

**CITY CLERK'S OFFICE**  
**CITY HALL**  
**BUFFALO**  
August 15, 2016

To Whom It May Concern:

I hereby Certify, That at a Special Session of the Common Council of the City of Buffalo, held in the City Hall, on The 26th day of July 2016, The following Resolution was PASSED which the following is a true copy.

**FROM THE OFFICE OF STRATEGIC PLANNING**  
**NO. 10**  
**ANNUAL ACTION PLAN AMENDMENTS**

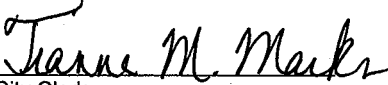
Attached for your Honorable Body's consideration is an amendment for prior and current year Annual Action Plans. The Amendment includes projects/services that are already within the City's Annual Action Plan and adjusts budget lines in the current and prior Annual Action Plans to support those commitments. In summary, there are CHDO projects that are currently underway with Matt Urban and Black Rock Riverside NHS that need additional funds in order to bring them to successful completion. This amendment will move those stalled homebuyer/homeowner rehabilitation projects forward at 21 S. Ryan, 928 & 933 Fillmore, and 245 Dearborn streets. In addition, this amendment includes a proposal to replenish CDBG program delivery line and cover administration costs that were incurred due to HOME expenses and auditing costs. Furthermore, there is a project proposed in order to provide a HVAC unit needed at West Side Community Center, which is an identified "cooling center" for the City of Buffalo. Lastly, there is a minor amendment to update the description of the fund usage for substantial rehabilitation for rental rehabilitations or new construction of multi-family, or homebuyer housing. There will be a public hearing held on July 26<sup>th</sup>, 2016 at 6:00pm in conference room 901 to open up this item to the community for comments and answer any questions they may have. The public 30 day comment period will expire on August 26<sup>th</sup>, 2016.

I respectfully request that your Honorable Body:

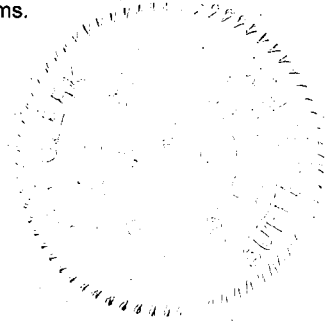
- (1) Approve the attached amendment for the Annual Action Plan and prior years;
- (2) Authorize the Mayor, or his designee to execute the amendments and related documentation required or useful in facilitating the city's receipt and utilization of the subject funding, consistent with the rules and regulations governing the CDBG and HOME programs.

**PASSED**

**AYES - 8 NOES - 0**

ATTEST   
Deputy City Clerk

The above Resolution was signed by the Mayor on 07/28/2016 and returned to the City Clerk on 08/12/2016



**City Clerk's Department  
BUFFALO**

**July 28, 2016**

**HON. BYRON W. BROWN  
MAYOR OF BUFFALO**

**DEAR SIR:**

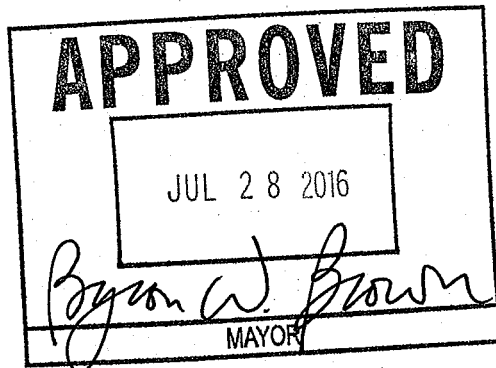
Pursuant to the provisions of Section 3-19 of the Charter, I present herewith the attached resolution item.

**No. 10**

**PASSED July 26, 2016**

**Annual Action Plan Amendments**

**Gerald A Chwalinski  
City Clerk**



FILED  
CITY CLERK  
2016 AUG 12 PM 4:13

No. 10  
Annual Action Plan Amendments  
(No. 1702, CCP 7/19/2016)

**PASSED**

COMMUNICATION TO THE COMMON COUNCIL

42

**To:** Common Council  
**From:** Executive  
**Date:** July 14, 2016  
**Re:** Annual Action Plan Amendments

01702

**Prior Council Reference:** N/A

Attached for your Honorable Body's consideration is an amendment for prior and current year Annual Action Plans.

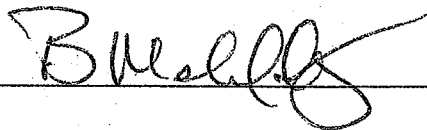
The Amendment includes projects/services that are already within the City's Annual Action Plan and adjusts budget lines in the current and prior Annual Action Plans to support those commitments. In summary, there are CHDO projects that are currently underway with Matt Urban and Black Rock Riverside NHS that need additional funds in order to bring them to successful completion. This amendment will move those stalled homebuyer/homeowner rehabilitation projects forward at 21 S. Ryan, 928 & 933 Fillmore, and 245 Dearborn streets. In addition, this amendment includes a proposal to replenish CDBG program delivery line and cover administration costs that were incurred due to HOME expenses and auditing costs. Furthermore, there is a project proposed in order to provide a HVAC unit needed at West Side Community Center, which is an identified "cooling center" for the City of Buffalo. Lastly, there is a minor amendment to update the description of the fund usage for substantial rehabilitation for rental rehabilitations or new construction of multi-family, or homebuyer housing.

There will be a public hearing held on July 26<sup>th</sup>, 2016 at 6:00pm in conference room 901 to open up this item to the community for comments and answer any questions they may have. The public 30 day comment period will expire on August 26<sup>th</sup>, 2016.

I respectfully request that your Honorable Body:

- (1) Approve the attached amendment for the Annual Action Plan and prior years;
- (2) Authorize the Mayor, or his designee to execute the amendments and related documentation required or useful in facilitating the city's receipt and utilization of the subject funding, consistent with the rules and regulations governing the CDBG and HOME programs.

SIGNATURE



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DEPARTMENT HEAD: Brendan R. Mehaffy, Esq.

TITLE: Executive Director, Mayor's Office of Strategic Planning

REFERRED TO THE COMMITTEE  
ON COMMUNITY DEVELOPMENT.

11

42

**AMENDMENT TO THE CITY OF BUFFALO'S ANNUAL ACTION PLANS  
PROPOSED CHANGES**

The City will amend its Annual Action Plan whenever it makes one of the following decisions: to make a change in its allocation priorities or the method of distributing funds; to carry out an activity using funds from any program covered by the Consolidated Plan (including program income) not previously described in the Action Plan; or to change the purpose, scope, location and/or beneficiaries of the activity.

The City will use the following criteria to determine what changes in planned or on-going activities constitute a substantial amendment to the Annual Action Plan: substantial change occurs when the cumulative effect of an activity's budget amount is increased or decreased by more than twenty-five percent (25%), or when interim financing such as float loans are provided. A substantial change is not moving funds from unencumbered project balances from one year to another year for similar activities within the same target area. Nor is it transferring funds within the same HUD-eligible categories.

The City of Buffalo will be holding a public hearing on these amendments at City Hall, 62 Niagara Street, Buffalo, NY 14202 at 6:00pm on the 9<sup>th</sup> Floor, Conference Room 901. The City will provide a comment period of 30 days from the date of this Public Hearing. The comment period for this amendment will end on August 26, 2016. The City will consider any comments, or views of citizens received in writing by August 26, 2016. The City will respond in writing to any comments made on these amendments. The amendments will be submitted to HUD along with a summary of any comments received, the City's written response, and a summary of any comments not accepted and the reasons therefore.

**CDBG AMENDMENTS TO THE 2015-2016 ANNUAL ACTION PLAN**

The City will amend its current year 2015-2016 Annual Action Plan to increase funding to the following Projects:

	Proposed Project Amount
Homebuyer/Homeowner Rehabilitation Program - Citywide	\$333,253.00

**Homebuyer/Homeowner Rehabilitation Program – Citywide**

**Proposed Amount: \$333,253.00**

The City will provide funding for the acquisition, rehabilitation and resale of one and two family structures city-wide. Homes will be brought into compliance with local codes and lead based paint hazard reduction standards before resale to qualifying families. Eligible repairs may address code related issues, health and safety violations, substandard conditions, and lead based paint hazards, and will include the repair, or replacement of major housing systems as necessary. This amendment will address additional funds needed for the project completion of 21 S. Ryan (IDIS# 9065; 36-70503), 928 Fillmore Ave. (IDIS#9063; 39-70502), 933 Fillmore Ave. (IDIS #9064; 39-70502) and 245 Dearborn St. (IDIS#9061;40-70502). Moreover, funding will be used to provide renovations to owner-occupied properties purchased through the In Rem auction process; or through a private sale within the past two years; and to existing owner-occupied properties in need of repairs. Eligible repairs may address code related issues, health and safety violations, substandard conditions, and lead-based paint hazards, and will include the repair or replacement of major housing systems as necessary. The projects are eligible under 570.202 Rehabilitation Activities.

The project will be funded from current year projects having left over balances, where bids for the work came in under budget, or projects that were not carried out and will no longer be funded as follows:

<u>Funding Source:</u>	<u>Current Project Amt Including Prior Amendments</u>	<u>Reduction</u>	<u>Amended Project Amt.</u>	<u>Project Status</u>
Section 108 Debt Repayment - 2015, CPS #11	\$541,056.00	\$333,253.00	\$207,803.00	Ongoing

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**The City will amend its current year Annual Action Plans to increase funding to the following projects:**

	<u>Current Project Amt Including Prior Amendmets</u>	<u>Increase</u>	<u>Amended Project Amt.</u>	<u>Project Status</u>
Program Delivery - Homeownership Assistance	\$ 0	\$ 150,000.00	\$150,000.00	Ongoing

**CDBG Program Delivery**

**Proposed Amount: \$150,000.00**

Funding will be allocated to provide funds necessary for the carrying out of duties associated with this project. Efforts were supported by an old project line 37-50901 (IDIS#8123) and funds have now been completely drawn. Propose that this project will now funded under the project/activity ID of 41-50901 and funds will be pulled from the unused remaining balance from Section 108 repayments post Housing Amendment allocation. The project complies with cost principles (24 CFR Subpart C 570.200 (a) (5); OMB Circular A-87).

<u>Funding Source:</u>	<u>Current Project Amt Including Prior Amendments</u>	<u>Reduction</u>	<u>Amended Project Amt.</u>	<u>Project Status</u>
Section 108 Debt Repayment - 2015, CPS #11	\$207,803.00	\$150,000	\$57,803.00	Ongoing

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The City will amend its current year Annual Action Plans to increase funding to the following projects:

	Current Project Amt Including Prior Amendmets	Increase	Amended Project Amt.	Project Status
General Administration - 2015, CPS #21	\$ 2,756,925.00	\$ 370,000.00	\$ 3,126,925.00	Ongoing

**General Administration – 2015, CPS #21** **Proposed Amount: \$370,000.00**

Funding is needed to cover HOME costs & costs associated with the outside Auditor (EFPR Group CPA) as well as, City Auditor salaries. The project complies with cost principles (24 CFR Subpart C 570.200 (a) (5) & (3) (d); OMB Circular A-87).

**Funding Source:**

	Current Project Amt Including Prior Amendments	Reduction	Amended Project Amt.	Project Status
Section 108 Debt Repayment - 2015, CPS #11	\$57,803.00	\$57,803.00	\$0	Closeout

Remaining funds needed to fund the project will be pulled from unallocated program income in the amount of \$312,197.00

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The City will amend its current year Annual Action Plans to increase funding to the following projects:

	Current Project Amt Including Prior Amendmets	Increase	Amended Project Amt.	Project Status
West Side Community Services Community Center Improvements - 2015	\$ 0	\$ 190,000.00	\$190,000.00	Ongoing

**West Side Community Center Improvements – 2015** **Proposed Amount: \$190,000.00**

We are including a project that was not previously identified in the current Annual Action Plan (PY41) to assist West Side Community Center, a community center that has been identified as a "cooling center" for the City of Buffalo. The funding will address repairs needed to the current HVAC system at the center. It includes the installation of a multiple split system air conditioning unit within this community center. A new activity will be added to local CDBG ID 41-50203.

**Funding Source:**

	Current Project Amt Including Prior Amendments	Reduction	Amended Project Amt.	Project Status
Community Center Improvements PY41 - 2015,	\$1,327,460.75	\$190,000.00	\$1,137,460.75	Ongoing

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**MINOR AMENDMENT:**

Description:

Lastly, please note that we are updating the description of Substantial rehabilitation (renters) located on pages 29 of the year 41 AAP (2015-2016). Funds will be provided as full or partial conditional loans/grants to create new affordable units and have already been allotted to rental rehabilitation, or new construction. There are no additions or reductions with this minor amendment and the AAP will be updated as follows:

Substantial Rehabilitation- Rental Rehabilitation or New Construction -- Multi-Family or Homebuyer Housing:

The program will provide for the rehabilitation of investor owned multi-family structures in targeted areas, or identified problem properties, or new construction of rental or homebuyer units, to ensure the availability of decent, safe and affordable housing for very low, low, and moderate income homebuyer or renter households. Multifamily Rental Housing funds will be used for expenses that bring assisted units into compliance with local standards, including interim controls to alleviate lead based paint hazards.

The City distributes funding through an RFP process. Proposals are rated based on market analysis, cost effectiveness, development team experience and qualifications, M/WBE participation, and the amount of outside funding being leveraged. It is anticipated that up to 18 units will be assisted, although it is difficult to project the exact number of units before proposals and submitted. The RFP process allows the city to prioritize projects that provide the greatest number of housing units for the lowest HOME investment, in order to maximize program benefits.



Annual Action Plan Amendments (Strat Plan)  
(Item No. 10, C.C.P., July 26, 2016)

Mr. Rivera moved:

That the above item be, and the same hereby is, returned to the Common Council with a recommendation for approval;

That the Common Council hereby approves the Amendments to the Annual Action Plan and prior years to include projects/services that are already within the City's Annual Action Plan and to adjust the current and prior Annual Plans to support those commitments; and

That the Common Council hereby authorizes the Mayor, or his designee to execute the amendments and related documents required or useful in facilitating the City's receipt and utilization of the subject funding, consistent with the rules and regulations governing the CDBG and HOME programs.

PASSED  
AYES – 8 NOES - 0

	* AYE *	* NO *	
<u>FEROLETO</u>	*	*	*
	*	*	*
<u>FONTANA</u>	*	*	*
	*	*	*
<u>FRANCZYK</u>	*	*	*
	*	*	*
<u>GOLOMBEK</u>	*	*	*
	*	*	*
<u>PRIDGEN</u>	*	*	*
	*	*	*
<u>RIVERA</u>	*	*	*
	*	*	*
<u>SCANLON</u>	*	*	*
	*	*	*
<u>WINGO</u>	*	*	*
	*	*	*
<u>WYATT</u>	*	*	*
	*	*	*

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 [ 3/4 - 7 ]

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