

**FAYETTEVILLE CITY COUNCIL
AGENDA
WORK SESSION MEETING
MAY 4, 2009
5:00 P.M.**

VISION STATEMENT

**The City of Fayetteville
is a GREAT PLACE TO LIVE with
a choice of DESIRABLE NEIGHBORHOODS,
LEISURE OPPORTUNITIES FOR ALL,
and BEAUTY BY DESIGN.**

**Our City has a VIBRANT DOWNTOWN,
the CAPE FEAR RIVER to ENJOY, and
a STRONG LOCAL ECONOMY.**

**Our City is a PARTNERSHIP of CITIZENS
with a DIVERSE CULTURE and RICH HERITAGE,
creating a SUSTAINABLE COMMUNITY.**

**FAYETTEVILLE CITY COUNCIL
WORK SESSION AGENDA
MAY 4, 2009
5:00 P.M.
CITY HALL COUNCIL CHAMBER**

CALL TO ORDER

INVOCATION

ITEM 1. APPROVAL OF AGENDA

ITEM 2. CONSIDER AMENDMENT OF THE CONSOLIDATED PLAN 2008-2009 ANNUAL ACTION PLAN FOR THE HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM

The City of Fayetteville has been allocated \$589,648 for the Homeless Prevention and Rapid Re-housing Program through the American Reinvestment and Recovery Act of 2009. A substantial amendment to the City's Consolidated Plan 2008-2009 Annual Plan is required in order to receive the funds. The purpose of the HPRP is to provide homeless prevention assistance to households who would otherwise become homeless and to provide assistance to rapidly re-house people who are experiencing homelessness.

PRESENTED BY: Victor Sharpe, Community Development Director
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ITEM 3. CONSIDER REVISION TO CITY COUNCIL POLICY 102.2 REGARDING PUBLIC HEARINGS

In an effort to allow a greater number of citizens to be heard on issues, the proposed revision limits the time of individual speakers to 3 minutes.

PRESENTED BY: Karen M. McDonald, City Attorney
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ITEM 4. FY 2009-2010 STRATEGIC PLAN ADOPTION

For the last several years, the City has developed a comprehensive strategic plan that articulates where our City wants to be in 15 years and what steps we must take to reach our goals. The documents related to this item represent the foundation for the City's FY 2009-2010 strategic plan as developed by the City Council during their planning retreat in February. If approved by the City Council, these documents will govern policy and management direction of the City from July 1, 2009 - June 30, 2010.

PRESENTED BY: Doug Hewett, Assistant City Manager
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ITEM 5. OVERVIEW OF THE FISCAL YEAR 2009-2010 RECOMMENDED BUDGET

The Fiscal Year 2009-2010 Recommended Budget document will be distributed to City Council and will also be available for public inspection at the office of the City Clerk and on the city website before the May 4, 2009 work session. Recommended next steps for the budget process along with a timeline are included with this agenda for Council consideration. No action is required at the work session.

PRESENTED BY: Dale E. Iman, City Manager

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ITEM 6. COUNCIL MEMBER REQUESTS

A. SEWER FUNDING MODEL

REQUESTED BY: Mayor Chavonne

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B. NOISE ORDINANCE

REQUESTED BY: Council Member Bates

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C. FIBER-TO-THE-HOME (FTTH) BROADBAND CONCEPT

REQUESTED BY: Council Member Meredith

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COUNCIL MEETING WILL BE AIRED

MAY 4, 2009 - 5:00 PM

COMMUNITY CHANNEL 7

COUNCIL MEETING WILL BE RE-AIRED

MAY 6, 2009 - 10:00 PM

COMMUNITY CHANNEL 7

Notice Under the Americans with Disabilities Act (ADA): The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Ron McElrath, Acting ADA Coordinator, at mcelrath@ci.fay.nc.us, 910-433-1605 or 910-433-1696, or the City Clerk at cityclerk@ci.fay.nc.us, or 910-433-1989, as soon as possible but no later than 48 hours before the scheduled event.

CITY COUNCIL ACTION MEMO

To: Dale Iman, City Manager
From: Victor D. Sharpe, Community Development Director *VDS*
Date: May 4, 2009
Re: Homeless Prevention and Rapid Re-housing Program (HPRP) – Consolidated Plan 2008-2009
Action Plan Amendment

THE QUESTION: Does the proposed amendment meet the guidelines set by the Department of Housing and Urban Development for the Homeless Prevention and Rapid Re-housing Program through the American Reinvestment and Recovery Act of 2009?

RELATIONSHIP TO STRATEGIC PLAN: Growing City, Livable Neighborhoods – A Great Place To Live and Greater Community Unity, Pride in Fayetteville

BACKGROUND:

- ❑ The City of Fayetteville has been allocated \$589,648 for the Homeless Prevention and Rapid Re-housing Program through the American Reinvestment and Recovery Act of 2009.
- ❑ The City is required to make a substantial amendment to its Consolidated Plan 2008-2009 Annual Plan in order to receive the funds.
- ❑ The purpose of the HPRP is to provide homeless prevention assistance to households who would otherwise become homeless and to provide assistance to rapidly re-house people who are experiencing homelessness.
- ❑ Requests for proposals will be submitted for non-profit and other public agencies to provide eligible services under the requirement and rules of the program.
- ❑ Program activities will include financial assistance, housing relocation and stabilization services, data collection and administrative costs.
- ❑ Eligible individuals and households must be at or below 50 percent of area median income.
- ❑ A draft copy of the amendment has been made available in various locations for review and comments for 15 days, April 21, 2009 through May 5, 2009

ISSUES: Amendments must be completed and submitted to HUD by May 18, 2009.

OPTIONS: Receive as information.

RECOMMENDATIONS: The Fayetteville Redevelopment Commission has scheduled a public hearing to receive comments on April 28, 2009 at 7:00 pm.

ATTACHMENTS: Proposed Homeless Prevention and Rapid Re-housing Program and amendment to the Consolidated Plan of the 2008-2009 Annual Plan.

Draft

**Substantial Amendment to the
Consolidated 2008-2009 Action Plan
Homelessness Prevention and
Rapid Re-Housing Program
(HPRP)**

City of Fayetteville
Community Development Department
433 Hay Street
Fayetteville, NC 28301
(910) 433-1590

www.cityoffayetteville.org



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City of Fayetteville
Homeless Prevention and Rapid Re- Housing Plan

Executive Summary

The City of Fayetteville has seen homelessness as a major challenge for the Fayetteville/Cumberland County community. There are no simple solutions to this issue as the roots of homelessness are changing in social, economic, political and cultural conditions. Following the initiative of the National Alliance to End Homelessness (NAEH), homeless service providers in Fayetteville and Cumberland County have stepped forward in making the homeless assistance system more outcome-driven by tailoring solution-oriented approaches more directly to the needs of the various sub-populations of the homeless.

The City of Fayetteville, Cumberland County, the Cumberland County Continuum of Care Planning Council and a wide assortment of community leaders, service agencies, homeless individuals, and concerned citizens developed a Ten-Year Plan to End Homelessness in an effort to focus community attention to homelessness and work as a community to develop solutions that address the needs of the homeless population. The Ten-Year plan describes ten priorities that will increase homeless services and provide faster housing opportunities.

Concerns regarding panhandling, losses of services to the homeless, and increasing numbers of homeless persons becoming visible in the community have resulted in ordinances being developed to curtail panhandling and although this is one aspect of homelessness, the City is aware that there are many faces of homelessness with many contributing factors related to becoming homeless.

In the 2009 Point-in-Time survey (PIT) conducted by the Fayetteville/Cumberland County Continuum of Care (CoC), it was reported that there were 965 homeless people counted in the Fayetteville/Cumberland County area. The total number of persons living in households with dependents was 554. Of that number, 367 were unsheltered. The total number of people without dependents was 411, and of this group, 335 were unsheltered. The PIT count includes single males, single females, families and veterans. These points are direct indicators of the need for homeless prevention programs and housing opportunities. The largest sub-population in the city/county is families with children. According to the PIT survey, respondents stated that the lack of employment or underemployment as a reason for homelessness. Other reasons just as important were substance abuse, low education, and lack of affordable housing. The city is also working to improve the discharge planning of those released from public institutions or public systems of care.

Recently there has been a large number of housing problems with evictions, due to the cost of utilities (water, electric and gas), lack of employment or underemployment and rising rental rates. Current programs that help to prevent homelessness include utility assistance programs provided by the Salvation Army, the City and some of the local churches. Rental assistance is

currently only offered through the Department of Mental Health P.A.T.H. program for patients that are being served through the agency. Some local churches provide assistance with rent on a case by case basis.

The need for more affordable housing continues to be part of preventing homelessness in Fayetteville. Organizations that offer affordable housing maintain long waiting list with more request each month. The Metropolitan Housing Authority recently reported a waiting list of up to one year. This includes programs such as section 8 and other subsidized rental apartments. It is listed as one of the priorities in the Ten Year Plan to End Homelessness.

Homeless Prevention and Rapid Re-housing

An effective prevention and re-housing system has three layers: prevention, shelter diversion, and rapid re-housing. Homelessness prevention serves a large number of people who are at risk of homelessness and is the least expensive intervention on a per client basis. If prevention fails to identify somebody at risk of homelessness or fails to prevent a person's homelessness, that person may contact and enter the shelter system. Diversion is essentially an eleventh hour effort to prevent homelessness by assisting people who apply for shelter by identifying other safe housing options and resources, even if they are temporary. If prevention and diversion fail, and people become homeless, then Rapid Re-housing minimizes their stay in homelessness by quickly helping them move into permanent housing. On average, the interventions should get progressively more intensive, although the level of assistance for an individual household will depend greatly on the specific circumstances of that household.

Though prevention, diversion, and re-housing target distinct populations, many of the activities are similar. It is entirely possible, and in some cases preferable, to have a single program or provider perform two or three of those functions.

Prevention

Prevention serves a high number of people at risk and on average is less intensive than other interventions. Effective prevention programs typically assess immediate housing needs, explore housing options and resources, provide flexible financial assistance, and, when appropriate, offer voluntary case management services focused on housing stabilization. Mandating case management usually offers no added benefit. In cases where the current housing situation cannot be stabilized, housing location and short-term rental assistance may be necessary to help find a new housing unit. (Activities—Housing Location, Flexible Financial Assistance, Rental Assistance, and Case Management—are described below).

Prevention assistance must be carefully targeted to have a meaningful impact on homelessness, as most people who have a housing crisis do not become homeless. At a minimum, prevention resources should be targeted to people who have extremely low incomes (below 30 percent of the area median income), who have a demonstrated housing crisis (e.g. request to vacate doubled up situation), and who lack protective factors, such as friends or family members who can help them. If possible, Homeless Management Information System (HMIS) data or other data about homelessness in the community should be assessed to identify additional factors that would help

target resources to those most at risk of homelessness. In the absence of local data, programs should use risk factors described later in this document.

Diversion

Diversion serves people who apply for shelter; more intensive than prevention. Diversion programs attempt to prevent homelessness for people who are applying for shelter. Diversion programs try to help people return to the housing they just left or move in with friends or family using financial incentives or mediation. If that situation cannot be made permanent, then the diversion program will work to immediately locate other housing. Targeting is clearer with diversion programs because people applying for shelter are at high risk. As with prevention programs, diversion programs typically involve one-time financial assistance and the offer of brief case management. When that is not sufficient, then housing location and short-term rental assistance may be necessary.

Rapid Re-housing

Re-housing serves homeless people with the most intensive needs. Re-housing programs work with people who are already homeless to help them quickly move into rental housing. Rapid Re-housing programs tend to be short-term (1 – 12 months) and involve housing location, financial assistance, and an offer of case management. Short-term rental assistance is provided when necessary. When serving people with significant disabilities or with very limited income capacity, Rapid Re-housing programs must coordinate with other community resources to ensure that participants are linked to ongoing assistance, such as housing vouchers, intensive case management, or assertive community treatment.

Prevention, Diversion, and Re-housing Functions

Housing Location: Housing locators identify affordable housing and encourage landlords to rent to people who are homeless or at risk of homelessness. They also help negotiate reasonable rents and lease terms and work to address credit issues with a potential tenant. Housing locators are generally available to the landlord and tenant in case there are problems.

Flexible Financial Assistance: This activity includes assistance for first and last months' rent, deposits, utilities, rental assistance for a final month at a location, moving cost assistance, or other activities that will directly help a person stay in his or her current housing situation or quickly move to a new location. Disbursements should be requested by a staff person or case manager working with the household and based on whether funding will help overcome an immediate barrier to entering or maintaining housing. Grants will average approximately \$1,500, but depend greatly on the circumstances and the community.

Short/Medium-Term Rental Assistance: Rental assistance is provided for 1-18 months depending on the needs of the household. Rental assistance may be deep (tenant contributes no more than 30 percent of income for rent) or shallow (subsidy pays for a smaller portion of the rent). Rental

assistance should target people who will likely not be able to move quickly into permanent housing without it.

Case Management: Case Managers (sometimes referred to as service coordinators) work with people to ensure that their housing situation is stable and that they access the benefits and services they need. Case managers also help mediate disputes between tenants and landlords. Case managers should refer participants to other community providers that can better address other service or self-sufficiency needs.

Goals

The following are the goals of the City's Homeless Prevention and Rapid Re-housing Program:

1. Prevent people from becoming homeless.
2. Divert people who are applying for shelter, when appropriate, into other housing.
3. Help people who become homeless to quickly move into permanent housing.

Goal 1. Prevent people from becoming homeless.

Prevention requires extensive community outreach to identify people at risk of becoming homeless. It also requires good targeting of prevention resources to ensure that resources reach people most likely to become homeless. Focus will be placed on outreach, targeting, and effectiveness.

- A. Outreach—The City will work with organization and agencies that serve people at risk of becoming homeless. Most people who are at high risk of homelessness do not seek prevention assistance. They may have trouble navigating social service networks or not realize the danger they are in. To reach the community's diverse populations, the City will implement following strategies below and work with other organizations and agencies that serve people at risk of homelessness, including:
- Direct outreach in high-need neighborhoods
 - Public agencies that serve people in poverty or at risk of homelessness
 - Health care programs, including hospitals, mental health, substance use treatment, and health clinics
 - Housing Agencies
 - Property managers/landlords
 - Faith and community-based organizations

As part of their regular work, these organizations should ask basic questions about a person's housing stability to see if a referral to a homelessness prevention program is warranted.

- B. Targeting—There should be a process to ensure that people being targeted for assistance would likely become homeless without assistance. The best way to do this is to analyze homelessness data (from HMIS, surveys, or another source) to determine the characteristics (living situation, income level, level of disability, level of supports, education, etc) of people who become homeless and create risk

assessment criteria. In the absence of good information about the characteristics of homeless people in the community, targeting should be based on risk factors identified by research in other communities, including people who—

- Have income below 15 percent of the area median income
- Are families with children and a secondary tenant (doubled up)
- Have experienced 2 or more moves in the past year
- Have a young child (under age 2)
- Are under age 24 and were in foster care at some point
- Have a prior episode of homelessness
- Have an eviction from public or assisted housing
- Have experienced domestic violence in the past 30 days
- History of non-compliance (e.g. missed appointments with caseworkers)
- Have a severe and persistent mental illness

- C Effectiveness—Prevention programs should measure the effectiveness of their programs, but their measures should consider the risk level of the population they are serving. Very high success rates may indicate that the program is “creaming”—serving people who are not really at high risk of homelessness. Programs should strive to provide just enough assistance to prevent homelessness. In this way, resources will serve more people and prevent more episodes of homelessness. The plan should address how rental assistance and flexible financial assistance will be provided and how programs will ensure that these resources are used efficiently. The plan should address how prevention programs will be measured to ensure that they do not cream. It should also measure the cost effectiveness of the program. The plan should also address how these measures will account for varying levels of risk to ensure that providers have incentive to serve people at the highest risk of homelessness.

Goal 1 – Measures

- Number of households identified as having a housing problem that warrant a referral to a homelessness prevention program
- Number and percentage of people served who are at the highest risk of homelessness (stratify by risk factors such as income, housing situation, etc.)
- Number and percentage of highest-risk households served who do not become homeless within 12 months
- Cost per household assisted
- Overall number of people who become homeless in the community

Goal 2. Divert people who are applying for shelter, when appropriate, into other housing.

When people apply for shelter, they should automatically be assessed for the possibility of remaining in their current housing or staying in alternative accommodations, even for a few days or weeks, while more stable housing is identified. Because of the immediacy of the crisis, it is

imperative that flexible financial assistance be readily available and that it can be used for a variety of needs, including payments to friends/family/roommates who agree to house a person

or family, if appropriate, until a more permanent housing solution can be secured. The success of diversion may depend on local laws and ordinances, whether landlords have an incentive to keep tenants because of low demand, and other factors. The reward for a successful diversion is high. Diversion candidates would almost certainly become homeless without assistance, and avoiding a homeless episode can save tens of thousands of dollars with tremendous benefit for the individuals or family.

There are times when diversion programs are not appropriate as listed below:

- The safety of a family or individual must be considered. People who flee domestic violence or another dangerous situation should not be encouraged to return to the same housing unless the threat has been mitigated.
- Diversion should not prevent entry into shelter for people who are literally homeless with no other safe options. Denying shelter entry is not the same as diverting people from shelter to other realistic alternatives.

Goal 2 - Measures

- Number and percentage of households who apply for shelter or other homeless assistance and are assessed for diversion
- Number and percentage of households that are successfully diverted from homelessness
- Number and percentage of households that are diverted and become homeless within 12 months
- Cost per household assisted

Goal 3. Help people who become homeless quickly move into permanent housing.

Most people who become homeless can exit homelessness quickly with assistance. Attention will be given as to how people will be assessed, within a few days of entering shelter, for their strengths, resources, and barriers to exiting homelessness, focusing on credit problems, prior evictions, income, and any other factors that are immediate obstacles to renting an apartment or returning to family/friends. The housing search process should begin as soon as possible.

Goal 3 – Measures

- Number and percentage of households that are assessed for their barriers to housing within 7 days of shelter entry
- Average length of time people are homeless (for all homeless people in the system and for those served by a re-housing program)
- Percentage of households who receive re-housing services and do not become homeless again within 12 months
- Overall number of people in shelter

- Number of landlords and the number of housing units that participate in the re-housing program

Homelessness Prevention and Rapid Re-Housing Program (HPRP)

1. Program Overview

The Homelessness Prevention and Rapid Re-Housing Program (HPRP) is funded by the Homeless Prevention Fund (HPF) created under Title XII of Division A of the American Recovery and Reinvestment Act (Recovery Act) of 2009. The City of Fayetteville is a grantee of the Department of Housing and Urban Development (HUD) and will administer this award for eligible agencies serving the population within city limits.

The purpose of the HPRP is to provide homelessness prevention assistance to households who would otherwise become homeless - many due to the economic crisis - and to provide assistance to rapidly re-house persons who are experiencing homelessness. The funds under this program are intended to target individuals and families who would be homeless but for this assistance. The funds will provide for a variety of assistance, including: short-term or medium-term rental assistance and housing relocation and stabilization services, including such activities as mediation, credit counseling, security or utility deposits, utility payments, moving cost assistance, and case management

2. Eligibility for Assistance – Who can receive support from the HPRP grant funds?

There are two populations facing housing instability that are eligible for assistance.

Prevention Eligible Individuals and Households: These people are currently in housing but are at risk of becoming homeless and need temporary rent or utility assistance to prevent them from becoming homeless.

Rapid Re-Housing Eligible Individuals and Households: These people are experiencing homelessness (living in an emergency shelter or on the street) and need temporary assistance in order to obtain housing and retain it.

There are two initial intake criteria that apply to both populations:

- **Income Eligibility:** The individual or household must be at or below 50 percent of the Area Median Income (AMI). The following table can be utilized to determine the most recent income guidelines. The Housing Choice Voucher program (formerly Section 8) uses specific guidelines and data sets to determine eligibility and document income.

2009 INCOME GUIDELINES

Family Size	Very Low Income 30% of Median	Low Income 50% of Median	60% of Median	Moderate Income 80% of Median
1	10,850	18,050	21,700	28,900
2	12,400	20,650	24,800	33,050
3	13,950	23,200	27,900	37,150
4	15,500	25,800	31,000	41,300
5	16,750	27,850	33,500	44,600
6	18,000	29,950	36,000	47,900
7	19,200	32,000	38,400	51,200
8	20,450	34,050	40,900	54,500

- **Assessment:** A Subgrantee providing assistance should utilize a process to assess, for all potential program participants, their level of service need, other resources available to them, and the appropriateness of their participation in the prevention or rapid re-housing assistance portion of HPRP. Program participants who require longer-term housing assistance and services should be directed to programs that can provide the requisite services and financial assistance.

Identified below are the eligibility requirements for an individual or household to receive assistance.

A. Prevention Eligible Individuals and Households

To be eligible individuals and households must meet both of the following circumstances: (1) no appropriate subsequent housing options have been identified; AND (2) the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing.

Additionally, a Subgrantee must target prevention assistance to those individuals and households at the greatest risk of becoming homeless, and who would otherwise be homeless but for this assistance. In order for a program participant to be eligible for financial assistance, including: short-term rental assistance (1 to 3 months), rental arrears (up to 6 months), security and utility deposits, utility payments (up to 3 months), moving cost assistance, and motel and hotel vouchers, **program participants must meet two of the following risk factors for homelessness:**

- 1) Sudden and significant increase in utility costs;
- 2) Mental health and substance abuse issues;
- 3) Physical disabilities and other chronic health issues, including HIV/AIDS;
- 4) Severe housing cost burden (greater than 50 percent of income for housing costs);

- 5) Homeless in last 12 months;
- 6) Young head of household (under 25 with children or pregnant);
- 7) Current or past involvement with child welfare, including foster care;
- 8) Pending foreclosure of rental housing;
- 9) Extremely low income (less than 30 percent of Area Median Income);
- 10) Past institutional care (prison, treatment facility, hospital);
- 11) Recent traumatic life event, such as death of a spouse or primary care provider, or recent health crisis that prevented the household from meeting its financial responsibilities;
- 12) Credit problems that preclude obtaining of housing; or
- 13) Significant amount of medical debt.

In order for a program participant to be eligible for financial assistance beyond 1-3 months, including: medium-term rental assistance (4 to 18 months), rental arrears (3 to 6 months), and utility payments (3 to 18 months) they must meet one of the following most urgent risk factors for homelessness:

- 1) Eviction within 2 weeks from a private dwelling (including housing provided by family or friends);
- 2) Discharge within 2 weeks from an institution in which the person has been a resident for more than 180 days (including prisons, mental health institutions, hospitals);
- 3) Residency in housing that has been condemned by housing officials and is no longer meant for human habitation; or
- 4) Sudden and significant loss of income.

And two of the following risk factors for homelessness:

- 1) Sudden and significant increase in utility costs;
- 2) Mental health and substance abuse issues;
- 3) Physical disabilities and other chronic health issues, including HIV/AIDS;
- 4) Severe housing cost burden (greater than 50 percent of income for housing costs);
- 5) Homeless in last 12 months;
- 6) Young head of household (under 25 with children or pregnant);
- 7) Current or past involvement with child welfare, including foster care;
- 8) Pending foreclosure of rental housing;
- 9) Extremely low income (less than 30 percent of Area Median Income);
- 10) High overcrowding (the number of persons exceeds health and/or safety standards for the housing unit size);
- 11) Past institutional care (prison, treatment facility, hospital);
- 12) Recent traumatic life event, such as death of a spouse or primary care provider, or recent health crisis that prevented the household from meeting its financial responsibilities;
- 13) Credit problems that preclude obtaining of housing; or
- 14) Significant amount of medical debt.

B. Rapid Re-Housing Eligible Individuals and Households

To be eligible individuals and households must meet both of the following circumstances: (1) no appropriate subsequent housing options have been identified; AND (2) the household lacks the financial resources and support networks needed to obtain immediate housing or remain in its existing housing.

Eligible individuals and households must also meet one of the following criteria:

- 1) Sleeping in an emergency shelter;
- 2) Sleeping in a place not meant for human habitation such as cars, parks, abandoned building, streets/sidewalks;
- 3) Staying in a hospital or other institution for up to 180 days and was sleeping in an emergency shelter or other place not meant for human habitation (cars, parks, streets, etc.) immediately prior to entry into the hospital or institution;
- 4) Graduating from, or timing out of a transitional housing program; and
- 5) Victims of domestic violence.

3. Eligible Program Activities and Expenses – What can HPRP pay for?

HPRP assistance is not intended to provide long-term support for program participants, nor will it be able to address all of the financial and supportive services needs of households that affect housing stability. Rather, assistance should be focused on housing stabilization, linking program participants to community resources and mainstream benefits, and helping them develop a plan for preventing future housing instability. Lead Agency programs should therefore ensure that there is a clear process for determining the type, level, and duration of assistance for each program participant.

In order for individuals or households to receive HPRP support, financial assistance or housing relocation and stabilization services, participants must have at least an initial consultation with a case manager or other authorized representative who can determine the appropriate type of assistance to meet their needs.

There are four categories of eligible program activities and expenses, described in detail below:

- A. Financial Assistance**
- B. Housing Relocation and Stabilization Services**
- C. Data Collection and Evaluation**
- D. Administrative costs**

These eligible activities are intentionally focused on housing: financial assistance to help pay for housing, or services designed to keep people in housing or to find housing. Generally, the intent of HPRP assistance is to rapidly transition program participants to stability, either through their own means or through public assistance, as appropriate.

A. Financial Assistance

Subgrantees are responsible for verifying and documenting all payments made on behalf of the client whether it is rent, utilities, moving costs, hotel or motel payments in an easily identifiable manner which will be reviewed during grant monitoring by the City of Fayetteville Community Development Department.

Subgrantees must not make payments directly to program participants, but only to third parties, such as landlords or utility companies. In addition, an assisted property may not be owned by the Lead Agency, or the parent, subsidiary or affiliated organization of the Lead Agency.

There are several types of eligible Financial Assistance outlined below.

- 1) Rental Assistance**
- 2) Security and Utility Deposits**
- 3) Utility Payments**
- 4) Moving Costs**
- 5) Hotel/Motel Vouchers**
- 6) Other costs, if approved by the City of Fayetteville Community Development Department**

1) Rental Assistance

Tenant-based rental assistance can be for individuals and households to remain in their existing rental units (prevention) or to help them obtain and remain in rental units they select (rapid re-housing).

- A lease must be in place and the program participant must be on the lease.
- Subgrantee must certify income eligibility at least once every three months.

The following rental assistance is available:

Short-term rental assistance – Costs may not exceed rental costs accrued over a period of 1 to 3 months. After 3 months, if program participants receiving short-term rental assistance need additional financial assistance to remain housed, they must be evaluated for eligibility to receive up to 15 additional months of medium-term rental assistance, for a total of 18 months.

Medium-term rental assistance – Costs may not exceed rental costs accrued over a period of 4 to 18 months. No program participant may receive more than 18 months of rental assistance.

Amount of rental assistance - Subgrantee determine the amount of short-term and medium-term rental assistance provided, such as "shallow subsidies" (payment of a portion of the rent), payment of 100 percent of the rent charged, or graduated/declining subsidies. A Subgrantee may also set a maximum amount of assistance that a single individual or family

may receive from HPRP funds, or may set a maximum number of times that an individual or family may receive assistance, as long as the total amount of assistance that any individual or family receives does not exceed an amount equal to 18 months of rental assistance. The Community Development Department will request the Subgrantee's emergency rental assistance policies and procedures with their funding application and will monitor each agency's performance against those documents.

Rental Arrears – Rental assistance may also be used to pay for up to 6 months of rental arrears for eligible program participants. Rental arrears may be paid if the payment enables the program participant to remain in the housing unit for which the arrears are being paid or move to another unit. If HPRP funds are used to pay rental arrears, arrears must be included in determining the total period of the program participant's rental assistance, which may not exceed 18 months.

Tenant Rent Share

Subgrantees may require program participants to share in the costs of rent, utilities, security and utility deposits, moving, hotel or motel, and other expenses as a condition of receiving HPRP financial assistance. For example, a program may require a program participant to pay a portion of the rent expense for a unit. HPRP assistance should be "needs-based," meaning that Subgrantee should determine the amount of assistance based on the minimum amount needed to prevent the program participant from becoming homeless or returning to homelessness in the near term. This will also help communities to utilize program resources efficiently to serve as many households as possible.

When a participant resides with other persons (except a spouse, domestic partner, or other dependents) in a single unit, the combined rent and utilities paid by the participant and program must not exceed a prorated share of the total rent. For example: A unit rents for \$900/month and there are three persons sharing the unit. Only one of the renters is participating in HPRP. The combined rent and utilities, paid by the program and participant, must not exceed \$300 or 1/3 of the total rent.

Rent Reasonableness

The rental assistance paid cannot exceed the actual rental cost, which must be in compliance with HUD's standard of "rent reasonableness." "Rent reasonableness" means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units. To make this determination, the Subgrantee should consider (a) the location, quality, size, type, and age of the unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner. Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). For more information, see HUD's worksheet on rent reasonableness at:

www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc

Rental assistance payments cannot be made on behalf of eligible individuals or households for the same period of time and for the same cost types that are being provided through another federal, state or local housing subsidy program.

2) Security and Utility Deposits

HPRP funds may be used to pay for security deposits, including utility deposits, for eligible program participants.

3) Utility Payments

HPRP funds may be used for up to 18 months of utility payments, including up to 6 months of utility payments in arrears, for each program participant, provided that the program participant or a member of his/her household has an account in his/her name with a utility company or proof of responsibility to make utility payments, such as cancelled checks or receipts in his/her name from a utility company.

4) Moving Costs

HPRP funds may be used for reasonable moving costs, such as truck rental, hiring a moving company, or short-term storage fees for a maximum of 3 months or until the program participant is in housing, whichever is shorter.

5) Motel and Hotel Vouchers

HPRP funds may be used for reasonable and appropriate motel and hotel vouchers for up to 30 days if no appropriate shelter beds are available and subsequent rental housing has been identified but is not immediately available for move-in by the program participants.

6) Staff costs to issue Financial Assistance

7) Inspections for Habitability Standards

B. Housing Relocation and Stabilization Services

HPRP funds may be used for services that assist program participants with housing stability and placement. These services are limited to the following eligible activities:

- 1) Case Management**
- 2) Outreach and Engagement**
- 3) Housing Search and Placement**
- 4) Legal Services**
- 5) Credit Repair**
- 6) Other costs**

1) Case Management

HPRP case management funds may be used for activities for the arrangement, coordination, monitoring, and delivery of services related to meeting the housing needs of program participants and helping them obtain housing stability. Services and activities may include: counseling; developing, securing, and coordinating services; monitoring and evaluating program participant progress; assuring that program participants' rights are protected; and developing an individualized housing and service plan, including a path to permanent housing stability subsequent to HPRP financial assistance.

2) Outreach and Engagement

HPRP funds may be used for services or assistance designed to publicize the availability of programs to make persons who are homeless or almost homeless aware of these and other available services and programs.

3) Housing Search and Placement

HPRP housing search and placement funds may be used for services or activities designed to assist individuals or households in locating, obtaining, and retaining suitable housing. Services or activities may include: tenant counseling, assisting individuals and households to understand leases, securing utilities, making moving arrangements, representative payee services concerning rent and utilities, and mediation and outreach to property owners related to locating or retaining housing.

4) Legal Services

HPRP funds may be used for legal services to help people stay in their homes, such as services or activities provided by a lawyer or other person(s) under the supervision of a lawyer to assist program participants with legal advice and representation in administrative or court proceedings related to tenant/landlord matters or housing issues. Legal services related to mortgages are not eligible.

5) Credit Repair

HPRP funds may be used for services that are targeted to assist program participants with critical skills related to household budgeting, money management, accessing a free personal credit report, and resolving personal credit issues.

C. Data Collection and Evaluation

Federal rules require each Subgrantee to enter client data into a Homeless Management Information System (HMIS). If you are not currently entering client data into an HMIS system with a data sharing agreement with the Fayetteville/Cumberland County Continuum of Care, to receive funds you must have a specific implementation plan to begin entering client data into

an HMIS no later than July 30, 2009. The City of Fayetteville Community Development Department can help you identify who is managing the HMIS in Cumberland County.

Eligible costs include data collection, entry and analysis and staffing associated with the operation of the HMIS, including training costs directly associated with the HPRP.

Grant recipients not using an HMIS must collect the client data used in the HMIS on paper or by other means; so that it can be entered into the HMIS once the organization is connected. The City of Fayetteville Community Development Department will provide an Excel template that collects the required client data.

Organizations using the HMIS administered by Fayetteville/Cumberland County Continuum of Care will be instructed on how to enter the required client data by Community Development staff. HMIS users are responsible for ensuring that they enter the following data elements into the HMIS for the clients they serve:

Universal Data Elements

- 2.1 Name
- 2.3 Date of Birth
- 2.4 Ethnicity and Race
- 2.5 Gender
- 2.6 Veterans Status
- 2.7 Disabling Condition
- 2.8 Residence Prior to Program Entrance
- 2.9 Zip Code of last permanent address
- 2.10 Program Entry Date
- 2.11 Program Exit Date

Program-Specific Data Elements

- 3.1 Income and Sources
- 3.2 Non-cash Benefits
- 3.2 Physical Disability
- 3.4 Developmental Disability
- 3.6 Mental Status
- 3.7 Substance Abuse
- 3.8 Domestic Violence
- 3.9 Services Received Including number of days and dollar amount of rental assistance provided
- 3.10 Destination

Program participants receiving HPRP assistance must be enrolled in a distinct program in the HMIS, so that a count of clients served by the program includes only clients received housing or services funded by HPRP.

Each Subgrantee must follow all state and federal laws governing HMIS, including collecting informed written consent from clients, not denying service based solely on client refusal to

provide data to an HMIS, protecting client confidentiality, not collecting personally identifying information from clients that are victims of domestic violence, and other requirements.

Client data collected by HMIS systems will be transmitted to Fayetteville/Cumberland County Continuum of Care and the City of Fayetteville Community Development Department. Written client consent forms should reflect this data transmittal. Client data will be used for research purposes only and only viewed by research staff and HMIS system administrators. Client data will not be disclosed to staff involved in determining program eligibility, or used in any way to determine program eligibility.

Subgrantee may be required to collect basic identifying information from people turned away from service, as part of a research effort to measure program effectiveness.

D. Administrative Costs

Administrative expenses are also sometimes called indirect or overhead. Such expenses can include, but are not limited to the following: Executive Director/accounting/human resource salaries, benefits, supplies, space, equipment, etc.; general agency insurance; audits; preparing reports; board expenses; membership or association fees, dues and training for staff who will administer the program or case managers who will serve program participants, as long as this training is directly dated to learning about HPRP.

In cost reimbursement contracts, grants or interagency agreements, administration/indirect/overhead expenses can be charged to the funding sources using either a cost allocation plan or a federally approved indirect cost rate. Regardless of the method used, the rate of reimbursement shall not exceed that specified in the contract. All reimbursements shall be based on actual expenses.

Administrative costs *do not* include the costs of issuing financial assistance, providing housing relocation and stabilization services, or carrying out eligible data collection and evaluation activities, such as Subgrantee staff salaries, costs of conducting housing inspections, and other operating costs. These costs should be included under one of the three other eligible activity categories.

4. Ineligible and Prohibited Activities

- Mortgage costs or any homeowner costs needed to assist with any fees, taxes, or other costs of refinancing a mortgage to make it affordable**
- Charging a program participant a fee for service
- Issuing funds directly to program participant
- Rental assistance exceeding 18 months
- Construction or rehabilitation
- Credit card bills or other consumer debt
- Car repair or other transportation costs
- Travel costs
- Food

- Medical or dental care and medicines
- Clothing and grooming
- Home furnishings
- Child care
- Pet care
- Entertainment activities
- Work or education related materials
- Cash assistance to program participants
- Employment training
- Certifications, licenses, and general training classes (training for case managers and program administrators is an eligible administrative cost as long as it is directly related to HPRP program operations)

**HPRP is not a mortgage assistance program. However, homeowners who become homeless are eligible for all HPRP activities; provide they meet the other eligibility criteria. Homeowners who are housed but are at risk of becoming homeless and meet all other eligibility criteria (consultation with a case manager, below 50% AMI, and at risk of becoming homeless with not housing options and lack financial resources) may be assisted with the following: utility payments (including arrears but excluding deposits) and housing relocation and stabilization services (including credit repair, case management, and housing search/placement but excluding legal services).

5. Coordination with Recovery Act Resources and Other Resources

The Subgrantee is strongly encouraged, as part of local planning, to maximize all resources that may be available with Recovery Act funds other than HPRP. A Sub grantee's local plan for spending HPRP funds should coordinate closely with other Recovery Act funding streams, so that eligible activities under other Recovery Act programs are aligned with HPRP funds to create a comprehensive package of housing and service options available to eligible program participants. Case managers should work to link program participants to these other resources.

The Subgrantee must ensure that the individuals and households receiving service are not also receiving duplicated assistance from the Cumberland County Department of Social Services, the Department of Veterans Affairs or assistance from the North Carolina State Low-Income Home Energy Assistance Program.

6. Income Eligibility and Income Verification

Income Eligibility: The individual or household must be at or below 50 percent of Area Median Income (AMI).

If the agency/agencies do not have a process for calculating Income Eligibility, then Community Development Department requests that the Housing Choice Voucher program (formerly Section 8) specific guidelines and data sets to determine eligibility and document

income are utilized. Verification Guidance can be found on HUD's website at: <http://www.hud.gov/offices/pih/publications/notices/04/verifguidance.pdf>

Income Verification: All income must be verified and documented by the contractor. Verification of income eligibility may include pay stubs, tax statements, verification from employers, DSHS/Employment Security/Social Security documents, or other verification approved by Community Development Department.

There are four acceptable methods of documenting Income Eligibility (in order of preference):

- 1) **Written:** The contractor gets third-party written verification directly from the information source; i.e., employer, CCDSS, Employment Security, Social Security, Veteran's Affairs.
- 2) **Oral:** If verification is oral, the contractor must document the conversation in the program participant's file. This documentation should include the name, telephone number, and position or title of the third party, the date and time of the conversation, and the name of the person requesting the verification.
- 3) **Documented:** This type of verification is used when the information desired does not require verification by a third party, such as birth certificates or social security cards.
- 4) **Self-Declared:** Program participant written statements or affidavits are acceptable only when other verifications are not available. Since this method is self-serving, it should be viewed with caution and accepted only as a last resort.

7. Documentation

A. Documentation needed for Homeless Prevention activities

The Subgrantee is required to maintain adequate and easily identifiable documentation to determine the eligibility of program participants served. A copy of the documentation for any Financial Assistance (as described under **Eligible Program Activities and Expenses – What can HPRP pay for?**) must also be maintained in the client file. At a minimum, documentation should include the following:

Situation	Documentation
Eviction	Eviction notice from landlord and copy of payment made on behalf of client.
Utility shut off	Notice of termination from the utility provider and copy of payment made on behalf of client.
Individual or family leaving shelter and needing any combination of first/last months rent, rent, security deposit, screening fee	Copy of payment(s) made on behalf of client.

B. Homelessness or At Risk of Homelessness Verification and Documentation

The Subgrantee is required to maintain adequate documentation of homelessness to determine the eligibility of persons served. A copy of the documentation must be maintained in the client file. Documentation should be as follows:

Situation	Documentation
Persons living on the street or in short-term emergency shelter	Information should be obtained to indicate that the participant is living on the street or in short-term emergency shelter. This may include names of organizations or outreach workers who have assisted them in the past, whether the client receives any general assistance checks and where the checks are delivered, or any other information regarding the participant's activities in the recent past that might provide documentation. If unable to verify that the person is living on the street or in short-term emergency shelter, the participant or a staff person may prepare a short written statement about the participant's previous living place. The participant should sign the statement and date it.
Persons coming from transitional housing for homeless persons	Obtain written verification from the transitional housing staff that the participant has been residing at the transitional housing facility. The verification should be signed and dated by the referring agency personnel.
Persons being evicted from a private dwelling	Obtain evidence of formal eviction notice indicating that the participant was being evicted within a week before receiving homeless assistance. If the participant's friends or family is evicting, a statement describing the reason for eviction must be signed by the friend or family member and dated. In other cases where there is no formal eviction process, persons are considered evicted when they are forced out of the dwelling unit by circumstances beyond their control. In those instances, obtain a signed and dated statement from the participant describing the situation. The Lead Agency must make efforts to confirm that these circumstances are true and have written verification describing the efforts and attesting to their validity. The verification should be signed and dated.
Persons being released from jail or prison, or leaving an inpatient mental health facility or chemical-dependency treatment facility	Obtain evidence from the referring facility's case manager or other authorized staff that the participant is being or was released/exited and has no identified housing option.
Persons fleeing domestic violence	Obtain written verification from the participant that he/she is fleeing a domestic violence situation. If a participant is unable to prepare verification, the case manager may prepare a written statement about the participant's previous living situation for the participant to sign and date.

8. Termination of Participation, Denial and Grievance Procedures

A. Termination of Participation and Grievance Procedures

Causes for termination from the program may include, but are not limited to, failure to abide by the program requirements. The Subgrantee may resume assistance to a program participant whose assistance was previously terminated. In terminating assistance to a program participant, the Subgrantee must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process, at a minimum, must consist of:

- 1) Written notice to the program participant containing a clear statement of the reasons for termination;
- 2) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- 3) Prompt written notice of the final decision to the program participant.

B. Applicant Denial and Grievance Procedures

Causes of denial of assistance include, but are not limited to, the individual or household's ineligibility for the program or failure to provide verifiable evidence of eligibility, etc. Subgrantee must have in place a procedure that governs applicant denial and grievance process. These procedures should describe the program requirements and in which an applicant may not qualify or be denied. The grievance procedure could be the same as a program participant terminated. This would include, for example, allowing applicants to request a hearing regarding the termination of their denial.

The termination, denial, and grievance procedures should be readily available to participants either in written information or by posting the policy in a public place. It is important to effectively communicate these procedures to program participants and ensure that the procedures are fully understood.

9. Nondiscrimination and Equal Opportunity Requirements

The Subgrantee must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a). In addition, Subgrantee must make known that HPRP rental assistance and services are available to all on a nondiscriminatory basis and ensure that all citizens have equal access to information about HPRP and equal access to the financial assistance and services provided under this program. Among other things, this means that each Subgrantee must take reasonable steps to ensure meaningful access to programs to persons with limited English proficiency (LEP), pursuant to Title VI of the Civil Rights Act of 1964. This may mean providing language assistance or ensuring that program information is available in the appropriate languages for the geographic area served by the jurisdiction and that limited English

proficient persons have meaningful access to HPRP assistance. This will be a particular issue for state Subgrantees that may not be aware of LEP speaking populations in jurisdictions that are not normally served with Emergency Shelter Grant (ESG) funds. To assist Subgrantees, the Department published the "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (72 Federal Register 2732; January 22, 2007). In addition, all notices and communications shall be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR 8.6. If the procedures that the Subgrantee intends to use to make known the availability of the rental assistance and services are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for such rental assistance and services, the Subgrantee must establish additional procedures that will ensure that such persons are made aware of the rental assistance and services.

10. Affirmatively Furthering Fair Housing

Under section 808(e)(5) of the Fair Housing Act, HUD has a statutory duty to affirmatively further fair housing. HUD requires the same of its funding recipients. Subgrantees will have a duty to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status. Examples of affirmatively furthering fair housing include: (1) marketing the program to all eligible persons, including persons with disabilities and persons with limited English proficiency; (2) making buildings and communications that facilitate applications and service delivery accessible to persons with disabilities (see, for example, HUD's rule on effective communications at 24 CFR 8.6); (3) providing fair housing counseling services or referrals to fair housing agencies; (4) informing participants of how to file a housing discrimination complaint, including providing the toll-free number for the Housing Discrimination Hotline: 1- 800-669-9777; and (5) recruiting landlords and service providers in areas that expand housing choice to program participants.

11. Lead-Based Paint Requirements

The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.), as amended by the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851 et seq.) and implementing regulations at 24 CFR part 35, subparts A, B, M, and R shall apply to housing occupied by households receiving assistance through HPRP.

12. Drug-Free Workplace Requirements

The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD'S implementing regulations at 24 CFR part 21 apply to HPRP.

13. Equal Participation of Religious Organizations

Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in HPRP. Neither the federal government nor a Subgrantee shall discriminate against an organization on the basis of the organization's religious character or affiliation.

Organizations that are directly funded under HPRP may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under HPRP. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under WRP, and participation must be voluntary for the program participants.

A religious organization that participates in HPRP will retain its independence from federal, state, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that it does not use direct HPRP funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide HPRP-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, a HPRP-funded religious organization retains its authority over its internal governance, and it may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

An organization that participates in the HPRP program shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

If a state or local government voluntarily contributes its own funds to supplement federally funded activities, the state or local government has the option to segregate the federal funds or commingle them. However, if the funds are commingled, the requirements listed above apply to all of the commingled funds.

14. Lobbying and Disclosure Requirements

The disclosure requirements and prohibitions of section 319 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the Byrd Amendment), and implementing regulations at 24 CFR part 87, apply to HPRP. Applicants must disclose, using Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts.

15. Confidentiality of Client Records

The Subgrantee must have policies and procedures ensuring client records are maintained in a confidential manner, and that the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the

Grantee. To comply with this requirement, Subgrantee should, for example, keep written records or files pertaining to clients under lock and key with designated personnel granted access to those files.

16. Criminal Background Checks

The Subgrantee must initiate criminal history background checks on all prospective employees and volunteers who may have unsupervised access to children.

17. Habitability Standards and Inspections

Organizations providing rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Units should be inspected on an annual basis and upon a change of tenancy. The minimum habitability standards are listed in Appendix A.

Complete records of inspections and follow-up actions must be maintained in client files.

Tenants must receive a copy of the North Carolina Landlord-Tenant law, Chapter 42 Article I. General Provisions & the City of Fayetteville Fair Housing Ordinance, and be informed on how to use this law when problems arise. Copies of the law are available at the City of Fayetteville Human Relations Department at 433 Hay Street, Fayetteville, NC 28301 or call at (910) 433-1696.

18. Program Administration

A. Subgrantee Eligibility

An eligible Subgrantee must:

- 1.) Be a unit of local government in the state, and/or
- 2.) Be a private non-profit organization or housing authority, if the local government for the locality in which the program is located certifies that it approves the program.

Organizations that are religious or faith-based are eligible, on the same basis as any other organization. However, organizations may not engage in inherently religious activities, such as worship, religious instruction or proselytization as part of the programs or services funded under HPRP. If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under HPRP, and participation must be voluntary for the program participants. An organization that participates in the HPRP program shall not, in providing program assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.

B. Subgrantee's Responsibilities

1) Subgrantee contracts

A Subgrantee cannot subgrant work or services contemplated under this program without prior authorization from City of Fayetteville. It is the responsibility of the Lead Agency to ensure that subgrantees meet eligibility requirements. The intent to subcontract shall be included in the Lead Agency's application to City of Fayetteville. Approval of the Lead Agency's application, including the intent to subcontract, shall constitute authorization.

Subgrantee(s) must enter into legally binding written grant agreements to ensure that all City of Fayetteville grant terms and conditions are passed on to subgrantees. This must include a signed grant that details the budget to be reimbursed and all of the City of Fayetteville grant terms and conditions.

2) Deadlines for Using Grant Award

Each Subgrantee must draw down 70 percent of the award amount within the first two years of the date signed on the executed contract with The City of Fayetteville, and 100 percent of the award amount within three years of this date.

3) Monitoring and Compliance of Subgrantees

It is the responsibility of the City of Fayetteville to monitor subgrantees at a minimum of once every program year. The monitoring may consist of either a desk monitor or on-site visit. Terms and conditions of the grant and program guidelines need to be reviewed for compliance. At least one month of back up documentation needs to be reviewed to substantiate charges made to the program.

The City of Fayetteville must review the accounting practices of subgrantees that do not have an independent audit.

The Subgrantee must ensure all funds are expended in a timely manner, and according to the terms and conditions of the grant.

C. Billing Procedures

Subgrantee must bill the City of Fayetteville no more than monthly for reimbursement of allowable costs, using the provided reporting method prescribed by City. Payment will be made upon receipt of all required documents and reports. If required reports are not submitted in a timely manner, the City will delay payment until the reports are received. If the Subgrantee fails to file an invoice within a two-month period, without a reasonable explanation, The City will not authorize payment and may elect to terminate the contract.

Lead Agencies may be paid in advance pursuant to procedures outlined in 24 CFR 84.22 for non-profit organizations and 24 CFR 85.21 for units of government.

D. Financial Records

The Subgrantee must maintain copies of all reimbursement requests and backup documentation including those from subgrantees. The Subgrantee must maintain records that disclose all costs, including subgrantee costs, charged to the City contract.

E. Reports

The Subgrantee is responsible for submitting required reports by the dates due using required forms. The reports include, but are not limited to, the following:

Report	Due Date
Invoice Voucher	No more than monthly, due on the 15 th of month following the provision of services.
Client Data Report	To be determined
Quarterly Performance Report	To be determined

F. Budget Amendments

The approved budget will be identified in the contract documents. Budget revisions require a contract amendment. Requests must be submitted to, and approved by, the City before the Subgrantee submits expenditure reports reflecting the revisions.

G. Subgrantee Monitoring

A monitoring schedule will be sent to the City by the end of 2009 outlining desk and on-site visits for the contract period. At a minimum, a Subgrantee can expect desk monitoring once a year.

H. Changes to Guidelines

The City may issue revised or new guidelines at any time. All Subgrantee(s) will be sent revised copies as they are published. It is the City's responsibility to pass on the revisions to subgrantees.

Organizations providing rental assistance with HPRP funds will be required to conduct initial and any appropriate follow-up inspections of housing units into which a program participant will be moving. Following are the habitability standards that Subgrantees must follow:

(1) State and local requirements. Each Subgrantee under this Notice must ensure that housing occupied by a family or individual receiving HPRP assistance is in compliance with all applicable state and local housing codes, licensing requirements, and any other requirements in the jurisdiction in which the housing is located regarding the condition of the structure and the operation of the housing or services.

(2) Habitability standards. Except for less stringent variations as are proposed by the City or Subgrantee and approved by HUD, housing occupied by a family or individual receiving

HPRP assistance must meet the following minimum requirements:

(1) Structure and materials. The structures must be structurally sound so as not to pose any threat to the health and safety of the occupants and so as to protect the residents from the elements.

(2) Access. The housing must be accessible and capable of being utilized without unauthorized use of other private properties. Structures must provide alternate means of egress in case of fire.

(3) Space and security. Each resident must be afforded adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.

(4) Interior air quality. Every room or space must be provided with natural or mechanical ventilation. Structures must be free of pollutants in the air at levels that threaten the health of residents.

(5) Water supply. The water supply must be free from contamination.

(6) Sanitary facilities. Residents must have access to sufficient sanitary facilities that are in proper operating condition, may be used in privacy, and are adequate for personal cleanliness and the disposal of human waste.

(7) Thermal environment. The housing must have adequate heating and/or cooling facilities in proper operating condition.

(8) Illumination and electricity. The housing must have adequate natural or artificial illumination to permit normal indoor activities and to support the health and safety of residents. Sufficient electrical sources must be provided to permit use of essential electrical appliances while assuring safety from fire.

(9) Food preparation and refuse disposal. All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a sanitary manner.

(10) Sanitary condition. The housing and any equipment must be maintained in sanitary condition.

(11) Fire safety.

- (a) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing-impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.
- (b) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Grantees eligible to receive funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) 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 HUD within 60 days of the publication of the HUD HPRP notice.

To aid grantees in meeting this submission deadline, the HPRP Notice reduces the requirement for a 30-day public comment period to no less than 12 calendar days for this substantial amendment. With this exception, HPRP grantees are required to follow their Consolidated Plan's citizen participation process, including consultation with the Continuum of Care (CoC) in the appropriate jurisdiction(s). Grantees are also required to coordinate HPRP activities with the CoC's strategies for homeless prevention and ending homelessness. To maximize transparency, HUD strongly recommends that each grantee post its substantial amendment materials on the grantee's official website as the materials are developed.

A complete submission contains the following three documents:

- 1) A signed and dated SF-424,
- 2) A completed form HUD-40119 (this form), and
- 3) Signed and dated General Consolidated Plan and HPRP certifications.

For additional information regarding the HPRP program, visit the HUD Homelessness Resource Exchange (www.hudhre.info). This site will be regularly updated to include HPRP resources developed by HUD and its technical assistance providers.

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
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

A. General Information

Grantee Name	City of Fayetteville
Name of Entity or Department Administering Funds	Community Development Department
HPRP Contact Person (person to answer questions about this amendment and HPRP)	Victor D. Sharpe
Title	Community Development Director
Address Line 1	433 Hay Street
Address Line 2	Suite 309
City, State, Zip Code	Fayetteville, NC 28301
Telephone	(910) 433-1933
Fax	(910) 433-1592
Email Address	vsharpe@ci.fay.nc.us
Authorized Official (if different from Contact Person)	Dale Iman
Title	City Manager
Address Line 1	433 Hay Street
Address Line 2	
City, State, Zip Code	Fayetteville, NC 28301
Telephone	(910) 433-1990
Fax	(910) 433-1948
Email Address	diman@ci.fay.nc.us
Web Address where this Form is Posted	www.cityoffayetteville.org

Amount Grantee is Eligible to Receive*	\$ 589,648.00
Amount Grantee is Requesting	\$ 589,648.00

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

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

B. Citizen Participation and Public Comment

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

Response: The Community Development Department published a Public Notice on April 18, 2009, in the Fayetteville Observer announcing that the City will hold a Public Hearing on April 28, 2009 in the City Council Chambers at 7:00 p.m. regarding the Substantial Amendment to the City's Consolidated Plan 2008-2009 Annual Action Plan. A proposed plan was submitted for Public Comment from April 21 through May 5, 2009. The proposed plan was made available for review and comment throughout the City in the following locations: Community Development Department, City Hall, 433 Hay Street, 3rd Floor, Rm. 309; Recreation Centers located at: Myers, 1018 Rochester Street; J.S. Spivey, 500 Fisher Street; Massey Hill 1612 Camden Road, Smith, 1520 Slater Avenue and Westover, 277 Bonanza Drive; Neighborhood Resource Centers at Old Wilmington Road, 500 Campbell Avenue and Seabrook Park, 708 Langdon Street. All comments will be reviewed and considered by the Fayetteville Redevelopment Commission and the Fayetteville City Council.

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: Public comments will be attached to the substantial amendment prior to the submittal to HUD.

C. Distribution and Administration of Funds

Reminder: The HPRP 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.

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

1. Check the process (es) that the grantee plans to use to select sub-grantees. Note that a sub-grantee 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 Fayetteville Community Development Department will send out a Request for Proposal to members of the Fayetteville/Cumberland County Continuum of Care, non-profits and other governmental agencies that provide services consistent with the needs of the Homeless Prevention and Rapid Re-housing Program describing the programs and services needed for implementation. Proposal reponses will be scored based on the strength of the proposal, organization performance and capacity, and program complexity.

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to sub-grantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

Response: Once HUD has signed the grant agreement, the City of Fayetteville will allocate HPRP grant funds based on a competitive basis. The City of Fayetteville anticipates that the Request for Proposal process will start no later than July1, 2009. All funds will be allocated by the September 30, 2009 deadline. Grants will be awarded to those sub-grantees identified as high ranking according to the results of the competitive process.

Eligible activities, program policies and guidelines have been established through the City's Homeless Prevention and Rapid Re-housing Program. The City will enter into contract with the sub-grantees that are selected for an award. The Grant agreements between the City of Fayetteville and the sub-grantees will outline the sub-grantees responsibilities and reporting requirements in compliance with the City of Fayetteville and HPRP guidelines and requirements.

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

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Response: The City of Fayetteville has been working diligently in the efforts of addressing the homeless needs in the Fayetteville/Cumberland area. The Community Development Department is currently working to implement the Ten Year Plan to End Homelessness along with the Plan's Steering Committee. The Community Development Department also works with the Fayetteville/Cumberland County Continuum of Care to identify homeless needs. The Community Development Department has experience in monitoring sub-grantees for compliance with both financial and programmatic requirements.

All grant agreements will describe thorough instructions on sub-grantees responsibilities and requirements for reporting the outcomes on a monthly basis, instructions on fund disbursements and periodic site monitoring visits. On-site monitoring visits will include review of sub-grantees financial management systems, supporting documentation and client records. Any discrepancies found, sub-grantees will have instructions that outline a specified amount of time to make any required corrections. Technical assistance will also be a part of the process.

Community Development staff will meet with sub-grantees regularly to monitor status of services being provided.

D. Collaboration

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

Response: The City of Fayetteville Community Development serves as a member of the Fayetteville/Cumberland County Continuum of Care (COC) and the 10-yr Plan to End Homelessness Steering Committee. The Community Development Department is also in direct collaboration with the Salvation Army of Fayetteville, the Operation Inasmuch Homeless Day Center and the HOPE Center homeless shelter of Fayetteville.

The Request for Proposals will ask for information to identify agencies that are receiving funding through the American Recovery and Reinvestment Action of 2009 (ARRA). Proposals will be sent to those organizations that may receive funds through ARRA.

2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

Response: The City of Fayetteville Community Development met with and provided information on the substantial amendment to the members of the Fayetteville/Cumberland County Continuum of Care. The COC membership includes human service providers, public agencies, and nonprofit organizations. The COC has responded with needs in accordance to the 2009 Point & Time survey and data collected for the services that currently they provide to homeless clients.

Program and services will be made available to the members of the Continuum of Care. It is our hope that the members of the COC will be awarded grants to provide certain services. The City will publish and announce available services to the Continuum of Care and the general public.

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

Response: The City of Fayetteville Consolidated plan, "Develop programs designed to break the cycle of homelessness; and develop a Ten Year Plan to End Homelessness." In the Ten Year Plan the goals include, "the support of limited assistance to residents leaving transitional housing for private rental." The HPRP will be consistent with the goals placed for the Consolidated Plan.

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

E. Estimated Budget Summary

HUD requires the grantee to complete the following table so that participants in the citizen participation process may see the grantee's preliminary estimated amounts for various HPRP activities. Enter the estimated budget amounts for each activity in the appropriate column and row. The grantee will be required to report actual amounts in subsequent reporting.

HPRP Estimated Budget Summary			
	Homelessness Prevention	Rapid Re-housing	Total Amount Budgeted
Financial Assistance ¹	\$ 229,514	\$ 114,757	\$ 344,272
Housing Relocation and Stabilization Services ²	\$ 137,584	\$ 68,793	\$ 206,376
Subtotal (add previous two rows)	\$ 367,098	\$ 183,550	\$ 550,648
Data Collection and Evaluation ³			\$ 10,000
Administration (up to 5% of allocation)			\$ 29,000
Total HPRP Amount Budgeted⁴			\$ 589,648

¹Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

²Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

³Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

⁴This amount must match the amount entered in the cell on the table in Section A titled "Amount Grantee is Requesting."

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

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

Title

**Homelessness Prevention and Rapid Re-Housing Program (HPRP)
Certifications**

The HPRP Grantee certifies that:

Consolidated Plan – It is following a current HUD-approved Consolidated Plan or CHAS.

Consistency with Plan – The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

Confidentiality – It will develop and implement procedures to ensure:

- (1) The confidentiality of records pertaining to any individual provided with assistance; and
- (2) That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

Discharge Policy – A certification that the State or jurisdiction has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

HMIS – It will comply with HUD’s standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.

Signature/Authorized Official

Date

Title

GENERAL CERTIFICATIONS FOR STATE OR LOCAL GOVERNMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the state, territory, or local government certifies that:

Affirmatively Further Fair Housing -- The state, territory, or local government will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction or state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Drug-Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

- (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law enforcement, or other appropriate agency;
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the state, territory, or local government'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 paragraphs 1 and 2 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.

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

Consistency with Plan -- The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The Grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Public Notice

Public Comment Period Substantial Amendment to the Consolidated Plan 2008-2009 Action Plan Homeless Prevention and Rapid Re-Housing Program (HRRP)

The City of Fayetteville has prepared a draft of the Homeless Prevention and Rapid Re-Housing Program (HRRP) Substantial Amendment to the Consolidated 2008-2009 Action Plan. The substantial amendment describes the various initiatives that the City intends to undertake, in utilizing HRRP funds recovered through the American Recovery Act of 2009. The substantial amendment, which focuses on serving very low income housing needs, will provide financial assistance and services to either prevent individuals and families from becoming homeless or help those who are experiencing homelessness to be quickly re-housed and stabilized.

On April 21, 2009, the Community Development Department will make available for public review and comment, a draft of the proposed substantial amendment for the HRRP Plan. The period of public comment will be 15 days beginning April 21, May 5, 2009. The comments may be given Monday-Friday from 8:30 AM-4:30 PM at Community Development, City Hall, 433 Hay Street, 3rd Floor, Rm. 309, 1st Floor; and Headquarters Library, 300 Maiden Lane. The plan may also be viewed at the following recreations centers: Myers, 1018 Rochester Street; J.S. Spivey, 500 Fisher Street; Massey Hill 1612 Camden Road, Smith, 1520 Slater Avenue and Westover, 277 Bonanza Drive. During this same period of time, they may be viewed from 1:30 p.m. - 4:30 p.m. at the following Neighborhood Resource Centers: Old Wilmington Road, 500 Campbell Avenue and Seabrook Park, 708 Landgon Street.

Public Hearing

On April 28, 2009 at 7:00 PM, you are invited to attend a Public Hearing in the City Council Chambers, City Hall, First Floor, on the Substantial Amendment to the Consolidated Plan 2008 Action Plan for the HRRP plan. The plan outlines homeless prevention and re-housing activities. Your input is welcomed.


The City of Fayetteville Community Development will receive comments on the Homeless Prevention and Rapid Re-Housing Program Substantial Amendment to the Consolidated Plan until May 5, 2009.

www.cityoffayetteville.org



1210342T

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Karen M. McDonald, City Attorney 
Date: May 4, 2009
Re: Consider Revision to City Council Policy 120.2 Regarding Public Hearings

THE QUESTION: Does the attached policy reflect Council's interest regarding public hearings.

RELATIONSHIP TO STRATEGIC PLAN: More Efficient City Government – Cost Effective Services Delivery

BACKGROUND: At the March 2, 2009, City Council work session, Council discussed revising the public hearing policy. Council's current policy for public hearings allows 15 minutes per side for an issue. There is no time limit for individual speakers. In an effort to allow a greater number of citizens to be heard on issues, the attached policy limits the time of individual speakers to 3 minutes.

ISSUES: Whether the proposed revision meets Council's interest.

OPTIONS:

- Accept the revision and direct staff to place the revision on a future agenda for approval.
- Reject the revision and do not make any changes to the policy.
- Provide staff with additional direction regarding revision to the policy.

RECOMMENDATIONS: Consider the proposed revision to City Council Policy 120.2 and direct staff.

PROPOSED POLICY REVISION

SUBJECT – CITY COUNCIL Hearings (Public and Non-Public)	Number 120.2	Revised 12-15-97	Effective Date 1-5-87	Page 1 of 2
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The City Council of the City of Fayetteville, North Carolina, will apply the following Rules of Procedure at regular City Council meetings for citizens wishing to address the City Council:

A. Public Hearings

- (1) Individuals desiring to speak at a public hearing shall sign up with the City Clerk, by name and home address, before 7:00 p.m. on the date of the scheduled public hearing; and
- (2) Fifteen minutes will be allowed ~~to~~ for each side of the issue at a public hearing, ~~and~~ The City Council in its discretion may extend the time. Individual speakers will be limited to ~~5~~ 3 minutes each unless by previous arrangement a single spokesman is designated, in which case the spokesman may use the entire 15 minutes. Time used in response to a question from a Council member will not be counted against the allotted 15 minutes; and
- (3) No one in the audience will be permitted to speak during Council discussion and debate except in response to a question from a Council member recognized by the Chair.

B. Nonpublic Hearing Items

On nonpublic hearing items, the agenda shall indicate by whom the matter will be presented, and only members of staff, the presenter, or the presenter's designated representative shall be permitted to address the City Council. This paragraph is not subject to suspension under Roberts Rules of Order. Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing 20 copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

PROPOSED POLICY REVISION

SUBJECT – CITY COUNCIL Hearings (Public and Non-Public)	Number 120.2	Revised 12-15-97	Effective Date 1-5-87	Page 2 of 2
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C. Announcements

All announcements not addressed by any particular agenda item shall be made at the end of the meeting, prior to adjournment, by the Mayor or the presiding officer, unless otherwise prearranged with the Mayor or presiding officer.

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
Through: Dale Iman, City Manager
From: Doug Hewett, Assistant City Manager
Date: May 4, 2009
Re: FY 2009-10 Strategic Plan Adoption

THE QUESTION: Do the attached documents accurately reflect the City Council's interests related to the FY 2009-10 strategic plan?

RELATIONSHIP TO STRATEGIC PLAN: The attached documents represent the foundation for the City's FY 2009-10 strategic plan as developed by the City Council during their planning retreat this February. If approved by the City Council, these documents will govern policy and management direction of the City from July 1, 2009 through June 30, 2010.

BACKGROUND: The City's Strategic Plan has five main areas:

- ❑ A vision statement that describes the type of community the Council would like to facilitate through its and staff's work efforts;
- ❑ Multi-year goals that provide an intermediate focus for the work of City Council and staff, and further outlines the activities Council believes are necessary to realize the vision above;
- ❑ A mission statement that describes our organizational purpose, "making Fayetteville a better place for all";
- ❑ A list of descriptive core values that describes our standards of performance that is centered around the acronym statement of to "Serve with RESPECT";
- ❑ A one-year action plan that identifies issues that Council needs to address by providing policy direction and necessary actions that the City management should complete during the upcoming fiscal year.

ISSUES: The attached documents accurately reflect City Council's interests related to the FY 2009-10 Strategic Plan for the City of Fayetteville.

OPTIONS:

1. Adopt, modify, or reject the City of Fayetteville FY 2009-10 Strategic Plan as presented.
2. Take no action at this time.

RECOMMENDATIONS:

Adopt the FY 2009-10 Strategic Plan

City of Fayetteville Vision 2023

The City of Fayetteville

is a ***GREAT PLACE TO LIVE*** with
a Choice of ***DESIRABLE NEIGHBORHOODS,***
LEISURE OPPORTUNITIES FOR ALL,
and ***BEAUTY BY DESIGN.***

Our City has a ***VIBRANT DOWNTOWN,***
the ***CAPE FEAR RIVER*** to ***ENJOY,*** and
a ***STRONG LOCAL ECONOMY.***

Our City is a ***PARTNERSHIP*** of ***CITIZENS***
with a ***DIVERSE CULTURE*** and ***RICH HERITAGE,***
creating a ***SUSTAINABLE COMMUNITY.***

Goals 2014

**Growing City, Livable Neighborhoods –
A Great Place to Live**

**Greater Tax Base Diversity –
Strong Local Economy**

More Attractive City – Clean and Beautiful

**More Efficient City Government –
Cost-Effective Service Delivery**

**Greater Community Unity –
Pride in Fayetteville**

**Revitalized Downtown –
A Community Focal Point**

Our Mission

**THE CITY GOVERNMENT PROVIDES SERVICE THAT MAKES
FAYETTEVILLE A BETTER PLACE FOR ALL.**

The City Government
is **FINANCIALLY SOUND**, and provides
FULL RANGE of QUALITY MUNICIPAL SERVICES,
that are **VALUED BY OUR CUSTOMERS**, and delivered by a
DEDICATED WORKFORCE in a **COST EFFECTIVE MANNER**.

The City has
WELL DESIGNED and **WELL MAINTAINED**
INFRASTRUCTURE and **FACILITIES**.

The City
ENGAGES its **CITIZENS**, and is recognized as a
STATE and **REGIONAL LEADER**.

Core Beliefs

**We, the Mayor, City Council, Managers,
Supervisors and Employees**

Serve with

Responsibility

Ethics

Stewardship

Professionalism

Entrepreneurial Spirit

Commitment

Teamwork

**to safeguard and enhance the public
trust
in City Government.**

City of Fayetteville ***Policy Agenda 2009 – 2010***

TOP PRIORITY

Unified Development Ordinance
Murchison Road Corridor Redevelopment
Parks and Recreation Service
Annexation Policy
Workforce Development
Recycling Program for Multifamily and Commercial

HIGH PRIORITY

County Jail Capacity
Air Quality Non-Attainment
Emergency Medical Transport Performance Report
Tree Preservation Ordinance
Building Demolition
Property Revaluation and Tax Rate
Legislative Agenda and Lobbying Strategy

City of Fayetteville ***Management Agenda 2009 – 2010***

TOP PRIORITY

Crime Reduction Strategy and Report

FAST Improvements

Community Report Card

Community Watch Expansion

Economic Development

HIGH PRIORITY

Reclaiming Neighborhoods Strategy

Police Staffing

Non-Stop Air Service to Washington, D.C.

Telling the City's Positive Story

Northwest Gateway Project

CITY COUNCIL ACTION MEMO

To: Dale Iman, City Manager
From: Lisa Smith, Chief Financial Officer *LS*
Date: May 4, 2009
Re: Overview of the Fiscal Year 2009-2010 Recommended Budget

THE QUESTION: The City Manager will present an overview of the Fiscal Year 2009-2010 Recommended Budget to begin the City Council budget deliberation process.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principle: Financially sound city government; Full range of quality municipal services; Services delivered in a cost effective manner

BACKGROUND:

- The Fiscal Year 2009-2010 Recommended Budget document will be distributed to City Council and will also be available for public inspection at the office of the City Clerk and on the city website before the May 4 work session.
- Recommended next steps for the budget process include:
 - May 11, 2009 – Presentation of the FY2009-2010 Recommended Budget for the Public Works Commission
 - May 13, 2009 and May 20, 2009 – Budget Workshops
 - May 26, 2009 - Public Hearing on the Recommended Budget
 - June 1, 2009 – Council Work Session (Final feedback on the Recommended Budget if required)
 - June 8, 2009 - Adoption of the Budget

ISSUES: None

OPTIONS: None

RECOMMENDATIONS: No action required at the work session.

**City Council Agenda
Item Request**

Date of Request: April 14, 2009

Name of Requester: Tony Chavonne

Agenda Item Title: Sewer Funding Model

What do you want to accomplish with this item?

To review the various components of the sewer funding model as previously approved by the city council to include the utility assessment policy.

How does this item connect to the City's Strategic Plan?

More Efficient City Government - Cost-Effective Service Delivery

Comments:



City Council Agenda Item Request

Date of Request: 23 APRIL

Name of Requester: BATES, KEITH A.

Agenda Item Title: NOISE ORDINANCE

What do you want to accomplish with this item?

STRENGTHEN NOISE ORDINANCE

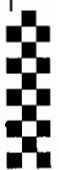
How does this item connect to the City's Strategic Plan?

PRINCIPLE A - A GREAT PLACE TO LIVE
PRINCIPLE H - MEANS 1-4-6

Comments:

CITIZENS AND MYSELF ARE TIRED OF BEING
BLASTED BY LOUD BOOMING CARS!
MAKE THE FINE PROGRESSIVE

May 4th



**City Council Agenda
Item Request**

Date of Request: April 21, 2009

Name of Requester: Wesley Meredith

Agenda Item Title: Fiber-to-the-Home (FTTH) Broadband Concept

What do you want to accomplish with this item?

To gauge City Council's interest in exploring the concept further.

How does this item connect to the City's Strategic Plan?

Growing City, Livable Neighborhoods - A Great Place To Live

Comments: