

# SECTION V

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** - The jurisdiction will affirmatively further fair housing. It will conduct an analysis of 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 that analysis and actions in this regard.

**Anti-displacement and Relocation Plan** - It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

**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 (5) calendar days after such conviction;
5. Notifying the agency in writing, within ten (10) 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 thirty (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 jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or

cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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


**Consistency with plan** - The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA 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 26 2004  
\_\_\_\_\_  
Date

DENNIS HANSBERGER  
Chairman, San Bernardino County Board of Supervisors  
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Title

County Counsel  
Approved 5-25-04  
By   
Deputy

## **SPECIFIC CDBG CERTIFICATIONS**

The Entitlement Community certifies that:

**Citizen Participation** - It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** - Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 Part 570.2 and CFR 24 Part 570)

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

**Use of Funds** - It has compiled with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available;
2. Overall Benefit. The aggregate use of CDBG funds including Section 108 guaranteed loans during program year(s) 2004 (a period specified by the grantee consisting of one (1), two (2), or three (3) specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least seventy (70) percent of the amount is expended for activities that benefit such persons during the designated period;
3. Special Assessments. It 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.

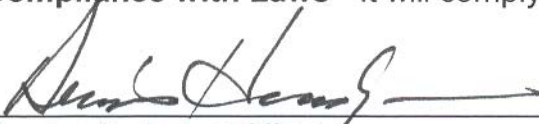
However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.


2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination Laws** - The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint** - Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A,B,J,K and R.

**Compliance with Laws** - It will comply with applicable laws.

  
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Signature/Authorized Official

  
\_\_\_\_\_  
Date

DENNIS HANSBERGER  
Chairman, San Bernardino County Board of Supervisors  
\_\_\_\_\_  
Title

County Counsel  
Approved 5-25-04  
By Melinda Balone  
Deputy





## 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)

County of San Bernardino  
Department of Economic and Community Development  
290 North "D" Street, Sixth Floor  
San Bernardino, CA 92415-0040

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

The certification with regard to the drug-free workplace 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).

# **RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

The County of San Bernardino will replace or if available, identify replacement dwelling units to replace all occupied and vacant occupiable low- and moderate-income dwelling units that have been demolished or converted to a use other than as low- and moderate-income housing, in connection with an activity assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(c)(1).

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the County to provide funds for an activity that will directly result in demolition or conversion, the County will make public, by publication in a newspaper of general circulation, and submit to HUD the following information in writing:

1. A description of the proposed assisted activity;
2. The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activities;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data are not available at the time of the general submission, the County will identify the general location on an area map and the approximate number of dwelling units by size and provide information identifying the specific location and number of dwelling units by size as soon as it is available;
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten (10) years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the housing needs of lower income households in the jurisdiction.

The County of San Bernardino Department of Economic and Community Development (ECD) at (909) 388-0800, in conjunction with the County of San Bernardino Department of Real Estate Services at (909) 387-7844, is responsible for tracking the replacement of housing and ensuring that it is provided within the required period.

ECD and Real Estate Services are responsible for ensuring requirements are met for notification and provision of relocation assistance, as described in 24 CFR 570.606(c)(2), to any lower-income person displaced by the demolition of any dwelling unit or the conversion of a low- and moderate-income dwelling unit to another use in connection with an assisted activity.

Consistent with the goals and objectives of activities assisted under the Act, the County will take the following steps to minimize the displacement of persons from their homes:

1. To the greatest extent feasible, develop new public facilities and improvements only on undeveloped sites.
2. Stage the rehabilitation of apartment units to allow tenants to remain during and after rehabilitation by working with empty units or buildings first.
3. Utilize existing voucher programs to house persons who must be relocated temporarily during rehabilitation.
4. Provide displaced homeowners and renters with information on the assistance available.



# SUMMARY OF CITIZEN COMMENTS

**Following is a summary of comments and views of citizens received in writing or orally regarding proposals recommended for funding during preparation of the Fifth-Year Update of the Consolidated Plan.**

4/6/04

Public testimony at the Board of Supervisors public hearing on the 2004-2005 Action Plan of the 2000-2005 Consolidated Plan:

Linda Holzer Tenny of the Big Bear Hummingbird Project thanked the Supervisors for the support of the children and the youth with the School Supplies Program. Also, Linda Holzer Tenny spoke on behalf of Eternal Light Ministries and thanked the Supervisors for their support of helping to provide food for so many people in the Big Bear Valley. (Proposal #30292, and #30047)

Virginia Geil with the Bloomington Garage described the need for the curb and gutter improvements in the Bloomington area to assist with the Bloomington Garage historical education outreach in the County schools. (Proposal # 30155)

Andrew Carter representing the Burning Bush Baptist Church provided information regarding the different components of the program, including computer technology classes for children, youth, adults and the elderly. Homework tutoring is also available. He requested additional funding. (Proposal # 30216)

Keith Kloke, Vice President, Del Rosa Little League, thanked the Supervisors for their support of the Del Rosa Little League. (Proposal #30214)

Peggi Fries, Executive Director, Desert Sanctuary thanked the Supervisors for the continuing support of the Child Car Services for Victims of domestic violence. She also was thanked them for the Haley House Battered Women Shelter Improvements. (Proposal #30043)

Tray Green of "Shoppin' 4 Seniors" thanked the Third District Supervisor for the support of the Seniors Food Purchasing Program and asked to be reconsidered for additional funding from the other Supervisors. (Proposal #30295)

Roosevelt Lett, Chief Executive, of Fountain of Life presented photographs on the overhead projector depicting facilities at Glen Helen Regional Park that have been improved and that need funding for additional improvements through Fountain of Life's Youth Education and Training Program. He also provided information about the youth mentorship and education for crime and violence intervention and prevention program. (Proposal # 30309, and #30310)

Kirk Dayton, on behalf of the Fountain of Life program, provided additional information in support of the program, especially the probation -mentoring component. He asked that the program be considered for additional funding. (Proposal #30309, and #30310)

Joseph Rodriguez, Co-Founder, of the Gang Reduction Intervention Team (GRIT) described the positive impact the GRIT program provides for at-risk youth and requested additional funding. (Proposal #30004)

Clark Morrow from the San Bernardino County Sheriffs "Operation Clean Sweep" provided additional information in support of the Gang Reduction Intervention Team program and asked for additional funding. (Proposal #30004)

Pam Pike, Interim Principal Colton High School, provided additional information in support of the GRIT program and positive impact it is having on the students in Colton High School. (Proposal #30004)

John Mitchell and Kelly Chastain, Colton City Council Member, provided additional information in support of the GRIT program and how it has benefited the City of Colton's youth and the residents. (Proposal #30004)

Bill Parquette, Program Director of the Joshua Tree Kids Club, Inc, and Melissa English and Sandra English provided information regarding the program and thanked the Supervisors for the funding provided to the program. (Proposal #30197)

Donna Zeller, Volunteer/Patient Care Coordinator of the Mojave Valley Volunteer Hospice explained the need for a Senior Day Care Center to provide respite relief for caregivers in the Barstow area and thanked the City of Barstow and the Supervisors for their support. (Proposals #30221 and #30222)

Dennis Morris, spoke on behalf of Moses House Ministries and thanked the Supervisors for support of his program which helps pregnant teens, single mothers and children in the high desert. (Proposal #30232)

Donna French, Executive Director, Operation Breakthrough, Inc., thanked the Supervisors for the continuing support of the Operation Breakthrough Building project and the "Alternative to Expulsion" program. (Proposals #30092 and #30093)

Ray Lozano spoke on behalf of Operation Breakthrough and thanked the Supervisors for their support of the "Alternative to Expulsion" program. (Proposal #30093)

Sandy Fleck, Director of Reach Out 29, Inc., thanked the Supervisors for the support of Reach Out 29's Senior and Handicapped Medical and Social Service Transportation program. (Proposal #30224)

Patricia Metzger, Past President of Hi-DARE Adult Literacy Program, provided information about the High Desert adult literacy program and how it impacts the entire community. (Proposal #30118)

Karen Pogue, left a written comment with the Clerk of the Board on behalf of Ronald McDonald House Charities of Southern California stating "The Ronald McDonald House wishes to thank each of you for past and continued support." (Proposal #30068)

**Following is a summary of comments and views of citizens in writing or orally regarding proposals that were not recommended for funding during preparation of the Fifth-Year Update of the Consolidated Plan.**

4/6/04

Public testimony at the Board of Supervisors public hearing on the 2004-2005 Action Plan of the 2000-2005 Consolidated Plan:

Angela Saunders, Vice President of the Arroyo Valley Community Economic Development Corporation, provided information regarding the need for affordable housing and her proposal for acquisition of vacant land to develop affordable housing. She asked to be reconsidered for funding. (Proposal # 30292)

Sandra Rutherford, Executive Director of the Camp Fire Boys & Girls Club – Mt San Antonio Council, conveyed the need for pool repair funding and continuing support for the "I'm Peer Proof" program. (Proposal #30253)

Betty Huck spoke in behalf of Pat Watson, Executive Director of Community Investment Corporation, and requested the Supervisors reconsider the funding request for the proposal of technical assistance to micro enterprises for loans. (Proposal #30156)

Yvette Perez in behalf of the Computers For Kids Foundation, provided information about the free computers and training provided to low- and –moderate income youth and asked to be reconsidered for funding. (Proposal #30158)

Marion Kamberg described the need for an access road and stronger bridge to provide an evacuation route and emergency vehicle access. (Proposal #30287)

Robert Torres, presented information on the need for a bridge and access road in the Lytle Creek area. (Proposal #30287)

Emma Gross, Executive Director of Desert Manna Ministries, Inc., thanked the Supervisors for their continuing support. (Proposal #30211)

Denise Cooper-Johnson, spoke on behalf of Enhancing Forward Action, Inc. and their proposal to provide referral services to assist homeless by providing food, nutritional education for the homeless, elderly and low-income persons. She asked for funding. (Proposal #30201)

Joseph Matoush, Pastor, Faith Lutheran Church Food Pantry described the need for the Food Pantry in the Joshua Tree area and asked that the Supervisors reconsider his request for funding. (Proposal #30243)

Linda Montgomery, spoke on behalf of the Family Service Agency of San Bernardino and conveyed the need for the Crestline Food Bank. She requested to be reconsidered for funding. (Proposal #30028)

Pam Bailey-Shimizu, Chief Executive Officer of the First Nations Tribal Family Center, Inc. described her proposal for an intervention program for learning-disabled children and youth. She asked for the program to be funded. (Proposal #30291)

Kenneth Carr, spoke on behalf of Lady "B" Ranch, Inc., thanked the Supervisors for their consideration of the program and asked for funding. (Proposal #30069)

Beverly Smith, Program Manager of Miracles in Recovery, Inc, and Cleo Smith, presented information regarding the need for alcohol and drug recovery housing, transitional housing and housing for the homeless. They asked that they would be reconsidered for funding. (Proposal #30197)

Richard Jarvis, Pastor, Oasis Christian Fellowship Church described the need for the after-school program "Kid Care America" which is provided by volunteers. He requested reconsideration for funding. (Proposal #30190)

Darryl Johnson, Executive Director of Sandlewood Rehabilitation and Development, Inc. conveyed the need for community improvement through job training and housing. He asked to be funded. (Proposal #30144)

Susan Wyman, Area Director, Special Olympics Southern California thanked the City of Barstow for support and requested additional funding from the First Supervisorial District. (Proposal #30191)

Sandy Schaublin, Executive Director, of The Caring Center, Inc. described the program for high at-risk youth and asked that the program be funded. (Proposal #30052)

Michael Hartwick, President of The Lord's Holiness Resource and Carol Hartwick presented information regarding the group home, transition housing and food program. They requested to be reconsidered for funding. (Proposal #30251)

Tommie Lee McDaniel, Owner/President of the Tommie McDaniel Youth Ranch described the need for housing for his program to meet the needs of the youth and elderly. He asked to be reconsidered for funding. (Proposal #30142)

Brenda Keeling, Executive Director of Victor Valley Community Services Council presented information regarding the "First Call For Help" crisis intervention and referral helpline services and requested funding. (Proposal #30296)

Michael Henderson, Administrative Officer of the Yermo Community Services District conveyed the need for blight abatement in the Yermo area. He asked that the program be funded. (Proposals #30096 and #30097)

Susan Rogers, Board Member of the Crestline Chamber of Commerce wrote to express the need for public restrooms in downtown Crestline. We responded to Susan Rogers' letter and sent a 2004-05 County CDBG application package.

Brenda Meyer, President of the Crestline Chamber of Commerce wrote to express the need for additional park and ride lots in the Crestline community. We responded to Brenda Meyer's letter and sent a 2004-05 County CDBG application package.

# COUNTY RESPONSES

The federal regulations governing the Citizen Participation Process require that the plan document include a summary of any comments or views considered in preparing the Consolidated Plan, and include a summary of comments or views not accepted, along with related reasons.

The preceding Summary of Citizen Comments provides information about the comments or views that have been considered, and the comments or views that have not been accepted. The comments or views that have not been accepted have no corresponding proposal on file with the County, or pertain to proposals that have not been recommended for funding.

In all cases, the principal reason for no recommendation of funding for a proposal is the lack of sufficient CDBG funds to meet all needs and to finance all projects. Furthermore, having met the fifteen percent (15%) limitation on public service projects, the County is unable to consider additional public service proposals.