

[DISCUSSION DRAFT]111TH CONGRESS
1ST SESSION**H. R.** _____

To authorize the Secretary of Housing and Urban Development to establish and carry out an urban economic development revitalization program to provide Federal grants to economically hard-pressed communities for the rehabilitation of critically needed recreational areas and facilities and development of improved recreation programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SIRES introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize the Secretary of Housing and Urban Development to establish and carry out an urban economic development revitalization program to provide Federal grants to economically hard-pressed communities for the rehabilitation of critically needed recreational areas and facilities and development of improved recreation programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Urban Economic De-
3 velopment and Healthy Communities Revitalization Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) the quality of life in urban areas is closely
7 related to the availability of fully functional park
8 and recreation systems including land, facilities, and
9 service programs;

10 (2) residents of cities need close-to-home rec-
11 reational opportunities that are adequate to special-
12 ized urban demands, with parks and facilities prop-
13 erly located, developed, and well maintained;

14 (3) the greatest recreational deficiencies with
15 respect to land, facilities, and programs are found in
16 many large cities, especially at the neighborhood
17 level;

18 (4) inadequate financing of urban recreation
19 programs due to fiscal difficulties in many large cit-
20 ies has led to the deterioration of facilities, nonavail-
21 ability of recreation services, and an inability to
22 adapt recreational programs to changing cir-
23 cumstances; and

24 (5) according to the 2000 United States Cen-
25 sus, 79 percent of the population of the United
26 States lives in urban areas.

1 **SEC. 3. PURPOSES.**

2 (a) The purposes of this Act are as follows:

3 (1) To authorize the Secretary of Housing and
4 Urban Development to establish and carry out an
5 urban economic development revitalization program
6 to provide Federal grants to economically hard-
7 pressed communities for the rehabilitation of criti-
8 cally needed recreational areas and facilities and de-
9 velopment of improved recreation programs.

10 (2) To improve urban communities through eco-
11 nomic development, [prevention of chronic dis-
12 eases], and opportunities for urban areas with a
13 high incidence of crime.

14 (3) To improve recreational areas and facilities
15 and expand recreation services in urban areas with
16 a high incidence of crime and to help deter crime
17 through the expansion of recreation opportunities for
18 at-risk youth.

19 (4) To increase the security of urban parks and
20 to promote collaboration between local agencies in-
21 volved in parks and recreation, law enforcement,
22 youth social services, and juvenile justice system.

23 (5) To encourage the renovation of urban rec-
24 reational areas and facilities with green materials,
25 when possible, and to prioritize the selection of
26 projects that provide environmental benefits to

- 1 urban areas including by updating lighting, planting
- 2 trees, and adding green spaces to urban areas.

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) The term “recreational areas and facilities”
6 means indoor or outdoor parks, buildings, sites, or
7 other facilities which are dedicated to recreation pur-
8 poses and administered by public or private non-
9 profit agencies to serve the recreation needs of com-
10 munity residents, with emphasis on public facilities
11 readily accessible to residential neighborhoods, in-
12 cluding multiple-use community centers that have
13 recreation as one of its primary purposes, but ex-
14 cluding major sports arenas, exhibition areas, and
15 conference halls used primarily for commercial
16 sports, spectator, or display activities.

17 (2) The term “rehabilitation grants” means
18 matching capital grants to local governments for the
19 purpose of rebuilding, remodeling, expanding, or de-
20 veloping existing [or building new] recreational
21 areas and facilities, including improvements in park
22 landscapes, buildings, and support facilities, but ex-
23 cluding routine maintenance and upkeep activities.

24 (3) The term “innovation grants” means
25 matching grants to local governments to cover costs

1 of personnel, facilities, equipment, supplies, or serv-
2 ices designed to demonstrate innovative and cost-ef-
3 fective ways to augment park and recreation oppor-
4 tunities at the neighborhood level and to address
5 common problems related to facility operations and
6 improved delivery of recreation service, but excluding
7 routine operation and maintenance activities.

8 (4) The term “at-risk youth recreation grants”
9 means—

10 (A) matching grants for continuing pro-
11 gram support for programs of demonstrated
12 value or success in providing constructive alter-
13 natives to youth at risk for engaging in criminal
14 behavior, including grants for operating or co-
15 ordinating recreation programs and services in
16 neighborhoods and communities with a high
17 prevalence of crime, particularly violent crime
18 or crime committed by youthful offenders;

19 (B) innovation grants; or

20 (C) rehabilitation grants, including, for
21 purposes of this paragraph, in addition to the
22 purposes specified in paragraph (2), the provi-
23 sion of lighting, emergency phones, or other
24 capital improvements to improve the security of
25 urban parks;

1 (5) The term “recovery action program grants”
2 means matching grants to local governments for de-
3 velopment of local park and recreation recovery ac-
4 tion programs to meet the requirements of this Act.
5 Such grants will be for resource and needs assess-
6 ment, coordination, citizen involvement and plan-
7 ning, and program development activities to encour-
8 age public definition of goals and develop priorities
9 and strategies for overall recreation system recovery.

10 (6) The term “maintenance” means all com-
11 monly accepted practices necessary to keep recre-
12 ation areas and facilities operating in a state of good
13 repair and to protect such areas and facilities from
14 deterioration resulting from normal wear and tear.

15 (7) The term “general purpose local govern-
16 ment” means any city, county, town, township, par-
17 ish, village, or other general purpose political sub-
18 division of a State, including the District of Colum-
19 bia and insular areas.

20 (8) The term “special purpose local govern-
21 ment” means any local or regional special district,
22 public-purpose corporation or other limited political
23 subdivision of a State, including—

24 (A) park authorities;

1 (B) park, conservation, water, or sanitary
2 districts; and

3 (C) school districts.

4 (9) The term “private, nonprofit agency”
5 means a community-based, non-profit organization,
6 corporation, or association organized for purposes of
7 providing recreational, conservation, and educational
8 services directly to urban residents on either a
9 neighborhood or community wide basis through vol-
10 untary donations, voluntary labor, or public or pri-
11 vate grants.

12 (10) The term “Secretary” means the Secretary
13 of Housing and Urban Development.

14 (11) The term “State” means any State of the
15 United States (or any instrumentality of a State ap-
16 proved by the Governor), the Commonwealth of
17 Puerto Rico, and insular areas.

18 (12) The term “insular areas” means Guam,
19 the Virgin Islands, American Samoa, and the North-
20 ern Mariana Islands.

21 **SEC. 5. FEDERAL ASSISTANCE GRANTS.**

22 (a) ESTABLISHMENT.—The Secretary shall establish
23 and carry out an urban economic development revitaliza-
24 tion program to, in accordance with this Act, provide Fed-
25 eral grants, including rehabilitation grants, innovation

1 grants, at-risk youth recreation grants, and recovery ac-
2 tion program grants.

3 (b) ELIGIBILITY.—Not later than 120 days after the
4 date of the enactment of this Act, the Secretary shall pub-
5 lish in the Federal Register a list of the local governments
6 eligible to participate in the urban economic development
7 revitalization program under this Act, to be accompanied
8 by a description of criteria used in determining eligibility.

9 (c) CRITERIA.—Criteria used in determining eligi-
10 bility pursuant to subsection (b) shall be based on—

11 (1) information from the 2000 United States
12 Census; and

13 (2) factors that the Secretary determines are
14 related to deteriorated recreational areas and facili-
15 ties or systems, and physical and economic distress.

16 (d) ELIGIBILITY UPDATE.—Not later than 8 months
17 after the publication of the results of any United States
18 Census conducted after the date of the enactment of this
19 Act, the Secretary shall publish in the Federal Register
20 an updated list of the local governments eligible to partici-
21 pate in the urban economic development revitalization pro-
22 gram under this Act.

23 (e) OTHER GENERAL PURPOSE LOCAL GOVERN-
24 MENTS ELIGIBLE FOR ASSISTANCE.—

1 (1) OTHER LOCAL GOVERNMENTS.—Subject to
2 paragraph (2), and notwithstanding the list of eligi-
3 ble local governments established in accordance with
4 subsections (a) and (d) of this section, the Secretary
5 may authorize other general purpose local govern-
6 ments in standard metropolitan statistical areas as
7 defined by the census as eligible to receive grants
8 under the urban economic development revitalization
9 program under this Act, in accordance with the find-
10 ings and purpose of this Act.

11 (2) LIMITATION OF FUNDS.—Grants to general
12 purpose local governments described in paragraph
13 (1) shall not exceed, in the aggregate, 15 percent of
14 the funds appropriated pursuant to this Act for re-
15 habilitation, innovation, and recovery action program
16 grants.

17 (f) PRIORITY.—

18 (1) CRITERIA FOR PRIORITY PROJECT SELEC-
19 TION AND APPROVAL.—The Secretary shall establish
20 priority criteria for the selection and approval of
21 projects to be funded by grants made pursuant to
22 this Act considering factors such as—

23 (A) population;

24 (B) condition of existing recreational areas
25 and facilities;

1 (C) demonstrated deficiencies in access to
2 neighborhood recreation opportunities, particu-
3 larly for minority, and low- and moderate-in-
4 come residents;

5 (D) public participation in determining re-
6 habilitation or development needs;

7 (E) the extent to which a project supports
8 or complements target activities undertaken as
9 part of a local government's overall community
10 development and urban revitalization program;

11 (F) the extent to which such a project
12 would—

13 (i) provide employment opportunities
14 for minorities, youth, and low- and mod-
15 erate-income residents in the project neigh-
16 borhood;

17 (ii) provide for participation of neigh-
18 borhood, nonprofit, or tenant organizations
19 in the proposed rehabilitation activity or in
20 subsequent maintenance, staffing, or su-
21 pervision of recreational areas and facili-
22 ties; or

23 (iii) both clause (i) and clause (ii);
24 and

1 (G) the amount of State and private sup-
2 port for the project as evidenced by commit-
3 ments of non-Federal resources to project con-
4 struction or operation.

5 (2) RECREATIONAL AREAS WITHOUT OUTDOOR
6 FACILITIES.—

7 (3) TYPES OF PROJECTS RECEIVING PRI-
8 ORITY.—Priority shall be given to projects that—

9 (A) involve recreational areas and facilities
10 without outdoor facilities within a half mile of
11 public housing or a school;

12 (B) create, maintain, or revitalize play-
13 grounds or active play areas for children;

14 (C) connect children to the outdoors for
15 physical activity and access to nature;

16 (D) promote physical activity for individ-
17 uals and the community at large;

18 (E) promote green jobs;

19 (F) contain environmental stewardship
20 components such as sustainable landscape fea-
21 tures, including—

22 (i) upcycling and recycling of mate-
23 rials;

24 (ii) sustainable materials choices;

25 [(iii) human factors improvements;]

- 1 (iv) urban forestry canopy increase;
- 2 (v) stormwater management;
- 3 [(vi) grain infrastructure, site prepara-
- 4 ration, and maintenance; and]
- 5 (vii) water conservation components;
- 6 (G) connect to public transportation;
- 7 (H) contain energy efficiency components
- 8 such as energy efficient lighting and HVAC sys-
- 9 tems, and other sustainable components and
- 10 practices;
- 11 (I) contain safe trails or routes that con-
- 12 nect to neighborhoods;
- 13 (J) either employ youth or use youth vol-
- 14 unteers;
- 15 (K) enhance or expand youth development
- 16 in neighborhoods and communities through en-
- 17 vironmental stewardship, conservation, [and fa-
- 18 cility and design construction].
- 19 (4) AT-RISK YOUTH RECREATION GRANTS.—In
- 20 the case of at-risk youth recreation grants, the Sec-
- 21 retary shall give a priority to each of the following:
- 22 (A) Programs that target youth who are at
- 23 the greatest risk of becoming involved in vio-
- 24 lence and crime.

1 (B) Programs that teach important values
2 and life skills, including teamwork, respect,
3 leadership, and self-esteem.

4 (C) Programs that offer tutoring, remedial
5 education, mentoring, and counseling in addi-
6 tion to recreation opportunities.

7 (D) Programs that offer services during
8 late night or other nonschool hours.

9 (E) Programs that demonstrate collabora-
10 tion between local park and recreation, juvenile
11 justice, law enforcement, and youth social serv-
12 ice agencies and nongovernmental entities, in-
13 cluding private, nonprofit agencies.

14 (F) Programs that leverage public or pri-
15 vate recreation investments in the form of serv-
16 ices, materials, or cash.

17 (G) Programs that show the greatest po-
18 tential of being continued with non-Federal
19 funds or may serve as models for other commu-
20 nities.

21 **SEC. 6. REHABILITATION AND INNOVATION GRANTS.**

22 (a) AUTHORIZATION.—Upon approval of an applica-
23 tion by the chief executive of an eligible general purpose
24 local government, the Secretary may provide 70 percent

1 matching rehabilitation and innovative grants directly to
2 such eligible general purpose local government.

3 (b) TRANSFER.—At the discretion of a general pur-
4 pose local government receiving a rehabilitation or innova-
5 tion grant pursuant to subsection (a), and if consistent
6 with an approved application, such a grant may be trans-
7 ferred in whole or in part to **[independent]** special pur-
8 pose local governments, private nonprofit agencies, or
9 county or regional park authorities, provided that assisted
10 recreational areas and facilities owned or managed by such
11 special purpose local governments, private nonprofit agen-
12 cies, or county or regional park authorities offer recreation
13 opportunities to the general population within the jurisdic-
14 tional boundaries of the general purpose local government.

15 (c) PAYMENTS.—Grant payments may be made only
16 for rehabilitation or innovative projects approved by the
17 Secretary. Such payments may be made from time to time
18 in keeping with the rate of progress toward the satisfac-
19 tory completion of a project, except that the Secretary
20 may, when appropriate, make advance payments on ap-
21 proved rehabilitation and innovative projects in an amount
22 not to exceed 20 percent of the total project cost.

23 (d) MODIFICATION OF PROJECT.—The Secretary
24 may authorize modification of an approved project only
25 when a grantee has adequately demonstrated that such

1 modification is necessary because of circumstances not
2 foreseeable at the time such project was proposed.

3 (e) SPECIAL CONSIDERATIONS FOR INNOVATION
4 GRANTS.—Innovation grants shall be closely tied to goals,
5 priorities, and implementation strategies expressed in local
6 park and recreation recovery action programs, with par-
7 ticular regard to the special considerations listed in section
8 7(b) of this Act.

9 **SEC. 7. LOCAL COMMITMENTS TO SYSTEM RECOVERY AND**
10 **MAINTENANCE.**

11 (a) RECOVERY ACTION PROGRAMS.—

12 (1) IN GENERAL.—As a requirement for project
13 approval, a local government applying for a grant
14 under this Act shall submit to the Secretary evidence
15 of its commitment to ongoing planning, rehabilita-
16 tion, service, operation, and maintenance programs
17 for its park and recreation systems. Such commit-
18 ment shall be expressed in a local park and recre-
19 ation recovery action program that maximizes co-
20 ordination of all community resources, including
21 other federally supported urban development and
22 recreation programs.

23 (2) INTERIM PRELIMINARY ACTION PRO-
24 GRAMS.—During an initial interim period to be es-
25 tablished by regulation, the recovery action program

1 requirement under paragraph (1) may be satisfied
2 by submission of preliminary action programs of a
3 local government that briefly define objectives, prior-
4 ities, and implementation strategies for overall sys-
5 tem recovery and maintenance and commit such
6 local government to a scheduled program develop-
7 ment process.

8 (3) 5-YEAR ACTION PROGRAM.—Following the
9 interim period under paragraph (2), all local govern-
10 ment applicants shall submit to the Secretary, as a
11 condition of eligibility, a 5-year action program for
12 park and recreation recovery that—

13 (A) demonstrates—

14 (i) systematic identification of recov-
15 ery objectives, priorities, and implementa-
16 tion strategies;

17 (ii) adequate planning for rehabilita-
18 tion of specific recreational areas and fa-
19 cilities, including projections of the cost of
20 proposed projects;

21 (iii) capacity and commitment to as-
22 sure that facilities provided or improved
23 under this Act shall thereafter continue to
24 be adequately maintained, protected,
25 staffed, and supervised;

1 (iv) intention to maintain total local
2 public outlays for park and recreation pur-
3 poses at levels at least equal to those in
4 the year preceding that in which grant as-
5 sistance is sought beginning in fiscal year
6 **[XXXX]** except in any case where a re-
7 duction in park and recreation outlays is
8 proportionate to a reduction in overall
9 spending by the applicant; and

10 (v) the relationship of the park and
11 recreation recovery action program to over-
12 all community development and urban revi-
13 talization efforts; and

14 **[(B) benefits and before and after com-
15 parison of facility.]**

16 (4) CONTINUING PLANNING PROCESS.—Where
17 appropriate, the Secretary may encourage local gov-
18 ernments to meet recovery action program require-
19 ments through a continuing planning process which
20 includes periodic improvements and updates in re-
21 covery action program submissions to eliminate iden-
22 tified gaps in program information and policy devel-
23 opment.

1 (b) RECOVERY ACTION PROGRAM SPECIAL CONSID-
2 ERATIONS.—Recovery action programs shall address, at a
3 minimum, the following special considerations:

4 (1) Rehabilitation of existing recreational areas
5 and facilities, including—

6 (A) general systemwide renovation;

7 (B) special rehabilitation requirements for
8 recreational sites and facilities in areas of high
9 population concentration and economic distress;
10 and

11 (C) restoration of outstanding or unique
12 structures, landscaping, or similar features in
13 parks of historical or architectural significance.

14 (2) Local commitments to innovative and cost-
15 effective programs and projects at the neighborhood
16 level to augment recovery of park and recreation sys-
17 tems, including—

18 (A) recycling of abandoned schools and
19 other public buildings for recreational purposes;

20 (B) multiple use of operating educational
21 and other public buildings;

22 (C) purchase of recreation services on a
23 contractual basis;

24 (D) use of mobile facilities and rec-
25 reational, cultural, and educational programs or

1 other innovative approaches to improving access
2 for neighborhood residents;

3 (E) integration of the recovery action pro-
4 gram with federally assisted projects to maxi-
5 mize recreational opportunities through conver-
6 sion of abandoned railroad and highway rights-
7 of-way, waterfront, and other redevelopment ef-
8 forts and such other federally assisted projects,
9 as appropriate;

10 (F) conversion of recreation use of street
11 space, derelict land, and other public lands not
12 now designated for neighborhood recreational
13 use; and

14 (G) use of various forms of compensated
15 and uncompensated land regulation, tax induce-
16 ments, or other means to encourage the private
17 sector to provide neighborhood park and recre-
18 ation facilities and programs.

19 (c) PUBLICATION OF REQUIREMENTS.—The Sec-
20 retary shall establish and publish in the Federal Register
21 requirements for preparation, submission, and updating of
22 local park and recreation recovery action programs.

23 (d) AT-RISK YOUTH GRANTS.—

24 (1) ELIGIBILITY.—In order to be eligible to re-
25 ceive at-risk youth recreation grants, a local govern-

1 quately implemented by cooperating with the Department
2 of Housing and Urban Development in monitoring local
3 park and recreation recovery action programs and in as-
4 suring consistency of such plans and programs, where ap-
5 propriate, with State recreation policies as set forth in
6 statewide comprehensive outdoor recreation plans.

7 **SEC. 9. MATCHING REQUIREMENTS; NON-FEDERAL SHARE**
8 **OF PROJECT COSTS.**

9 (a) NON-FEDERAL SOURCES.—The non-Federal
10 share of project costs assisted under this Act may be de-
11 rived from—

12 (1) general or special purpose State or local
13 revenues;

14 (2) State categorical grants;

15 (3) special appropriations by State legislatures;

16 (4) donations of land, buildings, or building ma-
17 terials;

18 (5) in-kind construction, technical, and plan-
19 ning services; or

20 (6) any combination of paragraphs (1) through
21 (5).

22 (b) PROHIBITED SOURCES.—No moneys from any
23 Federal grant program other than general revenue sharing
24 and the community development and energy efficiency and

1 conservation block grant programs shall be used to match
2 Federal grants under this program.

3 (c) LOCAL COSTS OF RECOVERY ACTION PROGRAM
4 DEVELOPMENT.—Reasonable local costs of recovery ac-
5 tion program development to meet the requirements of
6 section 7 may be used as part of the local match only when
7 local applicants have not received recovery action program
8 development grants under the authority of section 7.

9 (d) PRIVATE CONTRIBUTIONS.—The Secretary shall
10 encourage States and private interests to contribute, to
11 the maximum extent possible, to the non-Federal share of
12 project costs.

13 **SEC. 10. CONVERSION OF RECREATION PROPERTY.**

14 No property improved or developed with assistance
15 under this Act shall, without the approval of the Sec-
16 retary, be converted to [other than public recreation
17 uses]. The Secretary shall approve such conversion only
18 if the Secretary determines it to be in accord with the cur-
19 rent local park and recreation recovery action program
20 and only upon such conditions as the Secretary determines
21 necessary to assure the provision of adequate recreation
22 properties and opportunities of reasonably equivalent loca-
23 tion and usefulness.

24 **SEC. 11. COORDINATION OF PROGRAM.**

25 The Secretary shall—

1 (1) coordinate the urban economic development
2 revitalization program with other Federal depart-
3 ments and agencies and with State agencies that ad-
4 minister programs and policies affecting urban areas
5 such as the White House Office of Urban Policy and
6 departments that administer programs and policies
7 affecting climate change, green jobs, housing, urban
8 development, natural resources management, em-
9 ployment, transportation, community services, and
10 voluntary action;

11 (2) encourage maximum coordination of the
12 program between appropriate State agencies and
13 local government applicants; and

14 (3) require that local government applicants in-
15 clude provisions for participation of community and
16 neighborhood residents and for public-private coordi-
17 nation in recovery action program planning and
18 project selection.

19 **SEC. 12. REPORT; RECORDKEEPING; AUDIT AND EXAMINA-**
20 **TION.**

21 (a) **REPORT.**—Each recipient of assistance under this
22 Act shall submit to the Secretary, for each fiscal year such
23 assistance is received, an annual report detailing the
24 projects undertaken with such assistance, the number of

1 jobs created by such assistance, and any other effects of
2 the addition of such assistance.

3 (b) RECORDKEEPING.—Each recipient of assistance
4 under this Act shall keep such records as the Secretary
5 shall prescribe, including records that fully disclose the
6 amount and disposition of project undertakings in connec-
7 tion with which assistance under this Act is given or used,
8 and the amount and nature of that portion of the cost
9 of the project or undertaking supplied by other sources,
10 and such other records as will facilitate an effective audit.

11 (c) AUDIT AND EXAMINATION.—The Secretary, and
12 the Comptroller General of the United States, or their
13 duly authorized representatives, shall have access, for the
14 purpose of audit and examination, to any books, docu-
15 ments, papers, and records of a recipient of assistance
16 under this Act that are pertinent to such assistance.

17 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated for the purposes of this Act \$[xxx] for each of
20 the fiscal years 2011 through 2015.

21 (b) RECOVERY ACTION PROGRAM GRANTS.—Not
22 more than 3 percent of the funds authorized in any fiscal
23 year may be used for grants for the development of local
24 park and recreation recovery action programs pursuant to
25 section 7 of this Act.

1 (c) INNOVATION GRANTS.—Not more than 10 per-
2 cent of the funds authorized in any fiscal year may be
3 used for innovation grants pursuant to section 6 of this
4 Act.

5 (d) DISCRETIONARY FUND.—Notwithstanding any
6 other provision of this Act or any other law or regulation,
7 there are further authorized to be appropriated
8 \$1,100,000 for each of the fiscal years 2011 through
9 2015, to remain available until expended, to each of the
10 insular areas. Such sums will not be subject to the match-
11 ing provisions of this Act, and may only be subject to such
12 conditions, reports, plans, and agreements, if any, as de-
13 termined by the Secretary.

14 **SEC. 14. LIMITATION OF USE OF FUNDS.**

15 None of the funds made available pursuant to this
16 Act shall be used for the acquisition of land or interests
17 in land.

18 **SEC. 15. REPORT TO CONGRESS.**

19 Not later than 90 days after the date of **[XXXX]**,
20 the Secretary shall submit a report to Congress describing
21 the overall impact of the urban economic development revi-
22 talization program established under this Act.