

**NOTICE OF FUNDING AVAILABILITY  
AND  
APPLICATION PACKAGE**

Community Development Block Grant Program  
Planning/Technical Assistance Allocation

Fiscal Year July 1, 2003 through June 30, 2004



**STATE OF CALIFORNIA**  
Department of Housing and Community Development  
Division of Community Affairs  
Community Development Block Grant Program (CDBG)

P.O. Box 942054  
Sacramento, California 94252-2054

Or

2710 Gateway Oaks Drive  
North Building, Suite 190  
Sacramento, CA 95833

Telephone: (916) 263-0485  
Fax: (916) 263-0489  
Website: [www.hcd.ca.gov/ca/cdbg](http://www.hcd.ca.gov/ca/cdbg)

**STATE OF CALIFORNIA**  
GRAY DAVIS, GOVERNOR

BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
MARIA CONTRERAS-SWEET, SECRETARY

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
JULIE BORNSTEIN, DIRECTOR

Division of Community Affairs

William J. Pavão, Deputy Director

Community Development Section

Lisa Vergolini, Section Chief  
Stuart Baker, Section Specialist

CDBG Program, General Allocation

Allen Jones, Program Manager  
Joan Ruggirello, Secretary  
Mimi Bettencourt, Lead  
Leticia Cortez  
Harry Faris  
JoAnn Jacobs  
Liz Fitzgerald  
David Nelson  
William Strong  
Patrick Talbott  
Sally Verdin  
Sue Wade

CDBG Program, Economic Development Allocation

Larry Davis, Program Manager  
Stacy Tyhurst, Secretary  
Ursula Eilat  
Sinetta Farley  
Janet Myles, Lead  
Gayle Pitt  
Kenneth Sano

Fiscal

Beth Wilburn  
Robert Lim

# Table of Contents

## Page Numbers

Section A. General Information	1
Section B. Funding Essentials	3
Section C. After a Grant is Awarded	7
Section D. How to Reach Us for Assistance	9
Section E. Application Instruction and Forms	10
Section F. Office of Management and Budgets (OMB) Circular A-133	28
Section G. List of Application Package Attachments	29
1. Application review and contract processing timeline	30
2. Application threshold requirements	31
3. Cash match requirement (also see Attachment 5 for cash match percentages)	32
4. Citizen participation/public hearings	34
5. Eligible jurisdictions, cash match, and CDBG staff contact list	39
6. Growth Control	45
7. National Objective Documentation	46
8. Procurement	49
9. Public Information File	53
10. Resolution of the governing body (sample)	54
11. Section 504 of the rehabilitation act of 1973	56
12. Statement of Assurances (sample)	60
13. Survey techniques	65
14. General and Economic Development Activity Titles	70
15. Income Limits	73

## SECTION A: GENERAL INFORMATION

### ABOUT THE P/TA ALLOCATION

**A Federally funded program** The State of California, Department of Housing and Community Development (HCD), administers a federal program known as the Community Development Block Grant Program (“CDBG”) or “State CDBG”).

HCD receives funds annually from the federal Department of Housing and Urban Development (HUD). Part of each annual allocation received from HUD is set aside by CDBG as the Planning and Technical Assistance Allocation, or P/TA. CDBG then divides these funds into two allocations: The General Allocation and the Economic Development (ED) Allocation.

The P/TA component has been part of CDBG since 1989. Since that time, CDBG has awarded 1,329 grants totaling over 114 million dollars.

**Federal Overlay requirements** P/TA grants are subject to various HUD overlay requirements. These include but are not limited to:

- Citizen participation
  - Environmental review
  - Procurement of services
  - Section 504 of the 1973 Rehabilitation Act
- For additional information, see the Attachments section of this Application Package

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**Authorizing legislation and regulations**

Federal Statute: The Housing and Community Development Act of 1974 as amended

Federal Regulations: Code of Federal Regulations, 24 CFR Section 570.480 et seq.

State Statute: California Health and Safety Code Section 50833 (Chapter 1144, Statutes of 1988)

State Regulations: California Code of Regulations Section 7050 et seq.

# FUNDING ALLOCATIONS AND AVAILABILITY

## Two Allocations

P/TA funds are divided into two separate allocations: the General Allocation and the Economic Development (ED) Allocation.

General Allocation	\$3,046,465
Economic Development Allocation	\$1,524,840

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## Limitations on grant amount

- A total of \$70,000 per applicant per fiscal year.
  - Of the \$70,000, up to \$35,000 for General, \$35,000 for ED.
  - No more than two grants per year for each \$35,000 allotment.
  - No more than \$70,000 for any General or ED specific project can be funded in successive fiscal years, except if the project is for basemapping. In this case, no more than \$35,000 can be funded.
  - No more than \$70,000 on a combined General and ED project.
-

## SECTION B: FUNDING ESSENTIALS

### APPLICATION PROCESS

When to  
apply

#### IMPORTANT CHANGE

All applications must be received at the department by 5:00 p.m. on the due date. No applications will be accepted after 5:00 p.m. on the due date. Late applications for Funding Round #1 will be considered under Funding Round #2. Late applications for Funding Round #2 will be returned to the applicant. Facsimile applications will not be accepted. The Department can no longer accept applications post marked by the due date; this is now the rule for all CDBG applications in all allocations.

There are two funding rounds for the 2003/04 P/TA Allocation. Following are the two due dates:

<u>Funding Round</u>	<u>Application Due Date/time</u>	
#1	June 30 <sup>th</sup> , 2003	5:00 pm
#2	October 31 <sup>st</sup> , 2003	5:00 pm

**Application forms**

The application forms are in Section F of this document. The application may also be obtained by using the internet, at the HCD website: [www.hcd.ca.gov/ca/cdbg/funds](http://www.hcd.ca.gov/ca/cdbg/funds) or is available by e-mail by contacting CDBG at (916) 263-0485.

**Threshold requirements**

The application must meet threshold requirements to be accepted for review. If any of the required components are missing, CDBG will return the application to the applicant for resubmittal after correction of deficiencies. See Attachment 2 for details.

**Application review and award process**

CDBG Review. CDBG reviews the application within approximately four weeks of receipt and notifies applicant of approval or denial within approximately six weeks of receipt.

Grant Award. Successful applicants receive an award letter; unsuccessful applicants receive a denial letter and invitation to resubmit the application. The jurisdiction's state and federal legislators are also notified of awards.

State Contract. Successful applicants will enter into a contract (also known as a "Standard Agreement") with HCD.

## ELIGIBLE APPLICANTS

### **Eligible applicants**

See Attachment 5 for a list of eligible applicants, which are generally:

- Cities with less than 50,000 residents
- Counties with an unincorporated area of less than 200,000 residents

Cities and counties may apply on behalf of other local entities, such as water districts, economic development corporations, and other non-profit community development organizations.

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### **Exceptions to eligible applicants**

If a city has entered into a three-year urban county cooperation agreement, it cannot participate in the State CDBG program unless that agreement expires.

If a city has been declared the central city of a Metropolitan Statistical Area (an "Entitlement City"), it is entitled to receive CDBG funds directly from HUD and cannot participate in the State CDBG program.

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### **Joint Applications**

Applicants considering "on behalf of" or joint applications with one or more other eligible jurisdictions are advised to contact their CDBG Representative and discuss their proposal before submitting it to CDBG. If CDBG determines that an application is inconsistent with HUD's joint application or grant benefit policies, it will return the application to the applicants.

## INELIGIBLE APPLICANTS

### **Reasons applicants are ineligible**

Three main reasons why an applicant might be ineligible to apply for funds:

1. Unresolved adverse performance or audit findings on prior CDBG grants or on the administration of CDBG program income. Applicants must have a good performance record on any prior administration of CDBG funds to be considered for funding.
2. Growth control measure is in effect at the local level.
3. Housing element is not in procedural compliance with State law.

Contact your CDBG Representative if you are unsure of your status.

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### **Reasons to waive ineligibility due to adverse performance**

Waiver of performance problems is possible if:

- the findings result in no obligation to return funds to the grantor; or
- satisfactory repayment or performance arrangements have been made with the grantor; or
- formal action has already been taken to resolve the problem.

## WHAT ACTIVITIES THE MONEY CAN BE USED FOR

**Types of projects**      The GENERAL Allocation focuses on housing, public works, and community facilities such as day care centers, food banks, senior centers, homeless shelters, and medical clinics.

The ED Allocation focuses on job creation and retention through business expansion and retention projects.

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**Examples of eligible projects**

GENERAL:

- ↗ affordable housing needs and/or development studies
- ↗ housing element preparation for jurisdictions in which 51% or more of the residents are TIG as documented by the Federal Census
- ↗ community facility feasibility studies (homeless shelters, day care centers and medical clinics)
- ↗ community needs assessments
- ↗ housing condition surveys
- ↗ infrastructure needs analyses and cost estimates for General-focused activities
- ↗ writing grant applications to funding sources for General-focused activities. Please be advised that you may only request up to \$2,500 if preparing a CDBG General/Native American/Colonias Allocation Application.
- ↗ environmental reviews or studies for General-focused activities

ED:

- ↗ business attraction and job retention studies
  - ↗ business incubator development feasibility studies
  - ↗ business development feasibility studies
  - ↗ infrastructure needs analyses and cost estimates for ED-focused activities
  - ↗ writing grant applications to funding sources for ED-focused activities. Applications for Enterprise Fund or Over-the-Counter applications are limited to \$7,500 per application grant applications
  - ↗ needs assessment for business revolving loan fund
  - ↗ environmental reviews or studies for ED-focused activities
-

## INELIGIBLE USES OF FUNDS

**Ineligible activities** The list that follows is examples only. CDBG encourages applicants to check with a CDBG Representative if they have questions about the eligibility of a proposed project.

<u><i>Ineligible Activity</i></u>	<u><i>Exception</i></u>
Housing element preparation for Jurisdiction in which fewer than 51% of residents are TIG as documented by the Federal Census.	Costs incurred for the preparation of that portion of the element in which affordable housing is addressed is eligible. See also below under comprehensive planning.
Working engineering or architectural specifications/drawings and design costs related to a specific project.	General feasibility studies that include <u>preliminary</u> engineering, architectural or design costs are eligible.
Day-to-day operations of local government or private or public organizations serving the community or region.	
<p>Comprehensive, general or long range planning.</p> <ul style="list-style-type: none"> <li>• <i>Comprehensive</i> means the study was conducted for more than half of the geographic area in the jurisdiction, and includes two or more topics regarding the physical development of the jurisdiction.</li> <li>• <i>General</i> means the documents include summaries of broad policies or proposals that are not site specific.</li> <li>• <i>Long-range</i> means the time-frames for the policies and proposals are five years or more.</li> </ul>	Comprehensive planning is allowed if the planning is carried out in a geographic area in which 51% or more of the residents are TIG as documented by the federal census and the applicant can document that the comprehensive plan will primarily benefit TIG persons.
<p>Actual implementation of an activity. Examples are:</p> <ul style="list-style-type: none"> <li>• acquiring real property</li> <li>• business loans</li> <li>• construction</li> <li>• marketing materials</li> <li>• purchase of equipment</li> <li>• relocation</li> </ul>	

## SECTION C: AFTER A GRANT IS AWARDED

### STATE CONTRACT PROCESS

**Contract** Successful applicants will enter into a contract (also known as a “Standard Agreement”) with HCD. The contract contains all the relevant State and Federal requirements, as well as specific information about the grant award and the work to be performed.

**Contract term** The contract term is variable depending on the nature of the funded activity, but cannot exceed 30 months.

**Implementing the contract** Receiving grant funds. CDBG’s cash request system allows grantees to request funds on a monthly basis after the contract has been fully executed. Funds are mailed out about four weeks from the time CDBG receives the cash request.

Reporting requirements. Grantees have minimal reporting requirements—a financial and accomplishment report every three months.

Managing the grant. CDBG publishes a Grant Management Manual to help grantees understand the program requirements. The Grant Management Manual can be found on the CDBG website: <http://www.hcd.ca.gov/ca/cdbg/gmm/>

**Completing the contract** Closeout package. At the end of the contract, grantees must submit documents to close out the grant. These documents are described in the Grant Management Manual.

Final product. By end of the contract term, grantees must submit the “Final Product” describing the work performed.

Procurement Process. At the end of the contract, grantees must submit documentation of the selection of any outside service providers paid with CDBG funds.

Implementation plan. At the end of the contract, if the planning activity requires follow-up implementation, the grantee has to submit an “Implementation Plan.” This plan has to:

- identify the persons or entity who will be responsible for implementation;
- describe the tasks needed to implement the activity,

**Completing  
the contract,  
Continued**

- document the capacity to implement (staffing, funding resources);
- document the jurisdiction's commitment to help out with implementation (a resolution from the governing body or a letter from the chief executive officer).

CDBG compliance review. At the end of the contract term, CDBG performs a compliance review of the P/TA activities and closeout documentation.

10 percent retention. CDBG will retain 10 percent of the grant award pending receipt and approval of the final product and the implementation plan, and any other documentation that may be required as a condition of the contract.

Notice of Public Hearing. At the end of the grant, the jurisdiction will hold a public hearing to notify the public about accomplishments funded by the grant, and will submit a copy of the Notice of Public Hearing to the State CDBG Program.

## SECTION D: HOW TO REACH US FOR ASSISTANCE

State of California  
 Department of Housing and Community Development  
 Community Development Block Grant Program  
 (916) 263-0485

**By mail** P. O. Box 952054  
 Sacramento, CA 94252-2054

**By Delivery/  
 Express Mail** 2710 Gateway Oaks Drive  
 North Building, Suite 190  
 Sacramento, CA 95833

**By fax** (916) 263-0489

**By E-mail and  
 Telephone**

		<u>E-mail</u>	<u>Telephone</u>
<b>Community Development Section</b>	Vergolini, Lisa – Chief	<a href="mailto:lvergoli@hcd.ca.gov">lvergoli@hcd.ca.gov</a>	(916) 263-0467
	Baker, Stuart – Specialist	<a href="mailto:sbaker@hcd.ca.gov">sbaker@hcd.ca.gov</a>	(916) 263-0464
<b>Program Secretaries</b>	Ruggirello, Joan (General)	<a href="mailto:jruggire@hcd.ca.gov">jruggire@hcd.ca.gov</a>	(916) 263-0485
	Tyhurst, Stacy (ED)	<a href="mailto:styhurst@hcd.ca.gov">styhurst@hcd.ca.gov</a>	(916) 263-0485
<b>General Allocation Staff</b>	Jones, Allen – Program Manager	<a href="mailto:ajones@hcd.ca.gov">ajones@hcd.ca.gov</a>	(916) 263-0466
	Bettencourt, Mimi – Lead	<a href="mailto:mbettencourt@hcd.ca.gov">mbettencourt@hcd.ca.gov</a>	(916) 263-0465
	Cortez, Leticia	<a href="mailto:lcortez@hcd.ca.gov">lcortez@hcd.ca.gov</a>	(916) 263-0478
	Faris, Harry	<a href="mailto:hfaris@hcd.ca.gov">hfaris@hcd.ca.gov</a>	(916) 263-0469
	Fitzgerald, Liz	<a href="mailto:lrios@hcd.ca.gov">lrios@hcd.ca.gov</a>	(916) 263-0470
	Jacobs, JoAnn – MST	<a href="mailto:jjacobs@hcd.ca.gov">jjacobs@hcd.ca.gov</a>	(916) 263-0479
	Nelson, David	<a href="mailto:dnelson@hcd.ca.gov">dnelson@hcd.ca.gov</a>	(916) 263-0476
	Strong, William	<a href="mailto:wstrong@hcd.ca.gov">wstrong@hcd.ca.gov</a>	(916) 263-0481
	Talbott, Patrick	<a href="mailto:ptalbott@hcd.ca.gov">ptalbott@hcd.ca.gov</a>	(916) 263-0482
	Verdin, Sally	<a href="mailto:sverdind@hcd.ca.gov">sverdin@hcd.ca.gov</a>	(916) 263-0461
Wade, Sue	<a href="mailto:swade@hcd.ca.gov">swade@hcd.ca.gov</a>	(916) 263-0475	
<b>ED Allocation Staff</b>	Davis, Larry – Program Manager	<a href="mailto:ldavis@hcd.ca.gov">ldavis@hcd.ca.gov</a>	(916) 263-0468
	Eilat, Ursula	<a href="mailto:ueilat@hcd.ca.gov">ueilat@hcd.ca.gov</a>	(916) 263-0477
	Farley, Sinetta	<a href="mailto:sfarley@hcd.ca.gov">sfarley@hcd.ca.gov</a>	(916) 263-0460
	Myles, Janet – Lead	<a href="mailto:jmyles@hcd.ca.gov">jmyles@hcd.ca.gov</a>	(916) 263-0463
	Pitt, Gayle	<a href="mailto:gpitt@hcd.ca.gov">gpitt@hcd.ca.gov</a>	(916) 263-0471
	Sano, Kenneth	<a href="mailto:ksano@hcd.ca.gov">ksano@hcd.ca.gov</a>	(916) 263-0474
<b>Fiscal Staff</b>	Wilburn, Beth	<a href="mailto:bwilburn@hcd.ca.gov">bwilburn@hcd.ca.gov</a>	(916) 263-0473
	Lim, Robert – MST	<a href="mailto:rlim@hcd.ca.gov">rlim@hcd.ca.gov</a>	(916) 263-0480

## **SECTION E: APPLICATION INSTRUCTIONS and FORMS**

**Instructions for the Application Summary Form** This section of the application package contains instructions for preparing and submitting the application, and a set of application forms.

- 1.a. Check the type of application: General Allocation or Economic Development.

Enter the name and mailing address of applicant

If there is to be a co-applicant please check box and provide duplicate of this page for the co-applicant.

- 1.b. Enter the name, title and mailing address of the chief executive officer, mayor, or other designee authorized in the resolution to sign the grant agreement.

- 1.c. Self-explanatory

2. Provide the title of the activity to be undertaken with these funds (see Attachment 14) and the amount of funds being requested. If more than one activity is proposed, enter the title for each and list the specific amount of funds requested for each activity. Show General Administration as a separate activity. Insert the total funds requested from the P/TA allocation (up to \$35,000), including all activities and general administration.

3. Insert the amount of cash match to be contributed by the applicant. For the cash match column, enter only the total amount of local funds the jurisdiction intends to spend on this grant, enter only the amount of cash match your jurisdiction is required to contribute per the cash match chart in Attachment 5. Note, all cash match must be spent prior to drawing down any funds from the state.

4. Self-explanatory

5. Complete potential beneficiaries – Insert percentage of TIG in the row for General Activity. For Economic Development insert percentage of TIG or check Slums and Blight.

6. LEGISLATIVE REPRESENTATIVES

Enter the district number, name and address for each type of legislator. If the applicant jurisdiction is in more than one district, provide the information for each district.

7. Check the appropriate box for any target populations that would be assessed should a project come out of the planning activity..

8. Briefly describe the proposed planning activity or activities.

9. Check yes or no concerning whether or not the jurisdiction has previously applied for P/TA funds in this fiscal year (2003-04). If awarded funds, indicate the dollar amount, check for which P/TA allocation, and give a brief description of activities.
10. Self-explanatory
11. Check the appropriate box for growth control and if applicable attach a copy of the growth control measure in effect.
12. If the applicant has submitted an adopted Housing Element to the Department, check “yes” and complete the self-certification form.
13. ENVIRONMENTAL CLEARANCE. The following two forms are required to complete the NEPA environmental review for planning activities that are exempt under 24 CFR part 58.34.
  - a. Finding of Exemption. Fill in the name of the applicant and list the activities proposed in the application. The appropriate official must print his/her name and sign and date the Finding of Exemption.
  - b. Form 58.6. Complete the form, sign it, and have the appropriate official also sign the form.
14. Print the name and title of the chief executive officer, mayor, or other designee who is authorized to submit the application. This need not be the contact person. The authorized person must sign and date this form.
15. APPLICATION CHECKLIST

The application checklist is included to assist in assuring that the application package is complete. Check each box after you have ensured that the document is complete and included in the package.

## Instructions for the Activity Description Form

Enter the name of the applicant at the top of each page. Complete a separate form for each activity. If you are planning to use any of the grant funds for General Administration (limited to 5% of the grant amount), please fill out a separate Activity Description form.

Clearly label additional pages with the applicant's name and item number.

1. Enter a brief description of the proposed activity.
2. Enter the total amount of funds requested for the proposed activity.
3. Each General Allocation activity for which funds are requested must principally provide TIG benefit. Describe how this statutory objective will be met. If the activity proposed in this application were funded and later in time led to an implementation project, estimate the percentage of beneficiaries that would be TIG (including LTIG). See Attachment 8.

For Economic Development applications, state which objective will be addressed and how the proposed activity will meet that objective. (See Attachment 8 and the NOFA.)

4. Activity description. Include the following information:
  - A brief description of the community development need to be addressed by this activity.
  - A detailed description of the program design used to implement the activity.
  - Other actions that will contribute to the accomplishment of this activity like completing the NEPA environmental review and other readiness tasks.

NOTE: In some circumstances, a proposed activity might involve both General and ED components. For example, a city-wide wastewater master plan could be done to plan for a General Public Works project and for an ED Infrastructure project. If you have already applied in the current year or within the last 2 funding cycles under General or ED and are now applying under the opposite allocation for the same project, please include in your project description a complete narrative of the entire project. Provide justification of why the grantee is applying under both allocations. Include a copy of the budget and project description submitted with the earlier application.

5. Include a complete description of the final product.

## **Instruction for the Budget and Task/Milestone Forms**

Applicants may budget up to 5% of the total CDBG funds being requested for general administration expenses. Such administrative costs include reporting activities and staff time used to procure consulting services.

Successful applicants will be required to account separately for each activity by line item (e.g., salaries, supplies, contracts). When preparing activity budgets, local fiscal staff should be consulted to ensure that the applicant's procurement and accounting systems can account for the budget and provide the required documentation.

The Department reserves the option of revising cost elements of the application. The use of CDBG planning funds to carry out projects that duplicate activities funded by other programs or agencies or by current or prior P/TA grants will only be deemed reasonable if sufficient documentation is included in the application to support the request for CDBG funds.

Applicants should contact their CDBG representative if they need additional explanation or assistance preparing budgets for the application.

Local commitments of cash match must be fully expended before the jurisdiction spends any of the CDBG grant funds. See Attachment 3 for more information about the cash match requirement. CDBG staff will not approve any cash requests until the grantee has provided documentation on CDBG report forms that the cash match expenditure requirement has been met.

### Budget or activity changes after a contract is executed.

1. Budgets. Requests for changes more than 10% between line items need prior CDBG written approval. In no event may general administration expenses funded by CDBG exceed 5% of the total grant amount.
2. Activities. Grantees may not add or change activities once the contract is executed. The only allowable change is to delete an activity if the grantee concludes it does not want to or is unable to proceed with the activity. All CDBG funds budgeted for these deleted activities will be disencumbered. Local cash match will not be reduced, as CDBG requires that all match be expended prior to spending any of the CDBG funds. Please contact a CDBG representative for guidance if you anticipate deleting an activity. Jurisdictions who have decided to delete an activity are eligible to submit a second application later in the funding year for a different activity, not to exceed the \$35,000 annual limit per allocation.

### **Schedule 1 - Activity Budget Form.**

Place the applicant's name at the top of each page. Insert the name of the activity and the tasks/milestones on the form. A single Schedule 1 may be used for one or two activities, as specified. All the costs other than general administration (see Schedule 2, below) should be included on this form.

1. Enter the activity name.
2. Enter the tasks necessary to carry out the activity.
3. Enter a breakout of hours, hourly rate and cost (hourly rate multiplied by hours) for work to be completed by both the jurisdiction staff and/or contractor.
4. For the local cash match and other funds being used on this project, please enter the amounts and then provide a total line item cost in the last column. As a footnote or on a continuation page, please identify the source of the other funds.
5. Enter totals.

**Schedule 2 - General Administration Budget Form.**

Prepare a Schedule 2 for general administration costs. Costs to be included in this activity shall not exceed 5% of the total grant amount for general administrative costs. Eligible activities may include accounting, procurement, payroll, and preparing CDBG Financial Accomplishment Reports (FARS).

1. Enter the General Administration tasks associated with the planning grant.
2. Enter a breakout of hours, hourly rate and cost (hourly rate multiplied by hours) for work to be completed by both the jurisdiction staff and/or contractor (if applicable).
3. If other funds besides CDBG and the local cash match are being used on this project, please enter the amounts and then provide a total line item cost in the last column. As a footnote or on a continuation page, please identify the source of the other funds.
4. Enter totals.

**Schedule 3 - Tasks/Milestones Chart.**

1. Enter the work to be completed by activity and task and indicate with a line the time period during which each will be carried out. NOTE: Cash match must be expended first. Therefore, cash match-funded activities must be scheduled first.
2. Indicate date when the final product will be submitted (final products are due by the end of the grant term).
3. Indicate date of close-out package submittal (within 90 days after the grant ends).

**Note:** Allow 4 to 6 months in your schedule to allow time for the Department to conduct application review, issuance of award letters, and processing of the State contract.

## **Instructions for miscellaneous certifications/documents**

### **Citizen Participation/Public Hearings**

Applicants must attach documentation affidavits of publication documenting that the two required public hearing were held prior to submitting this application. Attachment 4 has information on this requirement and sample public hearing notices with all the required language.

Acceptable documentation: copies of the public notices and proof of publication of both meetings showing the meetings were held with the proper time periods between publication and the hearing.

### **Resolution of the Governing Body**

Applicants must submit an original resolution or a certified copy of the Resolution of the governing body with the application, either version must have wet signature on it. The Resolution must signify approval of its contents, authorize a signatory, commit the local cash match, and authorize submission of the application. Attachment 10 is a sample Resolution.

If redevelopment agency funds will be used as the cash match, include a second resolution from the governing body of the redevelopment agency authorizing the use of redevelopment funds as a cash match.

### **Section 504 of the Rehabilitation Act of 1973**

Applicants must attach documentation that they have evaluated their compliance with this requirement. Attachment 11 has more information and a sample self-certification form.

### **Statement of Assurances**

Applicants must submit a Statement of Assurances with the application. Attachment 12 is a sample Statement. The jurisdiction's Chief Executive Officer must sign the Statement of Assurances.

**Instructions for submitting an application:** Submit **one original** and **one copy** to:

State of California  
Department of Housing and Community Development  
CDBG Program

By Mail: P.O. Box 952054  
Sacramento, CA 94252-2054

Or Hand Deliver/  
Express Mail to: 2710 Gateway Oaks Drive  
North Building, Suite 190  
Sacramento, CA 95833

Deadline: Applications must be received at HCD by 5:00 p.m. on the due date. Fax or e-mail copies will not be accepted.

California Department of Housing and Community Development



# Application Summary

## State Community Development Block Grant - PTA

### 1.a Applicant Information

Type of Application     General     Economic Development

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Entity Type: \_\_\_\_\_  
(City or County Only)

Zip Code: \_\_\_\_\_

County: \_\_\_\_\_

If there is a co-applicant please check here  and provide duplicate of this page for the co-applicant

### 1.b Authorized Representative Information

Mr.     Mrs.     Ms.     Other \_\_\_\_\_

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Check if the information in this area is the same as Applicant

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Ext: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

### 1.c Applicant Contact Information

Check if the same as Authorized Representative and go to next section

Mr.     Mrs.     Ms.     Other \_\_\_\_\_

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Ext: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Requested Funding by Activity**

<b>Activity Name</b> - Insert only one activity per line from the list provided as Attachment 14 to this Application	<b>Amount Requested</b>
	\$
	\$
	\$
	\$
	\$
General Administration	\$
<b>Total Amount Requested</b>	\$

**3. Proposed Other Funding Sources**

<b>Name of Source</b>	<b>Source Type (City or County, CDBG Program Income, or Other (Specify))</b>	<b>Amount of Cash Match*</b>
		\$
<b>Total</b>		\$

\* Enter only the total amount required to be committed (see attachment 5)

**4. Activity Location - NOT APPLICABLE**

**5. Potential Beneficiaries - CDBG National Objective**

<b>Type of Application</b>	<b>National Objective</b>
General Activities	Percentage of Potential Beneficiaries who are TIG: _____%
Economic Development Activities	<input type="checkbox"/> Percentage of Potential Beneficiaries who are TIG: _____%
	<input type="checkbox"/> Slums and Blight

**6. Legislative Representative Information**

	District #	First Name	Last Name
Assembly			
Senate			
Congress			

	District #	First Name	Last Name
Assembly			
Senate			
Congress			

	District #	First Name	Last Name
Assembly			
Senate			
Congress			

**7. Target Populations**

1. <input type="checkbox"/> Physically Disabled	9. <input type="checkbox"/> Seniors
2. <input type="checkbox"/> Persons with AIDS	10. <input type="checkbox"/> Mentally Ill
3. <input type="checkbox"/> Youths	11. <input type="checkbox"/> Veterans
4. <input type="checkbox"/> Single Adults	13. <input type="checkbox"/> Victims of Domestic Violence
5. <input type="checkbox"/> Single Men	12. <input type="checkbox"/> Substance Abusers
6. <input type="checkbox"/> Single Women	14. <input type="checkbox"/> Dually-Diagnosed
7. <input type="checkbox"/> Families	15. <input type="checkbox"/> Homeless
8. <input type="checkbox"/> Farmworker	16. <input type="checkbox"/> Other _____

**8. Describe Activity/Activities**

The work shall consist of: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**9. Previous Awards**

Has the jurisdiction previously submitted an application and been awarded funds in this current fiscal year (2003-04)?  No;  Yes. If yes, continue describing:

ED \$ \_\_\_\_\_. Briefly describe activities: \_\_\_\_\_  
\_\_\_\_\_

General \$ \_\_\_\_\_. Briefly describe activities: \_\_\_\_\_  
\_\_\_\_\_

**10. Consultant/Other Public Agency Contact Information**

Mr.  Mrs.  Ms.  Other \_\_\_\_\_

First Name: \_\_\_\_\_ MI: \_\_\_\_\_ Last Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Ext: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

11. Growth Control

Has the applicant enacted limitations on residential construction, which limitations are not establishing agricultural preserves, not imposed by another agency, or not based on a health and safety need?

- Yes. If yes, see note below.                       No.

Note: If the applicant has a General Plan, ordinance, or other measure which directly limits by number either the building permits which may be issued for residential construction, or buildable lots which may be developed for residential purposes, and the measure does not meet any of the exceptions found in the Program Regulations, Section 7056(b)(2)(B), check "Yes" and attach a copy of the measure in this section of the application.

12. Housing Element Self-Certification.

Statutory authority: State of California Health and Safety Code Section 50829.

Applications will not be accepted without a self-certification of procedural compliance

Contents of the housing element are not reviewed by CDBG. Except as otherwise provided in Section 50830 of the Health and Safety Code, no local application for funds shall be denied because of the content of the city or county's housing element or because of the Department's findings with respect to the city's or county's housing element.

Contents of self-certification: The applicant must self-certify that it has submitted a draft housing element and any required update to the Department in accordance with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code. The date on the certification should not be more than 12 months prior to the date of the P/TA application.

Has the applicant submitted an adopted Housing Element to the Department?

- Yes     No

If yes, complete the following self-certification that the housing element is in procedural compliance with State Housing Element Law.

HOUSING ELEMENT- Self-certification:

“I, \_\_\_\_\_, the City Attorney, County Counsel, Chief Executive Officer, Planning Director, or Contract Planner designated by the governing body for the City/County of \_\_\_\_\_, have reviewed the updated housing element of (name of jurisdiction) \_\_\_\_\_, and hereby certify that this housing element, which includes updated information and which conforms with all other requirements of Article 10.6 (beginning with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code, has been prepared and was submitted to the Department of Housing and Community Development on \_\_\_\_\_, 20\_\_\_\_. The updated housing element was adopted on \_\_\_\_\_, 20\_\_\_\_ and is in conformity with all requirements of Article 10.6 et seq.”

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**13. ENVIRONMENTAL CLEARANCE**

**A. Finding of Exemption**

It is the finding of the City/County of \_\_\_\_\_ that the activities proposed in this application for State Community Development Block Grant funds are exempt from environmental review requirements under NEPA because they are defined as exempt activities in 24 CFR Part 58.34. The activity(s) judged exempt consist(s) of:

	(Brief description of activities):	<b>NEPA Citation</b>
	General Administration Activities	58.34 (a) (3)
1.	_____	_____
2.	_____	_____
3.	_____	_____

\_\_\_\_\_  
Printed Name of Authorized Official

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

B. FORM 58.6

**PROJECT NAME / DESCRIPTION:**

**Level of Environmental Review Determination:** \_\_\_\_\_

(Exempt per 24 CFR 58.34, Categorically excluded not subject to statutes per § 58.35(b), Categorically excluded subject to statutes per § 58.35(a), Environmental Assessment per § 58.36, or EIS per 40 CFR 1500)

**STATUTES and REGULATIONS listed at 24 CFR 58.6**

**FLOOD DISASTER PROTECTION ACT**

1. Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Hazard?

( ) No; Cite Source Document: \_\_\_\_\_

(This factor is completed).

( ) Yes; Source Document: \_\_\_\_\_ (Proceed).

2. Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

( ) Yes (Flood Insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost. A copy of the flood insurance policy declaration must be kept on file).

( ) No (**Federal assistance may not be used in the Special Flood Hazards Area**).

**COASTAL BARRIERS RESOURCES ACT**

1. Is the project located in a coastal barrier resource area?

( X ) No; Cite Source Documentation:

There are no coastal zone barrier resource areas in California

(This element is completed).

( ) Yes - **Federal assistance may not be used in such an area.**

**AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES DISCLOSURES**

1. Does the project involve the sale or acquisition of existing property within a Civil Airport's Runway Clear Zone or a Military Installation's Clear Zone?

( ) No; SD \_\_\_\_\_

Project complies with 24 CFR 51.303(a)(3).

( ) Yes; **Disclosure statement must be provided** to buyer and a copy of the signed disclosure must be maintained in this Environmental Review Record.

\_\_\_\_\_  
Preparer Signature / Name /Date

\_\_\_\_\_  
Responsible Entity Official Signature / Name / Date

14. OFFICIAL AUTHORIZED TO SUBMIT APPLICATION

Name \_\_\_\_\_  
(Type or Print)

Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

15. APPLICATION CHECKLIST

<input type="checkbox"/>	Application Summary Form
<input type="checkbox"/>	Activity Description Form, one for each separate activity and general administration
<input type="checkbox"/>	Activity Budget, Schedule 1
<input type="checkbox"/>	General Administration Budget, Schedule 2
<input type="checkbox"/>	Task/milestone Chart, Schedule 3
<input type="checkbox"/>	Citizen participation - documentation of Design-phase Public Hearing
<input type="checkbox"/>	Citizen participation - documentation of Project Design Phase Public Hearing
<input type="checkbox"/>	Environmental Clearance – completed and executed Finding of Exemption and Form 58.6
<input type="checkbox"/>	Growth control documentation
<input type="checkbox"/>	Housing Element Self-Certification
<input type="checkbox"/>	Letters of intent of commitment from business owner (if applicable, ED only)
<input type="checkbox"/>	Letters received from citizens regarding application and responses (if applicable)
<input type="checkbox"/>	Resolution of the Governing Body
<input type="checkbox"/>	Section 504 documentation - Self-evaluation
<input type="checkbox"/>	Statement of Assurances
<input type="checkbox"/>	Subrecipient Agreement (if applicable)
<input type="checkbox"/>	Enclosed an original and 2 copies
<input type="checkbox"/>	Mailed in time to reach CDBG by last working day of the month
<input type="checkbox"/>	All certifications and signature/date blocks signed and dated.

Attach one form for each activity.

1. Activity title: \_\_\_\_\_
2. Amount requested for this activity: \$\_\_\_\_\_.
3. National objective. For **General Allocation** P/TA applications, please describe how the national objective of at least fifty one percent (51%) benefit Target Income Group (TIG) persons will be met by this activity. See Attachment 7 for how to document TIG benefit.

- Limited Clientele, list group(s):
- Income restricted, describe:
- Income survey or Census data, attach copy of documentation:
- Slums and Blight, (Economic Development Only), describe:

For **Economic Development** P/TA applications, please state which national objective this activity addresses and how the activity will meet that objective. Review the NOFA and Attachment 7 before completing this section.

4. Activity description. Include additional pages if needed. Check the instructions to make sure you have provided all the required information.
5. Describe the final product. NOTE: All final products must contain an acknowledgment of CDBG funding on the front cover.

**ED only**

6. The CDBG State regs. Require that 7062.1(d)(3)(C), that if a jurisdiction is using the P/TA funds for direct assistance to a for-profit business, then the application must include a letter from the benefiting business which (i) explains why the benefiting business is unable to provide funding for the activity; and (ii) conditionally commits the business to proceeding with the activities which are the subject of the grant.

Applicant: \_\_\_\_\_

### Activity Budget

Activity	City/County Staff Hours					Consultant Hours					Total Cost
	Number of Hrs	Hrly Rate	Task Cost			Number of Hrs	Hrly Rate	Task Cost			
Activities/ Tasks/ Milestones			CDBG Portion	Cash Match	Other Sources			CDBG Portion	Cash Match	Other Sources	
Activ. 1. Name: _____											
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
Activ. 2. Name: _____											
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
		\$	\$	\$	\$		\$	\$	\$	\$	\$
<b>Totals</b>			\$	\$	\$			\$	\$	\$	\$

Attach additional sheets if undertaking more than two activities.

Applicant: \_\_\_\_\_

**General Administration Budget**

General Administration (GA)	City/County Staff Hours					Consultant Hours					Total Cost
	Number of Hrs	Hrly Rate	Task Cost			Number of Hrs	Hrly Rate	Task Cost			
			CDBG Portion	*Cash Match	Other Sources			CDBG Portion	Cash Match	Other Sources	
1.		\$	\$	\$	\$		\$	\$	\$	\$	\$
2.		\$	\$	\$	\$		\$	\$	\$	\$	\$
3.		\$	\$	\$	\$		\$	\$	\$	\$	\$
4.		\$	\$	\$	\$		\$	\$	\$	\$	\$
5.		\$	\$	\$	\$		\$	\$	\$	\$	\$
6.		\$	\$	\$	\$		\$	\$	\$	\$	\$
7.		\$	\$	\$	\$		\$	\$	\$	\$	\$
8.		\$	\$	\$	\$		\$	\$	\$	\$	\$
9.		\$	\$	\$	\$		\$	\$	\$	\$	\$
10.		\$	\$	\$	\$		\$	\$	\$	\$	\$
<b>Totals</b>			\$	\$	\$			\$	\$	\$	\$

\* Because Cash Match must be spent first then any general administration funds being counted as Cash Match must be justified such that it is clear that all these funds will be spent before any state funds are drawn down.

Applicant: \_\_\_\_\_

**Task/Milestone Chart**

Year	2003		2004				2005				2006			
	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Activity Name/ Tasks/Milestones														
Activity 1. Name: _____														
Activity 2. Name: _____														

**Attach additional sheets if undertaking more than two activities. Grants cannot exceed 30 Months.**

## SECTION F: OMB CIRCULAR A-133

### COMPLIANCE WITH OMB CIRCULAR A-133

Office of Management and Budgets (OMB) Circular A-133 is issued pursuant to the Single Audit Act of 1984, P.L. 98-502, and the Single Audit Act Amendments of 1996, P.L. 104-156. It sets forth the standards for obtaining consistency and uniformity among Federal agencies for the audit of states, local governments, and non-profit organizations expending Federal awards. Cities and counties not exempted from the requirements of OMB Circular A-133 must submit their audits to the State Controller. Non-profit organizations not exempted must submit their audits to the California Department of Housing and Community Development.

Pursuant to the requirements of OMB Circular A-133, please check the appropriate box(s) and certify at the bottom of the page:

The \_\_\_\_\_ (name of entity) has expended more than \$300,000 in Federal funds in fiscal year 2002/2003 and is required to conduct a single audit or program specific audit for this year in accordance with the provisions of OMB Circular A-133.

The audit has been completed and has been submitted to the appropriate control agency.

The audit has not been completed. It is anticipated that the audit will be completed and submitted to the appropriate control agency by: \_\_\_\_\_ (date).

The \_\_\_\_\_ (name of entity) has expended less than \$300,000 in federal funds in fiscal year 2002/2003 and is exempt from the requirements of OMB Circular A-133. Non-Federal entities that expend less than \$300,000 a year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the General Accounting Office.

I certify on behalf of \_\_\_\_\_, (name of entity) that the above is a true and accurate statement.

\_\_\_\_\_  
(Printed name and title)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date signed)

## SECTION G: ATTACHMENTS

Attachment 1	Application review and contract processing timeline
Attachment 2	Application threshold requirements
Attachment 3	Cash match requirement (also see Attachment 5 for cash match percentages)
Attachment 4	Citizen participation/public hearings
Attachment 5	Eligible jurisdictions, cash match, and CDBG staff contact list
Attachment 6	Growth control
Attachment 7	National objective documentation
Attachment 8	Procurement
Attachment 9	Public information file
Attachment 10	Resolution of the governing body (sample)
Attachment 11	Section 504 of the Rehabilitation Act of 1973
Attachment 12	Statement of assurances (sample)
Attachment 13	Survey techniques
Attachment 14	General and Economic Development activities by name
Attachment 15	Income limits by county

<p><b>ATTACHMENT 1: APPLICATION REVIEW AND CONTRACT PROCESSING TIMELINE</b></p>
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The timeline below is an example of how long the application review and contracting processes typically take. Individual situations may vary.

<i>Steps in the process</i>	<i>1<sup>st</sup> cycle</i>	<i>2<sup>nd</sup> cycle</i>
	<b><i>Deadline</i></b>	
Application submitted to CDBG by 5 pm of due date	June 30	October 31
	<b><i>Typical date</i></b>	
Department completes application review and sends award or decline letter to jurisdiction	August 8	December 12
Department begins contract process; duration 60-90 days	August 15	December 19
Department mails executed contract to jurisdiction	November 14	March 12

Unless the contract contains special conditions to the contrary, the jurisdiction can incur costs and begin work as of the contract execution date, which is stamped in the lower right-hand corner of the contract. The contract execution date predates the mailing date by about 5-10 days.

## **ATTACHMENT 2: APPLICATION THRESHOLD REQUIREMENTS**

Applications will be reviewed based on the following threshold criteria. Applications that do not meet the minimum threshold criteria will not be considered for funding. If this occurs, CDBG will notify the applicant in writing of this determination.

Applicants may resubmit their applications for reconsideration. Unfunded applicants are encouraged to schedule meetings with their CDBG representative to discuss ways to strengthen their applications for future submission.

These criteria are described in attachments as indicated below:

<i>Criterion</i>	<i>For more information</i>
Application Forms must be fully completed and signed	Section E
Cash match documented in a signed certified resolution of the governing body	Attachments 3 and 5
Citizen participation/Public hearings	Application Summary Form and Attachment 4
Eligible activity meeting a HUD national objective	Section A
Eligible applicant	Section B
Environmental review certification	Application Summary Form
Growth control measures are not in effect	Application Summary Form and Attachment 6
Housing element self-certification	Application Summary Form
National objective documentation	Section A and Attachment 7
Resolution of the governing body	Attachment 10
Section 504 of the Rehabilitation Act of 1973	Attachment 11
Statement of Assurances	Attachment 12

## **ATTACHMENT 3: CASH MATCH REQUIREMENT** **(See also Attachment 5 for cash match percentage requirements)**

### Regulatory authority.

CDBG's Program Statute (Health and Safety Code, Section 50833) requires each applicant to contribute a cash match of up to 25% of the funds requested.

### Basis of the cash match calculation.

The basis of the cash match is local sales and use tax revenues for each eligible city and county. CDBG obtains revenue data from the State Controller's Office and computes the data on a per capita basis to determine the cash match percentage for each applicant. The cash match percentage requirement for each eligible city and county is shown at the end of this attachment.

For joint applicants, the amount of the cash match is determined by:

- Calculating the amount of the grant each jurisdiction will receive, then:
- Multiplying those amounts by each jurisdiction's cash match percentage.

### Resolution of local commitment.

The cash match must be documented in a Resolution submitted with the application package. See Attachment 10 for a sample Resolution.

### Acceptable expenditures of cash match on the grant.

- Payment of personnel and related costs of the jurisdiction when the jurisdictions' own staff carries out the study or project. The jurisdiction must maintain accurate accounting records to show the cash match was set aside for the grant and that local staff time was accounted for and paid by the cash match. See discussion below under "Frequently asked questions about cash match."
- Salaries and supplies related to the general administration of the grant.
- Payments of services for any contractors or subcontractors.

### Acceptable sources for cash match.

- Local general funds
- CDBG program income from a Revolving Loan Account for the same activity as the Planning activity, or CDBG program income amended into an open grant

- Contributions of cash from third party organizations. While such contributions are allowable, the third party is precluded from performing any work under the grant, unless it qualifies as a subrecipient organization and enters into a Subrecipient Agreement with the grantee. For more information, see the CDBG Grant Management Manual, Chapter 2 – Program Operators (available in hard copy or on our website at: [www.hcd.ca.gov/ca/cdbg/gmm/](http://www.hcd.ca.gov/ca/cdbg/gmm/)).

**NOTE: The commitment of cash match funds in the authorizing Resolution may not state “in-kind.” The local contribution must be in cash.**

Cash match accounting.

The cash match must be set aside and identifiable in the jurisdiction’s fiscal records (i.e., the expenditures of the cash match must be identifiable in an audit or fiscal review).

Local cash match must be fully expended before the grantee spends any of the CDBG grant award and requests for CDBG funds will not be approved until CDBG verifies that all cash match has been fully expended. Reductions in final grant expenditures will not result in a commensurate reduction in the required cash match. If any savings occur, the grantee will have to disencumber or return any CDBG funds.

## **ATTACHMENT 4: CITIZEN PARTICIPATION/PUBLIC HEARINGS**

<u>Purpose:</u>	To inform citizens of the opportunity for Federal funding To obtain citizen input on what P/TA activities should be proposed for funding
<u>Action needed</u>	Public notices; public hearings; public meetings Documentation is required with the application. See instructions in Section F.

### **CITIZEN PARTICIPATION**

The applicant should provide an opportunity to participate to all persons who may be affected by the proposed activities, especially TIG persons.

### **PUBLIC HEARINGS**

A public hearing is a public meeting that has been publicly noticed in a local newspaper of general circulation, or noticed in a fashion which otherwise follows local procedures for formal noticing of public hearings. The only public hearing that must be held before the local governing body is the hearing prior to submitting an application for funding to CDBG. Any designated employee or agent of the city or county who is knowledgeable about the program may conduct all other public hearings. Hearings are required at the following stages of a CDBG P/TA grant:

#### **Before getting a CDBG grant**

1. At project design phase a public hearing should be held at least 30 days prior to the application submittal hearing date to allow adequate time for meaningful public comment. The public hearing notice should be published 10 days prior to the meeting.
2. Before submitting an application for funding a second public hearing should be noticed 10 days prior to the meeting.

#### **During the term of a CDBG contract**

1. Before making any program amendments involving more than 10% of the total program budget.
2. Before making any program amendments that constitute a change in policies, standards, or criteria for program implementation.
3. When adopting or revising a Program Income Re-use Plan.
4. Before spending any Program Income revolving loan fund where the expenditure has not been previously noticed to the public as part of the Program Income Re-Use Plan hearing process.

### **At the end of the CDBG contract term**

Before submitting the Final Product of the P/TA activity and the closeout package. A copy of this notice must be submitted in order to close out the grant.

### **WHAT TO COVER IN THE PRE-APPLICATION HEARINGS**

It is important to fully disclose the following information to the public at the public hearings held prior to submitting the application to the Department. Samples are given below and copies of the notices must be included in the planning grant application.

1. **At project design phase.** At least one public hearing must be held during the time when the jurisdiction is deciding for which local project(s) or activity(s) to apply for CDBG funding. Residents of the area where CDBG funds will be used should be encouraged to participate. At this hearing, the following information should be offered:
  - an explanation of the CDBG program
  - an opportunity for attendees to ask questions and suggest possible uses of funds
  - information about the amount of funding available, the range of possible activities that may be undertaken with CDBG funds, and the opportunities for citizen involvement as the program progresses.
  - discussion of the national objective of benefit to Targeted Income Group (TIG) persons or other national objective
  - information about plans to minimize displacement that may occur as a result of grant funding
  - information that any assessments resulting from a CDBG-funded project will not be paid by members of the lowest Targeted Income Group and whether Targeted Income Group households who benefit from the project must pay any assessments
  - an invitation for written comments and how to submit such comments
  - information about the availability of technical assistance to groups representing TIG persons that request such assistance in developing proposals
  
2. **Before submitting an application for funding.** After the application has been prepared, and before it is submitted to the Department, the jurisdiction must hold a second hearing. At this time, the same information in the first six items listed above should be covered. In addition, the jurisdiction should:
  - fully describe the proposed activity(s) in the application
  - provide information about the amount of funding that is being requested
  - describe where each activity will be carried out and how it will meet the national objective of benefit to TIG persons or other national objective
  - provide information on the estimated time schedule to accomplish the activity
  - provide opportunity for attendees to comment on the program, subject to the applicant's normal rules governing public hearings.

## **NOTICING REQUIREMENTS**

All hearings should be noticed as widely as possible and held at a time and place convenient to the public, with accommodations made for persons with disabilities. Where a significant number (25% or more of local population) of non-English persons can reasonably be expected to participate, the notice must be in the appropriate language(s) and provision should be made for interpreters at the hearing. Hearing must be noticed 10 days prior to being conducted (unless local policies have different requirement) and the design and application public hearings should be at least 30 days apart. Lastly, the two public hearings should be within 12 months of the application submittal. Public notices always should contain the following information:

- **the time and place of the hearing**
- **the availability of a public information file about the CDBG program**
- **an invitation to submit written comments and guidance on where to send such comments.**

In addition to the information above, specific public hearings require specific information in the public notice.

1. At the **project design stage**, the Public Notice should contain information about:
  - **the amount of CDBG funds available**
  - **the kinds of activities that are eligible for funding**
2. At the **application submittal phase**, the Public Notice should contain information about:
  - **the application's dollar amount**
  - **the activities being proposed**
  - **a relocation plan, if residents will be relocated as a result of the proposed activity**
3. When any changes are made or actions are taken **during the term of the grant** that have not already been disclosed to the public, the notice should include:
  - **information about the action being taken**
4. Before submitting the Final Product of the P/TA activity and the closeout package **at the end of the CDBG contract term**, the notice should include:
  - **notice that the accomplishments under the grant will be disclosed**

## **RECORDKEEPING**

The applicant/grantee should keep a record of all public hearings. The record should contain copies of the Public Notices, minutes of the hearings documenting that the contents of the Notice were discussed at the hearing, and a list of attendees. We recommend reading the contents of the notice into the minutes to ensure that all items are discussed. Attendees are not required to sign a sign-in sheet, but

the file should show that a list was made available for sign-in at the start of the hearing. If attendees were present but did not sign or if no one attended, the file should so indicate.

## **DECISIONS REGARDING APPLICATION CONTENTS/GRIEVANCES AND COMPLAINTS**

The local governing body has the sole discretion of deciding the contents of an application for funding. Any allegations made by any resident of the community that the procedural or legal requirements of the program are being violated should be thoroughly investigated. Any written complaints and grievances must receive a written response within 15 days where practicable.

## **SAMPLE NOTICES**

Sample Public Notices for use at the grant design stage and the application submittal stage are given below. Copies of the affidavits of publication (or if posted then copies must be certified by city/county clerk) must be included in the application.

### **NOTICE OF PUBLIC HEARING FOR DESIGN PHASE** **(SAMPLE)**

NOTICE IS HEREBY GIVEN that the city/county of \_\_\_\_\_ will conduct a public hearing on Thursday, June 4, 2003, at 6:00 p.m. at the city/county offices room, \_\_\_\_\_ Street, \_\_\_\_\_, CA to discuss the Fiscal Year 2003/2004 Community Development Block Grant program and to solicit citizen input on possible applications to be submitted.

Maximum award limits include a total of \$800,000 per year from the General and Economic Development Components combined. Up to \$500,000 per application per year may be awarded from the General and also the Economic Development Component. Grants up to \$35,000 per year from the General Planning and Technical Assistance allocation and \$35,000 per year from the Economic Development Planning and Technical Assistance allocation may be awarded and do not count toward the \$800,000 cap. A Native American allocation is available for eligible activities in areas with concentrations of Native American Indians not federally recognized as an Indian tribe or rancheria. The amount of Native American funds available varies each year, and a grant from this allocation does not count toward the \$800,000 cap.

The major activity categories are Planning and Technical Assistance; Housing-Acquisition; Housing-New Construction; Housing-Rehabilitation; Community Facilities/Public Services; Public Works; and Economic Development. Projects funded with CDBG funds must meet at least one of the following National Objectives: Benefit to Targeted Income Group (TIG) persons or elimination of slums and blight, emergency and urgent need.

The \_\_\_\_\_ department on behalf of the city/county of \_\_\_\_\_ anticipates applying for the maximum grant amount of \$800,000 under the General and Economic Development Components for housing rehabilitation and Reservation of Funds for small business loans as well as the maximum grant amount of \$70,000 from the General and Economic Development Planning and Technical Assistance Components.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the city/county of \_\_\_\_\_, \_\_\_\_\_ department, \_\_\_\_\_ Street, \_\_\_\_\_, CA 9\_\_\_\_ or you may telephone Mr./Ms. \_\_\_\_\_ at ( ) \_\_\_\_\_. In addition, general CDBG information is available for your inspection at the above office address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays in the public information file.

The city/county promotes fair housing and makes all programs available to low and moderate income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status, or handicap.

Published \_\_\_\_\_, 2003

**SECOND NOTICE:**

**NOTICE OF PUBLIC HEARING FOR APPLICATION SUBMITTAL**  
**(SAMPLE)**

NOTICE IS HEREBY GIVEN that the city/county of \_\_\_\_\_ will conduct a public hearing by the city council/county board on Tuesday, July 19, 2003, at 8:00 p.m. at the city/county council/board room, \_\_\_\_\_ Street, to discuss the Fiscal Year 2003 Community Development Block Grant (CDBG) Planning and Technical Assistance (General Allocation or Economic Development) application and to solicit citizen input.

The \_\_\_\_\_ department on behalf of the city/county of \_\_\_\_\_ is applying for the maximum grant amount of \$35,000 under the Planning and Technical Assistance Grant (General Allocation or Economic Development) for a \_\_\_\_\_ feasibility study.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the city/county of \_\_\_\_\_, \_\_\_\_\_ department, \_\_\_\_\_ Street, \_\_\_\_\_, CA \_\_\_\_\_ or you may telephone Mr./Ms. \_\_\_\_\_ at ( ) \_\_\_\_\_ with questions or comments. In addition, a CDBG public information file may be obtained at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays to find out more information about the CDBG program.

The city/county promotes fair housing and makes all programs available to low and moderate income families regardless of age, race, color, religion, sex, national origin, sexual preference, marital status, or handicap.

Published \_\_\_\_\_, 2003

<b>ATTACHMENT 5: ELIGIBLE JURISDICTIONS, CASH MATCH PERCENTAGES AND CDBG STAFF CONTACT LIST</b>
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NOTES:

1. The data in this attachment were obtained in March 2003 from the State Controller’s Office. The data are contained in a report entitled “Sales & Use Tax Revenues Per Capita & Estimated Population.”
2. To calculate the minimum amount of cash match required, multiply the percentage in the “Cash Match Percentage” column opposite the applicant’s name times the total amount of CDBG funds requested.

<u>Jurisdiction</u>	<u>County</u>	<u>TIG<sup>1</sup> Percentage</u>	<u>Cash Match Percentage</u>	<u>General Representative</u>	<u>Economic Development Representative</u>
<b>Alpine County</b>	Alpine	43	25	David Nelson	Gayle Pitt
Alturas	Modoc	45	21	David Nelson	Ken Sano
Amador City	Amador	37	8	David Nelson	Janet Myles
<b>Amador County</b>	Amador	34	7	David Nelson	Janet Myles
American Canyon	Napa	31	12	Patrick Talbott	Ursula Eilat
Anderson	Shasta	53	17	Liz Fitzgerald	Ken Sano
Angels Camp	Calaveras	42	22	Harry Faris	Janet Myles
Arcata	Humboldt	56	14	Patrick Talbott	Ursula Eilat
Atwater	Merced	41	8	David Nelson	Sinetta Farley
Auburn	Placer	33	25	David Nelson	Janet Myles
Avenal	Kings	52	2	Patrick Talbott	Sinetta Farley
Benicia	Solano	22	14	William Strong	Ursula Eilat
Biggs	Butte	47	2	Liz Fitzgerald	Ken Sano
Bishop	Inyo	47	25	David Nelson	Gayle Pitt
Blue Lake	Humboldt	43	5	Patrick Talbott	Ursula Eilat
Bradbury	Los Angeles <sup>2</sup>	4	2	Sue Wade	Gayle Pitt
Brawley	Imperial	52	8	Leticia Cortez	Gayle Pitt
Buellton	Santa Barbara	32	25	Harry Faris	Gayle Pitt
<b>Butte County</b>	Butte	45	3	Liz Fitzgerald	Ken Sano
<b>Calaveras County</b>	Calaveras	35	6	Harry Faris	Janet Myles

<sup>1</sup> This figure represents the percentage of Targeted Income Group (TIG) in the jurisdiction based on 1990 census data.  
<sup>2</sup> Although the cities listed within this county are CDBG-eligible jurisdictions, the county itself is not.

<u>Jurisdiction</u>	<u>County</u>	<u>TIG<sup>1</sup> Percentage</u>	<u>Cash Match Percentage</u>	<u>General Representative</u>	<u>Economic Development Representative</u>
Calexico	Imperial	64	17	Leticia Cortez	Gayle Pitt
Calimesa	Riverside			Leticia Cortez	Gayle Pitt
Calipatria	Imperial	64	2	Leticia Cortez	Gayle Pitt
Calistoga	Napa	52	14	Patrick Talbott	Ursula Eilat
Capitola	Santa Cruz	47	25	Harry Faris	Janet Myles
Carmel	Monterey	26	25	Sue Wade	Janet Myles
Carpinteria	Santa Barbara	38	11	Harry Faris	Gayle Pitt
Ceres	Stanislaus	38	13	Harry Faris	Janet Myles
Chowchilla	Madera	47	7	Sally Verdin	Sinetta Farley
Clearlake	Lake	55	10	Sally Verdin	Ursula Eilat
Coachella	Riverside	70	8	Leticia Cortez	Gayle Pitt
Colfax	Placer	57	25	David Nelson	Janet Myles
Colusa	Colusa	44	21	Liz Fitzgerald	Ursula Eilat
<b>Colusa County</b>	Colusa	43	6	Liz Fitzgerald	Ursula Eilat
Corcoran	Kings	56	5	Patrick Talbott	Sinetta Farley
Corning	Tehama	56	25	William Strong	Ken Sano
Crescent City	Del Norte	42	14	Patrick Talbott	Ursula Eilat
<b>Del Norte County</b>	Del Norte	42	4	Patrick Talbott	Ursula Eilat
Del Rey Oaks	Monterey	21	15	Sue Wade	Janet Myles
Delano	Kern	59	8	Sue Wade	Gayle Pitt
Dinuba	Tulare	49	10	William Strong	Sinetta Farley
Dixon	Solano	38	14	William Strong	Ursula Eilat
Dorris	Siskiyou	71	4	Sally Verdin	Ken Sano
Dos Palos	Merced	54	8	David Nelson	Sinetta Farley
Dunsmuir	Siskiyou	51	10	Sally Verdin	Ken Sano
El Centro	Imperial	45	18	Leticia Cortez	Gayle Pitt
<b>El Dorado County</b>	El Dorado	35	6	Harry Faris	Janet Myles
Etna	Siskiyou	50	7	Sally Verdin	Ken Sano
Eureka	Humboldt	46	25	Patrick Talbott	Ursula Eilat
Exeter	Tulare	49	8	William Strong	Sinetta Farley
Farmersville	Tulare	64	5	William Strong	Sinetta Farley
Ferndale	Humboldt	34	12	Patrick Talbott	Ursula Eilat

<u>Jurisdiction</u>	<u>County</u>	<u>TIG<sup>1</sup> Percentage</u>	<u>Cash Match Percentage</u>	<u>General Representative</u>	<u>Economic Development Representative</u>
Firebaugh	Fresno			David Nelson	Sinetta Farley
Fort Bragg	Mendocino	42	25	Sue Wade	Ursula Eilat
Fort Jones	Siskiyou	54	19	Sally Verdin	Ken Sano
Fortuna	Humboldt	39	14	Patrick Talbott	Ursula Eilat
Fowler	Fresno <sup>2</sup>	48	15	David Nelson	Sinetta Farley
<b>Glenn County</b>	Glenn	46	5	Liz Fitzgerald	Ken Sano
Goleta	Santa Barbara	43	4	Harry Faris	Gayle Pitt
Gonzales	Monterey	64	5	Sue Wade	Janet Myles
Grass Valley	Nevada	53	25	Liz Fitzgerald	Janet Myles
Greenfield	Monterey	60	8	Sue Wade	Janet Myles
Gridley	Butte	57	20	Liz Fitzgerald	Ken Sano
Guadalupe	Santa Barbara	76	4	Harry Faris	Gayle Pitt
Gustine	Merced	30	6	David Nelson	Sinetta Farley
Hanford	Kings	41	16	Patrick Talbott	Sinetta Farley
Hidden Hills	Los Angeles <sup>2</sup>	7	9	Sue Wade	Gayle Pitt
Hollister	San Benito	44	12	Sue Wade	Janet Myles
Holtville	Imperial	53	4	Leticia Cortez	Gayle Pitt
Hughson	Stanislaus	40	7	Harry Faris	Janet Myles
<b>Humboldt County</b>	Humboldt	43	3	Patrick Talbott	Ursula Eilat
Huron	Fresno	69	4	David Nelson	Sinetta Farley
Imperial	Imperial	33	11	Leticia Cortez	Gayle Pitt
<b>Imperial County</b>	Imperial	51	2	Leticia Cortez	Gayle Pitt
Indian Wells	Riverside <sup>2</sup>	11	25	Leticia Cortez	Gayle Pitt
Industry	Los Angeles <sup>2</sup>	53	25	Sue Wade	Gayle Pitt
<b>Inyo County</b>	Inyo	38	7	David Nelson	Gayle Pitt
Ione	Amador	29	3	David Nelson	Janet Myles
Jackson	Amador	42	25	David Nelson	Janet Myles
King City	Monterey	58	12	Sue Wade	Janet Myles
<b>Kings County</b>	Kings	45	2	Patrick Talbott	Sinetta Farley
<b>Lake County</b>	Lake	43	4	Sally Verdin	Ursula Eilat
Lakeport	Lake	37	25	Sally Verdin	Ursula Eilat
<b>Lassen County</b>	Lassen	38	3	David Nelson	Ken Sano

<u>Jurisdiction</u>	<u>County</u>	<u>TIG<sup>1</sup> Percentage</u>	<u>Cash Match Percentage</u>	<u>General Representative</u>	<u>Economic Development Representative</u>
Lemoore	Kings	34	8	Patrick Talbott	Sinetta Farley
Lincoln	Placer	45	11	David Nelson	Janet Myles
Lindsay	Tulare	58	5	William Strong	Sinetta Farley
Live Oak	Sutter	66	3	Liz Fitzgerald	Janet Myles
Livingston	Merced	47	4	David Nelson	Sinetta Farley
Loomis	Placer	26	13	David Nelson	Janet Myles
Los Banos	Merced	43	12	David Nelson	Sinetta Farley
Loyalton	Sierra	33	10	Sally Verdin	Ken Sano
<b>Madera County</b>	Madera	41	5	Sally Verdin	Sinetta Farley
Mammoth Lakes	Mono	40	25	David Nelson	Gayle Pitt
Marina	Monterey	52	4	Sue Wade	Janet Myles
<b>Mariposa County</b>	Mariposa	35	11	Sally Verdin	Sinetta Farley
Marysville	Yuba	45	17	Mimi Bettencourt	Janet Myles
<b>Mendocino County</b>	Mendocino	38	6	Sue Wade	Ursula Eilat
Mendota	Fresno <sup>2</sup>	68	5	David Nelson	Sinetta Farley
<b>Merced County</b>	Merced	45	3	David Nelson	Sinetta Farley
<b>Modoc County</b>	Modoc	43	3	David Nelson	Ken Sano
<b>Mono County</b>	Mono	41	5	David Nelson	Gayle Pitt
Montague	Siskiyou	52	5	Sally Verdin	Ken Sano
<b>Monterey County</b>	Monterey	44	3	Sue Wade	Janet Myles
Morro Bay	San Luis Obispo <sup>2</sup>	43	17	Harry Faris	Gayle Pitt
Mount Shasta	Siskiyou	45	25	Sally Verdin	Ken Sano
<b>Napa County</b>	Napa	36	5	Patrick Talbott	Ursula Eilat
Nevada City	Nevada	42	25	Liz Fitzgerald	Janet Myles
<b>Nevada County</b>	Nevada	34	5	Liz Fitzgerald	Janet Myles
Newman	Stanislaus	47	9	Harry Faris	Janet Myles
Orange Cove	Fresno	79	3	David Nelson	Sinetta Farley
Orland	Glenn	50	14	Liz Fitzgerald	Ken Sano
Oroville	Butte	60	25	Liz Fitzgerald	Ken Sano
Pacific Grove	Monterey	35	14	Sue Wade	Janet Myles
Palos Verdes Estates	Los Angeles <sup>2</sup>	7	3	Sue Wade	Gayle Pitt

<u>Jurisdiction</u>	<u>County</u>	<u>TIG<sup>1</sup> Percentage</u>	<u>Cash Match Percentage</u>	<u>General Representative</u>	<u>Economic Development Representative</u>
Pismo Beach	San Luis Obispo <sup>2</sup>	37	22	Harry Faris	Gayle Pitt
<b>Placer County</b>	Placer	30	6	David Nelson	Janet Myles
Placerville	El Dorado	50	25	Harry Faris	Janet Myles
<b>Plumas County</b>	Plumas	39	10	Sally Verdin	Ken Sano
Plymouth	Amador	36	15	David Nelson	Janet Myles
Point Arena	Mendocino	54	16	Sue Wade	Ursula Eilat
Portola	Plumas	50	9	Sally Verdin	Ken Sano
Rancho Mirage	Riverside <sup>2</sup>	26	25	Leticia Cortez	Gayle Pitt
Red Bluff	Tehama	53	22	William Strong	Ken Sano
Rio Dell	Humboldt	53	3	Patrick Talbott	Ursula Eilat
Rio Vista	Solano	39	19	William Strong	Ursula Eilat
Riverbank	Stanislaus	41	5	Harry Faris	Janet Myles
Rocklin	Placer	26	14	David Nelson	Janet Myles
<b>San Benito County</b>	San Benito	38	4	Sue Wade	Janet Myles
San Clemente	Orange			Mimi Bettencourt	Gayle Pitt
San Joaquin	Fresno <sup>2</sup>	65	7	David Nelson	Sinetta Myles
San Juan Bautista	San Benito	47	17	Sue Wade	Janet Myles
San Juan Capistrano	Orange	31	23	Mimi Bettencourt	Gayle Pitt
Sand City	Monterey	83	25	Sue Wade	Janet Myles
<b>Santa Barbara County</b>	Santa Barbara	43	4	Harry Faris	Gayle Pitt
<b>Santa Cruz County</b>	Santa Cruz	40	4	Harry Faris	Janet Myles
Scotts Valley	Santa Cruz	22	24	Harry Faris	Janet Myles
<b>Shasta County</b>	Shasta	39	2	Liz Fitzgerald	Ken Sano
Shasta Lake	Shasta	Not Avail	3	Liz Fitzgerald	Ken Sano
<b>Sierra County</b>	Sierra	33	7	Sally Verdin	Ken Sano
<b>Siskiyou County</b>	Siskiyou	44	2	Sally Verdin	Ken Sano
<b>Solano County</b>	Solano	34	1	William Strong	Ursula Eilat
Soledad	Monterey	66	2	Sue Wade	Janet Myles
Solvang	Santa Barbara	34	25	Harry Faris	Gayle Pitt
Sonora	Tuolumne	41	25	Harry Faris	Janet Myles
South Lake Tahoe	El Dorado	55	19	Harry Faris	Janet Myles

<u>Jurisdiction</u>	<u>County</u>	<u>TIG<sup>1</sup> Percentage</u>	<u>Cash Match Percentage</u>	<u>General Representative</u>	<u>Economic Development Representative</u>
St. Helena	Napa	36	25	Patrick Talbott	Ursula Eilat
Suisun City	Solano	34	5	William Strong	Ursula Eilat
Susanville	Lassen	41	12	David Nelson	Ken Sano
<b>Sutter County</b>	Sutter	39	4	Liz Fitzgerald	Janet Myles
Sutter Creek	Amador	39	21	David Nelson	Janet Myles
Taft	Kern <sup>2</sup>	25	18	Sue Wade	Gayle Pitt
Tehama	Tehama	42	1	William Strong	Ken Sano
<b>Tehama County</b>	Tehama	45	3	William Strong	Ken Sano
Trinidad	Humboldt	27	24	Patrick Talbott	Ursula Eilat
<b>Trinity County</b>	Trinity	49	7	Sally Verdin	Ken Sano
Truckee	Nevada	34	16	Liz Fitzgerald	Janet Myles
<b>Tulare County</b>	Tulare	48	3	William Strong	Sinetta Farley
Tulelake	Siskiyou	64	8	Sally Verdin	Ken Sano
<b>Tuolumne County</b>	Tuolumne	34	8	Harry Faris	Janet Myles
Ukiah	Mendocino	42	25	Sue Wade	Ursula Eilat
Vernon	Los Angeles <sup>2</sup>	68	25	Sue Wade	Gayle Pitt
Wasco	Kern	64	4	Sue Wade	Gayle Pitt
Waterford	Stanislaus	50	5	Harry Faris	Janet Myles
Weed	Siskiyou	58	16	Sally Verdin	Ken Sano
West Sacramento	Yolo	55	25	Mimi Bettencourt	Ursula Eilat
Westmorland	Imperial	54	2	Leticia Cortez	Gayle Pitt
Wheatland	Yuba	39	7	Mimi Bettencourt	Janet Myles
Williams	Colusa	48	19	Liz Fitzgerald	Ursula Eilat
Willits	Mendocino	45	21	Sue Wade	Ursula Eilat
Willows	Glenn	51	15	Liz Fitzgerald	Ken Sano
Winters	Yolo	38	5	Mimi Bettencourt	Ursula Eilat
Woodlake	Tulare	67	4	William Strong	Sinetta Farley
<b>Yolo County</b>	Yolo	46	2	Mimi Bettencourt	Ursula Eilat
Yountville	Napa	44	14	Patrick Talbott	Ursula Eilat
Yreka	Siskiyou	44	25	Sally Verdin	Ken Sano
<b>Yuba County</b>	Yuba	51	4	Mimi Bettencourt	Janet Myles

## **ATTACHMENT 6: GROWTH CONTROL**

**NOTE:** This information is provided as a means of alerting potential applicants of this important requirement. Applicants should read this information before they fill out an application for funding.

Ineligible to apply for funds. Any applicant with a growth control measure in effect is only eligible to apply for P/TA funds under the conditions stated in #2 below.

Statutory authority. Program Regulations, Health and Safety Code Section 50830.

Definition of a growth control measure.

A general plan, ordinance, or other measure which directly limits, by number:

1. the building permits that may be issued for residential construction, or
2. the buildable lots which may be developed for residential purposes.

Section 50830 does not apply to:

1. an ordinance adopted by a city or county which does any of the following:
  - a) imposes a moratorium to protect the public health and safety on residential construction for a specified period of time if, under the terms of the ordinance, the moratorium will cease when the public health and safety is no longer jeopardized by the construction;
  - b) creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of title 5 of the government code; or
  - c) was adopted pursuant to a specific requirement of a State or multi-state board, agency, department, or commission; or
2. a city or county which has a housing element that the Department has found to be adequate pursuant to subdivision (c) of Section 65585 or Section 65586 of the Government Code at the time the city or county applies for funds under the State CDBG Program, unless a final court order has found that such housing element is not in compliance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code.

## ATTACHMENT 7: NATIONAL OBJECTIVE DOCUMENTATION

### National Objectives

- \* Benefits the Targeted Income Group (TIG)
- \* Eliminates or prevents slums or blight

Federal law establishes the primary national objective for the CDBG Program as the development of viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low and moderate income (see below).

Definition of Targeted Income Group. "Persons of low and moderate income" are defined as families and individuals whose incomes do not exceed 80% of the area median income, with adjustments for smaller and larger families. According to State CDBG Program regulations, these Targeted Income Group (TIG) individuals and families are intended to be the principal beneficiaries of the State CDBG Program. State CDBG uses the term "Targeted Income Group" (TIG) for households at 80% and below of median and "Lowest Targeted Income Group" (LTIG) for households at 50% and below of median. See Attachment 7 for the current income limits.

Limited Clientele Activities. Activities that benefit a clientele who are generally presumed to be principally TIG persons, excluding activities that benefit all the residents of an area and most housing or economic development activities, are considered by HUD to principally benefit TIG persons for CDBG purposes. Activities that exclusively serve a group of persons in any one or a combination of the following categories are presumed to benefit persons, 51 percent of whom are TIG: abused children; battered spouses; elderly persons; adults meeting the Bureau of the Census' Current Population Reports definition of "severely disabled," homeless persons; illiterate adults, persons living with AIDS, and migrant farm workers. Contact your CDBG Representative if you need more information on how this may apply to your activity.

### General requirements

P/TA activities must be directed towards the planning of a project that, if brought to completion, would meet the CDBG objectives in State and Federal law.

General studies that provide a community-wide service or database will not be considered to meet program objectives unless the community as a whole is 51% TIG and the work, if completed, would principally benefit TIG. Contact your CDBG Representative if you have any questions.

## Which objectives can be met

### For General. TIG benefit only

State law requires that any proposed General P/TA activity must, if brought to completion, principally benefit TIG persons. "Principally benefit" means that 51% of those individuals who benefit from the activity are from the TIG.

### For ED. Either of two National Objectives

State law allows any proposed ED P/TA activity to satisfy any one of the two HUD national objectives: "aiding in the prevention or elimination of slums and blight" or "benefiting low and moderate income persons." Applicants who intend to address the slums and blight national objective should contact the Department to confirm the eligibility of the activity.

## Documentation required with the application.

### ▸ Benefit to the Targeted Income Group.

Applicants must provide documentation in the application about how the P/TA project, if brought to implementation, would "principally benefit" TIG persons. "Principally benefit" means that at least 51% of the beneficiaries of the implemented project must be TIG.

Documentation sources: Applicants may use the 2000 census data, if unavailable use the 1990 census data, income surveys, or other reliable data sources to show how at least 51% of the beneficiaries will be TIG. For ED applications, applicants should document the number of jobs that will be created for TIG persons out of the total number of jobs projected to result from project implementation. The formula for ED job projections should include:

- 1) a list of industries to be expanded, developed or attracted to the jurisdiction or project area—based on local historical data or projections of future development;
- 2) independent, historical or projected third party data for average number of jobs created, by job-title, for each type of industry identified in 1) above;
- 3) number of industries projected to be expanded, developed or attracted for this grant-listed by industry classification;
- 4) the products of 2) above times 3) above, (number of jobs by job-title multiplied by the number of jobs to be created by industry, by job-title) will produce the job creation estimate for new business or business growth by industry.

**For example:**

If you are requesting a grant for a Downtown Revitalization Study, your jobs estimate might be as follows:

1. Revitalization might expand businesses in the Retail Industry as follows.

Industry	SIC	Existing # of Jobs	Projected # of Jobs	Absolute Change	Percent Change
<b>Retail Trade</b>	52-59	1,050	1,116	66	6.3%
General Merchandise	53	90	100	10	11.1%
Food Stores	54	190	199	9	4.7%
Eating & Drinking Places	58	370	380	10	2.7%
Other Retail Trade		400	437	37	9.3%

2. Job titles for General Merchandise industry might include clerk, janitor, etc.
3. Estimate the number of clerks and janitors, etc.
4. Estimate the number of industries that may expand by the P/TA study.
5. Multiply the number of jobs by job-title for each of the industries that might expand as a result of the proposed P/TA grant. Total all jobs by title. This total number becomes your estimated number of jobs resulting from the implementation of planning study results. Thus you have built an estimate based upon the number of jobs in each job-title for each industry the P/TA study might impact.

The basis for estimates of the total number of jobs to be created from project implementation and the number of TIG jobs that will be created must be supported by information provided under item #3 of the application’s “Activity Description Form.” Applications that do not provide support for the job estimates and TIG benefit will be deemed not to have met the ED national objective requirement.

▶ Aid in the elimination or prevention of slums and blight

Applicants must provide information in the application about how the P/TA project, if brought to implementation, would aid in the prevention or elimination of slums and blight.

Documentation sources: Local Redevelopment Agency/Plan information that: the study is related to a project located within an area delineated by the jurisdiction that meets the definition of slum, blighted, deteriorated or deteriorating area under state and local law; that throughout the area there is a substantial number of deteriorated or deteriorating buildings or the public improvements are in a general state of deterioration; how the planning study is related to an activity that will address one or more of the conditions which contributed to the deterioration of the area.

## ATTACHMENT 8: PROCUREMENT

This attachment discusses the procurement requirements, which the grantee must meet after the grant is awarded and the state contract has been executed.

**Documentation Required:** Any grantee that will procure services under a P/TA grant will be required to submit documentation of the procurement process with the final product. The required documentation should consist of a narrative description of the procurement process, including a list of the proposals received with dollar amounts, and a description of the method used to select the contractor or consultant. Also include a copy of the RFP/RFQ used to procure the contractor or consultant.

NOTE: If the applicant jurisdiction had a third-party consultant prepare the RFP/RFQ that was used to select a contractor/consultant, that third-party consultant is precluded from bidding on the RFP/RFQ.

**Options for implementing the grant:** The grantee may complete the planning work in-house or hire an outside entity to provide the services. The federal procurement requirements will apply if the grantee chooses to procure a contractor to carry out all or part of the P/TA-funded activities. The procurement requirements will not apply if the grantee uses a subrecipient to provide the services. See Chapter 2 of the CDBG Grant Management Manual for a sample subrecipient agreement.

**Starting the work:** In-house: if the grantee will use only its own staff to work on the grant, work may begin upon execution of the state contract.

Contracted out: If the grantee procures an outside entity to provide the services, the grantee has to go through a procurement process. If the total cost of the project from all funding sources is less than \$100,000, (the Federal Threshold amount for a “small purchase” procurement) the grantee can procure services using one of several options discussed below. If the total cost of the project exceeds \$100,000, the grantee may not use the small purchase method.

If the small purchase method is selected, the grantee may follow the more stringent of either its own local procurement rules or the federal procurement requirement.

**If the work is hired out:** Options for selecting a contractor. The grantee has several options:

- ▶ Request for proposals (includes both RFP’s and RFQ’s)
- ▶ Small purchase
- ▶ Non-competitive procedures
- ▶ Using a contractor already under contract to the jurisdiction

**Caveat:**

- no “loss leader” arrangements

The intent of federal regulations is to require maximum open and free competition. Any “loss leader” type of arrangement in which a consultant offers to provide free services before an applicant receives a grant in return for a future contract is prohibited by federal regulations.

- **REQUEST FOR PROPOSALS (Includes RFP’s and RFQ’s)**

Competitive proposals (per 24 CFR 85.36(d)(3)).

Request for Proposals

1. The Request for Proposals (RFP) must clearly and accurately state the technical requirements for the goods and services required;
2. The grantee must publicize the RFP, and to the maximum extent practicable, honor reasonable requests by parties to have an opportunity to compete;
3. Proposals must be solicited from an adequate number of qualified sources, consistent with the nature and requirements of the procurement;
4. The grantee must conduct a technical evaluation of the submitted proposals to identify the responsible offerors;
5. As necessary, the grantee must conduct negotiations with those offerors who are deemed responsive and responsible and fall within a competitive price range, based on the grantee’s evaluation of the bidders’ pricing and technical proposals. After negotiations, these bidders may be given the opportunity to submit a “best and final” offer; and
6. The grantee must award the contract to the most responsive and responsible offeror after price and other factors are considered through scoring the proposals or “best and final” offers according to predetermined evaluation criteria. The successful proposal/offeror must clearly be the most advantageous source of the goods and services.

Request for Qualifications

For procurement involving architecture or engineering services, the grantee may use the Request for Qualifications (RFQ) competitive proposal procedure whereby competitors’ qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. In these instances, price is not used as a selection factor.

Once the most-qualified firm is identified, only that firm is asked for a price proposal which is subject to negotiation of a fair and reasonable price. If negotiations with the selected firm are unsuccessful, this process is repeated with the next highest-ranked firm, until a fair and reasonably-priced contract can be awarded.

The grantee must take care to document the basis for its determination of the most qualified competitor and the reasonableness of the contract price. This qualifications-based approach to the competitive proposals method may not be used to purchase other than architectural and engineering services (24 CFR 85.36(d)(3)(v)).

For applicants' information, the above-cited federal rule relating to the procurement of architectural and engineering (A/E) services is quoted verbatim:

“Grantees and subgrantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.”

This means that:

- Qualifications-based procurement can be used only for A/E services.
- A Request for Qualifications may be issued.
- The competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation.
- An RFQ cannot be used to purchase other types of services, even though A/E firms are potential sources to perform other types of services.

In addition, the federal procurement regulations generally discourage the use of local geographical preferences in the evaluation of bids or proposals except where mandated by federal statutes, due to the restrictions on open competition, which result. However, in procuring architectural and engineering services, geographic location is permitted as a selection criteria provided this criterion leaves an appropriate number of qualified firms (24 CFR 85.36(c)(2)).

If only one response is received, the grantee must contact CDBG for permission to select this sole source. See below under Non-Competitive Proposals (Sole Source) for more information.

NOTE: Sealed Bid procurement is another common method of procurement. It is not described in this attachment since it is seldom used in conjunction with P/TA grants. If you have questions, please contact your CDBG representative.

▶ **SMALL PURCHASE PROCEDURE USING EITHER LOCAL OR FEDERAL (whichever is more stringent) REQUIREMENTS. THE FEDERAL REQUIREMENTS ARE :**

Price or rate quotations must be obtained from a sufficient number (usually three) of qualified vendors. These quotes may be obtained over the telephone or in writing. The Jurisdiction should provide the same information on work to be performed to all bidders and document the file with the bid information and the basis for selection. If only one response is received, the grantee must contact CDBG for permission to select this sole source. See below under Non-Competitive Proposals (Sole Source) for more information.

▶ **NON-COMPETITIVE PROCEDURES (SOLE SOURCE)**

Procurement by this method means a procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources (i.e., by using the RFP, RFQ, or small purchase method), competition is determined to be inadequate.

This method can only be used when awarding a contract is not feasible using the competitive proposal or small purchase method, and one of the following circumstances applies:

1. The service is available only from a single source
2. There is an emergency situation or extremely urgent need and time will not allow other procurement methods
3. After soliciting a number of sources, competition is determined to be inadequate.

If a grantee has attempted procurement by the Request for Proposal or Small Purchase methods and these methods resulted in only one bid received, or if the grantee wishes to procure using the Non-Competitive method, then the grantee must submit a written request to the Department prior to selecting a single bidder. The written request must address certain questions. Before making such a request, the grantee should contact a CDBG representative to obtain the correct format.

▶ **USING A CONTRACTOR WHO IS ALREADY UNDER CONTRACT TO THE JURISDICTION**

If the jurisdiction has a consultant under a pre-existing, multi-year contract, CDBG will permit the grantee to use that consultant without going through an additional procurement process, subject to the following restrictions:

A single RFP for CDBG administrative services including housing, public works, community facilities and public services, and economic development is not consistent with the federal procurement requirement. That is, an RFP of such broad scope would place unreasonable requirements on firms in order for them to qualify to do business. Therefore, HCD restricts multi-year contracting to specific specialty areas. A single RFP to carry out all CDBG housing-related activities or all CDBG economic development-related activities would be acceptable. The multi-year contract cannot exceed three years.

## **ATTACHMENT 9: PUBLIC INFORMATION FILE**

Applications and grant agreements are public information and are available for review by the public. Applicants are advised that information submitted to the State may have to be made available to the public under the State Public Records Act unless an exemption under this Act applies to the information submitted and the applicant establishes a valid claim of confidentiality under such exemption.

**ATTACHMENT 10: RESOLUTION OF THE GOVERNING BODY  
(SAMPLE)**

An application for the State CDBG Program is to include, at minimum, the following information in a resolution. Applicants have the option to include any additional pertinent information. The Resolution must be certified.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING/TECHNICAL ASSISTANCE ALLOCATION OF THE STATE CDBG PROGRAM.

BE IT RESOLVED by the (City Council/County Board of Supervisors) of the (City/County) of \_\_\_\_\_ as follows:

**SECTION 1.**

The City Council has reviewed and hereby approves an application for up to:

(list activity title and dollar amount)

**SECTION 2.**

The City Council has determined that federal Citizen Participation requirements were met during the development of this application.

**SECTION 3.**

The City Council hereby approves the use of (Source of funds) in the amount of \$\_\_\_\_\_ to be used as the City's Cash Match for this project.

**SECTION 4.**

The (title of designated official[s])\_\_\_\_\_ is hereby authorized and directed to act on the City's behalf in all matters pertaining to this application.

**SECTION 5.**

If the application is approved, the (title of designated official[s])\_\_\_\_\_ is authorized to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of this grant.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of \_\_\_\_\_ held on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Name and Title  
City Council/Board of Supervisors

STATE OF CALIFORNIA  
City/County of \_\_\_\_\_

I, \_\_\_\_\_, City/County Clerk of the City/County of \_\_\_\_\_, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said City Council/Board of Supervisors on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Name, City/County Clerk of the City/County of \_\_\_\_\_, State of California

By: \_\_\_\_\_  
Name, Title

## **ATTACHMENT 11: SECTION 504 OF THE REHABILITATION ACT OF 1973**

### Overlay Requirement.

HUD requires jurisdictions to have documented their compliance with Section 504. Applicants must attach a Section 504 Self-Certification form with their Application Package. A sample form is included at the end of this attachment. It is important to note that the form itself does not constitute the jurisdiction's efforts to meet Section 504. The jurisdiction should have performed an analysis and evaluation of each factor and prepared a Section 504 Plan. The self-certification form is used to certify that the jurisdiction has performed this analysis and evaluation and to record areas of compliance or problems.

Discussion of Section 504 compliance. Section 504 of the Rehabilitation Act of 1973, as amended, was implemented by the Department of Housing and Urban Development in a final rule published in the Federal Register on June 2, 1988. This rule applies to direct and indirect applicants and recipients of funding under Title I of the Housing and Community Development Block Grant Act of 1974. The purpose of the rule is to provide that no otherwise qualified individual with handicaps shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from HUD.

In addition to the non-discriminatory and affirmative action activities discussed in the CDBG Grants Management Manual, grant recipients must undertake several activities to be in minimal compliance with Section 504.

#### 1. Communications.

- a. The recipient shall take appropriate steps to ensure effective communication with applicants, beneficiaries and members of the public. In determining what auxiliary aids are necessary (e.g. telecommunication devices for deaf persons (TDD's)) the recipient will give primary consideration to the requests of the individual with handicaps. Where a recipient communicates with applicants by telephone, TDD's or equally effective communications systems shall be used.
- b. The recipient shall adopt and implement procedures to ensure that interested persons (including persons with impaired vision or hearing) can obtain information concerning the existence and location of accessible services, activities and facilities.
- c. This section does not require a recipient to take any action that the recipient can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. The recipient must nonetheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity receiving HUD assistance.

2. Employment. In addition to the general prohibitions against discrimination discussed elsewhere in the Grant Management Manual, CDBG recipients must ensure the following:
  - a. A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant with handicaps or employee with handicaps, unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.
  - b. A recipient may not use any employment test or other selection criterion that screens out or tends to screen out individuals with handicaps or any class of individuals with handicaps. Pre-employment inquiries may not be made to determine whether the applicant is an individual with handicaps or the nature or severity of a handicap except as directly related to an applicant's ability to perform job-related functions.
3. Program accessibility. Except as otherwise provided, no qualified individual with handicaps shall, because a recipient's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance.

Recipients using CDBG funds for the construction or alteration of community facilities should contact the CDBG Equal Opportunity/Fair Housing Specialist for guidance on HUD accessibility requirements. Accessibility requirements must also be met by multi-family housing constructed in whole or in part by HUD funds.

4. Enforcement.
  - a. Assurances. All applicant jurisdictions to the State CDBG program are required to submit with each application a signed Statement of Assurances which states, in part, that the applicant will comply with Section 504 of the Rehabilitation Act of 1973, as amended, and implementing regulations.
  - b. Covenants. Where property is purchased or improved with Federal financial assistance or where federal financial assistance is provided in the form of real property or interest in the property, the instrument effecting or recording this transfer shall contain a covenant running with the land to assure nondiscrimination for the period in which the real property is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
  - c. Self-evaluation. Each grantee shall, in consultation with interested persons, including individuals with handicaps or organizations representing persons with handicaps:
    - 1) Evaluate its current policies and practices to determine whether, in whole or in part, they do or do not meet the requirements of Section 504;
    - 2) Modify any policies or procedures that do not meet the requirements of Section 504; and

- 3) Take appropriate corrective steps to remedy the discrimination revealed by the self-evaluation.

A grantee that employs 15 or more persons shall, for at least three years following the completion of the evaluation, maintain on file, make available for public inspection, and provide to the responsible civil rights official, upon request:

- 1) a list of interested persons consulted; 2) a description of the areas examined and any problems identified; and 3) a description of any modifications made and of any remedial steps taken.

d. Designation of responsible employee and adoption of grievance procedures. A grantee that employs 15 or more persons shall designate at least one person to coordinate its efforts to comply with Section 504 implementing regulations. Grantees which employ 15 or more persons must also adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 and related implementing regulations.

e. Notice. A grantee that employs 15 or more persons shall:

- 1) Take appropriate initial and continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the grantee that it does not discriminate on the basis of handicap in violation of Section 504. The notification shall state, where appropriate, that the grantee does not discriminate in admission to, access to, or treatment or employment in its federally-assisted programs and activities. The notification shall also include an identification of the designated responsible employee. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in grantee's publications, and distribution of memoranda or other written communications.
- 2) Include in recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants or employees, a statement of policy described in paragraph 1).
- 3) Ensure that members of the population eligible or likely to be affected directly by a federally-assisted program who have visual or hearing impairments are provided with the information necessary to understand and participate in the program. Methods for ensuring participation include, but are not limited to, qualified sign language and oral interpreters, readers, or use of taped and Braille materials.

SECTION 504 SELF-EVALUATION

Applicant: \_\_\_\_\_

AREAS DISCUSSED	PROBLEMS IDENTIFIED	MODIFICATIONS MADE
<p><u>COMMUNICATIONS: Program Publicity</u></p> <p>Public Notices and ads in newspaper?      yes / no</p> <p>Public Service Announcements?              yes / no</p> <p>Posters or fliers?                                      yes / no</p> <p>Letters to homeowners in area?                yes / no</p> <p>Informational public meetings?                yes / no</p> <p>Interpreters, readers, or TDD's available upon request?                              yes / no</p> <p>Equal Opportunity statement in ads, fliers, letters?                                      yes / no</p>		
<p><u>EMPLOYMENT:</u></p> <p>Does the City make reasonable accommodation to known physical or mental limitations of qualified applicants or employees with handicaps?                              yes / no</p> <p>Pre-employment inquiries and tests do Not screen out handicapped persons?                              yes / no</p>		
<p><u>PROGRAM ACCESSIBILITY:</u></p> <p>Are City/County facilities accessible to and usable by individuals with handicaps (for example: ramps, space at meetings)?    yes / no</p> <p>Handicap modifications offered in rehabilitation program?                                      yes / no</p> <p>Handicapped individuals with limited mobility assisted with applications at their homes?    yes / no</p>		
<p><u>ENFORCEMENT - Evaluate how policies meet 504 requirements:</u></p> <p>Statement of Assurances in grant applications?    yes / no</p> <p>Non-discrimination clause in deed of trust?    yes / no</p> <p>Names of Advisors on Handicapped issues: _____</p> <p>Does the City/County have procedures for complaints?    yes / no</p> <p>Is log maintained of any complaints?    yes / no</p>		

Name and signature of Section 504 Coordinator: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## ATTACHMENT 12: STATEMENT OF ASSURANCES

Applicants must attach a Statement of Assurances with the application. If a P/TA award is made, the grantee must assume responsibility for compliance with State, federal, and applicable local laws and regulations that apply to the expenditure of State CDBG funds.

Program regulations require the applicant to assure that the jurisdiction and all Subrecipient's will comply with all applicable State and federal requirements. Some requirements pertain to all local CDBG activities such as audits and procurement standards while others are specific to certain activities, such as relocation law and labor standards.

A list of these provisions is included in the Statement of Assurances. The Statement of Assurances must be signed by the jurisdiction's Chief Executive Officer, regardless of any signatory designation in the governing body's resolution authorizing submission of the application.

The following is the Statement of Assurances.

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### STATEMENT OF ASSURANCES

The City/County of \_\_\_\_\_ hereby assures and certifies that:

1. It possesses legal authority to apply for the grant and to execute the proposed program.
2. Its governing body has duly adopted or passed as an official act or resolution, motion, or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer or other designee to act in connection with the application and to provide such additional information as may be required.
3. It has or will comply with all citizen participation requirements, which include, at a minimum, the following components:
  - a. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blight areas and of areas in which CDBG funds are proposed to be used, and provides for participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;
  - b. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by CDBG regulations, and relating to the actual use of funds under this title;

- c. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
  - d. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program. These include at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped. This shall include one public meeting during the program design, annual performance report preparation, and formal amendments. A public hearing shall be conducted prior to application submittal;
  - e. Solicits and provides for a timely written answer to written complaints and grievances, within 15 working days where practicable; and
  - f. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can reasonably be expected to participate.
4. Its CDBG Program has been developed so as to primarily benefit targeted income persons and households, and each activity in the program meets one of the three national objectives: benefit to low and moderate income persons, elimination of slums and blight, or meets an urgent community need certified by the grantee as such.
  5. It consents to assume the responsibilities for environmental review and decision-making in order to ensure compliance with NEPA by following the procedures for "recipients" of block grant funds as set forth in 24 CFR, Part 58, entitled "Environmental Review Procedures for Title I Community Development Block Grant Programs." Also included in this requirement is compliance with Executive Order 11988 relating to the evaluation of flood hazards, and Section 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) regarding purchase of flood insurance, and the National Historic Preservation Act of 1966 (16 USC 470) and implementing regulations (36 CFR 800.8).
  6. It consents to assume the role of either "Lead Agency" as defined by Section 21067 of the California Public Resources Code, or if another agency is or will be designated "Lead Agency," it consents to assume the role of "Responsible Agency" as defined by Section 21069 of the California Public Resources Code, in order to ensure compliance with CEQA.
  7. It has resolved any audit findings or performance problems for prior CDBG grants awarded by the State.
  8. It certifies that there is no plan, ordinance, or other measure in effect which directly limits, by number, the building permits that may be issued for residential construction or the buildable lots which may be developed for residential purposes; or if such a plan,

ordinance, or measure is in effect, it will either be rescinded before receiving funds, or it need not be rescinded because:

- a. It imposes a moratorium on residential construction, to protect the health and safety, for a specified period of time which will end when the public health and safety is no longer jeopardized; or
  - b. It creates agricultural preserves under Chapter 7 (commencing with Section 51200) of Part 2 of Division 1 of Title 5 of the Government Code; or
  - c. It was adopted pursuant to a specific requirement of a State or multi-State board, agency, department, or commission; or
  - d. The applicant has a housing element which the Department of Housing and Community Development has found to be adequate, unless a final order has been issued by a court in which the court determined that it is not in compliance with Article 10.6 of Chapter 3 of Division 1 of Title 7 of the Government Code; or
  - e. The use of the funds applied for in this application is restricted for housing for the targeted income group.
9. It will comply with the regulations, policies, guidelines, and requirements of OMB Circular Numbers A-87, A-133, A-122, and 24 CFR Part 85, where appropriate, and the State CDBG regulations.
10. It shall comply with the following regarding nondiscrimination:
- a. Title VI of the Civil Rights Act of 1964 (Public Law 88-352).
  - b. Title VIII of the Civil Rights Act of 1968 (Public Law 90-284) as amended; and will administer all programs and activities related to housing and community development in a manner affirmatively furthering fair housing.
  - c. Section 109 of the Housing and Community Development Act of 1974, as amended.
  - d. Section 3 of the Housing and Urban Development Act of 1968, as amended.
  - e. Executive Order 11246, as amended by Executive Orders 11375 and 12086.
  - f. Executive Order 11063, as amended by Executive Order 12259.
  - g. Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended, and implementing regulations.
  - h. The Age Discrimination Act of 1975 (Public Law 94-135).
  - i. The prospective contractor's signature affixed hereon and dated shall constitute a certification under the penalty of perjury under the laws of the State of California

that the bidder has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Code of Regulations, Section 8103.

11. It will comply with the Federal Relocation Act (42 U.S.C. 4601 et seq.) and will certify that it is following a residential anti-displacement and relocation plan.
12. It will comply with the following regarding labor standards:
  - a. Section 110 of the Housing and Community Development Act of 1974, as amended.
  - b. Section 1720 et seq. of the California Labor Code regarding public works labor standards.
  - c. Davis-Bacon Act as amended (46 U.S.C. 276a) regarding prevailing wage rates.
  - d. Contract Work Hours and Safety Standards Act (40 USC 327-333) regarding overtime compensation.
  - e. Anti-Kickback Act of 1934 (18 USC 874) prohibiting "kickbacks" of wages in federally assisted construction activities.
13. It will comply with the Architectural Barriers Act of 1968 (42 USC 4151) and implementing regulations (24 CFR Part 40-41).
14. It will enforce standards of conduct that govern the performance of its officers, employees, and agents engaged in the administration of contracts funded in whole or in part by the CDBG Program (Section 7120(d) of the State regulations).
15. It will comply with the Hatch Act (5 USC 1501 et seq.) regarding political activity of employees.
16. It will comply with the Lead-Based Paint Regulations (24 CFR Part 35) which prohibits the use of lead-based paint on projects funded by the program.
17. It is not, nor will it employ, award contracts to, or otherwise engage the services of any contractor while that contractor (or its principals) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation from the covered transaction, in any proposal submitted in connection with the CDBG program under the provisions of 24 CFR part 24.
18. It will give HUD, the Comptroller General, the State Department of Housing and Community Development, or any of their authorized representatives access to and the right to examine all records, books, papers, or documents related to the grant.
19. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by targeted income persons unless:

- a. CDBG funds are used to pay the proportion of such assessment that relates to non-CDBG funding or
- b. for the purposes of assessing properties owned and occupied by targeted income persons who are not of the lowest targeted income group, it does not have sufficient CDBG funds to comply with the provisions of a. above.

20. It will adopt and enforce policies

- a. prohibiting the use of excessive force by its law enforcement agencies against individuals engaged in non-violent civil rights demonstrations and
- b. enforcing applicable State and local law against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within its jurisdiction.

The certification is made under penalty of perjury under the laws of the State of California.

CERTIFYING OFFICIAL: \_\_\_\_\_

(Chief Administrative Executive—enter exact title of person signing)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **ATTACHMENT 13: SURVEY TECHNIQUES**

This Attachment provides information for applicants who anticipate using CDBG funds to conduct a neighborhood income survey:

1. Conducting the Survey/Client Confidentiality
2. Survey Questions
3. Information about Random Sampling

Applicants may propose to use P/TA funds to conduct a survey to determine the percentage of Targeted Income Group (TIG) households in a given geographic area or neighborhood. Because CDBG funds must be used to meet a national objective (see Attachment 10), any applicant proposing to do an income survey must be reasonably confident before conducting the survey that the area to be surveyed is at least 51% TIG.

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### **Part 1. Conducting the Survey /Client Confidentiality**

The survey process should include a way to identify specific households who responded to the questionnaire and ensure the respondents' confidentiality. Respondents may be particularly sensitive to the question of household income. If a respondent's address is requested on the questionnaire, many persons may not answer the income questions or may not complete the questionnaire at all. Consequently, in order to promote a high response rate, the questionnaire should not include identifying information, such as the person's name or address.

Several acceptable methods for preserving anonymity of the respondent include:

1. The surveyor may hand deliver the questionnaire to the respondent and conduct the survey orally. At that time, upon completing this interview, the surveyor would mark off the respondent's address from an address list. If the questionnaire is delivered to the household or mailed and is to be collected at a later date, the collector can mark off the respondent's address at the time of collection.
2. If the questionnaire is to be mailed to respondents and returned by mail, the identifying information (respondent's address) would be on the return envelope. Upon receipt of the completed questionnaire, the address can be checked off the address list and the envelope and questionnaire can be separated. If the applicant uses this method, a statement ensuring respondent confidentiality should be included. Sample language is given on the following page:

Replies to this questionnaire are confidential. Confidentiality is protected by not including names on any of the forms. We need a high response to have a chance of getting funded. Addresses are on the return envelopes so we can make follow-up contacts if no questionnaire is received and we need more questionnaires returned. When we get your envelope and

questionnaire in the mail, we will check off that a questionnaire has been received from your house, remove the questionnaire from the envelope, and throw the envelope away. No identifying information will be kept with the questionnaires and the questionnaires will be tallied as a group.

3. If coded questionnaires are used, a simple method of coding is to place a number on the questionnaires or return envelopes. Each number is assigned an address from the address list. When the material is received, a list of returned numbers is kept. If the response rate is not high enough so that follow-up contacts are needed, the addresses of numbers for which no response has been received can be looked up and additional questionnaires sent out.

The income survey data should be less than 60 months old from the date the 2003-04 NOFA is released by the Department.

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## **Part 2. Survey Questions**

These questions and the Directions for Random Sampling which follow in Part 3. are provided to assist the applicant in using a method of surveying which allows for validation and, at the same time, preserves the confidentiality of the respondent. Applicants may include other questions designed to elicit information which they feel is important. Experience has shown that overly detailed surveys may adversely affect the response rate.

The questions are designed to provide data regarding family size, income, and housing tenure. Family size and income are of particular significance in determining if a household is in the targeted income group.

**NOTE TO APPLICANTS:** Information regarding question #2 below. Please read the following information regarding income data and use the income limit figures that apply to your County in your questionnaire.

The reason for collecting income data is for the applicant to make a determination of how many persons surveyed fall into the categories of LTIG, TIG, and above TIG. The numbers provided in the chart under question #2 are **SAMPLES ONLY**. Use Line A for the income limits for the Lowest Targeted Income Group; use Line B for the income limits for the Targeted Income Group.

Applicants should consult Attachment 15 of this P/TA Application Package (the 2003 Income Limits by County) and use the income limits for their county in their questionnaire. This will enable applicants to group the respondents as LTIG, TIG, and over TIG. LTIG is 50 percent and below of the adjusted area median family income. TIG is 80 percent and below of the adjusted area median family income (by definition, TIG includes LTIG). Over TIG is 81 percent and above of the adjusted area median family income.

## QUESTIONS

1. How many persons live in your household? \_\_\_\_\_
2. Using the chart below, please do the following:
  - a. Circle the column that matches the size of your household.
  - b. On a separate sheet of paper, make a determination of your income (you do not need to state your income on this questionnaire). Use the total household income in the last 12 months or the income claimed in the most recent Federal income tax filing. Include gross wages before deductions, public assistance, unemployment benefits, social security, pensions, alimony, child support, net income from owning or operating a farm or business, or any other source of income received regularly.
  - c. Compare the income of your family to the figures on the chart in Lines A and B under the column you circled for the size of your household (#a. above).
  - d. Read the following questions and make a check mark in the spaces indicated:
    - 1) Line A: Was your household income above\_\_\_\_\_ or below\_\_\_\_\_ the number associated with your family size? If you checked "above," also answer #2). If you checked "below," stop here and go on to question #3.
    - 2) Line B: Was your household income above\_\_\_\_\_ or below\_\_\_\_\_ the number associated with your family size?

Household Size	1	2	3	4	5	6	7	8
A (LTIG)	\$13,700	\$15,700	\$17,650	\$19,600	\$21,150	\$22,750	\$24,300	\$25,850
B (TIG)	\$21,950	\$25,100	\$28,200	\$31,350	\$33,850	\$36,400	\$38,900	\$41,400

3. Are your living quarters: Owned\_\_\_ or Rented \_\_\_

Name & address of owner \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### Part 3. Information about Random Sampling

In comparing applications for TIG benefit and need, the Department will accept reliable data about the local beneficiary population.

The Department will accept sampling statistics that represent the population as a whole if the applicant uses a valid survey methodology. Conversely, the Department may, after reviewing the submitted data, determine that the methodology was statistically unsound. In such cases, the Department may assign a score of zero for TIG benefit, or may use other generally recognized data such as U.S. Census data.

Two key features to your survey design should be 1) random selection of survey respondents, and 2) a large enough sample size to assure you have captured a reliable representation of the population. The following discussion provides some guidance in these two key areas.

### **Random Sampling**

The guiding rule for sampling households or beneficiaries from the larger population is the avoidance of “sampling bias.” That is, sampling should not systematically exclude certain types of respondents. For example, surveys conducted mid-week during the day may exclude working households and provide inaccurate statistics about the larger population. If the survey methodology contains a sampling bias, larger sampling sizes will not solve the problem. Certain portions of the population will continue to be systematically excluded from the sampling.

As a general rule, each individual within the population should have an equal chance of being surveyed. Beware of using data sources that contain only certain portions of your beneficiary population. For example, some utility billing lists may contain only property owners, while the beneficiaries will be both owners and renters. Within your application to the Department, describe the sampling methodology and how it achieves a randomly-selected sampling.

### **Adequate Sampling Size**

The required sampling size is determined by the size of the universe or the service area. The following table should be used to determine how many households a surveyor needs to interview to develop a survey of acceptable accuracy. For example, if you had a small water district of 50 households that you wanted to survey, you would have to get responses from all 50 households. If the district had 500 households, you would have to get responses from 250. If the district had 5,000 households, you would have to get responses from 400.

A second example would involve a larger “income survey” for a planning grant. Consider a community center feasibility study for a remote service area in which 1,400 households reside. According to the table on the following page, it would be necessary to obtain income surveys from a minimum of 350 households. If your results showed that 200 of the 350 households surveyed were Targeted Income Group, then the service area would be 57 percent Targeted Income Group ( $200/350=57\%$ ), which exceeds the area benefit threshold for planning grants of 51% Targeted Income Group.

## Required Sample Sizes for Universes of Various Sizes

<u>Number of Households in the Universe</u>	<u>Sample Size (# of Responses)</u>
1-50	All
51 - 55	50
56 - 63	55
64 - 70	60
71 - 77	65
78 - 87	70
88 - 99	80
100 - 115	90
116 - 138	100
139 - 153	110
154 - 180	125
181 - 238	150
239 - 308	175
309 - 398	200
399 - 650	250
651 - 1,200	300
1,201 - 2,700	350
2,701 or more	400

There is an exception to this table when dealing with a universe of 50 or less. As a general rule, a sample of less than the universe is unacceptable for statistical purposes. However, if the survey is to establish CDBG eligibility, for example, to apply for a planning and technical assistance grant, the rule would not need to apply. The reason for this is that the CDBG eligibility threshold is that at least 51% of the beneficiaries would be TIG. In such a case, as soon as the jurisdiction has answers from a sufficient number of respondent households to indicate that the required TIG percentage of 51% is present, it could consider the information sufficient for area benefit documentation purposes.

Using the example of the water district with 50 households, if a jurisdiction wanted to demonstrate CDBG eligibility for a planning grant, as soon as the jurisdiction had 26 TIG respondents, it could stop the survey, as the area benefit has reached the threshold of at least 51% TIG ( $26/50 = 52\%$ ).

Jurisdictions should consider hiring a professional demographer to conduct surveys of large areas. Surveys should be as statistically reliable as the U.S. Census.

Please contact your CDBG Representative if you wish further information on survey methodology.

## ATTACHMENT 14: ACTIVITY TITLES

### GENERAL P/TA ACTIVITIES

#### **Housing Studies:**

Affordable Housing Needs Assessment and Production Analysis  
Exterior Housing Conditions Survey  
Income and/or Interior Housing Conditions Survey  
Multi -Family Rehabilitation, Developing a Project or Program  
Multi- Family Housing New Construction Project Feasibility  
Single Family New Construction Project Feasibility  
Home Buyer Assistance, Developing a Program  
Mobile Home Park Affordability and Preservation Project Feasibility  
Farm Worker Housing Needs Assessment and/or Project Feasibility  
Community Land Trust, Developing a Working Model  
Housing Element Update \*

Project/Program NEPA Environmental Review Record (ERR) Preparation  
Housing Grant Application Preparation  
Other (Specify)\_\_\_\_\_

#### **Public Works Studies:**

Master Water Plan \*

Water System Well Testing and Test Well Drilling \*

Private Well Water Testing Survey \*

Feasibility Analysis of Developing Private Water System \*

Neighborhood Water Main and Laterals Installation \*

Water Treatment System Improvements \*

Water Storage Tank Improvements \*

Development of Water System Operations and Maintenance Plan \*

Master Sewer Plan \*

Neighborhood Sewer Mains and Laterals Analysis \*

Sewer Line Video Tapping \*

Wastewater Treatment Upgrade Analysis \*

Private Septic System Survey \*

Development of Sewer System Operations and Maintenance Plan \*

Sewer Line Infiltration Study with Analysis of Repairs Needed \*

Master Drainage Plan \*

Hydro-Geologic Study \*

Feasibility Analysis of Relocation of Floodplain \*

Water or Sewer Assessment District Feasibility Analysis \*

Handicapped Accessibility Analysis of Public Facilities  
Needs Assessment for Street Improvements, Curb/Gutter and Sidewalk \*

Project NEPA Environmental Review Record (ERR) Preparation  
Project Area Income Survey  
Public Works Grant Application Preparation  
Other (Specify)\_\_\_\_\_

#### **Community Facility and/or Public Service Studies:**

Child Care \*\*

Senior Center and/or Services \*\*

Teen Center and/or Services \*\*

Multi Service Community Center with TIG Public Services  
Homeless Shelter and/or Services  
Food Bank or Free Meals \*\*  
Transitional Housing

Migrant Farm Worker Housing  
 Migrant Farm Worker Center and/or Services  
 Health Care \*\*  
 Job Training \*\*  
 Adult Literacy Training  
 Domestic Violence Shelter and/or Programs  
 Park and Recreation Facilities Assessment \*  
 Temporary Assistance for Needy Families (TANF)  
 Individual Development Account (IDA) Program Development  
 Project NEPA Environmental Review Record (ERR) Preparation  
 Project Area Income Survey  
 Community Facility Grant Application Preparation  
 Other (Specify)\_\_\_\_\_

**Community Wide General Studies:**

Geospatial Data Compilation and Implementation \*  
 Geographic Information System (GIS) Base Maps \*  
 Neighborhood Revitalization Plan \*  
 Section 504 Self Evaluation  
 Plan to Further Fair Housing  
 Other (Specify)\_\_\_\_\_

Note: If there is no \* mark next to the activity then the program or project will be restricted to Target Income Group (TIG) families or individuals or the activity services a “Limited Clientele” who have a presumed 51% benefit per HUD definition.

\*Note: These Activities can only be conducted when census (see Attachment 5) or income survey information is provided which documents the whole community is at least fifty one percent (51%) TIG (See Attachment 7). We will fund the activity if the TIG benefit is not clear but the income survey is done first and documents TIG benefit. If the survey does not show 51% benefit then the study may not be completed.

\*\*Note: These Activities must be income restricted or have census (See Attachment 5) or income survey information provided which documents the whole community served is at least fifty one percent (51%) Target Income Group (TIG).

Please call your State CDBG representative if you have an activity which has questionable TIG benefit.

<b>ECONOMIC DEVELOPMENT P/TA ACTIVITIES</b>
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Airport Management Plan  
Analysis of Existing Telecommunications Infrastructure  
Business Incubator Facility Study  
Business Needs Assessment  
Business Retention Assessment and Strategy  
Citywide Commercial Plan  
Commercial Improvement Plan  
Co-Op Website Development  
Completed Updated Base Assessment  
Downtown Revitalization Strategy  
Economic and Market Analysis  
Economic Development Feasibility Study  
Environmental Review  
Feasibility Study  
Freeways  
GIS Mapping  
Grant/Loan Preparation  
Hotel/Conference Center Feasibility Study  
Industry Study  
Industrial Development Study  
Industrial Land and Business Inventory System Study  
Industrial Property Mapping  
Market Study  
Marketing Master Plan  
Preliminary Engineering Survey  
Rail Corridor Study  
Reuse Plan  
Streetscape Revitalization Plan  
Target Industry Studies  
Tourism Marketing Strategy

Other (Specify)

## **ATTACHMENT 15: 2003 INCOME LIMITS**

The web-based version of the P/TA Application Package contains the 2003 income limits, to access click on the following hyperlink to jump to the Department's Housing Policy Development Division's site to access the income limits: [INCOME LIMITS](#)

Alternatively, you may access the income limits by typing the following address in the address line of your web browser: <http://www.hcd.ca.gov/hpd/hrc/rep/state/incNote.html>