NOTICE OF FUNDING AVAILABILITY
AND
APPLICATION PACKAGE

State Community Development Block Grant Program
Planning and Technical Assistance Allocation

Fiscal Year July 1, 2004 through June 30, 2005

STATE OF CALIFORNIA

Department of Housing and Community Development
Division of Community Affairs
State 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

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STATE OF CALIFORNIA

ARNOLD SCHWARZENEGGER , GOVERNOR

BUSINESS, TRANSPORTATION AND HOUSING AGENCY
SUNNE WRIGHT MCPEAK, SECRETARY

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SECTION A: NOTICE OF FUNDING AVAILABILITY

ABOUT THE NOTICE OF FUNDING AVAILABILITY (NOFA)

Notice of Funding Availability

The State of California, Department of Housing and Community Development (HCD), administers a Federal program known as the State 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 PTA. CDBG then divides these funds into two allocations: The General Allocation and the Economic Development (ED) Allocation.

The PTA component has been part of CDBG since 1989. Since that time, CDBG has awarded 1,092 grants totaling over 32 million dollars.

The State Department of Housing and Community Development announces the availability of funding under the 2004/2005 CDBG Planning and Technical Assistance (PTA) Allocation. The Department will make $2,984,924 available under the General PTA Allocation and $1,497,653 under the Economic Development PTA Allocation (ED). The PTA Allocation provides funding in the form of grants to small cities and counties for planning and feasibility studies related to CDBG eligible activities such as housing, public works, community facilities, and economic development.

Both the General Allocation and the Economic Development Allocation have two funding rounds within each funding year. One hundred percent (100%) of the funds are available in the first funding round with the unused portions available in the second round.

SECTION B: GENERAL INFORMATION

ABOUT THE PTA ALLOCATION

HUD National Objectives

Activities must meet a HUD national objective. General PTA studies are restricted to meeting only the first national objective, below. ED PTA studies can meet either of the following two national objectives:

1. Targeted Income Group (TIG) Benefit. This means that if the PTA study were implemented, at least 51 percent of the persons who benefit from the implementation earn less than 80 percent of the area median income. If the ED application's objective is to benefit TIG, then the planning activity must be reasonably related to an economic development activity which could result in the creation or retention of permanent, private sector jobs that will be principally (51 percent) filled by TIG persons;

   CDBG publishes annual income limits by county. These are in the Attachment 14 of the Application Package and are also available on HCD's Home Page.

2. Preventing slums and blight. This means aiding in the prevention or elimination of slums and blight. The State CDBG program must make the determination that the proposed planning activity is reasonably related to an economic development project that would result in the elimination or prevention of a slum or blighted condition.

Federal Overlay require-ments

PTA 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 Rehabilitation Act of 1973

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

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

General Allocation	$2,984,924
Economic Development Allocation	$1,497,653

<u>Important Change</u> If applying for funding from both allocations in the same funding round complete one application containing the requests for both allocations.

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. GIS (base mapping) is applicable every five years.
- No more than $70,000 on a combined General and ED project.

SECTION C: FUNDING ESSENTIALS

APPLICATION PROCESS

When to apply

IMPORTANT CHANGES

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 2004/2005 PTA Allocation. Following are the two due dates:

Funding Round	Application Due Date/time	
#1	**May 28th, 2004**	5:00 pm
#2	**September 30th, 2004**	5:00 pm

CDBG will award the 2004/2005 funds according to the schedule included in the NOFA and Application Package, subject to availability of Federal funds and passage of the state budget.

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 or is available by e-mail by contacting CDBG at (916) 263-0485.

Please submit:

1. One complete **original** set (with original signatures), and
2. One complete copy, with all required attachments, and

Include the following documents in the **front pocket of the original binder** set:

1. One additional copy of authorizing resolution(s), and
2. Two additional copies of the Application Summary Form (**Sections 1. through 11.**).

Application Submittal	**When applying for funding from both General and ED PTA Allocations activities during the same funding round, one application shall be submitted including both allocations. Submit an original and one copy in binders for the combined application.**
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 to eight 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.

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.

Joint Applications

Applicants considering "on behalf of" or joint applications with one or more other eligible jurisdictions may apply for up to $35,000 per eligible jurisdiction for each allocation annually. Such joint applicants 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.

If applicants are submitting joint applications with one or more other eligible jurisdictions the application must include a <u>joint powers agreement</u> that complies with Section 6500 et seq. of the Government Code see State CDBG Regs. Section 7060(c) Cooperation Agreements.

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.

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.

Examples of eligible projects

GENERAL:

- affordable housing needs and/or development studies
- GIS (base mapping) activities
- 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
- Section 504 Evaluation Plan
- 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
- GIS (base mapping) activities
- business development feasibility studies
- Section 504 Evaluation Plan
- infrastructure needs analyses and cost estimates for ED-focused activities
- writing grant applications to funding sources for ED-focused activities. Please be advised 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.

Ineligible Activity	***Exception***
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 preliminary engineering, architectural or design costs are eligible.
Day-to-day operations of local government or private or public organizations serving the community or region.	
Comprehensive, general or long range planning. • *Comprehensive* 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. • *General* means the documents include summaries of broad policies or proposals that are not site specific. • *Long-range* means the time-frames for the policies and proposals are five years or more.	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 or income survey completed within the last 5 years, and the applicant can document that the comprehensive plan will primarily benefit TIG persons.
Actual implementation of an activity. Examples are: • acquiring real property • business loans • construction • marketing materials • purchase of equipment • relocation	

SECTION D: 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 term of the contract will be **twenty-four (24)** 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 funds request.

Reporting requirements. Grantees have minimal reporting requirements—a financial and accomplishment report every **six (6)** 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 PTA 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 E: HOW TO REACH US FOR ASSISTANCE

State of California
Department of Housing and Community Development
State 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

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

SECTION F: 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 box for the type of application being submitted: General Allocation or Economic Development**. If submitting an application for both, check both boxes, and submit one application in one binder plus copy.**

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**. If joint application (more than one eligible jurisdiction) and designee is different for each provide a duplicate of this page for both authorized representatives.**

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 PTA allocation (up to $35,000), including all activities and general administration.

3. Insert the amount of cash match to be contributed by the applicant and any other proposed funding sources to be used in conjunction with the activities. For the cash match row, 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 and a **breakdown into numbers** in the row for General Activity. Insert percentage of TIG and a **breakdown into numbers** for jobs and Slums and Blight under Economic Development.

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 assisted 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 PTA funds in this fiscal year (2004-2005). If awarded funds, indicate the dollar amount, check for which PTA allocation, and give a brief description of activities.

10. Self-explanatory

11. 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**. If only one person is authorized this individual need only sign once. If this is a joint application with multiple authorized designees then all must sign.**

12. Check the appropriate box for growth control and if applicable attach a copy of the growth control measure in effect.

13. Has the applicant submitted an adopted Housing Element to the Department, check the appropriate box.

14. 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.

15. **APPLICATION CHECKLIST (see page 27 Note changes)**

    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.

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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**). Break down the percentage into total number of beneficiaries and total number of TIG (including LTIG) beneficiaries. See (Attachment 5 and the NOFA).**

   For Economic Development applications, state which objective will be addressed and how the proposed activity will meet that objective**. Break out the percentage into total number of jobs and total number of TIG (including LTIG) jobs. (See Attachment 5 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 PTA 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 funds 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: newspaper, copies of the public notices or certified proof of publication for 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 the Statement of Assurances form with the 1/15/04 revision date with the application. (Attachment 12) The jurisdiction's Chief Executive Officer must sign the Statement of Assurances.

Instructions for submitting an application: Submit **one original** and **one copy, plus two copies of Sections 1.a through 11. of the Application Summary form** to:

	State of California Department of Housing and Community Development State 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

Activity Name - Insert only one activity per line from the list provided as Attachment 14 to this Application.	**ED Allocation Amount**	**Gen. Allocation Amount**
	$	$
	$	$
	$	$
	$	$
	$	$
	$	$
General Administration	$	$
Total Amount Requested	$0.00	$0.00
Grand Total	$	

3. Proposed Other Funding Sources

	Name of Source	**Source Type (City or County, CDBG Program Income, or Other (Specify))**	**Amount of Other Funding Source**
ED Cash Match			$ *
Gen. Cash Match			$ *
Other Funding			$
		Total	$

* Enter only the total amount required to be committed (see Attachments 3 and 5)

4. Activity Location - NOT APPLICABLE

5. Potential Beneficiaries - CDBG National Objective

Type of Application	**National Objective**
General Activities	☐ Percentage of Potential Beneficiaries who are TIG: _____% Total # of Persons: _____;Total # of TIG persons: _____.
Economic Development Activities	☐ Percentage of Potential Beneficiaries who are TIG: _____% Total # of jobs: _____; Total # of TIG jobs: _____.
	☐ Slums and Blight Total # of Beneficiaries_____.

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

8. Describe Activity/Activities

The Economic Development Allocation work shall consist of:_____

_____

_____

The General Allocation work shall consist of:_____

_____

_____

9. Previous Awards

Has the jurisdiction previously submitted an application and been awarded PTA funds in this current fiscal year (2004-2005)? □ No; □ Yes. If yes, continue describing:
□ ED $_____. Briefly describe activities:_____

_____
□ General $_____. Briefly describe activities:_____

_____

10. Consultant/Other Public Agency Contact Information

O Mr. O Mrs. O Ms. O Other _____

First Name: _____ MI: _____ Last Name: _____

Job Title: _____

Address: _____

City: _____

State: _____ Zip Code: _____

Phone: _____ Ext: _____ Fax: _____

E-mail: _____

11. **Official (s) Authorized to Submit Application**

Name_____
(Type or Print)

Title_____

Signature_____ Date _____

Name_____
(Type or Print)

Title_____

Signature_____ Date_____

12. 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.

13. Housing Element Self-Certification.

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

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.

No Housing Element Self-Certification is included in the application.

As a condition of receiving an award, each jurisdiction's Housing Element must be in procedural compliance with the Housing and Policy Development Division. **Self-Certifications will no longer be required. No extensions will be granted beyond the due date. The Department will not award funds to any applicant who is not in procedural compliance by the due date.**

The following are the due dates for each jurisdiction's Housing Element to be in procedural compliance with the Housing and Policy Development Division.

Funding Round	Housing Element Due Date
#1	**June 11, 2004**
#2	**October 15, 2004**

Contents of the Housing Element are not reviewed by CDBG. Any contact for assistance in this process should be done through the Housing and Policy Development Division (HPD).

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

☐ Yes ☐ No

14. 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):	**NEPA Citation**
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

15. APPLICATION CHECKLIST

☐	Application Summary Form
☐	Activity Description Form, one for each separate activity and general administration
☐	Activity Budget, Schedule 1
☐	General Administration Budget, Schedule 2
☐	Task/milestone Chart, Schedule 3
☐	Compliance with OMB Circular A-133, Section G
☐	Citizen participation - documentation of Project Design-phase Public Hearing
☐	Citizen participation - documentation of Application Submittal Public Hearing
☐	Environmental Clearance – completed and executed Finding of Exemption and Form 58.6
☐	Growth control documentation
☐	Letters of intent of commitment from business owner (if applicable, ED only)
☐	Letters received from citizens regarding application and responses (if applicable)
☐	Resolution of the Governing Body
☐	Section 504 documentation - Self-evaluation
☐	Statement of Assurances **(must contain language in 1/15/04 revision)**
☐	Subrecipient Agreement (if applicable)
☐	**Joint Powers Agreement (if applicable) (see Section 7060(c) state regs.)**
☐	**Enclosed an original and 1 copy**
☐	**Include two additional copies of Application Summary Form (section 1. through 11.) and one additionalResolution of the Governing Body in the front pocket of the original binder**
☐	Mailed in time to reach CDBG by last working day of the month
☐	All certifications and signature/date blocks signed and dated.

2004-2005 PTA
Activity Description Form

Page ____ of ____

Attach one form for each activity.

1. Activity title: _____

2. Amount requested for this activity: $_____.

3. National objective. For **General Allocation** PTA activities, 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** PTA activities, 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. 7062.1(d)(3)(C) require that if a jurisdiction is using the PTA 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.

2004-2005 PTA
Schedule 1

Applicant: _____

Activity Budget

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

Attach additional sheets if undertaking more than two activities.

2004-2005 PTA
Schedule 2

Applicant: _____

General Administration Budget

General Administration (GA)	City/County Staff Hours					Consultant Hours					
			Task Cost					Task Cost			
General Allocation GA Tasks	Number of Hrs	Hrly Rate	CDBG Portion	*Cash Match	Other Sources	Number of Hrs	Hrly Rate	CDBG Portion	Cash Match	Other Sources	Total Cost
1.		$	$	$	$		$	$	$	$	$
2.		$	$	$	$		$	$	$	$	$
3.		$	$	$	$		$	$	$	$	$
4.		$	$	$	$		$	$	$	$	$
5.		$	$	$	$		$	$	$	$	$
ED Allocation GA Tasks											
1.		$	$	$	$		$	$	$	$	$
2.		$	$	$	$		$	$	$	$	$
3.		$	$	$	$		$	$	$	$	$
4.		$	$	$	$		$	$	$	$	$
5.		$	$	$	$		$	$	$	$	$
Totals											

* 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.

2004-2005 PTA
Schedule 3

Applicant: _____

Task/Milestone Chart

Year	**2004**		**2005**				**2006**				**2007**			
Activity Name/ Tasks/Milestones	**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 1. Name: _____														
Activity 2. Name: _____														

Attach additional sheets if undertaking more than two activities. Grants cannot exceed 24 Months.

SECTION G: OMB CIRCULAR A-133

COMPLIANCE WITH OMB CIRCULAR A-133

Office of Management and Budget (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 $500,000 in Federal funds in fiscal year 2003/2004 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 2003/2004 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)

Schedule 3

SECTION H: 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 (Revision 1/15/04))
Attachment 13	Survey techniques
Attachment 14	General and Economic Development Activities Titles
Attachment 15	Income Limits by County

ATTACHMENT 1: APPLICATION REVIEW AND CONTRACT PROCESSING TIMELINE

The timeline below is an example of how long the application review and contracting processes typically take. Individual situations may vary.

Steps in the process	*1st cycle*	*2nd cycle*
	Deadline	
Application submitted to CDBG by 5 pm of due date	**May 28**	**September 30**
	Typical date	
Department completes application review and sends award or decline letter to jurisdiction	**July 9**	**November 12**
Department begins contract process; duration 60-90 days	**July 16**	**November 19**
Department mails executed contract to jurisdiction	**October 15**	**February 11**

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 in a subsequent funding round 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:

Criterion	***For more information***
Application Forms must be fully completed and signed	Section E
Compliance with OMB Circular A-133 Form	Section G
Cash match documented in a signed certified resolution of the governing body	Attachments 3 and 5
Citizen participation/Public hearings	Attachment 4
Eligible activity meeting a HUD national objective	Section B
Eligible applicant	Section B
Environmental review certification	Application Summary Form
Growth control measures are not in effect	Application Summary Form and Attachment 6
National objective documentation	Attachment 7
Resolution of the governing body	Attachment 10
Section 504 of the Rehabilitation Act of 1973	Attachment 11
Statement of Assurances (Revision 1/15/04)	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 in attachment 5.

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, even when contributed by the local redevelopment agency or other third party organizations, 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.
- 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 (PI) may be committed as match for this PTA application. The jurisdiction must refer to its PI Reuse Plan to determine the source of program income to be used as cash match.

- If all PI on hand locally has been committed to revolving loan accounts, the jurisdiction must specify in a public hearing notice and governing body resolution the RLA(s) from which it will make an accounting "adjusting entry" to "back out" the program income for commitment to the planning application. This would not be considered "an expenditure" out of the RLA(s).
- If your PI Reuse Plan includes language addressing the distribution for reuse of program income *that has not been committed to open grant activities*, the jurisdiction's public hearing notice and governing body resolution need not specify the source account of the PI – just that PI is being committed to the planning application.

- 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/).

- Also, grantees are ultimately responsible for ensuring the availability and expenditure of the cash match.

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 for General Allocation and/or ED Allocation 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

Purpose: To inform citizens of the opportunity for Federal funding

To obtain citizen input on what PTA activities should be proposed for funding

Action needed 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 PTA 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. **(See page 41-42 for proper noticing requirements)**

2. Before submitting an application for funding a second public hearing should be noticed 10 days prior to the meeting. **(See page 41-42 for proper noticing requirements)**

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 PTA 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**. If submitting an application for both allocations the information must be specific to both the General Allocation and Economic Development.**
   - 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 **is required to** 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 **is required to** contain information about:

   - **the application's dollar amount**
   - **the activities being proposed, including both General and ED activities as applicable**
   - **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 PTA 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 Friday, June 4, 2004, at 6:00 p.m. at the city/county offices room, _____ Street, _____, CA to the discuss the Fiscal Year 2004/2005 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 General and Economic Development 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, familial status (children), or handicap.

Published _____, 2004

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 Monday, July 19, 2004, at 8:00 p.m. at the city/county council/board room, _____ Street, to the discuss the Fiscal Year 2004 Community Development Block Grant (CDBG) Planning and Technical Assistance (General Allocation and/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 $70,000 under the Planning and Technical Assistance Grant (General Allocation and Economic Development) for the eligible activities: _____.

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, familiar status (children), or handicap.

Published _____, 2004

ATTACHMENT 5:
ELIGIBLE JURISDICTIONS, CASH MATCH PERCENTAGES AND CDBG STAFF CONTACT LIST (see also Attachment 3)

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.

Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
Aliso Viejo	Orange		5	Mimi Bettencourt	Leticia Cortez
Alpine County	Alpine	42.8	25	David Nelson	Leticia Cortez
Alturas	Modoc	54.2	25	David Nelson	Ursula Eilat
Amador City	Amador	47.8	11	David Nelson	Janet Myles
Amador County	Amador	39.1	8	David Nelson	Janet Myles
American Canyon	Napa	39.4	15	Patrick Talbott	Ursula Eilat
Anderson	Shasta	58.9	16	Liz Fitzgerald	Ursula Eilat
Angels Camp	Calaveras	45	24	Harry Faris	Janet Myles
Arcata	Humboldt	54.7	11	Patrick Talbott	Ursula Eilat
Atwater	Merced	43.7	8	David Nelson	Janet Myles
Auburn	Placer	33.6	25	Sue Wade	Janet Myles
Avenal	Kings	61.4	2	Patrick Talbott	Leticia Cortez
Benicia	Solano	26.1	19	William Strong	Ursula Eilat
Biggs	Butte	45.2	2	Liz Fitzgerald	Janet Myles
Bishop	Inyo	53.5	25	David Nelson	Leticia Cortez
Blue Lake	Humboldt	45.4	5	Patrick Talbott	Ursula Eilat
Bradbury	Los Angeles[2]	12.9	2	Sue Wade	Leticia Cortez
Brawley	Imperial	51.4	7	Mimi Bettencourt	Leticia Cortez
Buellton	Santa Barbara	39.2	25	Harry Faris	Leticia Cortez

[1] This figure represents the percentage of Targeted Income Group (TIG) in the jurisdiction based on 2000 census data.
[2] Although the cities listed within this county are CDBG-eligible jurisdictions, the county itself is not.

Schedule 3

Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
Butte County	Butte	43.5	3	Liz Fitzgerald	Janet Myles
Calaveras County	Calaveras	38	6	Harry Faris	Janet Myles
Calexico	Imperial	58.9	17	Mimi Bettencourt	Leticia Cortez
Calimesa	Riverside	44	6	Liz Fitzgerald	Leticia Cortez
Calipatria	Imperial	54	2	Mimi Bettencourt	Leticia Cortez
Calistoga	Napa	57.5	15	Patrick Talbott	Ursula Eilat
Capitola	Santa Cruz	44.1	25	Harry Faris	Janet Myles
Carmel	Monterey	26.7	25	Sue Wade	Janet Myles
Carpinteria	Santa Barbara	41.8	11	Harry Faris	Leticia Cortez
Ceres	Stanislaus	40.7	12	Harry Faris	Janet Myles
Chowchilla	Madera	48.6	6	Sally Verdin	Janet Myles
Clearlake	Lake	67.2	9	Sally Verdin	Ursula Eilat
Coachella	Riverside	70.8	8	Liz Fitzgerald	Leticia Cortez
Colfax	Placer	52	25	Sue Wade	Janet Myles
Colusa	Colusa	36.9	22	Liz Fitzgerald	Ursula Eilat
Colusa County	Colusa	42.7	6	Liz Fitzgerald	Ursula Eilat
Corcoran	Kings	54.3	5	Patrick Talbott	Leticia Cortez
Corning	Tehama	53.4	25	William Strong	Janet Myles
Crescent City	Del Norte	63.2	16	Patrick Talbott	Ursula Eilat
Del Norte County	Del Norte	48.7	4	Patrick Talbott	Ursula Eilat
Del Rey Oaks	Monterey	19.8	14	Sue Wade	Janet Myles
Delano	Kern	61.4	7	Sue Wade	Leticia Cortez
Dinuba	Tulare	55.4	9	William Strong	Leticia Cortez
Dixon	Solano	41.6	15	William Strong	Ursula Eilat
Dorris	Siskiyou	67.3	4	Sally Verdin	Ursula Eilat
Dos Palos	Merced	50.5	7	David Nelson	Janet Myles
Dunsmuir	Siskiyou	61	7	Sally Verdin	Ursula Eilat
El Centro	Imperial	49.4	18	Mimi Bettencourt	Leticia Cortez
El Dorado County	El Dorado	34.3	6	Harry Faris	Janet Myles
Etna	Siskiyou	52.4	8	Sally Verdin	Ursula Eilat
Eureka	Humboldt	53.7	25	Patrick Talbott	Ursula Eilat
Exeter	Tulare	47	7	William Strong	Leticia Cortez

Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
Farmersville	Tulare	62.7	6	William Strong	Leticia Cortez
Ferndale	Humboldt	29.5	11	Patrick Talbott	Ursula Eilat
Firebaugh	Fresno	59.8	11	David Nelson	Leticia Cortez
Fort Bragg	Mendocino	51.4	25	Sue Wade	Ursula Eilat
Fort Jones	Siskiyou	55.6	16	Sally Verdin	Ursula Eilat
Fortuna	Humboldt	44.7	13	Patrick Talbott	Ursula Eilat
Fowler	Fresno[2]	44.8	16	David Nelson	Leticia Cortez
Glenn County	Glenn	47.7	5	Liz Fitzgerald	Janet Myles
Goleta	Santa Barbara	28.2	15	Harry Faris	Leticia Cortez
Gonzales	Monterey	55	4	Sue Wade	Janet Myles
Grass Valley	Nevada	62.5	25	Liz Fitzgerald	Janet Myles
Greenfield	Monterey	67.8	6	Sue Wade	Janet Myles
Gridley	Butte	55.7	18	Liz Fitzgerald	Janet Myles
Guadalupe	Santa Barbara	68.2	4	Harry Faris	Leticia Cortez
Gustine	Merced	40.3	5	David Nelson	Janet Myles
Hidden Hills	Los Angeles[2]	6.3	2	Sue Wade	Leticia Cortez
Hollister	San Benito	43.3	13	Sue Wade	Janet Myles
Holtville	Imperial	45.4	4	Mimi Bettencourt	Leticia Cortez
Hughson	Stanislaus	43.9	8	Harry Faris	Janet Myles
Humboldt County	Humboldt	45.2	3	Patrick Talbott	Ursula Eilat
Huron	Fresno	71.7	3	David Nelson	Leticia Cortez
Imperial	Imperial	27.4	13	Mimi Bettencourt	Leticia Cortez
Imperial County	Imperial	50.8	2	Mimi Bettencourt	Leticia Cortez
Indian Wells	Riverside[2]	100	23	Liz Fitzgerald	Leticia Cortez
Industry	Los Angeles[2]	43.7	25	Sue Wade	Leticia Cortez
Inyo County	Inyo	42	7	David Nelson	Leticia Cortez
Ione	Amador	45.8	2	David Nelson	Janet Myles
Jackson	Amador	44.3	25	David Nelson	Janet Myles
King City	Monterey	63.3	14	Sue Wade	Janet Myles
Kings County	Kings	46.1	2	Patrick Talbott	Leticia Cortez
Lake County	Lake	48.9	5	Sally Verdin	Ursula Eilat
Lakeport	Lake	44.2	25	Sally Verdin	Ursula Eilat

Schedule 3

Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
Lassen County	Lassen	41.1	3	David Nelson	Ursula Eilat
Lemoore	Kings	37.7	7	Patrick Talbott	Leticia Cortez
Lincoln	Placer	45	9	Sue Wade	Janet Myles
Lindsay	Tulare	66.8	4	William Strong	Leticia Cortez
Live Oak	Sutter	47.7	3	Liz Fitzgerald	Janet Myles
Livingston	Merced	54.6	6	David Nelson	Janet Myles
Loomis	Placer	32.2	19	Sue Wade	Janet Myles
Los Banos	Merced	34.9	11	David Nelson	Janet Myles
Loyalton	Sierra	41.5	16	Sally Verdin	Janet Myles
Madera County	Madera	39.6	5	Sally Verdin	Janet Myles
Mammoth Lakes	Mono	39.5	25	David Nelson	Leticia Cortez
Marina	Monterey	44	5	Sue Wade	Janet Myles
Mariposa County	Mariposa	39.1	9	Sally Verdin	Janet Myles
Mendocino County	Mendocino	41.2	6	Sue Wade	Ursula Eilat
Merced County	Merced	43.5	3	David Nelson	Janet Myles
Modoc County	Modoc	49.3	3	David Nelson	Ursula Eilat
Mono County	Mono	38.1	4	David Nelson	Leticia Cortez
Montague	Siskiyou	59.2	5	Sally Verdin	Ursula Eilat
Monterey County	Monterey	39.7	3	Sue Wade	Janet Myles
Morro Bay	San Luis Obispo[2]	49.9	16	Harry Faris	Leticia Cortez
Mount Shasta	Siskiyou	46.1	25	Sally Verdin	Ursula Eilat
Napa County	Napa	37.1	5	Patrick Talbott	Ursula Eilat
Nevada City	Nevada	45.9	25	Liz Fitzgerald	Janet Myles
Nevada County	Nevada	38.4	5	Liz Fitzgerald	Janet Myles
Newman	Stanislaus	43.4	7	Harry Faris	Janet Myles
Oakley	Contra Costa		5	Harry Faris	Ursula Eilat
Orange Cove	Fresno	73.7	2	David Nelson	Leticia Cortez
Orland	Glenn	55.4	13	Liz Fitzgerald	Janet Myles
Oroville	Butte	61.8	25	Liz Fitzgerald	Janet Myles
Pacific Grove	Monterey	29.7	15	Sue Wade	Janet Myles
Palos Verdes Estates	Los Angeles[2]	8.2	3	Sue Wade	Leticia Cortez

Schedule 3

Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
Pismo Beach	San Luis Obispo[2]	37.1	23	Harry Faris	Leticia Cortez
Placer County	Placer	30	6	Sue Wade	Janet Myles
Placerville	El Dorado	50.4	25	Harry Faris	Janet Myles
Plumas County	Plumas	41.5	12	Sally Verdin	Janet Myles
Plymouth	Amador	49.2	14	David Nelson	Janet Myles
Point Arena	Mendocino	56.6	16	Sue Wade	Ursula Eilat
Portola	Plumas	53.7	11	Sally Verdin	Janet Myles
Rancho Mirage	Riverside[2]	26	25	Liz Fitzgerald	Leticia Cortez
Red Bluff	Tehama	54.1	22	William Strong	Janet Myles
Rio Dell	Humboldt	47.8	3	Patrick Talbott	Ursula Eilat
Rio Vista	Solano	45.7	18	William Strong	Ursula Eilat
Riverbank	Stanislaus	35.6	7	Harry Faris	Janet Myles
Rocklin	Placer	23.7	16	Sue Wade	Janet Myles
San Benito County	San Benito	41.4	4	Sue Wade	Janet Myles
San Clemente	Orange	32.7	12	Mimi Bettencourt	Leticia Cortez
San Joaquin	Fresno[2]	73.6	6	David Nelson	Leticia Cortez
San Juan Bautista	San Benito	53.7	8	Sue Wade	Janet Myles
San Juan Capistrano	Orange	40.3	20	Mimi Bettencourt	Leticia Cortez
Sand City	Monterey	63.7	25	Sue Wade	Janet Myles
Santa Barbara County	Santa Barbara	37.4	4	Harry Faris	Leticia Cortez
Santa Cruz County	Santa Cruz	36.8	4	Harry Faris	Janet Myles
Scotts Valley	Santa Cruz	26.9	23	Harry Faris	Janet Myles
Shasta County	Shasta	42.1	3	Liz Fitzgerald	Ursula Eilat
Shasta Lake	Shasta	53	8	Liz Fitzgerald	Ursula Eilat
Sierra County	Sierra	37.2	5	Sally Verdin	Ursula Eilat
Siskiyou County	Siskiyou	46.7	3	Sally Verdin	Ursula Eilat
Solano County	Solano	34.5	1	William Strong	Ursula Eilat
Soledad	Monterey	58.1	2	Sue Wade	Janet Myles
Solvang	Santa Barbara	35.6	22	Harry Faris	Leticia Cortez
Sonora	Tuolumne	50.6	25	Harry Faris	Janet Myles
South Lake Tahoe	El Dorado	56.1	18	Harry Faris	Janet Myles

Schedule 3

Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
St. Helena	Napa	37.5	25	Patrick Talbott	Ursula Eilat
Stanislaus County	Stanislaus	40.1	5	Harry Faris	Janet Myles
Suisun City	Solano	33.4	5	William Strong	Ursula Eilat
Susanville	Lassen	39.3	10	David Nelson	Ursula Eilat
Sutter County	Sutter	33.4	4	Liz Fitzgerald	Janet Myles
Sutter Creek	Amador	35.5	18	David Nelson	Janet Myles
Taft	Kern[2]	42.1	19	Sue Wade	Leticia Cortez
Tehama	Tehama	50.2	1	William Strong	Janet Myles
Tehama County	Tehama	47.1	3	William Strong	Janet Myles
Trinidad	Humboldt	30.2	25	Patrick Talbott	Ursula Eilat
Trinity County	Trinity	48.5	7	Sally Verdin	Ursula Eilat
Truckee	Nevada	27.6	21	Liz Fitzgerald	Janet Myles
Tulare County	Tulare	56.3	3	William Strong	Leticia Cortez
Tulelake	Siskiyou	59.9	9	Sally Verdin	Ursula Eilat
Tuolumne County	Tuolumne	37.6	8	Harry Faris	Janet Myles
Ukiah	Mendocino	46.5	25	Sue Wade	Ursula Eilat
Vernon	Los Angeles[2]	16	25	Sue Wade	Leticia Cortez
Wasco	Kern	57.7	4	Sue Wade	Leticia Cortez
Waterford	Stanislaus	42.2	5	Harry Faris	Janet Myles
Weed	Siskiyou	55.7	17	Sally Verdin	Ursula Eilat
West Sacramento	Yolo	60.2	25	Patrick Talbott	Ursula Eilat
Westmorland	Imperial	60.6	8	Mimi Bettencourt	Leticia Cortez
Wheatland	Yuba	45.5	5	David Nelson	Janet Myles
Williams	Colusa	50.5	17	Liz Fitzgerald	Ursula Eilat
Willits	Mendocino	50.1	25	Sue Wade	Ursula Eilat
Willows	Glenn	52.1	15	Liz Fitzgerald	Janet Myles
Winters	Yolo	40.2	4	Patrick Talbott	Ursula Eilat
Woodlake	Tulare	69.2	4	William Strong	Leticia Cortez
Yolo County	Yolo	53.3	2	Patrick Talbott	Ursula Eilat
Yountville	Napa	41	15	Patrick Talbott	Ursula Eilat
Yreka	Siskiyou	47.7	25	Sally Verdin	Ursula Eilat

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Jurisdiction	County	TIG[1] Percentage	Cash Match Percentage	General Representative	Economic Development Representative
Yuba County	Yuba	51.2	5	David Nelson	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 PTA 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 15 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

PTA 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 PTA 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 PTA 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 the number of persons that would benefit from the proposed activities and how the PTA project would "principally benefit" TIG persons, if brought to implementation. "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 product of 2) above and 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
Retail Trade	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 PTA study.

5. Multiply the number of jobs by job-title for each of the industries that might expand as a result of the proposed PTA 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 PTA 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 the number of person that would benefit from the proposed activities and how the PTA project would aid in the prevention or elimination of slums and blight, if brought to implementation

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 **or on a spot basis** under state and local law; that throughout the area **or on a spot basis** 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 PTA 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 implentation:

The grantee may complete the planning work in-house, select a subrecipient 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 PTA 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. <u>If the grantee wants to begin to Incur costs prior to the execution of the state contract then they may request in writing permission from state staff to incur cost early. State staff will provide a written approval and then the grantee may begin incurring costs.</u>

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 (Sole Source or Single Source)
- Using a contractor already under contract to the jurisdiction
- no "loss leader" arrangements

Caveat: 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. **If only one proposal is received then grantee must write the state and request approval of "single source" 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." **If only one proposal is received then grantee must write the state and request approval of "single source" procurement.**

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 PTA 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 and SINGLE SOURCE)**

  Procurement by Sole Source method means procurement through solicitation of a proposal from only one source. Grantee must provide documentation that there are no other service providers in the area who could provide the planning activities.

  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

  The grantee must submit a written request to the Department prior to selecting a sole source bidder. The written request must address why this procurement activity meets the criteria given above. Before making such a request, the grantee should contact a CDBG representative to obtain the correct format.

  Single Source procurement happens only after solicitation of a number of sources (i.e., by using the RFP, RFQ, or small purchase method), 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, then the grantee must submit a written request to the Department prior to selecting a single bidder. The written request must include documentation of outreach to document that broad outreach efforts were made. 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 as long as grantee can provide documentation that the proper CDBG procurement process was followed. There are also some 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 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. Cash match (Section 3) may be attributed to the ED Allocation or the General Allocation if desired. 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 titles and dollar amounts)

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 application.

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

Name and signature of Section 504 Coordinator: _____ Date Signed: _____

ATTACHMENT 12: STATEMENT OF ASSURANCES

Applicants must submit the Statement of Assurances form with the 1/15/04 revision date with the application. If a PTA 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.

The Statement of Assurances form with the 1/15/04 revision date includes all currently-required provisions. 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 Form. **Earlier versions of the Statement of Assurances will not be accepted.**

STATEMENT OF ASSURANCES (Revised January 15, 2004)

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 PTA 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.

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.

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 PTA 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

Number of Households in the Universe	Sample Size (# of Responses)
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 PTA 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.

ECONOMIC DEVELOPMENT PTA ACTIVITIES

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: 2004 INCOME LIMITS

The web-based version of the PTA Application Package contains the 2004 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