

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Community and Human Development

**AGENDA DATE:** May 5, 2009

**CONTACT PERSON/PHONE:** William Lilly/541-4643

**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:**

**APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

Discussion and action on a Resolution amending the 2005-2010 Consolidated Plan to add a Homelessness Prevention and Rapid Re-Housing Program (HPRP) component, with Homeless Needs addressed by HPRP activities being rated as "high priority needs" in the Homeless Needs Table for Individuals and Families in the 2005-2010 Consolidated Plan, and amending the City's 2008-2009 Annual Action Plan by adding HPRP-funded activities as specified in Attachment A attached hereto; authorizing the City Manager to sign and submit necessary forms and related certifications to HUD as part of the amended 2008-2009 Annual Action Plan; authorizing the City Manager to sign a Grant Agreement with HUD for the HPRP grant funding which is being distributed based on the formula used for the Emergency Shelter Grant Program; and authorizing the City Manager to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

**BACKGROUND / DISCUSSION:**

**Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?**

The Homeless Prevention and Rapid Re-Housing Program (HPRP) was established by Congress under the American Recovery and Reinvestment Act of 2009 signed by President Obama on February 17, 2009. The HPRP would allow the City of El Paso to give priority consideration and the ability to focus additional federal funds 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 homeless as defined by Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302). There are four types of eligible activities for the HPRP: 1) financial assistance; 2) housing relocation and stabilization services; 3) data collection and evaluation; and (4) administrative costs. 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 will 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. All activities will receive HPRP funding as a part of the City's 34<sup>th</sup> Year (2008-2009) Annual Action Plan in the form of a substantial amendment as stipulated by HUD and attached hereto as Attachment A and will serve the entire city. **(All Districts)**

A Notice was placed in the El Paso Times in English and in the El Diario in Spanish on April 22, 2009 to allow a HUD-approved 12-day period for public comment ending May 4, 2009; HUD reduced the usual 30-day required public comment period due to the expedited nature of this amendment as is explained in HUD's HPRP Notice, Docket No. FR-5307-N-01. The City has also complied with HUD's recommendation that each grantee post its substantial amendment materials on the official City of El Paso website as they were developed. Any citizen comments received after the submittal of this Agenda Item Department Head's Summary Form will be forwarded to City Council for consideration.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

On June 26, 2007, City Council approved a regulatory Amendment to the 2005-2010 Consolidated Plan. On August 26, 2008, City Council approved an Amendment to its 2005-2010 Consolidated Plan adding a Neighborhood Revitalization Strategy Area (NRSA) component, allowing the Department of Community and Human Development to request official designation of the areas as NRSA's by HUD (after receiving public comment) that was approved by HUD on November 12, 2008; and on November 18, 2008, City Council approved an Amendment to its 2005-2010 Consolidated Plan to add a Neighborhood Stabilization Program component and an Amendment to its 2008-2009 Annual Action Plan to add Neighborhood Stabilization Program activities (after receiving public comment) that were approved by HUD on January 26, 2009. Many other such amendments have also been approved by City Council in prior years.

**AMOUNT AND SOURCE OF FUNDING:**

**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?**

The notice of availability of the HPRP was effective March 19, 2009. Therefore, the City of El Paso is applying for HPRP funds in the amount of \$3,492,976 that will be available locally. HPRP funds awarded to jurisdictions will need to be expended within three years. The City is submitting the formal amendment (Attachment A) for HPRP funding to HUD.

**BOARD / COMMISSION ACTION:**

**Enter appropriate comments or N/A**

The recommendation to amend the City of El Paso's 2005-2010 Consolidated Plan by adding an HPRP component was presented to the Community Development Steering Committee on April 16, 2009. The Steering Committee unanimously accepted the recommendation by voting affirmatively on a motion to accept the recommendation.

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:**  \_\_\_\_\_  
(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## RESOLUTION

**WHEREAS**, on July 19, 2005, the City Council for the City of El Paso adopted a five-year (2005-2010) Consolidated Plan that serves as a comprehensive housing affordability strategy, community development plan, and submission for funding programs that address homelessness and homelessness prevention such as the Emergency Shelter Program and Community Development Block Grant Public Services homeless programs which were submitted to the U.S. Department of Housing and Urban Development (HUD); and

**WHEREAS**, on June 26, 2007, the City Council for the City of El Paso first amended the 2005-2010 Consolidated Plan to comply with new HUD regulations that became effective March 13, 2006, and again amended the 2005-2010 Consolidated Plan on August 26, 2008 to add a Neighborhood Revitalization Strategy Area component that was approved by HUD on November 12, 2008; and once again amended the 2005-2010 Consolidated Plan on November 18, 2008 to add a Neighborhood Stabilization Program component that was approved by HUD on January 26, 2009; and

**WHEREAS**, the City Council, based on the recommendation of the Director of the Community and Human Development Department and Department staff, now desires to amend the 2005-2010 Consolidated Plan by adding a Homelessness Prevention and Rapid Re-Housing Program (HPRP) component, with Homeless Needs addressed by HPRP activities being rated as "high priority needs" in the Homeless Needs Table for Individuals and Families in the 2005-2010 Consolidated Plan, and to amend the Annual Action Plan (2008-2009) by adding HPRP-funded activities as specified in Attachment A; and

**WHEREAS**, on April 22, 2009, the City of El Paso published in the El Paso Times public notice to allow a 12-day public comment period regarding the proposed amendment to the 2005-2010 Consolidated Plan in conjunction with HUD's reduced requirement under Title XII of Division A of the American Recovery and Reinvestment Act as explained in HUD's HPRP Notice, Docket No. FR-5307-N-01, shortening the public comment period from 30 days to 12 days due to the expedited nature of the amendment, and the City also complied with HUD's recommendation that each grantee post its substantial amendment materials on the grantee's official website as the materials are developed, and City Council has duly considered public comment, if any; and

### **NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the 2005-2010 Consolidated Plan is hereby amended as follows:

Adding a Homelessness Prevention and Rapid Re-Housing Program (HPRP) component with Homeless Needs addressed by HPRP activities rated as "high priority needs" in the Homeless Needs Table for Individuals and Families in the 2005-2010 Consolidated Plan, and amending its Annual Action Plan (2008-2009) to allow the City of El Paso to use CDBG funds specifically designated for HPRP activities, as specified in Attachment A, to give priority consideration and focus additional federal funds 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 homeless as defined by Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302). **(All Districts)**.

2. That the City Manager be authorized to sign and submit to the U.S. Department of Housing and Urban Development (HUD) a Form SF-424, a Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (Attachment A), as part of the amended Annual Action Plan (2008-2009), and related HPRP certifications contained therein.
3. That the City Manager be authorized to sign a Grant Agreement with HUD for the HPRP formula grant covered by the City's Annual Action Plan.
4. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

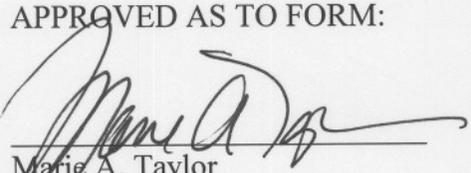
CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

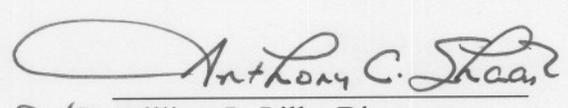
ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Marie A. Taylor  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
for William L. Lilly, Director  
Community and Human Development

## **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](http://www.hudhre.info)). This site will be regularly updated to include HPRP resources developed by HUD and its technical assistance providers.

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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	<b>City of El Paso, Texas</b>
Name of Entity or Department Administering Funds	<b>Department of Community and Human Development</b>
HPRP Contact Person (person to answer questions about this amendment and HPRP)	<b>Bill Lilly</b>
Title	<b>Director</b>
Address Line 1	<b>#2 Civic Center Plaza, 8<sup>th</sup> Floor</b>
Address Line 2	
City, State, Zip Code	<b>El Paso, Texas 79901-1196</b>
Telephone	<b>(915) 541-4643</b>
Fax	<b>(915) 541-4370</b>
Email Address	<b><u><a href="mailto:lillywl@elpasotexas.gov">lillywl@elpasotexas.gov</a></u></b>
Authorized Official (if different from Contact Person)	<b>Joyce Wilson</b>
Title	<b>City Manager</b>
Address Line 1	<b>#2 Civic Center Plaza, 10<sup>th</sup> Floor</b>
Address Line 2	
City, State, Zip Code	<b>El Paso, Texas 79901-1196</b>
Telephone	<b>(915) 541-4844</b>
Fax	<b>(915) 541-4866</b>
Email Address	<b><a href="http://www.elpasotexas.gov/city_manager/">http://www.elpasotexas.gov/city_manager/</a></b>
Web Address where this Form is Posted	<b><a href="http://www.elpasotexas.gov/commdev/forms.asp">http://www.elpasotexas.gov/commdev/forms.asp</a></b>

Amount Grantee is Eligible to Receive*	<b>\$3,492,976</b>
Amount Grantee is Requesting	<b>\$3,492,976</b>

\*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 City of El Paso's Department of Community and Human Development prepared the proposed substantial amendment and presented it on April 16, 2009 to the Community Development (CD) Steering Committee, a citizen advisory group appointed by the Mayor and City Council to review and make recommendations on CD processes and awards. The Steering Committee unanimously approved the version provided to HUD. On April 22, 2009, the proposed amendment was advertised in the local newspaper for publication. The public had 12 days, or until May 4, 2009, to comment on the proposed amendment. The El Paso City Council held a public hearing on May 5, 2009, to receive additional public input and to approve the amendment submitted.**

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:

**Pending.**

**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.

1. Check the process(es) that the grantee plans to use to select subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.

- Competitive Process
- Formula Allocation

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

Other (Specify: \_\_\_\_\_)

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

Response:

**The City will issue three RFPs (Homeless Prevention, Rapid Re-housing and Data Collection and Evaluation) in the following five categories to ensure coverage throughout the City of El Paso: (1) Homelessness Prevention - Central Area of El Paso; (2) Homelessness Prevention – Lower Valley Area of El Paso; (3) Homelessness Prevention – Northeast/East Areas of El Paso (4) Rapid Re-housing; and (5) HPRP – HMIS – Data Collection and Evaluation. The City will also set aside 5% of the total HPRP award for homeless prevention activities to enhance one or more of the targeted areas or to fill funding or service gaps. City staff and the CD Steering Committee will evaluate applications based upon the following:**

- Experience in assessing the needs of the homeless;
- Work on housing stability;
- Connecting households with housing and mainstream resources;
- Working with vulnerable populations;
- Using funds for homeless prevention;
- Ability to coordinate and collaborate with other agencies;
- Ability and experience in managing payments to third parties;
- Experience in operating a HUD-approved HMIS; and
- Overall capacity of the applicant.

**All applications will be reviewed for eligibility by CD staff, and all eligible applicants will have an opportunity to present their proposal(s) to the CD Steering Committee in a posted, open meeting. Minimum contract amounts in each category will serve to limit the number of contracts awarded. The consensus CD staff/Steering Committee recommendations will be forwarded to City Council, who will make the final decision on the award amounts. Applicants are prohibited from lobbying City Council or the CD Steering Committee during the selection process.**

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

Response:

**The categories of funding and the percentages of the HPRP award to be allocated to each category are:**

- 19% - Homelessness Prevention – Central Area of El Paso**
- 19% - Homelessness Prevention – Lower Valley Area of El Paso**
- 19% - Homelessness Prevention – Northeast/East Areas of El Paso**
- 5% - Homelessness Prevention – City Set-Aside**

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

29% - Rapid Re-Housing  
4% - Data Collection and Evaluation  
5% - Administration  
100%

**HPRP funds will be allocated to subgrantees based upon the amount allocated to the category of funding, the requests for funding in the applications submitted, the rating of the applications by the CD staff and CD Steering Committee, and the minimum award amounts set for each category.**

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 subgrantees (limit 500 words).

Response:

**Applicants will provide detailed budgets for funds requested, the number of households they expect to assess and assist, and the expected outcomes. Data on the number assessed and assisted will be recorded monthly in IDIS and checked against progress toward contract goals. Subgrantees will submit monthly reports to the City with data on number of persons served, ethnicity, etc. as they do with CDBG and ESG homeless grants. The City will also track expenditures and spending rates of subgrantees and will expect them to meet or exceed the following:**

- 6 months, 10% of award;
- 12 months, 25% of award;
- 18 months 45% of award;
- 24 months, 62 % of award;
- 30 months, 84% of award;
- 35 months, 99% of award.

**This will ensure that the City complies with the HPRP requirement that at least 60% of grant funds are expended within 2 years and 100% within 3 years. If a subgrantee experiences a significant shortfall in meeting benchmarks on expenditures, performance or both, the City will review the project. The City will provide technical assistance, and if the goals do not appear to be feasible, the City may reassign a portion of the funds to another eligible subgrantee. The City will implement fiscal and programmatic monitoring procedures similar to those used to monitor use of prevention funding under ESG, but tailored to HPRP requirements. In particular, the City will track subgrantee compliance with and documentation of HPRP eligibility requirements, such as household income at or below 50% of Area Median Income. Subject to additional outcome and other reporting to be required by HUD, the City expects measurable outcomes to include a significant reduction in the number of households (especially families) that become homeless, a reduction in the time households who do become homeless**

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

**stay in emergency shelter, and an increase in the number of households able to successfully move from transitional to permanent housing.**

**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 El Paso will contact local agencies that will obtain Stimulus funds from the U.S. Departments of Education, Labor and Health and Human Services to identify programs and activities that will be funded to coordinate the City's efforts in implementing the HPRP. Subcontractors will be required to show how they will coordinate efforts with other local agencies receiving Stimulus funds. Through the monthly general membership meetings of the El Paso Coalition of the Homeless, local agencies working with the Stimulus program will be brought together to exchange dialogue regarding the programs being operated in El Paso, thus identifying avenues for coordination among the agencies.**

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

Response:

**The City has worked with representatives of the Continuum of Care in developing this amendment. The plans for use of HPRP funding were developed based on Continuum information on the quantity and use of existing resources for prevention; HMIS data on the number of households who become homeless in a year primarily due to economic reasons and the various other risk factors they faced; and HMIS data on the success of programs in being able to link homeless households to mainstream resources. A broad range of homeless providers and prevention providers joined in discussion sessions regarding the best use of HPRP funds. Work groups from the Continuum of Care refined recommendations and the lead entity (El Paso Coalition for the Homeless) for the Continuum presented recommendations to the City. The City staff further reviewed and made use of the recommendations in coming up with the proposed amendment and the procedures that will be used to in implementing the amendment. The plans envision that the subgrantee will make heavy use of mainstream resources in order to return households to housing stability, as they do with other homeless housing and services programs.**

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

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's Consolidated Plan describes how most financial assistance to prevent homelessness comes from FEMA grants, some faith-based providers and a private foundation. Limited funding means a family might not get the assistance it needs to prevent homelessness. For persons who become homeless, the City's Consolidated Plan envisions using HUD CDBG, ESG and SHP resources to maintain a Continuum of Care for the homeless with a strong focus on safety net shelter and services, and supportive services that lead to self-sustainability. The City and Continuum of Care programs strive to (1) prevent homelessness whenever possible; (2) rapid re-house people when homelessness cannot be prevented; and (3) provide wrap-around services that promote housing stability and self-sufficiency. The Consolidated Plan also describes the City's Ten-Year Plan to End Chronic Homelessness, with key components being development of additional permanent supportive housing, more resources for mental health treatment, and discharge planning.**

**Plans for the use of HPRP grant funds support the City's Consolidated Plan by enabling households to receive the amount of financial assistance needed to prevent homelessness and support services needed to maintain housing stability. HPRP funds also increase the ability of Continuum of Care programs to return homeless households to self-sufficiency and provide more housing opportunities in connection with discharge planning.**

**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.

<b>HPRP Estimated Budget Summary</b>			
	<b>Homelessness Prevention</b>	<b>Rapid Re-housing</b>	<b>Total Amount Budgeted</b>
Financial Assistance <sup>1</sup>	\$1,640,232	\$ 700,000	\$2,340,232
Housing Relocation and Stabilization Services <sup>2</sup>	\$ 546,744	\$ 300,000	\$ 846,744
<b>Subtotal</b> (add previous two rows)	<b>\$2,186,976</b>	<b>\$1,000,000</b>	<b>\$3,186,976</b>

Data Collection and Evaluation <sup>3</sup>	\$ 132,000
Administration (up to 5% of allocation)	\$ 174,000
<b>Total HPRP Amount Budgeted<sup>4</sup></b>	<b>\$3,492,976</b>

<sup>1</sup>Financial 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.

<sup>2</sup>Housing 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.

<sup>3</sup>Data 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.

<sup>4</sup>This 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

**May 5, 2009**  
Date

**City Manager**  
Title

**APPLICATION FOR  
FEDERAL ASSISTANCE**

<b>1. TYPE OF SUBMISSION:</b> Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>2. DATE SUBMITTED</b>	Applicant Identifier
Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier
		<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier

**5. APPLICANT INFORMATION**

Legal Name:		<b>Organizational Unit:</b>	
Organizational DUNS:		Department:	
<b>Address:</b>		Division:	
Street:		<b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b>	
City:		Prefix:	First Name:
County:		Middle Name	
State:		Last Name	
Zip Code	Suffix:		
Country:		Email:	

<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> □□-□□□□□□□□	Phone Number (give area code)	Fax Number (give area code)
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<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) <input type="checkbox"/> <input type="checkbox"/> Other (specify)	<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) Other (specify)
<b>9. NAME OF FEDERAL AGENCY:</b>	

<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program):    □□-□□□□	<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b>
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<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b>
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<b>13. PROPOSED PROJECT</b>	<b>14. CONGRESSIONAL DISTRICTS OF:</b>
Start Date:    Ending Date:	a. Applicant    b. Project

<b>15. ESTIMATED FUNDING:</b>	<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>
a. Federal    \$    .00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant    \$    .00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372
c. State    \$    .00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
d. Local    \$    .00	<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>
e. Other    \$    .00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input type="checkbox"/> No
f. Program Income    \$    .00	
g. TOTAL    \$    .00	

**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.**

<b>a. Authorized Representative</b>		
Prefix	First Name	Middle Name
Last Name		Suffix
b. Title		c. Telephone Number (give area code)
d. Signature of Authorized Representative		e. Date Signed

## INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>B. County</td> <td>J. Private University</td> </tr> <tr> <td>C. Municipal</td> <td>K. Indian Tribe</td> </tr> <tr> <td>D. Township</td> <td>L. Individual</td> </tr> <tr> <td>E. Interstate</td> <td>M. Profit Organization</td> </tr> <tr> <td>F. Intermunicipal</td> <td>N. Other (Specify)</td> </tr> <tr> <td>G. Special District</td> <td>O. Not for Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td></td> </tr> </table>	A. State	I. State Controlled Institution of Higher Learning	B. County	J. Private University	C. Municipal	K. Indian Tribe	D. Township	L. Individual	E. Interstate	M. Profit Organization	F. Intermunicipal	N. Other (Specify)	G. Special District	O. Not for Profit Organization	H. Independent School District		17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled Institution of Higher Learning																		
B. County	J. Private University																		
C. Municipal	K. Indian Tribe																		
D. Township	L. Individual																		
E. Interstate	M. Profit Organization																		
F. Intermunicipal	N. Other (Specify)																		
G. Special District	O. Not for Profit Organization																		
H. Independent School District																			
8.	Select the type from the following list: <ul style="list-style-type: none"> <li>• "New" means a new assistance award.</li> <li>• "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.</li> <li>• "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> </li> </ul>	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		

## **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

May 5, 2009  
Date

City Manager  
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)  
#2 Civic Center Plaza  
El Paso, Texas 79901-1196  
El Paso County

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).

## **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

May 5, 2009  
Date

City Manager  
Title