



## City of Hialeah PUBLIC NOTICE

The City of Hialeah, in order to comply with requirements of the United States Department of Housing and Urban Development (U.S. HUD) and its Citizen Participation Plan under the Community Planning and Development formula programs, is hereby advising the citizens that the City of Hialeah is proposing to undertake the following substantial amendments to the Community Development Block Grant (CDBG) Program for Fiscal Year 2009-2010.

PROJECT/ACTIVITY	DECREASE	INCREASE
Administration	\$550,673.69	-0-
Contingency/Reserve	\$100,000.00	-0-
Commercial Revitalization Program	\$ 49,900.00	-0-
* Street Improvements (E. 1 <sup>st</sup> Ave., Okeechobee Road)	\$208,490.72	-0-
* Street Improvements (E. 2-4 Ave. from 17-21 Street)	\$ 80,610.80	-0-
Residential Rehabilitation	-0-	\$100,000.00
*Affordable Housing Development (Infrastructure)	\$250,000.00	-0-
Lead Base Paint Abatement	-0-	\$ 10,000.00
Literacy Program (Library)	-0-	\$ 10,000.00
Therapeutic Program	-0-	\$ 10,000.00
Section 108 Loan Repayment	\$ 10,657.80	-0-
**Street Improvements	-0-	\$1,120,333.01
<b>TOTALS</b>	<b>\$1,250,333.01</b>	<b>\$1,250,333.01</b>

\* Project Completed

\*\* New Project in eligible CDBG areas

Citizens are invited to comment on the above-proposed substantial amendments. Written comments must be submitted no later than Monday April 5, 2010, by 5:00 p.m. Comments should be addressed to City of Hialeah, Department of Grants and Human Services, 501 Palm Avenue, 1<sup>st</sup> Floor, Hialeah, Florida 33010-4789, Attn: Frederick H. Marinelli, Director. Additional information may be obtained by calling (305) 883-8040, [TDD# (305) 883-5886 for the hearing impaired].

This substantial amendment will be considered at the regular City Council meeting scheduled for Tuesday, April 13, 2010, at 7:00 p.m. at Hialeah City Hall Council Chambers, 501 Palm Avenue, 3<sup>rd</sup> Floor, and Hialeah. These amendments will become final after approval by the Mayor and City Council.



## Ciudad de Hialeah AVISO PÚBLICO

La Ciudad de Hialeah, con el objeto de cumplir con los requisitos del Departamento de Vivienda y Desarrollo Comunitario de los Estados Unidos (US HUD), y su Plan de Participación Ciudadana bajo los programas de la fórmula de Desarrollo y Planificación comunitaria (CDBG), avisa a los ciudadanos que la ciudad propone hacer las siguientes enmiendas sustanciales al Programa de Fondos para el Desarrollo Comunitario (CDBG) del año fiscal 2009 - 2010.

PROYECTO / ACTIVIDAD	DISMINUCION	AUMENTO
Administración	\$550,673.69	-0-
Contingencias/Reservas	\$100,000.00	-0-
Programa de Revitalización Comercial	\$ 49,900.00	-0-
* Mejoras a la Infraestructura (E. 1 <sup>st</sup> Ave., Okeechobee Road)	\$208,490.72	-0-
* Mejoras a la Infraestructura (E. 2-4 Ave. from 17-21 Street)	\$ 80,610.80	-0-
Rehabilitación Residencial	-0-	\$100,000.00
*Desarrollo de Vivienda Accesible - (Mejoras a la Infraestructura)	\$250,000.00	-0-
Programa para la eliminación de plomo (Lead Base) en estructuras de vivienda	-0-	\$ 10,000.00
Programa de Alfabetismo (Library)	-0-	\$ 10,000.00
Program Terapeutico	-0-	\$ 10,000.00
Prestamo del Pograma "Section 108"	\$ 10,657.80	-0-
** Mejoras a la Infraestructura (En un area CDBG elegible)	-0-	\$1,120,333.01
<b>TOTALS</b>	<b>\$1,250,333.01</b>	<b>\$1,250,333.01</b>

\* Completo

\*\* Nuevo proyecto en area CDBG elegible

Se invita a todos los ciudadanos a presentar sus comentarios sobre las propuestas enmiendas sustanciales. Comentarios seran aceptados por escrito y deberán someterse a más tardar el lunes 5 de abril del 2010, hasta las 5:00 p.m. Los comentarios deben ser dirigidos a la Ciudad de Hialeah, Department of Grants and Human Services, 501 Palm Avenue, 1<sup>st</sup> Floor, Hialeah, Florida 33010-4789, a la atención del Sr. Frederick H. Marinelli, Director. Puede obtenerse información adicional llamando al (305) 883-8040, [TDD# (305) 883-5886], para aquellas personas con impedimentos auditivos].

Estas enmiendas sustanciales bajo el programa CDBG serán consideradas en la reunión regular del Concejo de la Ciudad señalada para el martes 13 de abril del 2010, a las 7:00 p.m., en los Salones del Concejo de la Ciudad, 501 Palm Avenue, 3er Piso, Hialeah, Florida. Estas enmiendas serán definitivas después de recibir la aprobación del alcalde y el concejo municipal.



## City of Hialeah PUBLIC NOTICE

The City of Hialeah, in order to comply with requirements of the United States Department of Housing and Urban Development (HUD) and its Citizen Participation Plan under the Community Planning and Development formula programs, is hereby advising the citizens that the City of Hialeah has received \$5,385,046 in Federal Neighborhood Stabilization Program funds and as a result is proposing to undertake the following substantial amendments to the Community Development Block Grant (CDBG) Program for Fiscal Year 2008.

Project	Location	Amount
New Construction of 33 Units of Affordable Rental Housing	525 West 1 <sup>st</sup> Ave., Hialeah, FL.	\$3,935,046.00
Purchase and redevelopment of abandoned or foreclosed upon homes or residential properties to house individual or families whose incomes do not exceed 50% of area median income	City Wide	\$1,350,000.00
Administration	N/A	\$100,000.00
<b>T O T A L</b>		<b>\$5,385,046.00</b>

Citizens are invited to comment on the above-proposed substantial amendments. Written comments must be submitted no later than Friday July 17, 2009, by 5:00 p.m. Comments should be addressed to City of Hialeah, Department of Grants and Human Services, 501 Palm Avenue, 1<sup>st</sup> Floor, Hialeah, Florida 33010-4789, Attn: Frederick H. Marinelli, Director. Additional information may be obtained by calling (305) 883-8040, [TDD# (305) 883-5886 for the hearing impaired].

This substantial amendment will be considered at the regular City Council meeting scheduled for Tuesday, August 11, 2009 at 7:00 p.m., at Hialeah City Hall Council Chambers, 501 Palm Avenue, 3<sup>rd</sup> Floor, and Hialeah. These amendments will become final after approval by the Mayor and City Council.



## Ciudad de Hialeah AVISO PÚBLICO

La Ciudad de Hialeah, con el objeto de cumplir con los requisitos del Departamento de Vivienda y Desarrollo Comunitario de los Estados Unidos (US HUD), y su Plan de Participación Ciudadana bajo los programas de la fórmula de Desarrollo y Planificación Comunitaria (CDBG), avisa a los ciudadanos que la ciudad de Hialeah ha recibido \$5,385,046.00 en fondos federales provenientes del Programa Federal para la Estabilización de Vecindarios (Neighborhood Stabilization Program (NSP) y como resultado, propone hacer las siguientes enmiendas sustanciales al Programa de Fondos para el Desarrollo Comunitario (CDBG) del año fiscal 2008.

Proyecto	Localización	Cantidad
Nueva Construcción de 33 Unidades de Vivenda para renta moderada	525 West 1ra Avenida, Hialeah, FLorida	\$3,935,046.00
Compra y arreglo de propiedades residenciales abandonadas o ejecutadas (foreclosed), para usarse como vivienda para individuos y/o familias cuyos ingresos no excedan el 50% del ingreso medio del area	En toda la Ciudad de Hialeah	\$1,350,000.00
Administración	N/A	\$ 100,000.00
<b>T O T A L</b>		<b>\$ 5,385,046.00</b>

Se invita a todos los ciudadanos a presentar sus comentarios sobre las propuestas enmiendas sustanciales. Comentarios seran aceptados por escrito y deberán someterse a más tardar el viernes 17 de Julio del 2009, hasta las 5:00 p.m. Los comentarios deben ser dirigidos a la Ciudad de Hialeah, Department of Grants and Human Services, 501 Palm Avenue, 1<sup>st</sup> Floor, Hialeah, Florida 33010-4789, a Frederick H. Marinelli, Director. Puede obtenerse información adicional llamando al (305) 883-8040, [TDD# (305) 883-5886], para aquellas personas con impedimentos auditivos].

Estas enmiendas sustanciales bajo el programa CDBG serán consideradas en la reunión regular del Concejo de la Ciudad señalada para el martes 11 de Agosto del 2009, a las 7:00 p.m., en los Salones del Concejo de la Ciudad, 501 Palm Avenue, 3er Piso, Hialeah, Florida. Estas enmiendas serán definitivas después de recibir la aprobación del alcalde y el concejo municipal.

# THE NSP SUBSTANTIAL AMENDMENT

Jurisdiction(s): <b><u>City of Hialeah</u></b> ( <i>identify lead entity in case of joint agreements</i> )	NSP Contact Person: <b><u>Frederick H. Marinelli, Director</u></b>
Jurisdiction Web Address: <ul style="list-style-type: none"><li>• (<a href="http://www.hialeahfl.gov">www.hialeahfl.gov</a>)</li></ul>	Address: <b><u>City of Hialeah, 501 Palm Avenue, Grants and Human Services, 1<sup>st</sup> Floor</u></b>
	Telephone: <b><u>305-883-5839</u></b>
	Fax: <b><u>305-883-5817</u></b>
	Email: <b><u>Fmarinelli@hialeahfl.gov</u></b>

## ***A. AREAS OF GREATEST NEED***

Provide summary needs data identifying the geographic areas of greatest need in the grantee's jurisdiction.

**Note:** An NSP substantial amendment must include the needs of the entire jurisdiction(s) covered by the program; states must include the needs of communities receiving their own NSP allocation. To include the needs of an entitlement community, the State may either incorporate an entitlement jurisdiction's consolidated plan and NSP needs by reference and hyperlink on the Internet, or state the needs for that jurisdiction in the State's own plan. The lead entity for a joint program may likewise incorporate the consolidated plan and needs of other participating entitlement jurisdictions' consolidated plans by reference and hyperlink or state the needs for each jurisdiction in the lead entity's own plan.

HUD has developed a foreclosure and abandonment risk score to assist grantees in targeting the areas of greatest need within their jurisdictions. Grantees may wish to consult [this data](#), in developing this section of the Substantial Amendment.

### **Response:**

The State of Florida ranks as one of the top 5 regions with the highest current housing foreclosure and financial crisis in the United States. The City of Hialeah is no exception. The lack of affordable rental housing has been and continues to be a reality within the city. In keeping with the primary objective of the CDBG program, which is to expand the supply of decent, safe, sanitary and affordable housing, with emphasis on rental housing for persons whose incomes do not exceed the low income category (80% HAFMI), the City of Hialeah will use the Neighborhood Stabilization Program funds for the development of affordable rental housing.

The City of Hialeah will be implementing area benefit activities under the CDBG Program in census tracts and block groups where at least 51% of the residents of the service area are low-and moderate-income persons (80% and below the median family income for Miami-Dade County) based on the 2000 Census data and primarily in residential areas. The direct benefit activities will be implemented Citywide.

Based on the 2000 Census data, the City of Hialeah has a minority concentration of 93% Citywide and all census tracts exceed 51% minority concentration. The City is 90% Hispanic (versus 61% countrywide and 17% statewide), 2% African-American (versus 20% countrywide and 13% statewide) with an 8% balance of Anglos.

**MINORITY CONCENTRATION BY CENSUS TRACT**

CENSUS TRACTS	5.02	5.03	6.01	6.02	6.03	6.04	6.05	6.06	7.03	7.04	7.05	7.06	7.07
TOTAL POPULATION	4,965	-0-	5,302	5,314	5,494	6,182	4,721	11,838	11,022	8,448	5,318	7,683	6,740
TOTAL MINORITY	4,653	-0-	4,672	4,528	4,918	5,817	4,440	11,093	10,615	8,243	5,147	7,386	6,318
PERCENTAGE OF MINORITY	93.7%	-0-	88.1%	85.2%	89.5%	94.1%	93.2%	93.7%	96.3%	97.6%	96.8%	96.1%	93.7%
CENSUS TRACTS	7.08	8.01	8.03	8.04	9.02	9.03	16.01	16.02	17.01	92.00	93.06	93.07	93.08
TOTAL POPULATION	6,589	11,587	8,116	4,978	-0-	33	10,418	6,236	-0-	2,285	7,426	7,242	7,451
TOTAL MINORITY	6,031	11,030	7,838	4,726	-0-	33	10,009	5,761	-0-	1,913	6,362	6,964	7,101
PERCENTAGE OF MINORITY	91.5%	95.1%	96.6%	94.9%	-0-	100%	96.1%	92.4%	-0-	83.7%	85.7%	96.1%	95.3%
CENSUS TRACTS	93.09	93.10	93.11	101.33	101.34	101.35	101.36	101.38	101.39	101.40			
TOTAL POPULATION	7,443	8,137	6,386	136	-0-	10,901	9,171	10,921	7,034	5,913			
TOTAL MINORITY	6,921	7,456	5,765	116	-0-	10,310	8,655	10,443	6,363	5,565			
PERCENTAGE OF MINORITY	93.0%	91.6%	90.3%	85.3%	-0-	94.6%	94.4%	95.6%	90.5%	94.1%			

Only a part of Census Tracts 5.02, 5.03, 7.03, 9.02, 9.03, 17.01, 92, 93.11, 101.33, 101.34, 101.39, and 101.40 are included within the borders of the City of Hialeah.

SOURCES: Raw data from 2000  
U.S. Census Bureau

The following maps and charts (Attachment I) have been incorporated into this substantial amendment, which indicate the census tracts and block groups that meet the 51% low-and moderate-income criteria and the percentage of minority concentration in the City by census tract.

**B. DISTRIBUTION AND USES OF FUNDS**

Provide a narrative describing how the distribution and uses of the grantee’s NSP funds will meet the requirements of Section 2301(c)(2) of HERA that funds be distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by the grantee as likely to face a significant rise in the rate of home foreclosures. *Note:* The grantee’s narrative must address these three stipulated need categories in the NSP statute, but the grantee may also consider other need categories.

**Response:**

The City of Hialeah will develop 40 - 45 units of affordable (\$300.00 a month), safe and decent housing for low and moderate-income individuals and families a majority of which will be 50% of median income, on City-owned land. Based upon the data available and after extensive meetings and discussions with real estate professionals and the banking industry, the entire City has been adversely affected by the foreclosure crisis on a proportionate basis. Therefore, the project or projects will be located in areas that can easily serve the target population. Since the City is over 51% low-to-mod-income, any site location that is available will be considered, as we are providing much needed rental housing for the individuals affected by this crisis who meet the income requirements. Site specific location(s) will be determined at a later date.

***C. DEFINITIONS AND DESCRIPTIONS***

(1) Definition of “blighted structure” in context of state or local law.

**Response:**

N/A

(2) Definition of “affordable rents.” **Note:** Grantees may use the definition they have adopted for their CDBG program but should review their existing definition to ensure compliance with NSP program –specific requirements such as continued affordability.

**Response:**

The City of Hialeah will utilize the current City HOME Program definition of affordable rents (\$300.00 a month) for the life of the project.

(3) Describe how the grantee will ensure continued affordability for NSP assisted housing.

**Response:**

Since the project will be owned and managed by the City of Hialeah, it will be maintained as all other City facilities, including municipal buildings, parks and recreation centers, with zero financing, and debt free, ensuring that the facility will continue to serve our low-income population at an affordable rent for the life of the project. City staff will continue to monitor and enforce all applicable HUD requirements.

This concept was first put into action in 1984, when a 32-Unit Housing Project was built that has been self-sufficient and has generated seed funding over the years. These funds, less maintenance costs, insurance, and reserves, have been utilized for the construction of five (5) other City developed housing projects, namely: the 8-Unit Affordable Housing

Project (Martin Luther King, Jr., the 29-Unit Affordable Housing Project, “Villa Aida” and Villa Aida Annex” (Phases I and II with 89-Units of Affordable Housing combined) the 18-Unit Elderly Housing Project and the most recently completed project, the 300 Unit Elderly Affordable housing Project, for a total of 476-Units of affordable housing to date.

The City has extensive experience in developing and maintaining affordable rental units and will continue with this same initiative. The expected affordability period for this project is over 20 years. We currently have projects that have maintained this affordability standard for over 25 years.

(4) Describe housing rehabilitation standards that will apply to NSP assisted activities.

**Response:**

N/A

***D. LOW INCOME TARGETING***

Identify the estimated amount of funds appropriated or otherwise made available under the NSP to be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50 percent of area median income: \$ 0 .

*Note:* At least 25% of funds must be used for housing individuals and families whose incomes do not exceed 50 percent of area median income.

**Response:**

We do not foresee purchasing nor redeveloping abandoned or foreclosed properties at this time. The City will utilize NSP funds for the development of 40-45 affordable rental units for individuals or families. A majority of these units will be for those whose family incomes do not exceed 50 percent of area median income, far exceeding the 25% requirement.

***E. ACQUISITIONS & RELOCATION***

Indicate whether grantee intends to demolish or convert any low- and moderate-income dwelling units (i.e.,  $\leq 80\%$  of area median income).

If so, include:

- The number of low- and moderate-income dwelling units—i.e.,  $\leq 80\%$  of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.
- The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e.,  $\leq 120\%$  of area median income—reasonably expected to be produced by activity and income level as provided for

in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion).

- The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.

**Response:**

N/A

***F. PUBLIC COMMENT***

Provide a summary of public comments received to the proposed NSP Substantial Amendment.

**Note:** proposed NSP Substantial Amendment must be published via the usual methods and posted on the jurisdiction's website for no less than 15 calendar days for public comment.

**Response:**

The City of Hialeah, utilized the Miami Herald Newspaper to inform citizens of the City's intent to undertake substantial amendments to the Community Development Block Grant (CDBG) Program for Fiscal Year 2008. This ad was published on Saturday November 8, 2008, in both English and Spanish, and advised citizens that the City of Hialeah received \$5,385,046.00 in federal Neighborhood Stabilization Program (NSP) funds. It also invited citizens to comment within the specified 15 day comment period as well as advised them of a City Council meeting to be held Tuesday November 25, 2008, where such substantial amendments were to be considered for approval. This ad was also posted on the City's website at [www.hialeahfl.gov](http://www.hialeahfl.gov). Please note that no written comments were received as of this date. The proposed substantial amendment was discussed in a public hearing format and was unanimously approved by Resolution at the Hialeah City Council meeting of November 25, 2008.

(See Attachment II for a copy of the advertisement and City Council documentation)

***NSP INFORMATION BY ACTIVITY (COMPLETE FOR EACH ACTIVITY)***

(1) Activity Name: Development of Affordable Rental Housing

(2) Activity Type: New Construction

(3) National Objective: (Must be a national objective benefiting low, moderate and middle income persons, as defined in the NSP Notice—i.e., ≤ 120% of area median income).

- To create a suitable living environment through the provision of affordable, decent, safe and sanitary housing;
- To upgrade the existing housing stock
- To improve neighborhoods by providing new rental housing opportunities for low-moderate- and-very-low-income individuals
- To stimulate investments of other funding sources to improve neighborhoods affected by the housing crisis

(4) Activity Description:

Include a narrative describing the area of greatest need that the activity addresses; the expected benefit to income-qualified persons; and whether funds used for this activity will be used to meet the low income housing requirement for those below 50% of area median income.

**Response:**

The City, due to the number of foreclosed properties has a critical rental housing shortage. Funds under this activity will be used for the development of 30-40 affordable rental units for individuals or families whose incomes do not exceed 50 percent of area median income. These additional units will provide necessary housing opportunities to residents affected by this housing crisis.

(5) Location Description: (Description may include specific addresses, blocks or neighborhoods to the extent known.)

**Response:**

To be determined.

(6) Performance Measures (e.g., units of housing to be acquired, rehabilitated, or demolished for the income levels of households that are 50 percent of area median income and below, 51-80 percent, and 81-120 percent).

**Response:**

To develop 40-45 units of affordable rental housing. Approximately 30 or more housing units will be for the income levels of households that are at or below 50% of area median income.

(7) Total Budget: (Include public and private components)

**Response:**

	Administration	\$ 538,504.00
New construction of Affordable Rental Housing		<u>\$ 4,846,542.00</u>
	Total	\$ 5,385,046.00

(8) Responsible Organization: (Describe the responsible organization that will implement the NSP activity, including its name, location, and administrator contact information)

**Response:**

Mr. Frederick H. Marinelli, Director  
City of Hialeah  
Department of Grants and Human Services  
501 Palm Avenue, 1<sup>st</sup> floor  
Hialeah, Florida 33010  
Phone: 305-883-5839  
Fax: 305-883-5817  
Fmarinelli@hialeahfl.gov

(9) Projected Start Date:

**Response:**

Obligation of funds within prescribed 18 month time frame. Realistic projections are plans and specifications within 3 months of final contract approval from US HUD, subject to all applicable environmental clearance and release of funds.

(10) Projected End Date:

**Response:**

Twenty-four (24) months from start of construction activities

(11) Specific Activity Requirements: N/A

For acquisition activities, include:

- discount rate

For financing activities, include: N/A

- range of interest rates

For housing related activities, include:

- duration or term of assistance;
- tenure of beneficiaries--rental or homeownership;
- a description of how the design of the activity will ensure continued affordability

**Response:**

The City of Hialeah, acting as both the general contractor and developer utilizing City construction staff as well as outside trades thus reducing profit, overhead, and construction costs, will develop 40 - 45 units of rental, affordable (\$300.00 a month), safe and decent housing for low and moderate-income individuals and families, a majority of which are at or below 50% of median income. Since the project will be owned and

managed by the City of Hialeah, it will be maintained as all other City facilities, including municipal buildings, parks and recreation centers, with zero financing, and debt free, ensuring that the facility will continue to serve our low-income population at an affordable rent for the life of the project. As a City owned, operated, and managed facility, with our proven track record, it will ensure continued affordability for a period of over 20 years.

*Please note that as this document is a substantial amendment to the approved Action Plan for FY 08-09, any and all references to other required CDBG regulations not included herein, are addressed in the original plan.*

## **CERTIFICATIONS**

(1) **Affirmatively furthering fair housing.** The jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-lobbying.** The jurisdiction will comply with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

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

(4) **Consistency with Plan.** The housing activities to be undertaken with NSP funds are consistent with its consolidated plan, which means that NSP funds will be used to meet the congressionally identified needs of abandoned and foreclosed homes in the targeted area set forth in the grantee's substantial amendment.

(5) **Acquisition and relocation.** The jurisdiction will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the Notice for the NSP program published by HUD.

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

(7) **Citizen Participation.** The jurisdiction is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.

(8) **Following Plan.** The jurisdiction is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

(9) **Use of funds in 18 months.** The jurisdiction will comply with Title III of Division B of the Housing and Economic Recovery Act of 2008 by using, as defined in the NSP Notice, all of its grant funds within 18 months of receipt of the grant.

(10) **Use NSP funds  $\leq$  120 of AMI.** The jurisdiction will comply with the requirement that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income.

(11) **Assessments.** The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive Force.** The jurisdiction certifies that it has adopted and is enforcing: (1) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and (2) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

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

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

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

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Frederick H. Marinelli  
Signature/Authorized Official

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Date

Director Grants and Human Services  
Title

# NSP Substantial Amendment Checklist

*For the purposes of expediting review, HUD asks that applicants submit the following checklist along with the NSP Substantial Amendment and SF-424.*

## **Contents of an NSP Action Plan Substantial Amendment**

Jurisdiction(s): <b><u>City of Hialeah</u></b> Lead Agency Jurisdiction Web Address: <u>www.hialeahfl.gov</u> (URL where NSP Substantial Amendment materials are posted)	NSP Contact Person: <b><u>Frederick H Marinelli, Director</u></b> Address: <b><u>City of Hialeah, Dept. of Grants and Human Services, 501 Palm Avenue, 1st Floor</u></b> Telephone: <b><u>305-883-5839</u></b> Fax: <b><u>305-883-5817</u></b> Email: <b><u>Fmarinelli@hialeahfl.gov</u></b>
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The elements in the substantial amendment required for the Neighborhood Stabilization Program are:

### ***A. AREAS OF GREATEST NEED***

Does the submission include summary needs data identifying the geographic areas of greatest need in the grantee’s jurisdiction?

**Yes X** No . Verification found on page **1 - 2.**

### ***B. DISTRIBUTION AND USES OF FUNDS***

Does the submission contain a narrative describing how the distribution and uses of the grantee’s NSP funds will meet the requirements of Section 2301(c)(2) of HERA that funds be distributed to the areas of greatest need, including those with the greatest percentage of home foreclosures, with the highest percentage of homes financed by a subprime mortgage related loan, and identified by the grantee as likely to face a significant rise in the rate of home foreclosures?

**Yes X** No . Verification found on page **3.**

*Note:* The grantee’s narrative must address the three stipulated need categories in the NSP statute, but the grantee may also consider other need categories.

### ***C. DEFINITIONS AND DESCRIPTIONS***

For the purposes of the NSP, do the narratives include:

- a definition of “blighted structure” in the context of state or local law,  
 Yes  No . Verification found on page **N/A.**
- a definition of “affordable rents,”  
**Yes X** No . Verification found on page **3.**

- a description of how the grantee will ensure continued affordability for NSP assisted housing,  
**Yes X** No . Verification found on pages **3–4.**
- a description of housing rehabilitation standards that will apply to NSP assisted activities?  
Yes  No . Verification found on page **N/A.**

**D. LOW INCOME TARGETING**

- Has the grantee described how it will meet the statutory requirement that at least 25% of funds must be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals and families whose incomes do not exceed 50% of area median income?  
**Yes X** No . Verification found on page **4.**
- Has the grantee identified how the estimated amount of funds appropriated or otherwise made available will be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals or families whose incomes do not exceed 50% of area median income?  
Yes  No . Verification found on page **N/A.**  
Amount budgeted = \$ \_\_\_\_.

**E. ACQUISITIONS & RELOCATION**

Does grantee plan to demolish or convert any low- and moderate-income dwelling units?

Yes  **No X**. (If no, continue to next heading) **N/A**  
Verification found on page \_\_\_\_.

If so, does the substantial amendment include:

- The number of low- and moderate-income dwelling units—i.e.,  $\leq 80\%$  of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities?  
Yes  No . Verification found on page **N/A.**
- The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e.,  $\leq 120\%$  of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion)?  
Yes  No . Verification found on page \_\_\_\_.
- The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income?  
Yes  No . Verification found on page \_\_\_\_.

***F. PUBLIC COMMENT PERIOD***

Was the proposed action plan amendment published via the grantee jurisdiction's usual methods and on the Internet for no less than 15 calendar days of public comment?

**Yes X** No . Verification found on page **5.**

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

No, none received.

Yes  **No X** Verification found on page **5.**

***G. INFORMATION BY ACTIVITY***

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

- eligible use of funds under NSP,  
**Yes X** No . Verification found on page **5 - 6.**
- correlated eligible activity under CDBG,  
**Yes X** No . Verification found on page **6.**
- the areas of greatest need addressed by the activity or activities,  
**Yes X** No . Verification found on page **1 - 2.**
- expected benefit to income-qualified persons or households or areas,  
**Yes X** No . Verification found on pages **3.**
- does the applicant indicate which activities will count toward the statutory requirement that at least 25% of funds must be used to purchase and redevelop abandoned or foreclosed upon homes or residential properties for housing individuals and families whose incomes do not exceed 50% of area median income?  
**Yes X** No . Verification found on page **4.**
- appropriate performance measures for the activity,  
**Yes X** No . Verification found on page **3.**
- amount of funds budgeted for the activity,  
**Yes X** No . Verification found on page **6.**
- the name, location and contact information for the entity that will carry out the activity,  
**Yes X** No . Verification found on page **7.**
- expected start and end dates of the activity?  
**Yes X** No . Verification found on page **7 and 424 Form.**
- If the activity includes acquisition of real property, the discount required for acquisition of foreclosed upon properties,

- Yes  **No X** Verification found on page N/A.
- If the activity provides financing, the range of interest rates (if any),  
Yes  **No X** Verification found on page N/A.
  - If the activity provides housing, duration or term of assistance,  
**Yes X** No . Verification found on page 3-4.
  - tenure of beneficiaries (e.g., rental or homeownership),  
**Yes X** No . Verification found on pages 3-4.
  - does it ensure continued affordability?  
**Yes X** No . Verification found on pages 7-8.

**H. CERTIFICATIONS**

The following certifications are complete and accurate:

- |  |              |                             |
|--|--------------|-----------------------------|
| (1) Affirmatively furthering fair housing                  | <b>Yes X</b> | No <input type="checkbox"/> |
| (2) Anti-lobbying  | <b>Yes X</b> | No <input type="checkbox"/> |
| (3) Authority of Jurisdiction                              | <b>Yes X</b> | No <input type="checkbox"/> |
| (4) Consistency with Plan                                  | <b>Yes X</b> | No <input type="checkbox"/> |
| (5) Acquisition and relocation                             | <b>Yes X</b> | No <input type="checkbox"/> |
| (6) Section 3  | <b>Yes X</b> | No <input type="checkbox"/> |
| (7) Citizen Participation                                  | <b>Yes X</b> | No <input type="checkbox"/> |
| (8) Following Plan   | <b>Yes X</b> | No <input type="checkbox"/> |
| (9) Use of funds in 18 months                              | <b>Yes X</b> | No <input type="checkbox"/> |
| (10) Use NSP funds ≤ 120 of AMI                            | <b>Yes X</b> | No <input type="checkbox"/> |
| (11) No recovery of capital costs thru special assessments | <b>Yes X</b> | No <input type="checkbox"/> |
| (12) Excessive Force                                       | <b>Yes X</b> | No <input type="checkbox"/> |
| (13) Compliance with anti-discrimination laws              | <b>Yes X</b> | No <input type="checkbox"/> |
| (14) Compliance with lead-based paint procedures           | <b>Yes X</b> | No <input type="checkbox"/> |
| (15) Compliance with laws                                  | <b>Yes X</b> | No <input type="checkbox"/> |