Street sewer bids although funds must be tracked separately. An environmental assessment must be conducted prior to awarding contracts.

This Amendment was made available for an expedited 7 day Public Comment period and is now ready for a Public Hearing before adoption. To date staff has not received any comments prior to the public hearing. The CDBG Advisory Committee considered a recommendation for this amendment at its meeting on May 26, 2009. Staff will report their recommendations.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the amendment; and authorize the City Manager to submit the amendment to the U.S. Department of Housing and Urban Development.

NOTICE OF PUBLIC HEARING

City of Lewisville Public Hearing Notice: American Recovery and Reinvestment Act, Community Development Block Grant Allocation

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Any comments or questions about this hearing can be directed to Jamey Kirby at (972) 219-3780 or by email at jkirby@cityoflewisville.com.

Notice published 5/22/09
Revision