

## **Request for City Council Committee Action from the Department of Intergovernmental Relations**

**Date:** February 8, 2011

**To:** Council Member Elizabeth Glidden  
**Referral to:** IGR/ Committee of the Whole

**Subject:** FY 2012 Federal Agenda

**Recommendation:** Approve the agenda

**Previous Directives:** The city council annually reviews and approves a federal agenda. The agenda includes appropriation requests and policy initiatives.

Prepared and Approved by: Gene Ranieri, Director, IGR

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Presenters in Committee: IGR Staff

### **Supporting Information.**

**A copy of the agenda and power point are attached**

**FY2012 FEDERAL AGENDA**  
*for the*  
**CITY OF MINNEAPOLIS, MINNESOTA**  
**As Adopted on \_\_\_\_\_**

This memorandum outlines areas of Federal government in which the City of Minneapolis has a particular interest or local concern. The Office of Intergovernmental Relations within the City of Minneapolis welcomes any questions on the on these or other issues pending before Congress.

Thank you for helping to build a better Minnesota.

If you have any questions or need additional information, please don't hesitate to contact:

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**Overview**

The 112<sup>th</sup> Congress began its work in January 2011 with a new Republican majority in the House and a smaller Democratic Senate majority. With concern about the economy, job creation, the federal deficit and the role of government the Congress has indicated that it will restrain federal spending and attempt to modify or eliminate several federal domestic programs. The House also approved a rule that bans “earmark” appropriations. The Senate has adopted a similar position.

In his State of the Union address, President Obama sounded similar themes. The President proposed a five year freeze on domestic spending and recommended changes to the individual and corporate tax codes. He also threatened to veto legislation that contains “earmarks”. The President’s plan will be more detailed in the Fiscal Year (FY) 2012 federal budget which is due to be released February 14.

Congress must not only approve FY2012 appropriations but also resolve funding for the remainder of FY2011 which ends on September 30, 2011. Congress has approved several Continuing Resolutions (CR) that have funded the federal government for short time frames. The current CR authorizes FY2011 funding from December 19, 2010 until March 4, 2011.

In developing a CR for the remainder of the year, the House and the Senate will need to agree on the amount of the reductions, and the method to reduce the appropriations. Some House members have introduced legislation that would make \$100.0 billion in cuts and eliminate funding for such programs as the community development block grant (CDBG), the Byrne grants for public safety and the community

services program and the Davis Bacon Act. The bill would also cancel to the federal treasury all unobligated American Recovery and Reinvestment Act funds. House leadership has not endorsed the bill but supports its direction. The House Budget Committee Chair recently announced that he would propose a \$420.0 billion limit on FY2011 discretionary spending. If adopted the limit would equal FY2008 discretionary spending levels.

The next CR could also maintain funding at a prior year's level. FY2010 and FY2008 have been mentioned as possible baseline years.

No matter how the remainder of FY2011 is resolved, cities will be impacted. In addition, the FY2012 President's budget and subsequent Congressional action will extend the impacts well into calendar 2012.

### **FY2012 City of Minneapolis Federal Agenda**

The City of Minneapolis has traditionally adopted a Federal Agenda that include numerous "earmark" requests as well as support for federal appropriations and policies such as health care and telecommunications. The FY2012 Federal agenda emphasizes the importance of several formula and competitive grant programs to the city and recommends modifications to the administration of and use of the grant funds. The Agenda has been reordered to present the current grant programs received or anticipated by the city and public policy positions.

### **Federal Program Grants Received, Applied for, or Anticipated in Minneapolis**

#### **The Department of Housing and Urban Development's Community Development Program**

The Community Development program consists of the community development block grant (CDBG), Housing Opportunities for Persons with Aids (HOPWA), Emergency Shelter Grants (ESG) and the Home Investment Partnership (HOME) program. The four programs approximate \$20.0 million annually.

The city of Minneapolis has participated in the CDBG program for 37 years. The FY2010 appropriation approximated \$15.0 million. CDBG resources has been used to support such activities as new housing development, housing rehabilitation, employment training, small business creation, infrastructure improvements, public services, and clean-up of contaminated sites. The funds have been matched by private, state and regional resources.

The ESG program provides funds for capital improvements to housing shelters throughout the city. Approximately \$600,000 is annually available for ESG.

The city of Minneapolis administers the HOPWA program for the metropolitan region. The annual amount of \$900,000 is used to provide housing vouchers throughout the region for eligible clients.

HOME funds approximate \$4.4 million and have been used to fund, rehabilitate and construct owner occupied and rental housing.

**Recommendation:** The city recommends that:

- the program be funded at no less than the FY2010 funding level.
- local governments should be permitted, if CDBG is reduced, in FY2011 and FY2012, flexibility to allocate CDBG funds among the existing program categories such as public services. For example a local government can allocate CDBG for public services equal to or less than its FY2010 dollar allocation for public services.
- the multiagency initiatives such as Sustainable Communities, and Choice Neighborhoods be continued.

#### **Housing Programs**

In addition to the housing programs included in the Community Development Program, the city has participated in such programs as the Section 8 housing program, the HOPE VI program and McKinney-Vento program. The city has submitted an application for the Choice Neighborhoods program which will be funded through the HOPE VI program.

**Recommendation.** The city recommends that the housing programs be funded at no less than the FY 2010 funding level.

### **Public Housing**

The Minneapolis Public Housing Authority (MPHA), the state's largest public housing agency, manages and maintains approximately 5700 units and administers 4000 Section 8 vouchers. The MPHA has received approximately \$38.0 million in American Reinvestment and Recovery Act (ARRA) funds to rehabilitate existing units. The ARRA funds have been obligated for projects that should be completed in 2011.

**Recommendation:** The city supports funding for public housing capital and operating budgets.

### **Housing Stabilization**

The foreclosure crisis has adversely impacted neighborhoods in cities and suburbs throughout the nation. In Minneapolis approximately 7600 housing units have been foreclosed from 2008 through 2010. Many of the foreclosures are located throughout the city. The city has used federal, state, private and city resources to purchase and rehabilitate the properties. The major source of federal funding is the Neighborhood Stabilization Program (NSP) which has provided funding to cities since 2008.

**Recommendation:** The city recommends that the NSP be:

- funded in FY 2012 at no less than the 2010 funding level.
- amended to permit the use of funds for more foreclosure activities including emergency crisis repairs, mortgage foreclosure counseling, employment services and foreclosure assistance to stabilize renters and prevent homelessness.
- amended to address investor competition by developing strategies for home buyers to compete with immediate cash offers, changing the definition of foreclosure to include short sales, and addressing regulations that slow the purchase process for NSP developers and home buyers.
- amended so that requirements to create sustainable housing for households at or below 50% of the area median income (AMI) does not result in concentrating those homes in neighborhoods with the highest concentrations of poverty.

### **The United States Department of Transportation (U.S. DoT)**

#### **Reauthorization of the Transportation Act**

The current federal transportation act, the Safe Accountable Flexible Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) expired on September 30, 2009 but has been extended to the Spring of 2011. The House Transportation and Infrastructure Committee released a draft reauthorization bill in July 2009 but no action was taken on the bill. The Senate has not released a bill. A reauthorization bill could be introduced in the 112<sup>th</sup> Congress but the revenue to pay for the bill has not been identified.

The reauthorization is important to the city and the region because many transportation projects are funded by SAFETEA-LU. For example many of the region's major highways and transit programs receive federal funding from the legislation. Planned regional projects such as the transportation corridors will rely on federal transportation funding.

**Recommendation:** In framing a reauthorization bill, Congress should develop a bill that has the following objectives:

- Provides resources for transit projects of regional significance including but not limited to light rail, bus rapid transit and street cars.

- Increases safety on the nation's highways.
  - Reduce congestion that slows commuting and the movement of goods.
  - Provides transportation choices for commuters and travelers.
  - Limits the impacts of transportation on the environment.
  - Promotes livable communities.
- Provides funding and authority for regions and cities to plan and implement projects that are linked to housing and employment centers.

The bill should also continue the Highway Trust Fund and Mass Transit Account.

### **Transportation Programs**

#### **Transportation Investments Generating Economic Recovery (TIGER)**

The U.S. Department of Transportation has funded two rounds of the TIGER program. The initial TIGER grant program was funded through the ARRA while the subsequent round (TIGER II) was included in the FY2010 U.S. Department of Transportation appropriation bill. The objectives of both programs are to support projects that will have a significant impact on the nation, a metropolitan area or a region. The grants can be used for a highway or bridge, transit, passenger and rail freight and port infrastructure investments. The continuation of the program or a similar program would be an important means of improving the nation's aging infrastructure.

**Recommendation:** The appropriations bill should continue the TIGER program. The transportation reauthorization bill should provide for a TIGER program or infrastructure investment program that has the objective of funding infrastructure projects that have national or regional significance.

#### **Federal Transit Administration (FTA)**

The FTA provides operating and capital funds for transit programs in metro and rural areas. The Twin Cities region's transit system is a recipient of FTA funds to purchase equipment (buses and rail cars) and operate and maintain the region's transit system. Capital funds through the New Starts and Small Starts programs have supported the planning and construction of the Hiawatha and Central Light Rail Transit Corridors and planning funds for future corridors such as Southwest and Bottineau and alternative analysis studies for the Minneapolis street car system.

**Recommendation:** The FTA should continue funding its transit operations and capital equipment programs and the federal commitment to the construction of new and expanded transit lines (LRT and Bus Rapid Transit) should be increased.

#### **Twin Cities Metropolitan Area Transportation Projects**

The Metropolitan Council adopted in December 2010 amendments to the Regional Transportation Policy Plan. The plan identifies transportation improvements that will increase the region's mobility and reduce congestion. The Metropolitan Council identified priority corridors that should be the focus of the region's transportation investments. The corridors include the I-35W South Bus Rapid Transit (BRT), Central Corridor, Bottineau, Southwest, Cedar Avenue BRT, I-35 North 36/NE Corridor, Highway 65/ Central Avenue, Rush Line and Midtown. By 2030 the plan envisions three additional LRT lines and possible transit improvements to the other corridors. To complete the transit plan additional federal and state funding will be needed.

**Recommendation:** The City of Minneapolis recommends continued federal funding for the priority transit projects including support for the multi-modal transit station at I-35W over Lake Street and related mitigation measures.

#### **Intercity Passenger Rail Service**

The State of Minnesota is studying the feasibility of high speed inner city rail between the Twin Cities and Chicago and between the Twin Cities and Duluth. The studies are in progress and should be completed within the next two years. The Duluth project is being guided by a multi government joint powers organization that includes Minneapolis. The St. Louis County Regional Rail Authority is the lead agency for the project. Federal funding is needed to continue the planning process as outlined by the Federal Rail Administration.

**Recommendation:** The city supports the appropriation request by the Intercity Passenger Rail Service Joint Powers Board.

### **United States Department of Homeland Security (DHS) Urban Area Security Initiative (UASI)**

The city of Minneapolis is an eligible city for the Urban Area Security Initiative (UASI). The formula grant is awarded annually to cities that meet criteria developed by the Department. Among the criteria are the number and type of facilities such as power plants, research centers and transportation infrastructure. Minneapolis has received approximately \$65.0 million from UASI and the Metropolitan Medical Response System (MMRS) grants. The City has used UASI funds to secure public buildings, train public safety personnel, purchase equipment and improve communication systems.

In addition to UASI and MMRS, the city of Minneapolis has received funding for the emergency operation center.

### **Fire Safety Administration**

The DHS administers the Staffing for Adequate Fire and Emergency Response (SAFER) grant program. SAFER provides funding for fire departments to increase their firefighter complement or retain firefighters that could be terminated due to budget reductions. The program has required matching funds and a commitment to keep the firefighters for a period of time after the grant expires.

The city has benefitted from the research and training provided by the National Fire Academy. City personnel have attended training programs offered by the academy.

**Recommendation:** The city recommends that:

- UASI be funded at no less than its 2010 funding level.
- SAFER be funded at no less than its 2010 levels and be focused on the retention of firefighters.
- The local match requirements be modified to recognize the fiscal capacity of local units.
- The Fire Academy be funded at no less than its 2010 funding level.

### **United States Department of Health and Human Services**

#### **Public Health Grants**

The Minneapolis Department of Health and Family Support supports many of its services through federal programs through either the U.S. Department of Housing and Urban Development (HUD) or the U.S. Department of Health and Human Services. Lead prevention and remediation is a HUD funded program that serves city and county residents. In addition to mediation, a portion of the grant is used to conduct a coordinated effort of the city and county to conduct outreach and prevention to children and pregnant women.

The Department also operates four public health programs. Like the lead prevention program, the Twin Cities Healthy Start program serves residents beyond the city's limits. The program operates in Minneapolis and St. Paul and is a collaborative of public and private agencies committed to a comprehensive and coordinated approach to reduce infant mortality among African American and American Indian families. The project offers prenatal health training to care providers, offers community health education to approximately 150 client families and case management and supportive services to over 500 women a year.

The federal program, Steps to a Healthier Minneapolis, is operated by the Department. The program is intended to help residents live longer, better and healthier lives by reducing the burden of diabetes, obesity and asthma. The program targets three related risk factors – physical inactivity, poor nutrition and tobacco use. The program is funded at approximately \$712,000 annually.

The Public Health Preparedness program has aided several Minnesota cities including Minneapolis to plan and implement public health programs as part of an emergency preparedness program. The state has received \$15.0 million annually.

The federal Maternal and Child Health Block Grant has funded programs to address the health concerns of children, infants, mothers and pregnant women. Several Minneapolis programs have received funding from the block grant.

**Recommendation:** The city recommends that the public health programs be continued and be funded at level that is no less than the FY2011 appropriation. The city also recommends that the Department of Health and Human Services provide grants directly to cities that have successfully operated public health programs.

### **U.S. Department of Justice**

The city of Minneapolis has received federal funding from the Edward Byrne Memorial grant and the Community Orienting Police Services (COPS) program. The Byrne grant is an annual formula grant distributed to local governments through the states. The city has received approximately \$600,000 in FY2010 for public safety programming. The COPS program has been used to support the hiring and retention of police officers. Both programs are administered by the Justice Department's Office of Justice Programs (OJP).

The City has received Congressional grants (earmarks) for police technology including squad car cameras, shot detection and computers. Byrne funds available through the ARRA were used to support police officers. The appropriation for the Byrne and COPS has varied from year to year and the amount allocated to the city is shared with the county.

**Recommendation:** The city recommends that the Byrne and COPS programs be funded at no less than 2010 appropriation levels and that the Justice Department direct that more of the funds be allocated for police and related public safety services.

## **Policy Initiatives**

### **Health Care**

The City of Minneapolis supports the health care legislation enacted by the 111<sup>th</sup> Congress and opposes its repeal. In implementing the Prevention and Public Health Trust fund section of the law, the city recommends that the Trust Fund focus on public health prevention that can impact health care cost containment.

### **Telecommunications Policy**

Congress has been interested in telecommunications law revisions. In previous Congressional sessions, bills were introduced that would limit local cable franchising. More recently the concept of Internet “net neutrality” has become the focus of debate among the Federal Communications Commission (FCC), the telecommunications industry, and the Congress. The concept is defined to mean that companies providing Internet service should treat all sources of data equally. The FCC supported the concept but a federal appeals decision in April 2010 restricted the FCC’s authority over broadband service.

The FCC adopted a rule in December 2010 that continues net neutrality for fixed line providers but for wireless providers the FCC rules do not explicitly prohibit “paid prioritization” which would permit a company to pay for faster data transmission. As a result of the December FCC rule it is possible that Congress could alter the rule or further limit “net neutrality”. Hearings are scheduled on the issue.

**Recommendation:** The city recommends that Congress continue the policy of Net Neutrality for both fixed line and wireless internet services.

The city also reaffirms its support that if amendments are made to the federal communications law that they:

- continue to permit local government to facilitate or offer advanced communications services to their citizens through local franchise agreements;
- preserve local authority to manage public safety rights of way for the benefit of everyone;
- reaffirm local government’s ability to provide public safety services over the communications system; and
- recognize local roles in promoting universal access to a full range of communications services.

### **Healthy Food Initiatives**

The President’s FY 2011 budget proposed a three agency initiative that would assist urban areas to have more access to healthy food. The initiative includes the U.S. Department of Agriculture, The Treasury Department and the Department of Health and Human Services. The initiative would use existing programs of each agency in a coordinated manner to provide technical assistance and financing for farmers markets, urban agriculture, food processing, and grocery stores. The initial funding was to be available in early 2011 but the uncertainty of the FY 2011 budget has delayed its implementation. For the programs of the US Department of Agriculture to be effective in urban areas the department may need legislative changes. Amendments to permit program flexibility were included in an appropriation bill during the closing days of the 111<sup>th</sup> Congress.

The City of Minneapolis has developed with the assistance of community organizations and residents a blueprint for providing healthy affordable food to Minneapolis residents. “Homegrown Minneapolis” recommends several action steps to be implemented by the city and

various stakeholders to increase urban agriculture and encourage the processing and marketing of homegrown food products.

**Recommendation:** The city recommends that the Congress approve appropriations and, if needed, enabling legislation to implement a healthy food initiative.

### **Youth Violence Prevention**

In response to an increase in youth violence the City of Minneapolis developed the “Blueprint for Action,” a comprehensive, multifaceted, community-based plan to prevent youth violence. The Blueprint emphasizes the need for an array of community-based prevention programs, along with increased law enforcement efforts to prevent youth violence in Minneapolis.

Recent evaluations indicate that the Blueprint is having an impact on youth violence. In 2008, there was a 43-percent reduction in youth violence in the targeted areas from the high recorded in 2006.

The City of Minneapolis supports the following federal legislative initiatives and principles:

1. Designate youth violence as a national priority and a preventable public health issue, and align new and existing resources accordingly.
  - Create a mechanism for effective policy coordination and strategy alignment for youth violence issues with state and local governments, tribes, schools, community groups, faith communities and other supportive entities.
  - Refocus attention on policies and programs intended to prevent youth from engaging in the criminal justice system.
  
2. Enhance the capacity and infrastructure for local, state and federal public health administrations to address youth violence as a preventable public health issue.
  - Establish a funding stream or appropriations line item for youth violence prevention programs and activities to an appropriate agency.
  - Direct the determined agency to distribute funds to local and state public health administrations to support youth violence prevention programs and activities such as program development and evaluation, building infrastructure, and technology to improve coordination and monitoring efforts.

### **Energy and Environment Policy and Funding**

Minneapolis is eager to do its part to reduce greenhouse gas emissions. Minneapolis supports the passage of climate change legislation that reduces greenhouse gas emissions in 2050 by approximately 80 percent of 1990 levels prior to the United Nations Climate Change Conference in December 2009.

We support climate change legislation that includes the following:

- A cap, trade, and auction system that would: (1) ensure cost-effective reduction of greenhouse gases to at least the reduction levels set forth in 2007 Minnesota statute (30 percent by 2025), (2) maximize public benefits while minimizing the potential for market manipulation, (3) support innovation in the energy efficiency and sustainable energy technologies with the greatest promise to reduce greenhouse gases over the long-term, (4) avoid inequitable impacts on low-income communities, and (5) maximize the likelihood of trading with other cap-and-trade systems.
- (1) more aggressive emission-reduction goals in the near- and mid-term; (2) stronger clean-energy and energy efficiency provisions; (3) emission offsets that are measurable, verifiable, and permanent; (4) broad application across all sectors of the economy, with no special exceptions; and (5) increased distribution of allowances by auction, as opposed to allocation, for each year going forward.
- Support for full engagement by the U.S. government in international climate-protection negotiations, with the goal of achieving an effective global agreement to reduce emissions by the amount that science says is necessary.
- Support for the adoption and enforcement of state and local energy and land use codes.

- Funding and facilitation of innovative local financing solutions.
- Allocation of federal transportation dollars directly to local governments to support increased investment in public transit as well as bicycle- and pedestrian-friendly infrastructure.
- Allocation of funding, including cap-and-trade credits or auction revenues, to local governments for investment in climate mitigation activities, through such initiatives as the Energy Efficiency and Conservation Block Grant program, as well as renewable energy projects, adaptive management initiatives, consumer protection, and “green” workforce development programs.

### **Fully Inclusive Employment Non-Discrimination Act (ENDA)**

The City of Minneapolis has played a historic role in the struggle for equal rights. The city, for example, in 1975 was the first local government in the nation to enact civil rights protections for transgender people and was the second city to pass non-discrimination protections for gay, lesbian and bisexual people. The city firmly supports equality for all persons and recommends that Congress enact a fully inclusive Employee Non-Discrimination Act including gender identity protections.

### **Lawful Permanent Residents: Equal Treatment**

Under current federal law gay and lesbian couples are not permitted to sponsor foreign-born life partners or spouses for residency in the United States. Congress is urged to support legislation that would permit such sponsorship provided that applicants would be subject to the same interview process as married couples; that the American partner would be required to sign an affidavit committing to support the foreign national partner for a specified amount of time and that the legislation does not redefine marriage.

### **Human Rights Restrictions in Uganda**

The Uganda Legislature is considering a law that would strengthen penalties against the promotion of homosexuality. Bill Number 18, the Anti-Homosexuality Bill of 2009 targets lesbian, gay and transgender Ugandans, their advocates and defenders and anyone who fails to report them to the authorities. The legislation would criminalize such activities as funding LGBT organizations, publishing or broadcasting or marketing materials on homosexuality. A person guilty of promoting homosexuality could be subject to a fine or imprisonment. The City of Minneapolis opposes this legislation.

### **Air Traffic Safety Concerns**

The City of Minneapolis having thousands of residents living in close proximity to Minneapolis-St. Paul International Airport is concerned about three converging issues which if not properly addressed at the federal level may reduce the margin of safety at MSP as well as at other airports around the country. Specifically, these are the re-benchmarking of schedules to deploy Air Traffic Control facilities and equipment to upgrade our air traffic control system; the short staffing of air traffic control facilities and the labor/management issues with FAA and air traffic controllers; and lastly, the lowering of experience thresholds to attract pilots to the commercial carrier segment.

The city supports the accelerated implementation of Next Gen programs together with appropriate funding commitments from Congress. The city further recommends that Congress work with the FAA to evaluate the impact of lower experience thresholds on the commercial pilot community.

### **Railroad Safety Zone**

A new federal law requires all Federal Railroad Administration trains sound their whistles at intersections unless specific safety equipment is in place. The City would like a change to the law allowing cities to retain their Quiet Zone ordinances keeping trains from blowing their whistles, or federal money to help buy the necessary equipment.

## **Financing and Credit**

Many banking institutions require credit criteria as a condition to opening a checking or savings account. Many employers also require a credit check before offering employment. In some instances a well qualified candidate may be denied a bank account or a job. Minneapolis supports Congress investigating the use of personal credit information and enacting policies to define the use of credit information with regard to opening a checking or savings account and in matters of offering employment.

## **Federal-Local Government Relationships**

The federal government has a long tradition of providing local government with the resources to maintain and improve the quality of life of its residents. Federal policies related to housing, public safety, workers rights, transportation and the environment, for example, have provided financial and legal resources to local governments. The City of Minneapolis has benefited from such federal actions and supports continued federal support. The City, however, opposes federal actions that are traditionally the responsibility of local governments. In developing policy, the federal government must recognize the role of local control over such matters as employee relations and land use.

## **Community Radio Act**

The City supports legislation (HR1147) that would allow the establishment of low-power FM (LPFM) stations throughout the country. In 2000 the Federal Communications Commission (FCC) issued rules that would have permitted the establishment of the stations but subsequent legislation limited the implementation of the rule. The legislation required the FCC to only issue licenses to low powered stations that would not interfere with existing full power stations. A low powered station needs to be at least four intervals on the radio from a full power station. The legislation would support recommendations contained in a FCC study released in 2003 that concluded that the low powered stations would not cause interference with existing stations if they are three intervals away.

## **Appropriation Requests**

The City of Minneapolis has requested and has received “earmarks” for numerous projects that have benefitted the city and its residents. Earmarks have assisted in the construction of the Emergency Operations Center, purchased computer and squad car cameras for the police department, aided in job training programs for ex-offenders, and funded the separation of combined sewers.

With the congressional moratorium on earmarks for FY2011 and FY2012 the city will review federal competitive grant opportunities and where appropriate submit an application. Grants administered by the Environmental Protection Agency (EPA), U.S. Department of Transportation, the Department of Agriculture, the Department of Homeland Security, the Department of Justice, HUD, the Economic Development Administration (EDA), and the Department of Labor will be in the primary focus of the review. Specific grant requests could include, but not be limited to, storm water, public safety, health and nutrition (Healthy Food), and the replacement of the city’s siren system. The last project mentioned - sirens - was included as an earmark (\$1.0 million) in the FY2011 House Homeland Security appropriations bill.

As the city develops competitive grant applications it will continue to consult with Congressional offices for assistance and support.