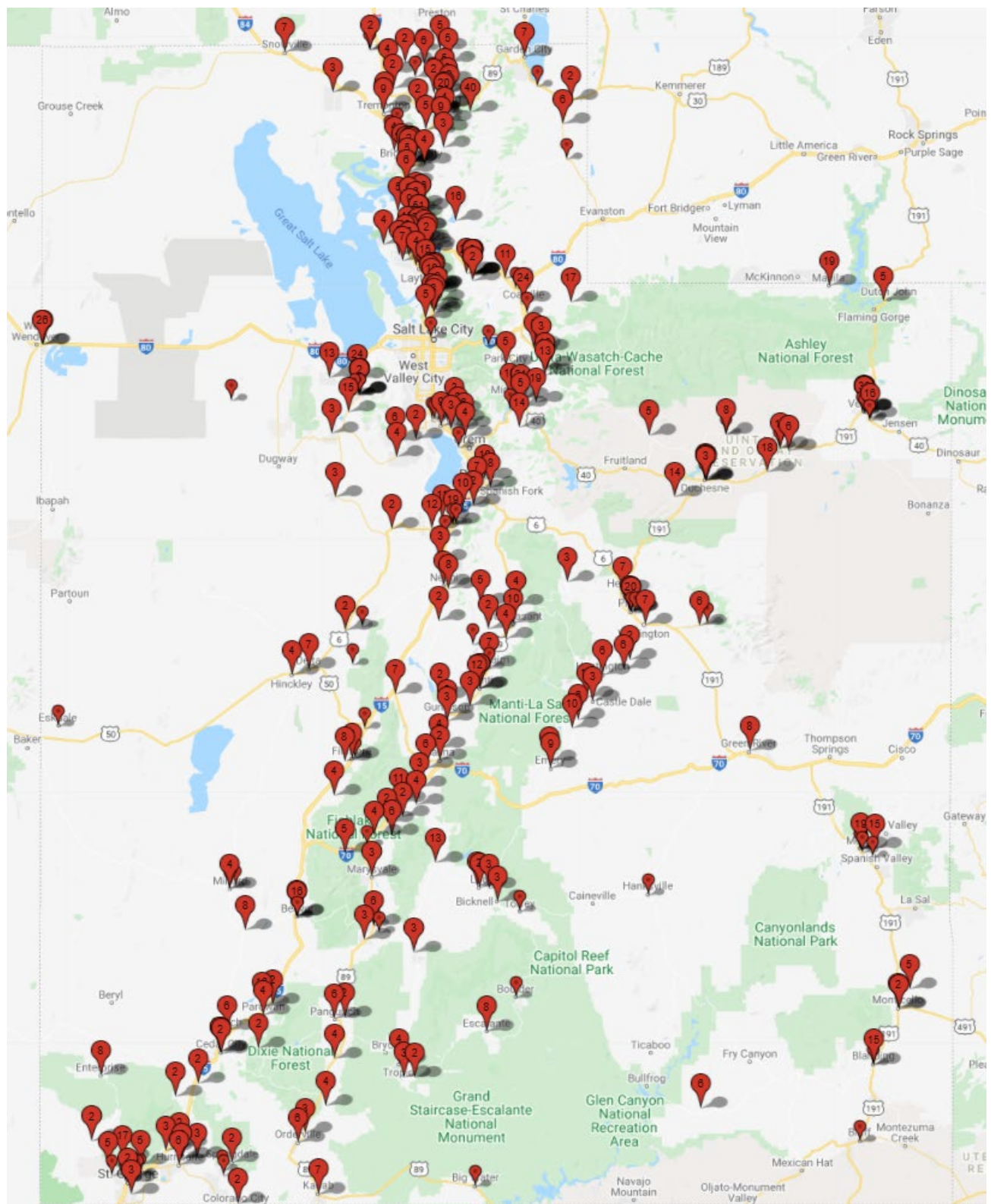


**Community Development Block Grant
2022 Application Policies & Procedures
40th Application Year**





It is against the law for the Department of Workforce Services (DWS), Housing & Community Development Division (HCD), or its sub-recipients of Federal financial assistance to discriminate against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief.

Auxiliary aids and services are available upon request to individuals with disabilities by calling (801) 526-9240. Individuals with speech and/or hearing impairments may call Relay Utah by dialing 711. Spanish Relay Utah: 1 (888) 346-3162.



**Utah Department of Workforce Services
Housing & Community Development Division
140 East 300 South
Salt Lake City, UT 84111
www.jobs.utah.gov/housing/cdbg**

2022 Community Development Block Grant Application Checklist

(Check each step as it is completed)

#	✓	
1		Attend CDBG “How to Apply Workshop” in your AOG region - Oct/Nov 2021.
2		Register as a user in the WebGrants 3 system if not already assigned a login. https://webgrants.utah.gov/register.jsp
3		Non-profits must be <u>sponsored</u> by a City or County in which the project is located. The City or County will Sub-contract with the Non-Profit.
4		Current CDBG grants must spend down <u>50%</u> of any contracts by February 2022 .
5		AOG specific due date ____/____/____
6		Review Chapters 2 and 3 for funding information and eligible project types.
7		Hold 1 st Public Hearing prior to 01/31/2022 . See Appendix B for templates.
8		Review Rating & Ranking Policies for your region, provided in Appendix G.
9		Choose potential project(s) and define project area & beneficiaries and Environmental Review needs. Call AOG representative for assistance.
10		Contact AOG representative for guidance regarding income survey requirements. The state CDBG staff must approve the survey form and methodology.
11		If required, conduct income survey of residents in project area.
12		Submit original surveys to AOG rep to determine project eligibility. Retain copies. <u>Deadline for AOGs to submit surveys to the state CDBG staff is 01/15/2022.</u>
13		Prepare scope of work, budget & map of project area. *If project requires specific engineering, there must be an open bidding process. An estimate of cost can be provided by Org’s office or through general services retained by the office.
14		Complete CDBG Application online in WebGrants. SUBMIT by 01/31/2022.
15		State staff review applications for completeness and eligibility - February 2022.
16		Do not hold 2nd public hearing until notification from AOG is received in <u>March/April 2022</u> that your application has been awarded funding!
17		Awards announced March/April 2022. Hold 2 nd public hearing prior to 05/31/2022. See Appendix B for templates.
18		Update application with 2 nd public hearing info. Make any other edits if necessary.
19		Re-submit Application prior to 05/31/2022. Late applications will be disqualified.

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CHAPTER 1. INTRODUCTION AND PROGRAM GOALS AND OBJECTIVES

A. The Small Cities Community Development Block Grant Program

The Utah Small Cities Community Development Block Grant (CDBG) program is funded and operated under Title I of the Housing and Community Development Act of 1974, as amended through April 11, 1994, 42 USC 5301 including all operating regulations and memorandums pertaining thereto.

The Purpose of the Community Development Block Grant Program:

"To assist in developing viable communities by providing decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income (LMI)".

The program year **2022** will be the **40th year** in which the small cities CDBG program is administered by the state of Utah. The U.S. Department of Housing and Urban Development (HUD) is responsible for monitoring the state of Utah to ensure compliance with CDBG program requirements. Applicants should be aware that, if funded, they must comply with various federal regulations including Davis-Bacon Labor standards, Civil Rights, and the HUD Environmental Review Regulations found at 24 CFR Part 58.

The purpose of this book is to provide instruction and guidance regarding state and federal requirements to cities, counties and other organizations wishing to apply for CDBG funds. Unlike other states that have a more centralized project rating and ranking process, Utah's process is unique. In Utah, the rating and ranking process is delegated to the seven regional planning districts throughout the state. These are the associations of governments (AOGs). Local and regional priorities are considered by AOG rating and ranking committees to determine which projects are funded. These regional rating and ranking policies and procedures are included at the end of this book. This process provides for maximum involvement of the public through local governments who establish priorities that are consistent with the regional and state consolidated plan.

This application policies and procedures manual contains all CDBG program guidance information including:

- Compliance with the Consolidated Plan
- Estimated amount of funds available
- Method of Distribution (regional allocation formula)
- CDBG National Objective requirements
- List of eligible activities
- Application instructions
- State requirements
- Additional federal requirements
- Regional rating and ranking policies and procedures

B. Eligible Grant Applicants

Consistent with federal law, **eligible applicants** for the state CDBG program are:

- **Incorporated cities and towns with populations of less than 50,000, excluding those in Davis, Salt Lake and Utah counties;**
- **All of the State's counties except Davis, Salt Lake and Utah counties;**
- **Units of local government recognized by the Secretary of HUD that include six of the seven Associations of Government, excluding the Wasatch Front Regional Council, which is sponsored by Tooele County.**

By federal law, the state may only fund the applicants listed above. Other users of CDBG funds such as non-profit organizations, housing authorities, and special service districts must apply through and enter into subcontractor agreements with an eligible applicant who also derives a benefit from the project. These entities must comply with all applicable laws and regulations. The state encourages units of general local government to cooperate with each other as well as other entities to engage in eligible activities.

The State of Utah CDBG program requires any city or county interested in applying for funding to have a current Moderate Income Housing Plan as outlined in SB 34.

1. Sponsorship of a Non-eligible Recipient – Eligible applicants (cities or counties) who agree to sponsor a non-eligible sub-recipient must realize that such an agreement carries serious legal implications and responsibilities. Careful consideration and a full understanding of sponsorship must be considered before entering into an agreement. The sponsoring entity and the state will execute the contract and the sponsoring entity (city or county) is legally bound to comply with all pertinent laws and regulations, as is their sub-recipient. Sponsorship of a sub-recipient must be appropriately based on the project area. (e.g., counties must only sponsor projects benefitting the entire county. Cities must only sponsor projects benefitting city residents). Sponsors must execute a subcontractor's agreement with the sub-recipient (see Appendix F).

The responsibility for who does what in such a contractual arrangement will depend on each entity, the project and the degree of comfort that the sponsor has with the sub-recipient. 2 CFR Part 200 streamlines the requirements for all federally funded grantees. The state is only responsible to ensure that the sponsor is in compliance. This means that the sponsoring entity should do a periodic review of the budget and expenditures of the sub-recipient in the duration of the grant. The state maintains contact with sub-recipients during the course of the project through phone, written correspondence and in-person site visits. These technical assistance efforts are the state's way of assisting the sponsoring entity with some of its oversight needs. However, sponsors should realize that final compliance by the sub-recipient ultimately lies with them.

Sponsorship responsibilities include holding the public hearings, signing the application and contracts, ensuring compliance with all civil rights requirements including Americans with Disabilities Act (ADA) laws and providing a certain amount of environmental oversight. Compliance with any labor related laws is usually reviewed at the sub-recipient level, but the sponsor may request involvement to ensure that any local requirements related to procurement are

understood and will be followed by the sub-recipient. If the project budget includes any administrative costs for the sponsoring entity, the sponsor's financial records will also be reviewed. Sponsorship also requires assisting with the completion of the final monitoring and the close out process when the project is complete. The sponsor will be monitored at the end of the project in addition to the sub-recipient to ensure this compliance.

2. Public Service – Public service providers, traditionally non-profit organizations, sponsored by a local level of government are allowed to apply for CDBG funds for **capital improvements and major equipment purchases**. (e.g., vehicles, permanent equipment/fixtures, computer equipment, construction, and remodeling and facility expansion). State policy prohibits the use of CDBG funds for operating and maintenance expenses. This includes paying administrative costs, salaries, etc. No more than 15 percent of the state's yearly allocation of funds may be expended for public service activities.

To utilize CDBG funds for a public service, the service must be either:

- a. A new service; OR
- b. A quantifiable increase in the level of an existing service which has been provided by the grantee or another entity on its behalf through the state or local government funds in the 12 months preceding the submission of the grantee's Consolidated Plan Annual Action Plan to HUD.

This provision was put into place to ensure that localities did not use CDBG funds to replace local or state monies that support general conduct or essential services typically offered by the local government entity.

3. Non-profit organizations, housing authorities, and special service districts may apply through an eligible applicant, but are not eligible to apply independently.

Entitlement cities of Salt Lake, Provo, Orem, Ogden, Layton, Logan, Clearfield, Sandy, St. George, Taylorsville, West Jordan, West Valley, Lehi and the urban counties of Utah, Salt Lake and Davis have similar programs designated for their areas and are not eligible for the State Small Cities Community Development Block Grant (CDBG) Program. These cities and counties are funded directly by HUD.

Who Administers the CDBG Program?

The Utah State Department of Workforce Services (DWS), Housing and Community Development Division (HCD) administers the CDBG program. As the lead agency responsible for the program's design and implementation, HCD will:

- Obtain policy guidance from the CDBG Policy Committee, made up of seven elected officials selected by the governor from the regional associations of governments and formally established by a governor's executive order dated November 1, 1986
- Support the seven associations of governments in developing sound and equitable project review and regional ranking systems that meet the purposes of federal legislation as well as local and state priorities
- Ensure grantee compliance with all applicable federal/state program regulations and federal overlay statutes
- Monitor grantee program compliance and financial performance

- Ensure that programmatic control of the prioritization of CDBG funding has and will remain with local elected officials
- Prepare the Annual Action Plan and the five year Consolidated Plan as required by HUD
- Carry out the Method of Distribution as approved by the CDBG Policy Committee
- Provide technical assistance to units of local government and support workshops for citizens and local officials

CDBG Policy Board Members

The CDBG Policy Committee is composed of the following seven members selected by the governor from each of the seven associations of governments:

Jeffrey Scott	Box Elder County Commissioner	Bear River Association of Governments
Paul Cozzens	Iron County Commissioner	Five County Association of Governments
Kendall Crittenden	Wasatch County Councilman	Mountainland Association of Governments
Scott Bartholomew	Sanpete County Commissioner	Six County Association of Governments
Joe Lyman	Blanding City Mayor	Southeastern Association of Local Governments
Rodney Rowley	Duchesne City Mayor	Uintah Basin Association of Governments
Mark Allen	City of Washington Terrace Mayor	Wasatch Front Regional Council

For assistance in application preparation, contact any of the following personnel:

Associations of Governments - Counties and Contacts

Bear River AOG

CONTACT: Brian Carver

Box Elder, Cache, Rich Counties
 Roger C. Jones, Executive Director
 170 N Main Street
 Logan, Utah 84321
 PHONE: (435) 752-7242
 E-mail: brianc@brag.utah.gov

Five County AOG

CONTACT: Alyssa Gamble

Beaver, Kane, Garfield, Washington, Iron Counties
 Bryan Thiriot, Executive Director
 PO Box 1550
 St. George, Utah 84770
 PHONE: (435) 673-3548
 E-mail: agamble@fivecounty.utah.gov

Mountainland AOG

CONTACT: Jess Bedingfield

Summit, Wasatch Counties
 Andrew Jackson, Executive Director
 586 East 800 North
 Orem, Utah 84097-4146
 PHONE: (801) 229-3691
 E-mail: jbedingfield@mountainland.org

Six County AOG

CONTACT: Shay Morrison

Juab, Millard, Piute, Sanpete, Sevier, Wayne Counties
 Travis Khyll, Executive Director
 PO Box 820
 Richfield, Utah 84701
 PHONE: (435) 893-0737
 E-mail: shaym@sixcounty.com

Southeastern Utah ALG**CONTACT: Allison Preston**

Carbon, Emery, Grand, San Juan Counties

Geri Gamber, Executive Director

PO Box 1106

Price, Utah 84501

PHONE: (435) 613-0069

E-mail: apreston@seualg.utah.gov**Uintah Basin AOG****CONTACT: Kevin Yack**

Daggett, Duchesne, Uintah Counties

Laurie Brummond, Executive Director

330 East 100 South

Roosevelt, Utah 84066

PHONE: (435) 722-4518

E-mail: keviny@ubaog.org**Wasatch Front Regional Council****CONTACT: Christy Dahlberg**

Morgan, Tooele, Weber Counties

Andrew Gruber, Executive Director

41 North Rio Grande Street, Suite 103

Salt Lake City, UT 84101

PHONE: (801) 363-4250; ext. 5005

E-mail: christy@wfrc.org**Technical Assistance**

For assistance regarding the CDBG program or other HCD programs, please contact the following personnel:

Housing & Community Development Division
Community Development Block Grant Program
140 East 300 South
Salt Lake City, Utah 84111
Telephone: (801) 801-3173
Website: <http://jobs.utah.gov/housing/cdbg>

Keith Heaton	Director Community Development Office	(801) 230-7804 kheaton@utah.gov
Jennifer Domenici	Program Manager CDBG Program	(801) 803-3173 jdomenici@utah.gov
Sarah Moore	Program Specialist, CDBG Environmental Reviews	(801) 834-4609 smmoore@utah.gov
Julie Tuimauga	Program Specialist, CDBG IDIS/Labor/Acquisition	(385) 391-8017 jtumauga@utah.gov
Margaret Lautaimi	CDBG Fiscal Grant Manager	(801) 526-9321 margaretlautaimi@utah.gov

Sisifo Ta`atiti	HEAT/SCSO; Director	(801) 468-0069 staatiti@utah.gov
Bradley Carpenter	Program Manager Weatherization	(801) 209-5764 blcarpenter@utah.gov
Tricia Davis	Program Manager Homelessness Programs Office	(801) 859-4805 tadavis@utah.gov
Jess Peterson	Program Manager Housing, Olene Walker Loan Fund	(385) 235-2975 jesspeterson@utah.gov

C. Consolidated Plan/Annual Action Plan

Section 104(a)(2) of Title I of the Housing and Community Development Act requires each state to submit a Consolidated Plan of state-wide community development objectives, projected use of funds, and methods by which the state will distribute funds to local governments. Each Association of Governments is required to review and update their portion of the plan annually. A new Consolidated Plan is published every five years. Additional information regarding compliance with the Consolidated Plan is addressed in Chapter 3.

D. State Public Hearing

In April of each year the state of Utah is required to hold a public hearing to gather input and discuss the progress and status of communities statewide as they complete the required elements of the Consolidated Plan. The hearing is advertised on the State of Utah Public Meeting Notice website (<https://www.utah.gov/pmn/>) 30 days in advance of the hearing. All Associations of Governments, low-income housing agencies, and other low-income advocacy groups are invited to subscribe to the State of Utah Public Meeting Notice website so they will be notified of the hearing date and time. All questions, concerns and suggestions gathered at the hearing will be documented and responded to by HCD staff following the hearing.

E. Goals and Objectives

The following CDBG goals and objectives continue to be of major importance as HCD strives to meet federally mandated requirements and state obligations in serving the non-entitlement communities.

1. Improve public facilities
2. Develop and use land resourcefully
3. Provide decent housing through the use of all available programs
4. Provide needed public services
5. Promote a strong local government role in the grant selection process through the use of Regional Rating and Ranking Committees (RRCs)
6. Leverage CDBG funds with other available public and private resources
7. Simplify the CDBG application and management requirements while addressing congressional program intent and existing federal law

F. Seventy Percent Low-to Moderate-Income (LMI) Benefit Requirement

A program goal established by HUD requires that 70% of the CDBG allocation expended over a three-year period will fund projects that benefit low-to moderate-income (LMI) persons. Each Association of Governments (AOG) is required to individually meet this goal by adjusting its ranking system and funding allocations (as necessary) to ensure that 70% of its yearly allocation is spent on projects, that meet the national objective to benefit LMI persons.

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CHAPTER 2. FUNDING PROCESSES

A. State Process

The amount of CDBG funds available for Utah each year varies based upon the federal legislative appropriation passed by congress. That amount is formally announced by the U.S. Department of Housing & Urban Development (HUD) annually in May or June. For the 2021 program year, the following formula was used: \$100,000 plus three percent of the total appropriation was subtracted from the allocation for state administration costs. The remaining funds were then allocated to the seven Associations of Governments (AOG) regions based upon the Method of Distribution (MOD) approved by the CDBG Policy Committee during their September 11, 2018 meeting.



This MOD was in effective for 2019, 2020 and 2021 program years. Each region received a \$400,000 base amount with the balance being allocated on the following criteria: % of State LMI population (40%), average poverty rate (35%), pre-1980 housing (15%) and number of pre-approved LMI communities (10%).

1. 2021 Method of Distribution

In 2021, the Utah CDBG program received a total of \$ 5,740,822 of which \$ 272,225 was deducted for State CDBG administration. \$ 5,468,597 was the allocation amount for the non-entitlement areas of the state.

After adding unexpended funds from prior year grants, which was \$ 199,707.98; the total amount of funding available for projects was \$ 5,668,304.98. The allocation was divided among each of the seven AOG regions per the approved MOD. This allocation formula includes a \$400,000 base amount for each region.

** On May 13, 2021 HUD notified Utah they would receive an additional \$84,576.00. The CDBG Policy Committee voted to divide this funding equally between the seven AOG's, adding funds to the highest ranked construction projects.*

Association of Governments Region	Allocation
Bear River AOG	\$ 799,991
Five County AOG	\$ 938,890
Mountainland AOG	\$ 612,201
Six County AOG	\$ 875,626
Southeastern ALG	\$ 801,860
Uintah Basin AOG	\$ 624,949
Wasatch Front Regional Council	\$ 1,014,787
Total available for 2021 projects:	\$ 5,668,304.98

2. 2022 Method of Distribution

At the time of the CDBG “How to Apply” workshops in Oct/Nov each year, the next federal budget is unknown. The amount of CDBG funding that HUD will allocate to the State of Utah for the Community Development Block grant program will be announced in May or June 2022. The information below will be added as soon as it becomes available.

The HUD allocation to Utah for 2022 will be \$.

Based on a \$5,500,000 allocation, the regional amounts are listed below. This is only an estimate and the actual amount available will vary based on:

- the federal budget
- the amount of unspent funds from previous grants available to re-allocate
- the new MOD approved by the CDBG Policy Committee.

CDBG Estimated Allocations - 2022 Program Year

Association of Governments Region	*Allocation
Bear River Association of Governments	776,520
Wasatch Front Regional Council	978,712
Mountainland Association of Governments	599,749
Uintah Basin Association of Governments	611,749
Six County Association of Governments	847,717
Five County Association of Governments	907,269
Southeastern Utah Association of Local Governments	778,284
* Estimate Only	\$ 5,500,000

B. Regional Process

1. Application Review Process

Portions of the CDBG application review process have been delegated to the seven regional Associations of Governments (AOGs). Each AOG has established a CDBG Regional Rating and Ranking Committee (RRC). The organization of each RRC varies. In some cases, special subcommittees are formed to conduct part of the application review; while in others the association’s executive committee or board serves as the review body.

The role of the RRC is to review and determine the ranking of CDBG applications in each region. Following this process, individual awards are determined and funded based on a region’s total allocation. This regional body has the responsibility to determine threshold eligibility and consistency with the consolidated plan as well as national objective compliance. State CDBG staff assist in this process.

All applicants submit an electronic application online through HCD's WebGrants system. In February and March, state CDBG staff meets with each AOG representative to review applications for compliance with CDBG program regulations. All applications that include an original survey must also be reviewed by the state prior to rating and ranking by the AOG. Following this review and certification of the national objective, consolidated plan compliance and project eligibility, the RRC may then apply their regional rating and ranking scoring. State staff reviews the applications for scoring accuracy and compliance with all federal criteria. All slum and blight type applications must be approved by state staff prior to rating and ranking. **NOTE:** Applicants may not commit funds to a proposed project prior to completing the HUD environmental review process and receiving an executed CDBG grant agreement (contract) from the State of Utah. The start date for CDBG grants is July 1st.

2. Rating and Ranking

Although the state has overview responsibility for this activity, the development of a regional rating and ranking system must be completed by the RRC. The preparation/approval of these policies occurs in August, prior to the CDBG funding cycle which begins with the "How to Apply" workshops in Oct/Nov. These policies are made public and are available for review and comments.

The ranking criteria must contain, at a minimum, the eight specific criterion found in Appendix G. This appendix also includes the individual RRC's rating and ranking processes for the next funding cycle. Each region's process must be approved by its RRC and reviewed by the state in advance of the funding cycle. Scoring criterion must be objective and transparent.

Projects (not sponsors) which have not spent 50% of their previous grant(s) are not eligible to apply for new CDBG funding. Single-family housing rehabilitation grants carried out by the AOGs are exempt from this requirement. Only complete and accurate applications will be rated and ranked. Late applications will not be accepted. Please review the regional policies regarding application deadlines.

Multi-year funding (up to two years) is only allowed for construction projects. Each regional RRC may determine that multi-year funding is appropriate for certain projects. In these cases, the RRC must document the amount of funding being awarded for the first and second years. All grantees receiving multi-year funding must be made aware that the second year is contingent upon the state program receiving CDBG funding in the 2nd year.

Following the completion of the rating and ranking process, each RRC will submit to the state copies of rating and ranking result sheets with the names of all the submitted applications, the actual allocation of all funds and the points awarded to each application.

After review by the state staff, the AOG will notify the successful applicants that they can proceed with finalizing their application. This will include adding the required second public hearing information (see Appendix B) and revising the budget and scope of work, if necessary. An applicant may withdraw an application from consideration by the RRC at any time. The AOG representative must formally notify all applicants of the rating and ranking results.

State staff assists the RRC and AOG staff in regards to the CDBG application requirements in order to assist in the clarification of state or federal policy. The state will honor the RRC's rating and ranking decisions, but reserves the right of final project approval in determining if a project is an eligible activity, meets one of the three national objectives and complies with other federal regulations and state criteria. Projects are to be fully funded at the amount requested beginning with any AOG set-aside first, then the top ranked project, continuing until funding is exhausted.

3. Set-asides

This is a process where a specific amount of money is "set-aside" from the AOG allocation to be used for a specific category of activity (e.g. housing assistance or economic development). Set-asides may only be used for a general category of activity and not for a specific project. Rather than competing against all other applicants, applicants qualifying for a set-aside would only compete against other applications in the set-aside category. For example, only jurisdictions desiring funding for a housing activity would compete against each other for housing set-aside dollars.

Annually, each RRC must approve rating and ranking criteria and any set-asides prior to holding the "How to Apply" workshops. Rating and ranking criteria for the set-aside(s) may differ from the primary R&R criteria but must also be specifically established and approved. RRC policies must specify whether unfunded applications from the set-aside process are then eligible for the primary funding process.

The RRC must notify all eligible applicants of the category and funding amount of each set-aside. If funds remain in the set-aside after all viable set-aside applications are funded, the remaining funding will be used to fund applications from the primary funding process.

C. Emergency Projects

Emergency projects (distributed statewide) are limited on an annual basis to \$500,000. As such, RRCs are asked to be very conservative in their definition of an emergency. To deal with multiple project proposals with similar timeframes, the State CDBG Policy Committee will take into account the nature of each identified emergency. Funding will come from unspent balances in the state's line of credit with HUD (in the same manner the interim loans are funded). The amount of emergency project funding awarded in a region will be deducted from the AOG's regional allocation during the next funding cycle.

1. Projects

Emergency projects are defined as projects that have a particular urgency, as determined by each of the individual Rating and Ranking Committees (RRCs). They can be funded outside normal allocation cycles as described below. The RRC must determine its own definition of an emergency and adopt a policy that will be applied to all emergency applications. Existing project cost overruns may be funded if the RRC deems it an appropriate emergency.

2. Application Procedure

Requests for emergency funding must be submitted using the state's application form for the most recent funding cycle. AOG staff will review the application for eligibility and check for consistency with the Consolidated Plan. Applications that meet the local RRCs approval criteria must go through a public hearing process. The details of the emergency application must be provided.

All emergency projects must meet all CDBG program requirements. Following RRC approval, the state staff will review all emergency applications for program eligibility and national objective compliance. The state reserves the right to reject or amend applications that do not meet these threshold requirements. In the case of existing project cost overruns, a new scope of work, budget and public hearing are required. The State CDBG Policy Committee must approve all emergency applications.

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CHAPTER 3. NATIONAL OBJECTIVES, ELIGIBLE ACTIVITIES AND FEDERAL COMPLIANCE REQUIREMENTS

A. National Objective Compliance Requirements

Each applicant must identify and meet only ONE of the three national objectives listed below even though the project might be able to qualify under other national objectives.



1. National Objective 1: Low- and Moderate-Income Benefit

“The projected use of funds has been developed to give maximum feasible priority to activities which will benefit Low to Moderate Income (LMI) families. . .”

LMI families are defined as those families whose income does not exceed 80% of the county median income. (Appendix C has the county list of 80% of median income ranges by family size.) In order to meet this national objective, the applicant must demonstrate a benefit to low- and moderate-income families in one of the following ways:

- i. **Area Benefit Activities:** The benefits of the activity to which are available to all residents in a particular area; where at least 51% of the beneficiaries of the proposed project must consist of families who's **TOTAL FAMILY INCOME** does not exceed 80% of the county median income for the current program year (Appendix C). An area need not be coterminous with census tracts or other officially recognized boundaries but must be the entire area served by the activity.

Applicants may use either:

- HUD-provided data comparing census data with appropriate low and moderate income levels (These low- and moderate-income summary data (LMISD) are based on special tabulations of the American Community Survey 2011-2015 5-year estimates (2015 ACS) - Appendix D –LMI Communities) OR
- Income Survey data that is methodologically sound, following guidelines in Appendix D – Income Surveys

An activity that serves an area that is not primarily residential in character shall not qualify under this criterion. When either of the methods below is used, the project area must first be identified before the survey is performed.

- a) **Site-Specific Activities:** A site-specific project directly benefits only a portion of the community. An original survey of the defined project area must be performed following the state approved methodology found in Appendix D under the heading “Site-Specific Surveys” to determine LMI population in that specific area. This method **must** be used if the survey is to be accepted.

It is the applicant's ‘burden of proof’ to carry out the survey in a manner approved by the state CDBG staff. If the survey demonstrates that 60% or more of the beneficiaries are LMI then the survey is valid for the next five application cycles if the project boundaries and beneficiaries are identical to those in the original survey.

- b) **City or Countywide Activities:** At least 51% of the beneficiaries of the proposed project area must consist of families whose **TOTAL FAMILY INCOME** does not exceed 80% of the county median income for the current program year as demonstrated by the income figures provided in Appendix C. Applicants will be required to demonstrate how the project benefits the entire community AND perform a community survey to determine if their community is 51% LMI by following the instructions in Appendix D under the heading “Community Wide Surveys”.

It is recommended that even if communities are listed on the *Pre-Approved LMI Communities list, Appendix D*, that a survey is also completed in the area to ensure that services are provided appropriately, since the Census Tract/block boundaries may not coincide sufficiently with the service area, or the *Communities list* may not reflect accurate income levels in the service area.

- ii. **Limited Clientele Activities:** This activity provides benefits to a specific group of persons rather than everyone in an area. At least 51% of the persons served must be LMI. To qualify under this category, a Limited Clientele activity must meet one of the following tests.
- a) Benefit is limited to a group generally presumed to be 51% or more LMI, unless there is evidence to the contrary. Examples of such controversial indicators may be the lifestyle of the community; the known income figures in the area in which the group resides; the construction of a facility that would not ordinarily be utilized by LMI or which use may be cost prohibitive for LMI; etc. The state requires adequate documentation to demonstrate there is no evidence to the contrary. (see list of groups below)
- AMI= Area Median Income
- ◆ Abused Children (30% AMI)
 - ◆ Battered Spouses (50% AMI)
 - ◆ Elderly Persons (Defined by HUD as age 62 or over)
 - Although all senior centers in Utah are open to persons age 60 and over, the state of Utah has determined that the number of persons under 62 served is negligible. See the Older Americans Act (OAA) of 1965.
 - Senior centers are presumed to have incomes that are 80% AMI. Beneficiaries of other senior services are presumed to have incomes that are 50% AMI (Meals on Wheels).
 - ◆ Homeless Persons (30% AMI)
 - ◆ Illiterate Adults (50% AMI)
 - ◆ Migrant Farm Workers (50% AMI)
 - ◆ Persons living with AIDS (50% AMI)
 - ◆ Severely Disabled Adults (50% AMI)
 - Includes persons who use a wheelchair or special aid for at least six months; are unable to perform functional activities including seeing, hearing or walking; are prevented from working or have autism, cerebral palsy, Alzheimer’s, senility, dementia or mental retardation.

OR

- b) Information must be provided on family size and income must show that at least 51% of the clientele served are persons whose family income does not exceed the LMI limit (e.g., programs being operated where LMI income certification is routinely requested to allow participation in the program).

OR

- c) The activity serves to remove architectural barriers to the mobility of elderly and disabled. Sidewalk curb cuts (ADA ramps) do not qualify under this category.

What is the difference between HUD's Median Family Income (MFI) and Area Median Income (AMI)?

HUD estimates Median Family Income (MFI) annually for each metropolitan area and non-metropolitan county. The metropolitan area definitions are the same ones HUD uses for Fair Market Rents (except where statute requires a different configuration). HUD calculates Income Limits as a function of the area's Median Family Income (MFI). The basis for HUD's median family incomes is data from the American Community Survey, table B19113 - MEDIAN FAMILY INCOME IN THE PAST 12 MONTHS.

The term Area Median Income is the term used more generally in the industry. If the term Area Median Income (AMI) is used in an unqualified manor, this reference is synonymous with HUD's MFI. However, if the term AMI is qualified in some way - generally percentages of AMI, or AMI adjusted for family size, then this is a reference to HUD's income limits, which are calculated as percentages of median incomes and include adjustments for families of different sizes.

- iii. **Targeted Activities:** 100% of the beneficiaries served by this type of activity must be LMI. Housing rehabilitation activities must be targeted to 100% LMI. Lateral utility connections for those who are certified as LMI are considered eligible as housing rehabilitation. CDBG funds cannot be used to pay for sewer laterals for non-LMI individuals. In order to pay connection fees for LMI individuals under this activity, the following must be clarified: HUD views the payment of assessed connection fees as part of the overall project. Whether or not CDBG monies are used for the construction, HUD rules and regulations apply to the construction of the improvements even though connection fees will be paid only for LMI persons in the community. If grantees wish to construct the facility and pay connection fees, the entire project must first be shown to meet a National Objective and to have met and addressed all other CDBG requirements. If grantees wish to pay only connection fees for a utility that is being constructed with other funds, the same requirements apply. If grantees wish to pay connection fees for a utility that has already been constructed, they may do so only if they can show that the installation of the utility was originally carried out in compliance with requirements applicable to CDBG activities, including citizen participation, compliance with environmental and labor requirements, and that it meets a national objective.
- The state will not approve applications for sewer lateral projects unless the applicant clearly demonstrates the sewer system is substantially completed and/or fully funded.

- iv. **Planning-only Activities:** (Title 24 570.480.47) When such activity is the only activity for which the grant to the unit of general local government is given, or if the planning activity is unrelated to any other activity assisted by the grant, it can be documented that at least 51% of the persons who would benefit from implementation of the plan are low and moderate income persons.

2. National Objective #2 - Aiding in the Prevention or Elimination of Slums or Blight

Perform Activities on a Spot Basis: Acquisition, clearance, relocation, historic preservation and building rehabilitation activities that eliminate specific conditions of blight or physical decay on a spot basis will meet this objective. Under this criterion, rehabilitation is limited to the extent necessary to eliminate specific conditions detrimental to public health and safety. To be considered detrimental to public health and safety, a condition must pose a threat to the *public in general*.

The state staff must determine compliance with this objective prior to rating and ranking by the AOG rating and ranking committee.

Documentation required to meet Spot Slum/Blight:

- i. The scope of work detailed in the application must provide a description of the specific condition of blight or physical decay to be treated; and
- ii. Under this standard, any ***rehabilitation performed to non-LMI households is limited to that necessary to eliminate specific conditions detrimental to public health and safety*** and must be acknowledged in the scope of work as detailed in the application.

3. National Objective #3 - Urgent Needs

To comply with the national objective of community development needs having a particular urgency, an activity must be designed to alleviate existing conditions that the local government certifies and state concurs:

- ◆ Pose a serious and immediate threat to the health or welfare of the community,
- ◆ Are of recent origin or recently became urgent,
- ◆ Cannot be financed by the state grant recipient on its own, and
- ◆ Does not have other available sources of funding to carry it out.

The jurisdiction's determination of urgent need will be evaluated on the submission of documentation from the appropriate federal or state agency certifying an immediate threat to health and welfare **at time of the application.** Resources from other federal, local or state programs may be used to match or participate in order to relieve the threat. CDBG funds may only be used to complete the funding needed for projects that have maximized all other available funding sources (**GAP** funding).

A proposed URGENT NEED project will **ONLY** be considered if **ALL FOUR** of the following requirements are met **at the time of application submission.**

- i. A description of the nature and degree of seriousness of the conditions requiring assistance. The determination of “immediate threat” has been made in consultation with an appropriate state or federal agency. The documentation from such agency **must** demonstrate that there is an immediate threat to health and welfare.
- ii. Evidence confirming that other financial resources to alleviate the need were not available. The documentation must include refusals or maximization of assistance from other agencies, not just an indication that they have been contacted.
- iii. Information on the timing of the development of the serious condition. A condition will generally be considered to be of recent origin if it developed or became critical within 18 months preceding the state grant recipient’s certification.
- iv. Evidence that the state grant recipient certified that the CDBG activity was designed to address the urgent need.

B. Consistency with the Consolidated Plan

Every applicant is required to document that the project for which they are applying is consistent with the region’s ***current Consolidated Plan***. Compliance with the requirement will be determined regionally, **prior to the regional rating and ranking process**. The applicant must be a willing partner in the development of the regional consolidated planning process. The project or project type must be a high priority in the investment component of the plan and must help fulfill long term or strategic goals.

Association of governments’ representatives are required to review the regional consolidated plan submitted by their office on behalf of their communities to ensure that each plan includes a brief narrative identifying the process used to determine the priorities contained in the plan, in addition to any capital improvement lists submitted.

C. Inclusive Federal Compliance Requirements

1. Other Applicable Federal Requirements: Applicants must be in compliance with all applicable federal and state regulations and overlay statutes. The federal statutes that apply to the program include:

- ✓ Davis-Bacon Fair Labor Standards Act
- ✓ Contract Work Hours and Safety Standards Act
- ✓ Title VII of the Civil Rights Act of 1964
- ✓ Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988
- ✓ Cranston-Gonzalez National Affordable Housing Act of 1990
- ✓ Americans with Disabilities Act (ADA) of 1990
- ✓ Fair Housing Act Executive Order 11063, as amended by Executive Order 12259, 12892
- ✓ Equal Employment Opportunities under HUD Assisted Contracts Executive Order 11246
- ✓ Section 504 of the Rehabilitation Act of 1973
- ✓ Section 3 of the Housing and Urban Development Act of 1968
- ✓ Section 109 of the Housing and Community Development Act of 1974
- ✓ Age Discrimination Act of 1975
- ✓ Architectural Barriers Act of 1968
- ✓ Title II of the Americans with Disabilities Act of 1990

- ✓ The Hatch Act (5 USC 1501 et seq; 5 CFR Part 151)
- ✓ The National Environmental Policy Act of 1969; Executive Orders 12898, 13166
- ✓ HUD Environmental Review Procedures – 24 CFR Part 58
- ✓ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
- ✓ Title IV of the Lead-Based Paint Poisoning Prevention Act
- ✓ HUD Reform Act
- ✓ 2 CFR Part 200
- ✓ Section 104(d) of the Housing and Urban Development Act of 1974
- ✓ Residential Lead Based Paint Hazard Reduction Act of 1992 and Final Rule, September 1999

D. Eligible Activities

Each applicant must select an ELIGIBLE activity from the following HUD Matrix Codes. Applicants should contact the AOG staff to help select the proper Matrix Code.

HUD Matrix Code	Eligible CDBG Activity Descriptions
01	Acquisition of Real Property
02	Disposition (of Property)
	Construction Activities
03A	Construction - Senior Centers
03B	Construction – Facility for Persons with Disabilities
03C	Construction - Homeless Facilities (not operating costs)
03D	Construction - Youth Centers
03E	Construction - Neighborhood Facilities (community centers)
03F	Construction - Parks, Recreational Facilities
03G	Construction - Parking Facilities
03H	Construction - Solid Waste Disposal Improvements
03I	Construction - Flood Drain Improvements
03J	Construction - Water/Sewer Improvements
03K	Construction - Street Improvements
03L	Construction - Sidewalks
03M	Construction - Child Care Centers
03N	Construction - Tree Planting
03O	Construction - Fire Stations/Equipment
03P	Construction - Health Facilities
03Q	Abused/Neglected Children Facilities
03R	Asbestos Removal
03S	Construction - Facilities for AIDS Patients (no operating costs)
03Z	Other Public Improvements Not Listed in 03A-03S
03Z	Americans With Disabilities Act (ADA Improvements)
04	Clearance and Demolition
04A	Cleanup of Contaminated Sites
	Public Service Activities (Non Construction)

05	Public Service – General
05A	Public Service – Seniors Services
05B	Public Service – Services for Persons with Disabilities
05D	Public Service – Youth Services
05E	Public Service – Transportation Services
05G	Public Service – Services for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking
05J	Public Service – Fair Housing Activities (Subject to 15 % Cap)
05M	Public Service – Health Services
05N	Public Service – Services for Abused and Neglected Children
05P	Public Service – Screening for Lead Based Paint /Lead Hazards
05Q	Public Service – Subsistence Payments (Prevent Homelessness)
	Housing Activities – <i>Carried out by AOGs and Housing Authorities ONLY.</i>
13A	Housing Counseling under 24 CFR 5.100, for homeownership see 13B
13B	Homeownership Assistance-excluding Housing Counseling under 24CFR 5.100
14A	Rehab – Single-Unit Residential (Single Family Housing)
14B	Rehab – Multi –Unit Residential (Multi-Family Housing)
14C	Public Housing Modernization
14D	Rehab- Other than Publicly Owned Residential Buildings
14E	Rehab – Public/Private Owned Commercial or Industrial Bldgs
14F	Rehab - Energy Efficiency Improvements – (Housing Rehab)
14G	Rehab - Acquisition for the purpose of Rehab (Housing)
14H	Rehab Administration Costs
14I	Lead-Based Paint Hazard Testing and Abatement
16A	Residential Historic Preservation
16B	Non- Residential Historic Preservation
	Economic Development Activities – <i>Please note that the 7 Associations of Government (AOG) are the only eligible entities to carry out these activities.</i>
17A	ED -Acquisition by Recipient – Land Acquisition/Disposition
17B	Commercial/Industrial – Infrastructure Development
17C	Commercial/Industrial – Building Acquisition, Construction, Rehab
17D	Commercial/Industrial – Other Improvements
18A	ED – Direct Financial Assistance to For-Profits
18B	ED – Technical Assistance
18C	ED – Micro-Enterprise Assistance
19C	CDBG – Non-Profit Organization Capacity Building
19D	CDBG Assistance to Institutes of Higher Education
19E	CDBG Operation & Repair of Foreclosed Property
	Administration and Planning Activities
20	Planning
21A	General Program Administration
21C	Public Information
21D	Fair Housing Activities (Subject to 20% Admin Cap)

2020 Alphabetical CDBG Grantee Listing (As of 08/09/2021)				
Contract #		Grantee	Amount	Project
21-1279	S	Bear River AOG	\$50,000	Administration & Con. Plan
21-1618	S	Bear River AOG	\$114,250	Housing Program
21-1925	J	Cedar City	\$300,000	Cedar City Housing Auth. Hsg
21-0436	J	Delta City	\$117,524	Fire Rescue Truck
21-0567	JD	East Carbon	\$94,516	Medical Clinic Parking Lot
21-0402	J	Emery Town	\$55,372	Fire Equipment
21-1185	JD	Ferron City	\$153,000	Fairgrounds Restroom
21-0380	JD	Five County AOG	\$50,000	Administration & Con. Plan
21-0528	JD	Five County AOG	\$45,000	Community Plan
21-1612	S	Gunnison City	\$250,000	Gunnison Baseball Comp
21-1777	JD	Henefer Town	\$230,760	Franklin Canyon Spring Impr.
21-2206	JD	Hildale City	\$156,473	Street Improvements
21-1333	S	Howell Town	\$195,069	Water Pipeline Replacement
21-0583	S	Hyrum City	\$62,805	The Family Place Renovations
21-0469	JD	Kane County	\$98,031	ADA Improvements
21-0471	J	Lyman Town	\$61,510	Park Playground Equipment
21-1611	S	Manila	\$167,090	Senior Center Improvements
21-0972	S	Monroe City	\$76,250	Senior Center Renovation
21-0584	JD	Mountainland AOG	\$50,000	Administration & Con. Plan
21-1056	S	North Logan	\$200,000	Waterline Replacement
21-1184	JD	Rocky Ridge Town	\$150,000	Road Improvements
21-0542	S	Six County AOG	\$106,231	Single Family Hsg. Rehab.
21-0847	S	Six County AOG	\$50,000	Administration & Con. Plan
21-0848	S	Six County AOG	\$50,000	Regional Planning
21-0228	JD	South Ogden City	204,600.31	Waterline Replacement
21-1650	S	Southeastern ALG	\$50,000	Administration & Con. Plan
21-1095	S	Southeastern ALG	\$187,000	Single Family Hsg. Rehab.
21-2035	J	Southeastern ALG	\$129,245	CDC- Land Acquisition
21-1357	JD	Summit County	\$262,895	Echo Water Tank
21-0227	J	Summit County	\$66,000	Senior Transport Van
21-1327	JD	Tooele County	\$50,000	WFRC – Admin & Con. Plan
21-1091	S	Uintah Basin AOG	\$50,000	Administration & Con. Plan
21-1097	S	Uintah Basin AOG	\$323,194	Single Family Housing Rehab
20-3778	JD	Uintah City	\$178,493	Waterline Replacement
21-1197	J	Uintah County	\$80,000	Meals on Wheels Vehicle
20-3777	J	Wasatch County	\$43,000	Meals on Wheels Vehicle
21-1786	JD	Washington City	\$173,398	Dove Center Renovation
21-0350	JD	Washington Terrace	\$236,606	Water Tank Upgrade – Phase 3
21-1183	S	Wellington City	\$120,795	Master Water Meters
21-0470	JD	Wendover City	\$250,000	Pilot Peak Waterline - Phase 3

2021 Alphabetical CDBG Grantee Listing (As of 08/09/2021)

Contract #		Grantee	Amount	Project
22-DWS-0050	S	Bear River AOG	\$50,000	Administration & Con. Plan
22-DWS-0056	S	Bear River AOG	\$173,948	SFHR/Home Buyer Assist. Program
22-DWS-0039	JD	Beaver City	\$200,000	Road Improvements
22-DWS-0068	S	Box Elder County	\$200,000	Water System – Urgent Need
22-DWS-0081	S	Brigham City	\$200,000	Senior Center Kitchen Rehab
22-DWS-0054	S	Castle Dale City	\$100,000	Ghost Road Walking/Bike Path
22-DWS-0067	J	Cedar City	\$209,866	Cedar City Housing Auth. Hsg
22-DWS-0058	S	Duchesne City	\$139,031	Fire Station Addition
22-DWS-0069	J	Fillmore City	\$144,432	City Fire Truck
22-DWS-0043	JD	Five County AOG	\$50,000	Administration & Con. Plan
22-DWS-0044	JD	Five County AOG	\$47,000	Community Plan
22-DWS-0055	J	Huntington City	\$189,682	Volunteer Fire Dept. Equipment
22-DWS-0052	JD	Huntsville Town	\$226,869	Town Community/Senior Center
22-DWS-0045	JD	Iron County	\$200,000	Fire Station Expansion
22-DWS-0037	JD	Mountainland AOG	\$50,000	Administration & Con. Plan
22-DWS-0046	JD	Panguitch City	\$200,000	Water Tank Improvements
22-DWS-00142	S	Sevier County	\$250,000	North Sevier Bike Path
22-DWS-00143	S	Sigurd Town	\$73,276	Town Park Improvements
22-DWS-0066	S	Six County AOG	\$100,000	Single Family Hsg. Rehab.
21-2679	S	Six County AOG	\$50,000	Administration & Con. Plan
22-DWS-0062	S	Six County AOG	\$250,000	Land Acquisition – New AOG bldg.
22-DWS-0061	S	Six County AOG	\$50,000	Regional Planning
22-DWS-0070	S	Smithfield City	\$188,125	The Family Place Playground
22-DWS-0065	S	Southeastern ALG	\$50,000	Administration & Con. Plan
22-DWS-0064	S	Southeastern ALG	\$174,000	Single Family Hsg. Rehab.
22-DWS-0063	J	Southeastern ALG	\$300,260	New AOG Building – Engineering
22-DWS-0051	JD	Summit County	\$257,054	Peoa Pipeline / Water Improvements
22-DWS-0040	JD	Tooele County	\$50,000	WFRC – Admin & Con. Plan
22-DWS-0048	JD	Tooele County	\$250,000	Terra Community Road Improvement
22-DWS-0059	S	Uintah Basin AOG	\$50,000	Administration & Con. Plan
22-DWS-0060	S	Uintah Basin AOG	\$253,000	Single Family Housing Rehab
22-DWS-0057	S	Vernal City	\$195,000	100 East Curb, Gutter, Sidewalk
22-DWS-0053	JD	Wallsburg Town	\$288,429	Main Canyon Road Water Improvmt.
22-DWS-0075	J	Wasatch County	\$28,800	Meals on Wheels Vehicle
22-DWS-0047	J	Washington County	\$44,686	Angell Springs Water System Equip.
22-DWS-0041	JD	Washington Terrace	\$250,000	City-Wide Culinary Water Improvmt.
22-DWS-0042	JD	Wendover, City of	\$250,000	Pilot Peak Waterline - Phase 4

E. Ineligible Grant Activities

The following activities may not be assisted with CDBG funds. Refer to 24 CFR Part 500 for specifics.

1. Buildings or portions thereof used for the general conduct of government. This does not include, however, the removal of architectural barriers involving any such building (ADA improvements). CDBG funding cannot be used to build a city hall!
2. General government expenses. Expenses required to carry out the regular responsibilities of the unit of general local government.

3. Political Activities. CDBG funds shall not be used to finance the use of facilities or equipment for political purposes or to engage in other partisan political activities.

F. **Special Provisions**

1. **Purchase of equipment**

- i. The **purchase of construction equipment is not permitted**. However, compensation for the use of such equipment through leasing, depreciation or use allowances pursuant to specific OMB 2 CFR 200, as applicable for an otherwise eligible activity **is** an eligible use of CDBG funds.
- ii. **The purchase of fire protection equipment is eligible** as it is considered to be an integral part of a public facility and is, therefore, eligible.
- iii. **The purchase of equipment, fixtures, personal property is generally ineligible** unless it's an integral structural fixture or part of an administration or public service activity.
- iv. **Meals on Wheels vehicles** - guidance provided at the end of this section

2. **Operating and Maintenance expenses are ineligible**

The general rule is that any expense associated with repairing, operating or maintaining public facilities, improvements and services is ineligible. Specific exceptions to this general rule are operating and maintenance expenses associated with office space for program staff carrying out the CDBG program. Examples of ineligible expenses are:

- i. Maintenance and repair of publicly owned streets (e.g., chip seal), parks, playgrounds, garbage removal, snow removal, water and sewer facilities, neighborhood facilities, senior centers, centers for persons with disabilities, parking and other public facilities and improvements.
- ii. Payment of salaries for staff, utility costs and similar expenses necessary for the operation of public works and facilities.

3. **New housing construction is not allowed except:**

- i. As provided under last resort housing provisions; or
- ii. When carried out by a community based development organization (CBDO) pursuant to a neighborhood revitalization project, an economic development project, or energy conservation project.

4. Income payments, meaning a series of subsistence type grant payments made to an individual or family for items such as food, clothing, housing (e.g., rent or mortgage) or utilities are not permitted. Emergency grant payments made over a period of up to three consecutive months are permitted.

5. Per the faith-based initiative, religious organizations are eligible to apply for CDBG funds on the same basis as other eligible organizations, such as non-profits and require sponsorship from an eligible jurisdiction. Organizations may not use CDBG funding for inherently religious activities, such as worship, religious instruction or

proselytizing. Funds may not be used on a structure used inherently for religious activities or for organizations that discriminate based on religion.

Note: the CDBG state office requires actual Meals on Wheels vehicles or specific flatbed trucks retrofitted with Oven/Refrigerant food catering transport boxes, with identifying vehicle wraps; and the applicants assurance that the vehicles will be used and maintained ONLY for the purpose for what they were purchased, and that they will NOT be used for any assistance or activity not eligible for CDBG funding. * The agency who will own and operate these assets are required to provide Inventory Tracking and Disposition policy.



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CHAPTER 4. APPLICATION PREPARATION and PROGRAM GUIDANCE



A. Requirements Prior to Submitting Application

1. Regional “How To Apply” Workshops

The state requires each Association of Governments region to hold a public workshop yearly to explain the CDBG program and assist prospective CDBG applicants with the application process. All Utah Open Public Meeting law requirements must be adhered to.

These public meetings are referred to as “**How to Apply**” Workshops and are designed to educate applicants about national objectives, eligibility requirements, application preparation, and the rating and ranking process. All major program requirements will be discussed.

Notification of these workshops is made by each AOG office at least seven days prior to the scheduled meeting and must be sent to all interested parties in the region including eligible cities and counties. Notification mailing lists should also include:

- Low-income Advocacy Groups
- Special Service Districts
- Housing Authorities
- Public service providers

It is **mandatory** that an OFFICIAL representative of each applicant attend a workshop in the applicant’s AOG region. Applicants wishing to attend another region’s workshop must contact their AOG region for approval.

2. Local Public Hearings

Each community, county or AOG wishing to submit an application for CDBG funds is required to hold at least two public hearings, each at a different stage of the process. The purpose is to obtain citizen’s views and to respond to proposals and questions. Public hearings must be conducted in a manner that will meet the needs of non-English speaking residents where a significant number of non-English speaking residents reasonably can be expected to participate. Accommodations must also be made for disabled persons.

- i. **Preparing Public Hearing Notices:** Sample Notices are in **Appendix B**.
 - a) The **FIRST** notice **MUST NOT IDENTIFY** a specific project, but must invite ideas and suggestions from citizens.
 - b) Applicants must provide citizens with the address, phone number and time for submitting complaints and grievances **either** in the first notice or during the first public hearing.
 - c) There must be reasonable notice of the hearings, established as:
 - 1) Each hearing **must** be posted on the State of Utah Public Meeting Notice website (<https://www.utah.gov/pmn/>) for a **minimum of seven (7) days prior to the scheduled meeting**.
 - 2) Applicants **MUST** post the publication on the public meeting notice website using the template(s) provided in Appendix B.

ii. **First Public Hearing**

This must be held **BEFORE** preparation of the application. See **Appendix B for sample notices**. The first public hearing must be held prior to the initial application deadline of **January 31, 2022** in order to:

- a) Provide information to the public that includes at least the following:
 - The amount of CDBG funds expected to be available for projects for the new year
 - The types of activities that may be undertaken with CDBG funds (Chapter 3)
- b) Identify and discuss the community development needs of the community
 - Obtain citizens' views and suggestions regarding possible projects
 - Respond to those suggestions and questions

iii. **Second Public Hearing**

This must be held **AFTER** an applicant is notified that their application has been funded by the AOG Rating and Ranking committee (RRC) (Spring 2022), **BEFORE** the finalized application deadline of **May 31, 2022**. Applicants whose projects are not funded **do not** hold this second hearing. The purpose of the second public hearing is to:

- Identify the project that has been approved for funding
- Identify the amount of funding to be received
- Respond to specific concerns and questions of citizens, particularly those who may be immediately impacted by the project

iv. **Documentation:** Applicants must include the following with their application:

- a) Documentation that the notice(s) had been posted on the State of Utah Public Meeting Notice website (<https://www.utah.gov/pmn/>)
- b) Detailed minutes of the meeting(s). See **Appendix B** for required format. The minutes should include the following:
 - 1) Names of all persons who attended (all citizens; and city officials by name and title)
 - 2) Amount of CDBG funding available, eligible activities, past projects accomplished with CDBG funds in the community and any activities which might displace LMI persons,
 - 3) All comments, suggestions, and questions plus the responses given. (When responses must be provided other than at the hearing, that response should be made within 15 working days).

3. Allowable Grant Administration Costs: Subject to State approval, no more than 10 percent of a CDBG grant can be used for CDBG administrative costs. Administrative costs must be broken out from the rest of the project costs in the project budget. The administration budget covers the cost of implementing a local project and may include such things as:

- Salaries and wages of individuals working specifically on the CDBG project
- Travel costs incurred for official business in carrying out the project
- Costs involved in the preparation of the environmental review record (ERR)

- Other contract costs for professional services associated with program administration.

4. **Grant Administration Capacity**

All applicants **MUST** have the capacity to undertake and complete the project they are proposing. All first time applicants are assumed to have this capacity. If an applicant does not have the administrative capability to keep fiscal records and required supporting documentation, it must contract with an organization to administer the grant for them. The capacity of a repeat grantee to successfully carry out another CDBG grant will be evaluated by the state CDBG staff.

5. **Water /Wastewater Treatment Plant Project Plan Approval**

Wastewater treatment plant projects and some water/sewer projects (not maintenance) must submit specifications to the Department of Environmental Quality (DEQ) for approval. The state CDBG staff must receive written approval from DEQ before any release of CDBG funds.

Applicant must be in compliance with DEQ Division of Water Quality.

6. **Real Property Acquisition**

The State of Utah Small Cities CDBG Program is subject to the Uniform Relocation Act (URA) and implementing regulations at 49 CFR Part 24. The State CDBG Program only allows voluntary acquisitions; however, the state requires substantial compliance with guidelines for acquisition under the Uniform Relocation Act. The State CDBG Program prohibits use of the power of eminent domain or condemnation. Furthermore, the state program does not allow projects that would trigger displacement and/or relocation expenses.

7. **Planning or Engineering-Only Projects**

Title I of the Housing and Community Development Act requires that any community receiving a grant for planning or engineering activities must meet a national objective in the same manner as any other grantee. (See Chapter 3, Section B of this manual)

- i. Communities wishing to receive funding for **planning or engineering-only projects** must provide data in the CDBG application to show compliance with the requirements of the LMI national objective as described in this application manual. They may also submit information to satisfy the slum/blight prevention/elimination national objective as described in Chapter 3, page 5.
- ii. Association of Governments wishing to apply for planning grants must identify which communities will be receiving the assistance, **AND document if and how the regions meet the LMI threshold.** The region will be required to account for staff time and other related costs for each planning project.

8. **Housing Applications**

Applicants interested in a housing project should review Chapter 5. Only agencies that have established policies and procedures and the necessary background and experience are allowed to apply for funding for housing activities. CDBG funds **CANNOT** be used to construct single family housing; however, funds can be used to construct the infrastructure in *support* of housing such as water and sewer lines and other utilities.

Additionally, the following basic criteria must be included in housing rehabilitation policies and procedures with respect to manufactured housing:

- a) Applicant must own the home and the property on which the home is located.
- b) Applicant may participate in this program only once in a lifetime.
- c) Manufactured homes built prior to 1978 are not eligible for rehabilitation.
- d) Rehabilitation costs that exceed 50% of the value of the home are not eligible.
- e) The maximum amount allowed on manufactured homes is \$7,500.

NOTE: Single family rehabilitation programs can be carried out only by Associations of Governments. Multi-family rehabilitation projects can only be carried out only by Housing Authorities.

9. Project Duration

All grant agreements start July 1. **Grant agreements will not be executed until the grantee completes the HUD environmental review (ERR) process and receives an environmental clearance letter from the State. *ERRs on projects can be completed ANYTIME. An applicant does not have to receive CDBG award notice in order to complete an ERR.** All construction projects have 18 months to complete a project, while all non-construction projects have a 12 month contract period. Grantees may not be able to complete their construction projects within this 18 month period unless they meet various milestones. Extensions are discouraged but are allowed on a case-by-case basis. Any requests for an extension will be based on how well a grantee has met the following milestones:

- a) Environmental review process completed by September 30.
- b) State contract signed and returned to the state CDBG staff by October 31.
- c) Engineering design/bid ready specifications completed one year prior to contract expiration date.
- d) Advertisements for **construction** bids published nine months prior to contract expiration date
- e) Notice to proceed issued six months prior to contract expiration date.

The state staff will closely monitor each grantee's progress towards these deadlines. Failure to meet these deadlines may invoke the right to terminate the contract on the basis the project cannot be completed within the contract time limits. The state must give each grantee a 45-day notice of termination and if the grantee can meet the deadlines then the termination will be canceled and the project may proceed. The grantee may appeal termination notices. Appeals must be made in writing within ten days following the receipt of the notice of termination. The CDBG Policy Committee will arbitrate appeals cases. The grantee does not need to be in attendance at the policy committee meeting and decisions can be made based on telephone polls, conference calls and emails. Non-construction projects may also be extended on a case-by-case basis by the state staff based on need and grantee performance.

10. Grantee Training

Each recipient of CDBG award is required to attend the grantee training workshop held in April. Experienced grantees that have demonstrated a capacity to manage and complete CDBG projects in a timely manner may be exempt from this training at the discretion of the state CDBG staff.

11. Grant Agreement

After grant funds are awarded by the regional RRC, the grantee will execute a formal grant agreement with the State of Utah only *after* the HUD environmental review process is completed. This agreement identifies specific CDBG contractual requirements including: HUD environmental review regulations, federal labor standards, procurement and civil rights.

12. Prior Costs Incurred

Any costs incurred prior to the ERR completed, and/or July 1 of the contract year **are not eligible** for reimbursement, EXCEPT under special conditions (see “Pre-agreement Expenditures” below).

NOTE: Applicants may NOT commit funds to a proposed project prior to completing the HUD environmental review process. The start date for CDBG grants is July 1st.

13. "Pre-Agreement" Expenditures

Based on amendments made to the State Small Cities CDBG Program regulations in 1992, there is an allowance under certain conditions, for the commitment and expenditure of funds before a grant agreement is executed between the State of Utah and a grantee. This approval can only take place after the actual award of funds by the RRC and the state’s approval of the CDBG application. The HUD environmental review process must be completed and the **ACTIVITIES** must have environmental clearance prior incurring these expenditures. Common activities that may be pre-approved include **Appropriately Procured** engineering costs or purchasing vehicles or equipment where advance purchase is required prior to delivery. In other cases, it is advantageous for grantees to get started sooner when other state or federal funding is involved and timing is an issue.

- i. A written request from the grantee must be submitted to the state, signed by the chief elected official of the grantee agency, that fully explains the need for the expenditure, a description of the activity to be performed and why it must be done before the contract is executed. See the template example on the next page.
- ii. No expenditures may be incurred prior to completing the necessary environmental review and receiving an environmental release. The one exception is expenses related to preparing the environmental review. No pre-agreement is required to incur costs related to preparing the environmental review record (ERR)

Sample Pre-agreement Request

SMITHVILLE A City of Smiths since 1901

May 17, 2022

Jennifer Domenici, CDBG Program
Department of Workforce Services
Housing & Community Development
140 East 300 South
Salt Lake City, UT 84111

Dear Jennifer:

Pre-agreement for Spring Development for Culinary Water System

Smithville, Utah, is requesting a pre-agreement to allow the city to begin incurring costs associated with this CDBG project prior to the execution of a state contract. This project consists of the re-development of the spring collection area.

The town is in need of this agreement because of deteriorating transmission lines associated with the Smithville Spring that need to be repaired and replaced immediately. Because water is essential to daily living, it is urgent to undertake this project prior to the start of the new funding year. At this point Smithville would like to start isolating the spring from the transmission line into the town. The town also needs to discharge the water collected to a natural drainage for the duration of the construction and we want to secure funding for this part of the project at this time.

Smithville understands that only eligible project costs can be reimbursed and that HUD environmental clearance is required before we begin the expenditure of any funds associated with this project. Furthermore, we understand that commitment of federal funds prior to receiving environmental clearance is a violation of federal code and will result in Smithville forfeiting its right to CDBG funding for this project.

Sincerely,

Joe A. Smith, Mayor

B. Completing the Application

Applications must be submitted on-line no later than 5:00 PM, January 31, 2022.

1. **Application Preparation/Submission:** The state requires applicants to submit their applications electronically through the WebGrants system.
The application along with any supplemental information required by each RRC, will be used to ensure that the proposed project meets all federal compliance requirements. AOG staff will review each application. If threshold criteria **have not** been met by the deadline, including a completed, valid income survey, if applicable; the application **will not** be rated and ranked and will not be eligible for funding.
 - i. State Review: The state CDBG staff will review all applications to ensure that they meet the minimum thresholds for eligibility and national objective compliance.
 - ii. An applicant may submit more than one application. See specific Rating and Ranking policies for each AOG region in Appendix G.
2. **Sub-Contractor Agreement:** Applicants other than cities, counties and AOGs must execute an agreement with the sponsoring jurisdiction. Refer to Appendix F for a sample of this agreement. The sample does not need to be used if the agency has their own. Housing authorities and other organizations must execute this agreement if they are awarded CDBG funding.
3. **Dun and Bradstreet (DUNS) Number:** All applicants must have a DUNS number in order to be eligible for CDBG funding. This number must be documented in the CDBG application. For sub-recipients being sponsored by a city or county, the DUNS number of the city or county is required. This number must also have current registration in the System for Award Management (SAM). The state CDBG staff will verify this registration prior to the execution of the state contract.
4. **A Residential Anti-Displacement Plan** is required for all cities and counties. The provision of this plan shall be in addition to the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act Amendments of 1970 (URA). See Appendix E for a template. **Most jurisdictions have approved this plan already, a copy should be** on the organization's home page in WebGrants.

C. Administration

1. **Timely Distribution of Funds:** The state is required by HUD to ensure that CDBG funds are allocated and distributed in a "timely" manner. In order to meet this requirement, the state has established the following policies and procedures that address applications, regional funding allocations and state contracts.
 - i. **Applications**
Applicants who are notified of funding award by the AOG region must submit finalized applications in WebGrants by the deadline published in the CDBG Handbook. Applications that do not meet the deadline will not be funded.

- a) If an applicant fails to meet the application requirements and application deadline, the regional AOG Rating and Ranking Committee (RRC) shall award the forfeited funding to the next applicant on the rating and ranking list. If there are no other applicants in the region, the remaining funding will be awarded to other eligible applicants at the discretion of the state.
 - b) After the funding cycle has ended, all funds left unallocated in a region will lapse and will be re-allocated to other eligible applicants at the discretion of the State.
- ii. **State Contracts**
- a) Funded applicants (Grantees) must sign and return their state contract for processing by **September 30**.
 - b) **After September 30**, the state reserves the right to re-allocate any un-contracted funds to other projects at its discretion.

D. WebGrants Registration and Use

CDBG Application is completed and submitted using WebGrants3 website:

<https://webgrants.utah.gov/index.do>

Registration for new users requires the use of the Register Here link, indicated below. Steps to start and complete applications can be found in Webgrants3 and on the State CDBG publications website

<https://jobs.utah.gov/housing/community/cdbg/publications.html>



WebGrants 3

System Compatibility

 **Log In**

Log In

User ID:*

Password:*

[Forgot User Id?](#)

[Reset Password](#)



WORKFORCE SERVICES
HOUSING & COMMUNITY DEVELOPMENT

New to Webgrants 3?

[Register Here](#)

Announcements

For security reasons and your convenience, WebGrants will remind you to change your password at regular intervals. Please do so when prompted.

All funding is for the benefit of entities within the State of Utah only.

CHAPTER 5. HOUSING PROGRAMS

It is the state's policy to encourage all grant applicants to participate in federal housing programs including, but not limited to, the following:



A. OLENE WALKER HOUSING LOAN FUND (OWHLF)

The OWHLF offers financial assistance to help develop, rehabilitate, or replace homebuyer or rental housing that is affordable to very low-, low- and moderate-income households as defined by the Department of Housing and Urban Development (HUD). OWHLF receives new federal and state funding in July of every year. Funding sources typically consist of Housing Trust Fund (HTF) funds, HOME Investment Partnerships Program (HOME) funds, and State low-income housing funds. For more information please visit our website here: <https://jobs.utah.gov/housing/affordable/owhlf/programs.html>

- i. Multifamily - The Multifamily program provides financial assistance for the acquisition, construction, or rehabilitation of affordable rental housing of five or more units that will serve low-income households at or below 60% of the Area Median Income (AMI). Financial assistance can range from fully amortizing loans to cash flow loans to deferred loans. Eligible entities can apply for funding on a quarterly basis. Applications are competitively scored and ranked and then presented at quarterly board meetings where funding may be awarded.
- ii. Single Family Rehabilitation and Reconstruction Program (SFRRP) – The SFRRP offers financial assistance to low-income home owners in rural Utah, at or below 80% AMI, whose homes are in need of rehabilitation, to keep homes decent, safe, and sanitary. Financial assistance is typically fully amortizing loans with low interest rates. The program is administered through sub-grantees consisting of local Associations and Government and a non-profit corporation.
- iii. Rural Self Help Program – The Rural Self-Help Program provides financial assistance to very-low- and low-income individuals and families in rural Utah who are participating in the Rural Self-Help Program. This program helps organizations carry out housing construction projects in rural areas. These organizations supervise groups of individuals and families as they construct their own homes. The group members provide most of the construction labor on each other's homes and get technical assistance from the organization overseeing the project. The program is administered through subrecipients consisting of local Associations and Governments and non-profits.

B. Section 502 Rural Housing Loans

This program's objective is to provide eligible persons living in rural areas with an opportunity to obtain adequate but modest, decent, safe, and sanitary dwellings and related facilities. Loans are available to qualified applicants to buy, build, rehabilitate, improve or relocate a dwelling and provide related facilities for use by the applicant as a permanent residence, and for a farm owner to provide housing for farm managers, tenants, sharecroppers

and farm laborers. Monies may also be used to purchase sites, pay reasonable acquisition costs, provide adequate and safe water supply and/or sewage disposal facility, provide site preparation, and purchase and install essential equipment in the dwelling.

<https://www.rd.usda.gov/programs-services/single-family-housing-programs/single-family-housing-direct-home-loans/ut>

C. Section 504 Rural Housing loans and grants

The purpose of this program is to assist eligible very low-income owner-occupants of single-family dwellings in rural areas, who lack repayment ability, to obtain loans to repair or improve their dwellings. Those repairs will result in the removal of most health or safety hazards, thereby making the dwellings safer and more sanitary for the occupants, their families, and the community. Authorized loan and grant purposes include, but are not limited to, installation and/or repair of sanitary water and waste disposal systems, together with related plumbing and fixtures; payment of reasonable connection fees for utilities that are required to be paid by the applicant which cannot be paid from other funds; energy conservation measures; repair or replacement of heating systems; electrical wiring; and repair or provision of structural supports, roofs, siding and other necessary repairs when it is clearly necessary to remove health hazards to the occupants. Maximum grants are \$7,500, maximum loans are \$20,000 and grant loan combination maximums are \$27,500. The only eligible applicants for grants are those 62 years of age and older. <https://www.rd.usda.gov/programs-services/single-family-housing-programs/single-family-housing-repair-loans-grants>

D. Section 515 Rural Rental Housing Loans

The objective of this program is to provide eligible occupants economically designed and constructed rental housing and related facilities suited to their living requirements. The purposes of the loan are to construct new housing; purchase existing buildings only when major rehabilitation is necessary; purchase and improve the necessary land on which the housing will be located; develop and install water supply, sewage disposal, streets, heating, cooling and lighting systems necessary in connection with the housing; develop other related facilities; construct office and living quarters for the resident manager and other operating personnel; and construct fallout shelters or similar structures and other related costs.

<https://www.rd.usda.gov/programs-services/multifamily-housing-programs/multifamily-housing-direct-loans>

E. Emergency Solutions Grant (ESG)

The purpose of this ESG is to create robust programs that: engage homeless individuals and families living on the street, improve the quality of emergency shelters for homeless individuals and families, help operate these shelters, provide essential services to shelter residents, rapidly re-house homeless individuals/families and prevent individuals/families from becoming homeless.

Eligible activities are: ♦ Street Outreach
♦ Emergency Shelter

- ◆ Homelessness Prevention
- ◆ Rapid Rehousing Assistance
- ◆ Homeless Management Information System

In the spring of each year, the Utah Office of Homeless Services typically releases information concerning the availability of this funding in coordination with other funding sources dedicated to ending homelessness.

F. Section 8 Housing Assistance

City and county housing authorities administer the HUD Section 8 Existing Housing Voucher and Certificate Programs. The programs provide rent subsidies for low-income persons that are paid directly to a qualified landlord. Assistance is provided to low-income persons who have to pay large portions of their income for rent and utilities.

G. Weatherization Assistance Program (WAP)

The WAP network consists of 7 sub-grantees, Local Associations of Government and Utah Community Action. Weatherization serves low-income households that are at or below 200% of federal poverty and households that are Home Energy Assistance (HEAT) qualified. WAP installs energy efficient retrofits and approved health & safety measures on both rental and owner occupied dwellings. Participating homes experience an average of a 30 percent reduction in energy usage. Weatherization is only for energy efficiency NOT general rehabilitation or home repair.

WAP also delivers a Crisis Service Call program for qualified HEAT clients. This is an emergency repair or replacement program for heating, cooling and water heaters. Cooling and Water Heaters are restricted to “target” clients, Elderly, Disabled, or household with pre-school age children.

H. Pamela Atkinson Homeless Trust Fund

Funds are awarded to various non-profit and local government agencies throughout the State of Utah for activities related to making homelessness rare, brief, and non-recurring. It is restricted by State code that 20 percent of the funding must go to areas outside of the Wasatch Front. In the spring of each year, the Utah Office of Homeless Services typically releases information concerning the available amount of this funding in coordination with other funding sources dedicated to ending homelessness.

I. Other HCD Housing Opportunities

The Housing and Community Development Division welcomes opportunities to partner with local governments, quasi-governmental agencies such as public housing authorities and non-profits in providing affordable housing opportunities to Utahans. These partnerships have applied successfully in national competitions for the following federal housing

programs, with the division often pledging a significant portion of the required matching dollars:

Housing Opportunities for People with Aids (HOPWA) is a federally funded HUD program. It provides short- and long-term housing assistance to prevent homelessness and maintain stable housing for those receiving medical treatment for HIV/AIDS.

The HOPWA program is administered throughout the state by various agencies: Salt Lake Community Action, Housing Authority of Salt Lake City, Housing Authority of Salt Lake County and the Ogden Housing Authority.

The State HOPWA program manager works closely with the HIV/AIDS Steering Committee that meets bi-monthly to ensure that the needs of households with HIV/AIDS are being met. Active members of the Steering Committee include University of Utah Clinic 1-A, Utah Aids Foundation, Salt Lake City's HOPWA providers and the state's HOPWA providers.

CONTACT PERSONS FOR THE VARIOUS PROGRAMS LISTED ABOVE:

Bradley Carpenter, Weatherization Program
Housing and Community Development Division
Building A-16-D Freeport Center
Clearfield, Utah 84015
(801) 626-3320

Jess Peterson, Housing Programs
Housing and Community Development Division
140 East 300 South
Salt Lake City, Utah 84111
(385) 235-2975

Tricia Davis, Homeless Program Office
Utah Office of Homeless Services
140 East 300 South
Salt Lake City, Utah 84111
(385) 441-6011

CHAPTER 6. CDBG APPEAL PROCEDURES



A. REGIONAL APPEAL PROCEDURE

If, for any reason, a disagreement occurs between an applicant and the AOG Rating & Ranking Committee (RRC) concerning the way an application was ranked or the process that was followed in determining the rating and ranking, the applicant has the right to appeal the decision as described here. It is hoped that any appeals can be resolved at the regional level. If they cannot, then the state will initiate the appeals procedure as follows:

1. Within 10 working days of the notification of an RRC decision believed by the applicant to be unfair or unreasonable, the applicant must submit a letter to the chairman of the RRC, signed by the chief elected official of the city or county, giving the following information:
 - i. The decision being questioned;
 - ii. The date the applicant was notified of the decision;
 - iii. The rationale of the applicant for considering the decision to be unfair or unreasonable; and
 - iv. A request for a hearing before the RRC, including a statement as to the facts and issues involved.
2. Within 10 working days of the receipt of the applicant's hearing request, the chairman of the RRC shall schedule a hearing by the RRC. RRC staff will contact the applicant prior to the hearing to obtain all pertinent information about the appeal, clarify any misunderstandings concerning facts or policy of the RRC, and identify any alternatives to an appeal and to resolve, if possible, the conflict and obtain a written withdrawal of the appeal.
3. Should the need for a hearing still be required, a hearing subcommittee consisting of RRC members not from the same county will be appointed as the appellant. The chairman of the RRC will conduct the hearing unless the chairman is from the same county as the appellant. Minutes must be taken. If a resolution cannot be reached, the appeal will revert to the State of Utah, and the state will follow the process outlined in the following procedure.

B. STATE ADJUDICATIVE APPEAL PROCEDURE

All appeal procedures identified here shall be conducted in compliance with the [Utah Administrative Code, Rule R199-11-7 Adjudicative Proceedings to Appeal Decisions of RRC - Utah Code Annotated 63G, Chapter 4-203 Procedures for Informal Adjudicative Proceedings](#).

1. An applicant agency may request an appeal hearing with the Division of Housing and Community Development (HCD). The request must be in writing to the HCD director and copies of the request should be sent to the RRC and any other interested parties and must contain at least the following:

- i. The names and addresses of all persons receiving a copy of the request
- ii. Any RRC reference number
- iii. Date the request was mailed
- iv. Legal authority under which the request is made (this chapter and UCA)
- v. A statement of what relief is sought from HCD and the facts and reasons forming the basis for relief

2. The request must be made no later than 10 working days following the denial of the appeal to the RRC. At this point HCD will place a hold on all processing of any contracts from that region until the issue is settled.

3. If it is determined that the appeal meets the requirements of this section, the HCD director will appoint a hearing officer and will, within five days, notify the applicant of the time and date of the hearing. The notification will include: a HCD reference number, a statement that the procedure will be conducted, informally, in accordance with the authorizations contained in UCA 63-46b-4 and 63-46b-5, time, place and purpose of the hearing, name, title, mailing address and telephone number of the HCD director. The notice should indicate that any party not attending will be found in default.

4. Hearing Procedure

- i. The hearing will be held only to appeal the following two issues:
 - a. Whether the RRC has established reasonable, equitable criteria for reviewing applications and has adopted a priority ranking process which is fair for all applicants; and
 - b. Whether the criteria and process were applied equitably and consistently to all applicants.
- ii. During the hearing the parties named in the request for hearing will be permitted to testify, present evidence and comment on issues.
- iii. Discovery is prohibited and subpoenas may not be issued.
- iv. All parties will have access to HCD files and information collected during any investigation as permitted by law.
- v. All hearings are open to all parties and any intervention is prohibited.

- vi. Within 21 days after the hearing, the hearing officer shall issue a signed recommendation that states the decision and reasons for the decision to the HCD director. The decision must be based on the facts presented as evidence in the hearing and which are contained in HCD files.
 - vii. Within five additional days, the HCD director will issue a signed order which states the decision, reasons for the decision, administrative review available to the parties and the time limit for any requests for reconsideration. The order must be promptly mailed to all parties.
 - viii. All hearings shall be recorded at HCD's expense. Any party may have a reporter prepare a transcript of the hearing from the record at that party's expense. HCD has the right to approve the reporter.
5. A default may be ordered by HCD if any affected parties fail to participate in the appeals process. The order must be sent to all parties. The proceedings can continue without the party in default at that time. Utah Rules of Civil Procedure allow for the order to be set aside upon request.
6. Written requests for reconsideration must be received by HCD within 10 days of the issuance of the final order by HCD and will be processed in accordance with Administrative Procedures Act, UCA 63-46b-13 and UCA 63-46b-13(3). Judicial Review is also allowed as listed in UCA 63-46b-14 and 15.

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APPENDIX A

DUNS Number and DUNS Number Registration in SAM.gov

The Data Universal Numbering System, abbreviated as DUNS is a system developed and managed by Dun & Bradstreet that assigns a unique numeric identifier to organizations, governments and businesses. All CDBG applicants must have a DUNS number. The System for Award Management (SAM) is a system managed by the U.S. Government. **CDBG applicants (cities or counties) must register their DUNS number in SAM.gov in order to be eligible to apply for CDBG funding. This registration must be renewed annually and documentation must be included in the CDBG application.**

Please note: The instructions below are only applicable to cities and counties that have **not** registered their DUNS number in SAM.gov or who whose registration has lapsed and been inactive for several years. Applicants that do not already have a DUNS number can contact Dun and Bradstreet at <https://www.dnb.com/> to get one. There is no charge for this.

Instructions to Entity to Register DUNS Number in SAM.gov

Only individuals who are authorized to represent a particular entity, or individuals representing themselves as an entity, may register an entity in SAM.gov. **Do not use any website that charges a fee to register the DUNS number.**

- 1. Single Entity.** Use this template to formally appoint an Entity Administrator for 1) a single, domestic entity located in the U.S. or its outlying areas, or 2) a single, international entity that uses banking information from a U.S. financial institution in their SAM entity registration.
- 2. Complete the template.** Fill in the blanks. Enter the highlighted information on the next two pages. Do not include this instruction page in your letter.
- 3. Print the letter on your entity's letterhead.** If you don't have letterhead, enter your entity's legal business name and physical address at the top of the letter before printing.
- 4. Sign the completed letter in the presence of the notary.** Make sure the person who signs the letter is someone with signatory authority, i.e. who can make commitments on behalf of the entity like an executive, officer, partner, or other authorized signatory. The notary will confirm the signatory's identity in accordance with your state's notary procedures.
- 5. Submit the completed, signed, notarized letter online at www.fsd.gov.** Your letter will be reviewed for completeness upon receipt at the Federal Service Desk. **Note.** An individual SAM User Account must be created prior to submitting the letter in www.fsd.gov.

[Insert Date]

Purpose of Letter

The purpose of this letter is to formally appoint an Entity Administrator for the named Entity and to attest to the accuracy of the information contained in the entity registration.

Designation of Entity Administrator

I, [Insert Name and Title of Signatory], the below signed individual, hereby confirm that the appointed Entity Administrator is an authorized officer, agent, or representative of the Entity. This letter authorizes the appointed Entity Administrator to manage the Entity's registration record, its associated users, and their roles to the Entity, in the System for Award Management (SAM).

Entity Covered by this Letter

DUNS® Number: _____

Legal Business Name: _____

Physical Address: _____

Entity Administrator Contact Information

Full Name: _____

Phone Number: _____

Email Address: _____

**The Entity Administrator must have an individual user account in SAM associated with the email address listed.*

Account Administration Preference (ONLY CHOOSE ONE)

You must choose **ONE** of the two following statements by checking the applicable box. Remember, there is no cost to register in SAM -- it is free. However, if you choose to have a third-party agent administer your SAM registration, with or without an associated fee, you must check the Third-Party Agent Designation box below.

☐ Self-Administration Confirmation

For the purpose of registering with the United States Government through the online System for Award Management (SAM), I do not authorize any third party to act on behalf of the Entity listed above. I have checked the Self-Administration Confirmation box to indicate that the designated Entity Administrator is not a third-party agent. The entity administrator is directly affiliated with the entity being registered.

☐ **Third-Party Agent Designation**

For the purpose of registering with the United States Government through the online System for Award Management (SAM), I, the below signed, do hereby authorize the following person who is not directly affiliated with the Entity listed above, to act on behalf of the Entity: **[insert full name, phone number, address, and email address of the Third-Party Agent]** (Designated Third-Party Agent). This authorization permits the Designated Third-Party Agent to conduct all normal, common business functions within SAM while binding the signatory to all actions conducted and representations made as a result of authorization granted herein. I have checked the Third-Party Agent Designation box and completed the above information to indicate that the designated Entity Administrator is a third-party agent.

Attestation

I, the below-signed, attest to the following:

- All information contained in this letter is complete and accurate.
- The designated Entity Administrator listed above has an individual SAM User Account created with the email address provided in this letter.
- The banking information provided for Electronic Funds Transfer on the Financial Information Page in the SAM.gov registration for the Entity above is correct and accurate.

Respectfully,

X _____ (SIGNATURE)

[Insert Full Name of Signatory]

[Insert Title of Signatory, e.g. Director of Contracting, Managing Partner, Vice President for Research, etc.]

[Insert Email of Signatory]

[Insert Entity Legal Business Name]

[Insert Entity Physical Address]

[PRINT LETTER ON ENTITY LETTERHEAD]

TO BE COMPLETED BY NOTARY

(in accordance with State notary requirements)

State of _____

County of _____

This instrument was acknowledged before me this _____ day of _____ (month),
_____ (year), by _____ (name of officer
or agent, title or officer or agent) of _____ (name of
entity).

_____ Personally Known

_____ Produced Identification

Type of ID and Number on ID _____

(Seal)

Signature of Notary

Name of Notary
(Typed, Stamped or Printed)

Notary Public, State of _____

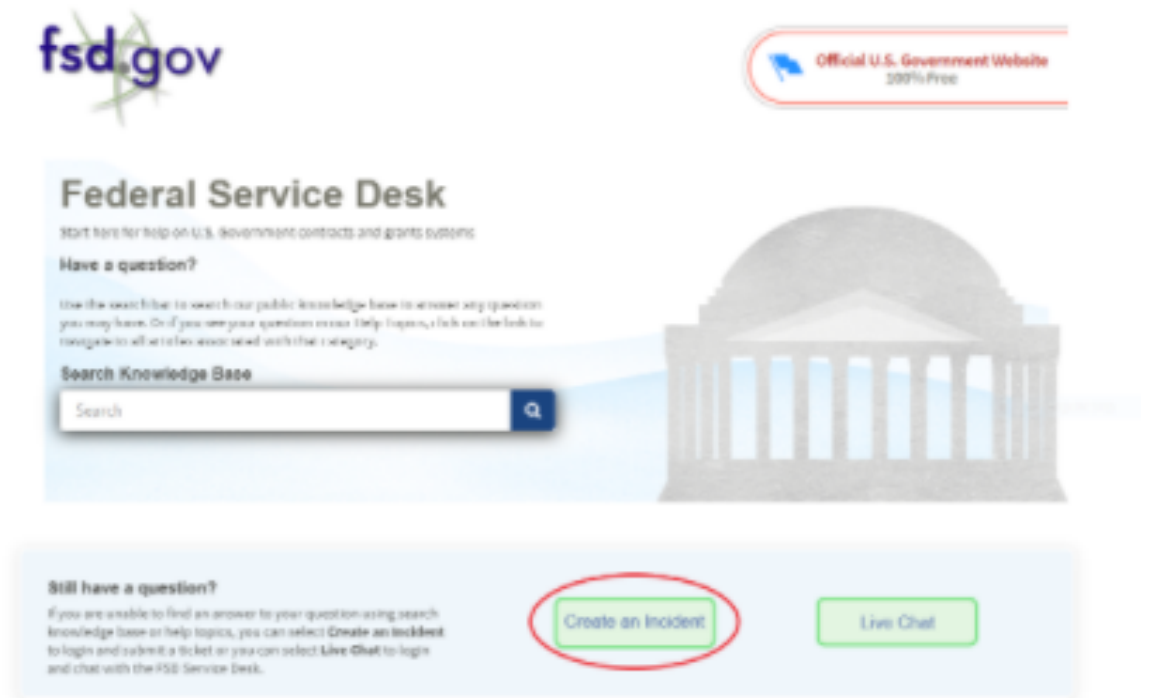
APPENDIX A

Submitting Notarized Letter to Federal Service Desk

The letter must be notarized, scanned, and submitted to the Federal Service Desk (www.fsd.gov). Follow the steps below to submit the scanned notarized letter to the FSD:

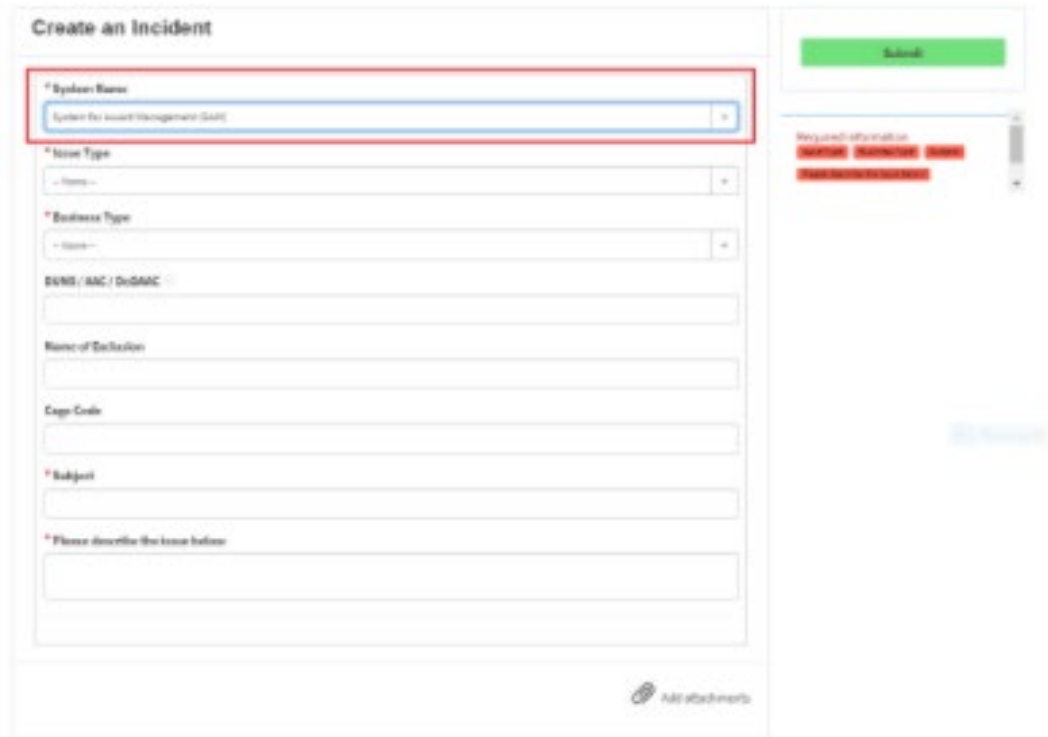
NOTE: The new Entity Administrator must have an individual SAM User Account created with the e-mail address provided in the notarized letter in order for the FSD to process your request.

1. Log in to FSD.gov
2. Click **Create an Incident.**



Appendix A

3. Select **System for Award Management (SAM)** in the **System Name** field.



The screenshot shows the 'Create an Incident' form. The 'System Name' dropdown menu is highlighted with a red box and contains the text 'System for Award Management (SAM)'. Other fields include 'Issue Type' (dropdown), 'Business Type' (dropdown), 'DUNS / AAC / DoDAAC' (text), 'Name of Definition' (text), 'Case Code' (text), 'Subject' (text), and 'Please describe the issue below' (text area). A green 'Submit' button is at the top right. A 'Required information' section on the right lists 'System Name', 'Business Type', 'DUNS', and 'Issue Type for the Incident'.

4. Select **SAM: Notarized Letter** in the **Issue Type** field.



The screenshot shows the 'Create an Incident' form. The 'Issue Type' dropdown menu is highlighted with a red box and contains the text 'SAM: Notarized Letter'. Other fields include 'System Name' (dropdown), 'Business Type' (dropdown), 'DUNS / AAC / DoDAAC' (text), 'Name of Definition' (text), 'Case Code' (text), 'Subject' (text), and 'Please describe the issue below' (text area). A green 'Submit' button is at the top right. A 'Required information' section on the right lists 'System Name', 'Business Type', 'DUNS', and 'Issue Type for the Incident'.

Appendix A

5. Fill out all remaining fields.
6. Select the **Paperclip** icon to add attachments and attach your scanned notarized letter.



Entity Administrator Email Address

Account Administration Preferences

☐ Allocation Signed

☐ Has this form been notarized?

 Add attachments

7. Once you have filled out all required information and attached your notarized letter, click **Submit**.



Create an Incident

* System Name
System for Award Management (SAM)

* Issue Type
SAM Notarized Letter

* Business Type
None

Submit

Required information
Business Type
Business Type

Applicants must document that their DUN's number is registered in SAM.gov

Quick Search Results

TOTAL RECORDS: 1
 Result page 1 of 1

FILTER RESULTS

By Record Status
☒ Active
☐ Inactive

By Record Type
☒ Entity Registration
☒ Exclusion

Your search returned the following results...

Entity

SOUTH OGDEN, CITY OF

Status: **Active** +

DUNS: **055310247**

CAGE Code: **5BAR6**

Has Active Exclusion?: **No**

DoDAAC:

Expiration Date: **02/01/2018**

Delinquent Federal Debt? **No**

Purpose of Registration: **Federal Assistance**
Awards Only

Glossary

Search Results

Entity

Exclusion

Search Filters

By Record Status

By Record Type

Result page 1 of 1

Attach this documentation to the application.



SAM Search Results			
List of records matching your search for :			
Record Status: Active			
DUNS Number: 055310247			
Functional Area: Entity Management, Performance Information			
ENTITY	SOUTH OGDEN, CITY OF		Status:Active
DUNS: 055310247	+4:	CAGE Code: 5BAR6	DoDAAC:
Expiration Date: Feb 1, 2018	Has Active Exclusion?: No	Delinquent Federal Debt?: No	
Address: 3950 ADAMS AVE # 1		State/Province: UTAH	
City: OGDEN		Country: UNITED STATES	
ZIP Code: 84403-1822			

APPENDIX B

CDBG PUBLIC HEARING NOTICE /MINUTES TEMPLATES

Post this notice on Utah's Public Meeting Notice Website – www.utah.gov/pmn
MINIMUM seven days prior to public hearing date.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIRST PUBLIC HEARING NOTICE

Notice is hereby given that **APPLICANT (CITY or COUNTY or AOG)**¹ will hold a public hearing on **(DATE)** at **(ADDRESS, ROOM #)** at **(TIME)**. **APPLICANT** is eligible to apply to the Utah Department of Workforce Services for funding under the Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Utah, Housing and Community Development Division (HCD). **APPLICANT** is eligible to apply for CDBG funding provided **APPLICANT** meets the applicable program requirements.

The purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications. This public hearing will cover eligible activities, program requirements, and expected funding allocations in the region. The CDBG Program can fund a broad range of activities, including, but not limited to: construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, and provision of public services such as food banks or homeless shelters. In the event that **APPLICANT** chooses to apply for CDBG funding, a second public hearing will be held at a later time to discuss the project. Further information can be obtained by contacting **APPLICANT POINT OF CONTACT** at **PHONE**. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify **APPLICANT POINT OF CONTACT** at **LOCATION AND COMPLETE ADDRESS** at least three days prior to the hearing. Individuals with speech and/or hearing impairments may call the Relay Utah by dialing 711. Spanish Relay Utah: 1.888.346.3162.

Published on State of Utah's Public Meeting Notice Website – www.utah.gov/pmn on **DATE**

¹Public hearings must be held by one of these entities. Other entities wishing to apply must have one of these eligible applicants sponsor their application and hold a public hearing.

APPENDIX B

FIRST CDBG PUBLIC HEARING MINUTES **(Name of Municipality) CDBG PUBLIC HEARING** **HEARING HELD (Location, Date and Time)**

The (Name of City or County) first CDBG public hearing was held on (Day and Date), in the (Location), meeting commenced at (Exact Time).

Present: (Mayor/Commissioner and Council names)_____,
(Other public or elected officials or employees)_____,
(Public in attendance, including those attending for the CDBG Public Hearing)

City Recorder: _____ (include name of city recorder),

City Clerk: _____ (include name of city clerk),

City Attorney: _____ (include name of city attorney),

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING:

Mayor/Commissioner _____ (Name) opened the public hearing for the CDBG program and stated that the purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the **20** funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The (Name of Region), in which (Name of Municipality) is a member, is expecting to receive approximately (Amount AOG representative indicated region could expect to receive) in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Mayor/Commissioner _____ (Name) read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Mayor/Commissioner _____ (Name) indicated that in the past (Name of Municipality) has received (Indicate number of grants and what they accomplished). The city has handed out its capital investment plan as part of the regional "Consolidated Plan". This list shows which projects the city has identified as being needed in the community. It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing. Mr./Mrs. _____ (Name) asked if (Suggestion). Mayor/Commissioner _____ (Name) responded to suggestion by stating that (Response). Mayor/Commissioner _____ (Name) then opened the meeting up to further suggestions from the audience. Mr./Mrs. _____ (Name) said that (Suggestion). Mayor/Commissioner _____ (Name) (Response). Mayor/Commissioner _____ (Name) then asked if there were any other suggestions? The hearing was adjourned at (Time).

APPENDIX B

DO NOT POST THE 2ND CDBG PUBLIC HEARING NOTICE UNLESS Project is AWARDED by the AOG R/R.

CDBG PUBLIC HEARING NOTICE /MINUTES TEMPLATES

Post this notice on Utah's Public Meeting Notice Website – www.utah.gov/pmn
MINIMUM seven days prior to public hearing date.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SECOND PUBLIC HEARING NOTICE

APPLICANT (CITY or COUNTY or AOG)² will hold a public hearing to discuss the project determined to be applied for in the CDBG Small Cities Program in Program Year 20__ . **PROJECT - INCLUDE SPECIFICS IF APPROPRIATE (I.E. LOCATION.)** Comments will be solicited on project scope, implementation and its effects on residents. The hearing will begin at **TIME** P.M. on **DATE** and will be held at **LOCATION AND COMPLETE ADDRESS**. Further information can be obtained by contacting **APPLICANT POINT OF CONTACT** at **PHONE**. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify **APPLICANT POINT OF CONTACT** at **LOCATION AND COMPLETE ADDRESS** at least three days prior to the hearing. Individuals with speech and/or hearing impairments may call the Relay Utah by dialing 711. Spanish Relay Utah: 1.888.346.3162.

Published the State of Utah's Public Meeting Notice Website – www.utah.gov/pmn on **DATE**

²Public hearings must be held by one of these entities. Other entities wishing to apply must have one of these eligible applicants sponsor their application and hold a public meeting.

APPENDIX B

SECOND CDBG PUBLIC HEARING MINUTES (Name of Municipality) CDBG PUBLIC HEARING PUBLIC HEARING HELD (Location, Date and Time)

The (Name of City or County) second CDBG public hearing was held on (Day and Date), in the (Location), meeting commenced at (Exact Time).

Present: (Mayor/Commissioner and Council names)_____,
(Other public or elected officials or employees)_____,
(Public in attendance, including those attending for the CDBG Public Hearing)

City Recorder: _____ (include name of city recorder),

City Clerk: _____ (include name of city clerk),

City Attorney: _____ (include name of city attorney),

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING:

Mayor/Commissioner _____ (Name) _____ opened the second public hearing for the CDBG program. Mayor/Commissioner _____ (Name) _____ stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the _____ (Grant Year) Community Development Block Grant Program. The city/county has amended its capital investment plan and decided to apply for funds on behalf of the (Project and Location). The Mayor/Commissioner introduced _____ (Project Manager) from the (Project). The Mayor/Commissioner explained that the application was successful in the regional rating and ranking process and (Name of Project and Grant Award Amount). The Mayor/Commissioner explained the project to those in attendance. The Mayor/Commissioner then asked for any comments, questions and concerns from the audience. The only question came from Mr./Mrs. _____ (Name) _____, who wanted to know _____ (Question) _____. The Mayor/Commissioner indicated that _____ (Response to Question) _____. The Mayor/Commissioner stated that copies of the capital investment plan are available if anyone would like a copy. There were no more comments and the hearing was adjourned at (Time).

APPENDIX B

CDBG Public Hearing Sample

Browse **City Council Results**

Notice	Event Date		
City Council Meeting	02/12/2019		
City Council Meeting	01/15/2019	S	
CDBG First Public Hearing	01/15/2019	Scheduled	Kamas Public Notice 1.pdf Public Information Handout Added: 2019/01/03 09:48 AM
			01.15.2019 City Council Minutes.pdf Meeting Minutes

1. The **Notice Title** MUST say:

**Community Development Block
Grant (CDBG) Public Hearing**

Email the notice to the AOG representative so he/she can review your notice for accuracy! It's their Job!

Emergency Notice: ☐

Email copy of notice to:

2. Email to
AOG Rep

Audio File Address:

Status: ACTIVE

Attachments

Audio file attachments: .MP3, .WAV, .FTR Gold (200MB max)

Other file attachments: .PDF - Portable Document Format | .DOC - Word Document | .DOCX - 2007/2010 Word Document | .WPD - Word Perfect Document | .RTF - Rich Text Format | .XLS - Excel Spreadsheet | .XLSX - Excel Spreadsheet | .ZIP - Compressed file | .DOCM - Open XML Formatted file

File	Attachment Category	Date Added	Remove
CIB February 7, 2020 Audio.mp3	Audio Recording	Added: 2020/02/07 10:48 AM	Delete
<input type="button" value="Choose File"/> No fil...hosen			

Back

Publish

Cancel Notice



Entity: Kamas

Body: [City Council](#)

Subject: Grant Proposals

Notice Title: CDBG First Public Hearing

Notice Type: Notice

Event Start Date & Time: January 15, 2019 07:00 PM

Description/Agenda:

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
Public Hearing Notice

Notice is hereby given that Kamas City will hold a public hearing on Tuesday, January 15, 2019 at the Kamas City Hall, 170 North Main, Kamas, Utah. Kamas City is eligible to apply to the Utah Department of Workforce Services for funding under the Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Utah, Housing and Community Development Division (HCD). Kamas City is eligible to apply for CDBG funding provided Kamas City meets the applicable program requirements. The purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications. This public hearing will cover eligible activities, program requirements, and expected funding allocations in the region. The CDBG Program can fund a broad range of activities, including, but not limited to: construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, and provision of public services such as food banks or homeless shelters. If the event that Kamas City chooses to apply for CDBG funding, a second public hearing will be held at a later time to discuss the project. Further information can be obtained by contacting Kim Peacock at (435) 783-4630. In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Kim Peacock at the address or phone number above at least three days prior to the hearing that will be attended. Individuals with speech and/or hearing impairments may call the Relay Utah by dialing 711. Spanish Relay Utah: 1 888 346 3162

3. If the *CDBG Public Hearing* will be part of a larger City Council Meeting, there must be a separate notice posted for the CDBG Public Hearing.

Meeting Location:

170 N. Main
Kamas, UT 84036

[Map this!](#)

Contact Information:

(435) 783-4630

Download Attachments:

[Kamas Public Notice 1.pdf](#) Public
Information Handout
Added: 2019/01/03 09:48 AM

4. The complete CDBG public hearing template (provided) MUST be posted here, not just attached as a separate document.

[Email this to a Friend](#)

Connect

[Tweet](#)

[Like](#) Sign Up to see what your friends like.

Important Note

Newspaper Notices:

Public hearing notices may be published in a local paper but must be published *no more than 14 days* and *no less than 7 days* prior to the hearing.

Utah Public Notice Website:

Public hearing notice must be posted **CORRECTLY** on the website at least 7 days prior to the public hearing date.

APPENDIX C - CDBG HUD Income Limits 06/01/2021

PERSONS	1	2	3	4	5	6	7	8
BEAVER								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
BOX ELDER								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
CACHE								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
CARBON								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
DAGGETT								
VERY LOW INCOME (30%)	\$19,000	\$21,700	\$24,400	\$27,100	\$29,300	\$31,450	\$33,650	\$35,800
LOW INCOME (50%)	\$31,650	\$36,150	\$40,650	\$43,000	\$48,800	\$52,400	\$56,000	\$59,600
MODERATE INCOME (80%)	\$50,550	\$57,800	\$65,000	\$72,200	\$78,000	\$83,800	\$89,550	\$95,350
DUCHESNE								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
EMERY								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300

APPENDIX C- CDBG HUD Income Limits 06/01/2021

PERSONS	1	2	3	4	5	6	7	8
GARFIELD								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
GRAND								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
IRON								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
JUAB								
VERY LOW INCOME (30%)	\$17,600	\$20,100	\$22,600	\$25,100	\$27,150	\$29,150	\$31,150	\$33,150
LOW INCOME (50%)	\$29,300	\$33,500	\$37,700	\$40,200	\$45,200	\$48,550	\$51,900	\$55,250
MODERATE INCOME (80%)	\$46,900	\$53,600	\$60,300	\$66,950	\$72,350	\$77,700	\$83,050	\$88,400
KANE								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
MILLARD								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
MORGAN								
VERY LOW INCOME (30%)	\$19,050	\$21,800	\$24,500	\$27,200	\$29,400	\$31,600	\$33,750	\$35,950
LOW INCOME (50%)	\$31,750	\$36,250	\$40,800	\$43,150	\$48,950	\$52,550	\$56,200	\$59,800
MODERATE INCOME (80%)	\$50,750	\$58,000	\$65,250	\$72,500	\$78,300	\$84,100	\$89,900	\$95,700

APPENDIX C- CDBG HUD Income Limits 06/01/2021

PERSONS	1	2	3	4	5	6	7	8
PIUTE								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
RICH								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
SAN JUAN								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
SANPETE								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
SEVIER								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
SUMMIT								
VERY LOW INCOME (30%)	\$25,100	\$28,700	\$32,300	\$35,850	\$38,750	\$41,600	\$44,500	\$47,350
LOW INCOME (50%)	\$41,850	\$47,800	\$53,800	\$56,950	\$64,550	\$69,350	\$74,100	\$78,900
MODERATE INCOME (80%)	\$55,950	\$63,950	\$71,950	\$79,900	\$86,300	\$92,700	\$99,100	\$105,500
TOOELE								
VERY LOW INCOME (30%)	\$17,450	\$19,950	\$22,450	\$24,900	\$26,900	\$28,900	\$30,900	\$32,900
LOW INCOME (50%)	\$29,050	\$33,200	\$37,350	\$40,000	\$44,850	\$48,150	\$51,500	\$54,800
MODERATE INCOME (80%)	\$46,500	\$53,150	\$59,800	\$66,400	\$71,750	\$77,050	\$82,350	\$87,650

APPENDIX C- CDBG HUD Income Limits 06/01/2021

PERSONS	1	2	3	4	5	6	7	8
UINTAH								
VERY LOW INCOME (30%)	\$16,100	\$18,400	\$20,700	\$23,000	\$24,850	\$26,700	\$28,550	\$30,400
LOW INCOME (50%)	\$26,850	\$30,650	\$34,500	\$39,250	\$41,400	\$44,450	\$47,500	\$50,600
MODERATE INCOME (80%)	\$42,950	\$49,050	\$55,200	\$61,300	\$66,250	\$71,150	\$76,050	\$80,950
WASATCH								
VERY LOW INCOME (30%)	\$19,500	\$22,300	\$25,100	\$27,850	\$30,100	\$32,350	\$34,550	\$36,800
LOW INCOME (50%)	\$32,500	\$37,150	\$41,800	\$44,200	\$50,150	\$53,850	\$57,550	\$61,250
MODERATE INCOME (80%)	\$51,950	\$59,400	\$66,800	\$74,200	\$80,150	\$86,100	\$92,050	\$97,950
WASHINGTON								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
WAYNE								
VERY LOW INCOME (30%)	\$15,600	\$17,800	\$20,050	\$22,250	\$24,050	\$25,850	\$27,600	\$29,400
LOW INCOME (50%)	\$25,950	\$29,650	\$33,350	\$37,050	\$40,050	\$43,000	\$45,950	\$48,950
MODERATE INCOME (80%)	\$41,550	\$47,450	\$53,400	\$59,300	\$64,050	\$68,800	\$73,550	\$78,300
WEBER								
VERY LOW INCOME (30%)	\$19,050	\$21,800	\$24,500	\$27,200	\$29,400	\$31,600	\$33,750	\$35,950
LOW INCOME (50%)	\$31,750	\$36,250	\$40,800	\$43,150	\$48,950	\$52,550	\$56,200	\$59,800
MODERATE INCOME (80%)	\$50,750	\$58,000	\$65,250	\$72,500	\$78,300	\$84,100	\$89,900	\$95,700

APPENDIX D

CDBG Income Survey Checklist

Check off the steps below as they apply to the proposed project.

1. Contact the Association of Governments (AOG) representative in your region to discuss the proposed project. The AOG rep will determine if the project is an eligible CDBG activity. The next step is to determine who will benefit from the proposed project.
2. Provide the AOG rep with a map of the project area. The AOG rep will determine whether the project benefits the entire community, just a portion of the community or targets a specific group of people such as elderly, disabled, etc.
3. If the project will benefit a *targeted group* of people that HUD has determined, as a group, to be at least 51% low or moderate income, an income survey is *not* required

<div> <div> </div> <div> </div> </div> Site-Specific Survey Checklist		<div> <div> </div> <div> </div> </div> Community-Wide Survey Checklist	
	If the project will benefit a <i>specific area</i> of a community, an income survey of ALL the homes will be required.		If the project will benefit the <i>entire community</i> , a random income survey of a <i>portion</i> of the community will be required.
	Provide a map to the AOG rep with each of the homes marked as being vacant, occupied or seasonal. This map must be approved by the state CDBG staff prior to conducting the survey.		Check the pre-approved community list in Appendix D. If the community is listed as pre-approved, or if a prior income survey is still valid, no income survey is required.
	The AOG rep will prepare the income survey form and it <u>must</u> be approved by the state CDBG staff prior to conducting the survey.		The AOG rep will prepare the income survey form and it <u>must</u> be approved by the state CDBG staff prior to conducting the survey.
	An attempt must be made to survey all of the homes in the project area.		The AOG rep will determine the number of homes that must be surveyed. Only a <i>sample</i> of homes will be surveyed.
			This calculation must be approved by the State CDBG staff prior to conducting the survey. The AOG rep will assist in randomizing the homes to be surveyed.
			A community utility list will be used to determine which homes to survey.
			Applicants will conduct the survey. Extra homes will be surveyed in the event more responses are needed to make the survey valid.

Make copies of the completed surveys.

Send the *original* completed surveys to AOG rep for tallying.

AOG reps must submit the original survey forms to the state CDBG staff to be tallied and certified. The deadline for surveys to be submitted to the state CDBG staff is **January 15.**

Applicants who miss this deadline will not be eligible for funding.

APPENDIX D

INCOME SURVEYS

Most projects funded by the Utah Small Cities CDBG program qualify under the National Objective #1 **Benefit to Low and Moderate Income Persons**. (Chapter 3). Low- and moderate-income persons (LMI) are persons and families whose incomes (see definitions in Glossary) are no more than 80% of the median income of the area involved. In order to qualify, at least 51% of the project beneficiaries must be LMI. Appendix C provides the income limits based on family size for each county.

An applicant must be able to defend the method determining the income eligibility of the project beneficiaries. Some projects provide a benefit to a small area such as a street or neighborhood (site specific), while others provide benefit to an entire city, town or county (community wide). The information in this chapter will assist applicants as they identify the type of data that will be required for the proposed project's eligibility determination under the National Objective #1.

Applicants MUST use, in consultation with the AOG representative, data from either:

1. HUD-provided data comparing census data with appropriate low and moderate income levels, resulting in the *Pre-Approved LMI Communities list, Appendix D*
2. Service Area Identification, using Places or Block Groups, as demonstrated by HUD's Robert Peterson at <https://youtu.be/UW4Nqo1liOw> at approximately 17 minutes in, and utilizing the HUD GIS resource specific to CDBG: <https://hud.maps.arcgis.com/apps/webappviewer/index.html?id=ffd0597e8af24f88b501b7e7f326bedd>
3. Income survey data that is at least as good as HUD's, and is methodologically sound. Income surveys are valid for more than one application cycle under the following conditions:
 - i. The project beneficiaries and boundaries of the original project are identical to the new project beneficiaries and boundaries;
 - ii. The income survey may be used for up to **three** application cycles if the survey shows that 51-59% of the beneficiaries are LMI;
 - iii. The income survey may be used for up to **five** application cycles if the original survey shows that 60% or more of the beneficiaries are LMI.

It is recommended that, even if communities are listed on the *Pre-Approved LMI Communities list, Appendix D*, a survey is also completed to ensure that services are provided appropriately, since the Census Tract/block boundaries may not coincide sufficiently with the service area, or the *Communities list* may not reflect accurate income levels in the service area. However, other sources of data, even the Census data sources, will not be accepted.

The AOG representative will contact the State CDBG staff to review the proposed survey form and process **before** the applicant proceeds with the survey. **It is critical that applicants receive approval from the state CDBG staff prior to conducting the survey. Surveys conducted incorrectly will not be accepted.**

HOW TO PREPARE TO CONDUCT AN INCOME SURVEY

1. First, Is it an eligible activity? Applicants must determine the whole project scope (not just that portion funded by CDBG) they wish to carry out, and identify which activity type from the list in Chapter 3.

2. Next, the applicant must determine the boundaries of the project and the persons who will be benefitting from it. The AOG representative will assist the applicant in this determination.
3. The size and scope of the project determines which type of income survey is required.

Note: Income surveys are not required for projects that benefit a limited clientele group (Chapter 3, pg 2) such as abused children, battered spouses, migrant farm workers, etc. HUD presumes that at least 51% of persons in these groups are low or moderated income (LMI). One example of a project for a limited clientele is a senior center because at least 51% of seniors are *presumed* to be LMI. All the seniors in a town would be counted as beneficiaries of the project.

SITE-SPECIFIC SURVEYS

If the project does not benefit the entire population of the community it is considered a *site-specific* project and will require a site-specific survey. An activity that serves an area that is not primarily residential in character shall not qualify under this criterion. Site-Specific surveys are based on actual number of HOMES in the service area that will benefit from the project. Examples of projects that require a site-specific survey typically include the following projects:

- Water and sewer lines adjacent to homes
- Curb and gutter projects along secondary streets
- Road improvements along secondary streets
- Sidewalks along secondary streets
- Neighborhood parks

COMMUNITY WIDE SURVEYS

If a project serves an entire community rather than a neighborhood or several blocks, a community wide survey must be completed. Community Wide Surveys are based on number of PEOPLE in the service area that will benefit from the project. A community wide survey must be random and only a portion (sample) of the residents are surveyed. The number of homes to be surveyed depends on the population of the city or town. Examples of projects that would benefit an entire community include:

- Culinary water tanks that provide water to all residents
- Sewer lagoons or treatment plant
- Road, curb, gutter and sidewalk improvements on main street
- A main water line from the city water tank
- A fire station that serves ALL residents, not just one part of town
- Community centers
- Main city park (not a small neighborhood park)
- Recreation centers

HOW TO CONDUCT A SITE-SPECIFIC SURVEY

1. Applicants must provide a map of the project area that clearly shows the number of homes in the project area. Barns, sheds and other buildings can be mistaken for homes on an aerial map. ONLY homes must be marked so the total number can be determined. Empty lots must be marked with an “E.”
2. Applicants must determine which homes are occupied and which are vacant. If no one is living in the home, the home must be marked on the map as being vacant. Vacant homes must be marked with a “V” and seasonal homes with an “S.” Seasonal residents may

- participate in surveys for activities such as installation of sewer lines, sewage treatment plants, etc., but not for activities considered incidental, like libraries or community centers.
3. Once the homes are identified, a survey form is prepared by the AOG representative using the most current HUD income limits for the county in which the project is located. (Appendix C)
 4. An attempt must be made to survey 100% of the occupied homes in the project area.
 5. In order for the survey to be valid, surveys from 90% of the homes must be completed. If there are 30 occupied homes in the project area, 27 surveys must be completed. $.90 \times 30$ homes = 27 homes minimum to be surveyed
 6. Homes with families that refuse to respond to the survey must be marked "R".
 7. Those families refusing to answer the survey will be added into the total number of beneficiaries of the project. Everyone in the project area benefits from the project even if they don't respond to the survey.
 8. Once the surveys are completed, the AOG representative will tally the results.
 9. If at least 51% of the persons in the project area must be LMI in order for the project to qualify as meeting the CDBG national objective of **benefit to low and moderate income persons**.

HOW TO CONDUCT A COMMUNITY-WIDE SURVEY

1. Applicants **must** contact the AOG representative for guidance and approval before proceeding.
2. Applicants determine the **number** of residents in the city or town using the most current census figure, or if another source, documentation must be provided.
3. A utility billing or other complete list identifying residents can be used to determine homes that will be included in the survey.
4. The AOG representative will:
 - a) calculate the *number of persons* to be surveyed. HUD recommends entering number of community residents in this tool: <https://www.surveymonkey.com/mp/sample-size-calculator/> with the Confidence level set at 10, and the margin of error provided by state CDBG staff, or 10%.
 - b) Calculate the *number of homes*, based on average family size, that will need to be surveyed. ACS data can be used to find the average family size in the area. <https://www.census.gov/quickfacts/fact/table/US/PST045219> enter the town and state in the upper left hand search bar, choose from the options, and scroll to find the Persons Per Household. An extra 15 homes should be marked differently on the list, surveyed and set aside so that the *number of persons* that need to be surveyed can always be reached without having to assess additional surveys.
 - c) determine the minimum responses required. If 235 people need to be surveyed and the average family size for the town is 2.3, then it is *projected* that 102 homes will need to be surveyed. If, in the end, the tally shows that fewer than 235 people were surveyed, then additional surveys will need to be conducted to get to 235.
5. Once the *number* of homes to be surveyed is determined, the next step is to determine *which* homes to survey. This is where the randomizing happens.
6. Using dice or a 'random number generator' website (www.random.org), a number is chosen. If, for example, the number eight is chosen, then the applicant will go down the list marking every eighth house. This process is repeated until the pre-determined number of homes is reached.
7. Only the homes marked on the list are surveyed. Homes on the list should be marked "V" for vacant or "R" for 'refused to respond'.

SEASONAL HOMES

Seasonal homes (recreational or vacation property) or **empty lots** (undeveloped sites) that are not occupied at the time of the survey will not be counted (included in the survey) as long as they do not make up more than 30 percent of the homes in the survey area. Project areas that are more than 30 percent vacant, un-occupied or undeveloped at the time of the survey will not qualify as meeting the 51 percent LMI requirement. Seasonal (or part-time) residents (e.g., migrant farmers who reside in manufactured homes) may not participate in an income survey if their benefit of a service or an activity is incidental. Seasonal residents may participate in income surveys for CDBG-funded activities such as installation of sewer lines and sewage treatment plants, etc. ACS defined residency in terms of ‘current residence’ – a unit is defined as the current residence if the household is living in the unit for at least two months upon receipt of the survey, even if the household lives somewhere else for most of the year.

ADDITIONAL SURVEY GUIDANCE

If an applicant will not be using the survey form provided below, a separate similar script should be used by the surveyors. Detailed written instructions should be provided so that respondents understand the process. This documentation must be submitted with the CDBG application.

PUBLICITY

To promote citizen participation, advance notice may be needed. A notice in a local newspaper, or announcements at churches or civic organizations let people know that you will be conducting a survey to determine the income levels of the area. Citizens can also be informed through government websites and/or email listserves used for sending announcements to residents. If people are notified in advance how, why, and when they will be contacted, they may be more likely to cooperate. Any publicity must be worded so that it does not bias the results. It is better to say that the community is applying for a CDBG grant and to determine eligibility of the project, the community has to provide current estimates of incomes of the residents of the service area. It is NOT appropriate to say that, in order for the community to receive desired funding, a survey must be conducted to show that most of the residents of the service area have low and moderate incomes.

ADDITIONAL INFORMATION THAT CAN BE COLLECTED FROM THE SURVEY

As applicants prepare city/county wide surveys, it is suggested that they take full advantage of the survey by including questions similar to those found on the census such as national origin, race, single female head of household, etc. Also, the community may be interested in attitudes concerning community issues and other informational statistics that may be of value to community leaders.

CONDUCTING SURVEYS: TELEPHONE, MAIL-OUT OR IN-PERSON

Regardless of the type of survey method, consideration must be given to the needs of residents with limited English proficiency as well as residents with visual/hearing/speech impairments. It is strongly advised to conduct surveys door to door rather than by telephone or by mail. Applicants planning to use any method other than door-to-door, in person surveys **must receive approval** from the CDBG staff prior to initiating the survey. Telephone and mailed surveys are less accurate and less successful than door-to-door surveys. Respondents can be given the survey along with an envelope to put it in and then they can deposit it in a closed box to maintain anonymity. The person responsible for conducting the survey must certify that a standard script was read.

The survey script cannot be “loaded” or biased. Surveyors must not influence responses by making leading statements during the interview. No leading statements should be included in the language in the survey form itself that is presented to the resident. A copy of the written script to be read to each participant (if separate from survey form) must be **submitted to HCD** prior to conducting the survey and included along with the survey information in the application. **The organization performing the survey should also have copies translated to other most commonly used languages in the area, to be left and returned by mail or a drop box collection system.**

Sample Family Income Survey Form - (Insert Applicant Name)

(Note: Applicants must use the most current HUD income limits for the county where the project is located. See Appendix C)

(Insert Applicant) is considering applying for a portion of FEDERAL grant funds allocated regionally through the **(Insert Association of Governments)**. These grant funds, if awarded, would be used to undertake eligible projects in **(Insert Grantee)**. In order to apply for funds, **(Insert Applicant)** must be able to adequately document the actual current income of the families in **(Insert Applicant)**. Your assistance in completing this survey is appreciated.

Could you please take a few moments and complete the following questions? The information requested in this survey is confidential, so names or addresses are not to be used on the form or envelope. Please fold the completed survey form, place it in the envelope provided and seal it before returning it to the person conducting the survey. Thank you.

1. How many persons are there in your family?
(If you are single, with no dependents mark 1)
2. If more than one family lives at this address, each family must complete a separate survey!
(Please indicate if this is an additional survey for this address) Yes ___ No ___
3. What is the current combined income of all family members living at this address?
(Include any related, dependent persons over 62 or working, dependent children over 18)

Enter an **X** to the left of the income level that reflects your combined annual family income:

↓	Less Than:	↓	Less Than:	↓	Less Than:
	\$11,700 (for example)				
	(Enter limits from				
	Lowest to highest)				

Note: If family income is more than \$65,900, please indicate amount here: → \$

REQUIRED SURVEY DOCUMENTATION

Applicants must be able to document the following questions regarding how the survey was developed and conducted. Documentation to be used as evidence that the guidelines included in this manual were met should be stored at the Applicant, AOG and State level.

These questions will be part of the CDBG application.

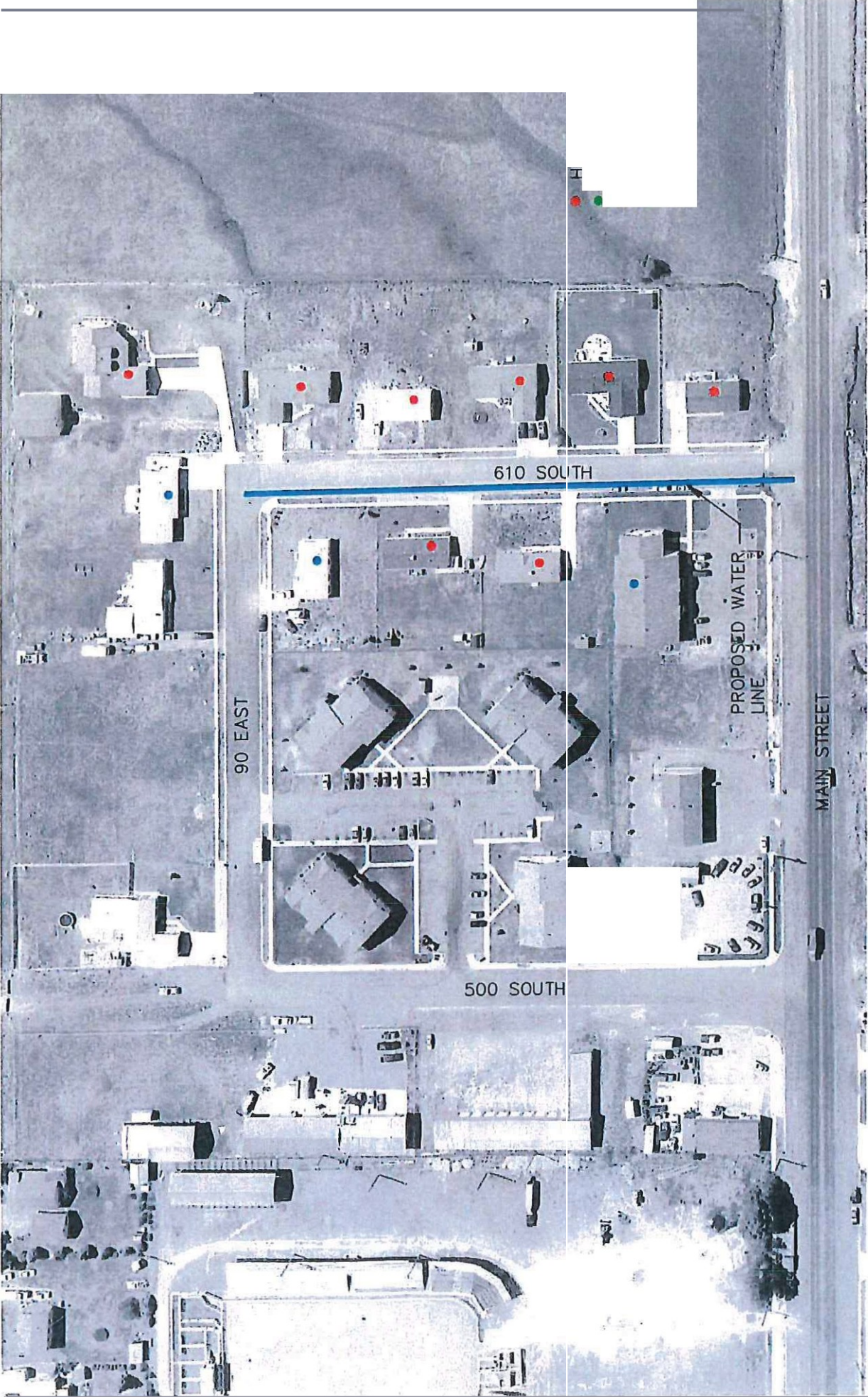
1. Was an appropriate survey prepared and conducted based on the type of project: site-specific or community-wide?
2. Was the survey tabulation completed in compliance with the process shown in this Application Policies and Procedures manual and was the tabulation sheet included with the application?
3. If the survey was city or county-wide how were the following determined?
 - a. Population
 - b. Average family size
 - c. Randomness of the survey
 - d. List of project beneficiaries
4. If the survey was site specific, did the applicant provide a detailed map identifying the service area and each home surveyed?
5. Was the survey form/script approved in advance by the AOG and the CDBG staff?
6. Did the applicant document how the survey was conducted?

TABULATING THE SURVEY RESPONSES

Once the survey is completed, the calculation of the low- and moderate-income (LMI) beneficiaries and non-LMI beneficiaries can be done. **The original surveys should be sorted by family size and submitted to the AOG representative for tallying.** Applicants should keep copies of all the surveys for their files. (Applicants are welcome to tally their surveys, but it is not required.) The CDBG staff will also tally the surveys and **certify** the results.

A sample table is included on the next page. The table includes the various family sizes along the top. The appropriate county income limits for each family size (per Appendix C) are entered down the left margin. The numbers used should be the same as the numbers included on the survey form. The table shows all families who are LMI broken down by 30%, 50% and 80% of average median income (AMI). The number of families that are **not** LMI is collected in the shaded boxes. Once the numbers of families are tallied by size and income on the table, the total number of persons is computed by multiplying the number of families in each column by the respective family size. Then, the total of all persons surveyed is added up. The number of LMI persons is divided by the total of all persons surveyed to obtain the percent of LMI persons in the survey area. If the percent is at least 51, the project meets the income requirements of the program.

The table is used by the AOG representative to calculate the percentage of low and very low income households. This information is used in the rating and ranking process to score the projects.



728 WEST 100 SOUTH, #2
PHOTO: JAMES W. HALL, JR.
(435) 654-2226

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APPENDIX D

CDBG Program Year 2022 HUD Pre-Approved LMI Communities & CDP's

Organization	LMI %
Alton Town	57.69%
Aneth CDP	68.54%
Blanding City	53.74%
Boulder Town	56.00%
Brian Head town	58.33%
Castle Valley Town	56.45%
Cedar City City	54.00%
Centerfield Town	60.37%
Clawson Town	52.94%
Clearfield City	55.82%
Coalville City	61.67%
Cornish Town	59.72%
East Carbon-Sunnyside City	63.18%
Echo CDP	85.00%
Elberta CDP	57.78%
Elmo Town	61.43%
Elsinore Town	53.75%
Emery Town	54.84%
Enoch City	52.18%
Ephraim City	60.57%
Escalante City	56.60%
Fillmore City	55.02%
Fort Duchesne CDP	73.25%
Fountain Green city	52.53%
Garden City town	61.31%
Garfield County	55.88%
Glendale Town	64.91%
Green River City	63.35%
Halchita CDP	81.73%
Hanksville Town	54.17%
Hatch Town	57.14%
Henrieville town	61.22%
Hideout Town	73.91%
Hildale City	73.68%
Holden Town	54.67%
Hoytsville CDP	58.55%
Iron County	51.83%
Joseph Town	61.43%
Junction Town	53.85%

These low- and moderate-income summary data (LMISD) are based on special tabulations of the American Community Survey 2011-2015 5-year estimates (2015 ACS)

APPENDIX D

CDBG Program Year 2022 HUD Pre-Approved LMI Communities & CDP's

Kamas city	55.71%
Kanosh Town	51.22%
Kenilworth CDP	64.00%
Kingston Town	61.11%
Koosharem Town	55.81%
La Verkin City	51.26%
Levan Town	57.43%
Loa Town	59.14%
Lyman Town	57.35%
Manila Town	57.69%
Marysville Town	77.66%
Moab City	53.57%
Montezuma Creek CDP	88.57%
Moroni City	53.40%
Navajo Mountain CDP	80.77%
Oljato-Monument Valley CDP	63.48%
Panguitch City	61.35%
Piute County	55.46%
Randlett CDP	91.89%
Richfield City	51.52%
Rocky Ridge Town	67.52%
Samak CDP	51.72%
San Juan County	57.58%
Spring Lake CDP	58.44%
Tabiona town	61.54%
Teasdale CDP	100.00%
Thompson Springs CDP	100.00%
Torrey town	65.91%
Tremonton city	56.46%
Vernon town	56.60%
Wales town	56.00%
Washington Terrace city	56.12%
Wayne County	51.28%
Wellington city	51.92%
Wendover city	74.12%
White Mesa CDP	98.18%
Whiterocks CDP	100.00%

These low- and moderate-income summary data (LMISD) are based on special tabulations of the American Community Survey 2011-2015 5-year estimates (2015 ACS)

Appendix D

Communities that have conducted Community-Wide Income Surveys

Year Conducted	Community	LMI %	Expires
2018	Emery Town	65.8%	2023
2018	Eureka	62.6%	2022
2018	Spring City	82.10%	2025
2019	Emery Town	65.8%	2023
2019	Howell Town	63.4%	2023
2019	Sigurd Town	71.1%	2023
2019	Trenton Town	56.7%	2021
2020	Ferron Town	52.9%	2022
2020	Francis	54.5%	2022
2020	Hinckley	71.9%	2024
2020	Lyman	74.7%	2027
2020	Lyndyll	68.3%	2024
2020	Panguitch	54.7%	2022
2020	Echo	69.4%	2024
2021	Angell Springs	52.9%	2023
2021	Beaver City	55.5%	2023
2021	Castle Dale City	52.7%	2023
2021	Duchesne	77.0%	2028
2021	Huntington	68.2%	2025
2021	Huntsville	71.1%	2025
2021	Newcastle	65%	2025
2021	Kamas	52.3%	2023
2021	Redmond/Salina	58.7%	2023
2021	Terra	63.1%	2025
2021	Vernal	52.3%	2023
2021	Wallsburg	82.2%	2028

Note: Surveys with 51-59 % Low-Mod Income (LMI) persons are valid for 3 application cycles

Surveys with 60-74 % Low-Mod Income (LMI) persons are valid for 5 application cycles

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APPENDIX E

RESIDENTIAL ANTI-DISPLACEMENT PLAN AND CERTIFICATION

SAMPLE PLAN

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN AND CERTIFICATION

It shall be the declared policy of **NAME OF JURISDICTION** to establish and follow the plan described below to minimize the adverse impacts on low- and moderate-income persons resulting from acquisition and relocation activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended. This plan does not replace but is supplementary to the acquisition and relocation requirements stated in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 CFR Part 24), as amended, as well as the Utah Relocation Assistance Act.

1. REPLACEMENT OF DWELLING UNITS

- A. **NAME OF JURISDICTION** will replace all occupied and vacant occupiable low-to moderate-income dwelling units demolished or converted to a use other than as low-to moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(b)(1) on a one-for-one basis, unless a written waiver has been received as provided for in 24 CFR 570.606(b)(1)(iii).
- B. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, **NAME OF JURISDICTION** will make public and submit to the Housing & Community Development Division the following information in writing:
 - i. A description of the proposed assisted activity
 - ii. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity
 - iii. A time schedule for the commencement and completion of the demolition or conversion
 - iv. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units
 - v. The source of funding and time schedule for the provision of replacement dwelling units
 - vi. The basis for concluding that each replacement dwelling unit will remain a low-to moderate-income dwelling unit for at least 10 years from the date of initial occupancy

2. RELOCATION ASSISTANCE

NAME OF JURISDICTION will provide relocation assistance, as described in 24 CFR 570.606(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

3. DISPLACEMENT STRATEGY

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act of 1974, as amended, **NAME OF JURISDICTION** will take the following steps to minimize the displacement of persons from their homes:

- A. Stage the rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, rehabilitation of empty units to allow the shifting of tenants during rehabilitation of occupied units;
- B. Provide counseling to assist homeowners and renters to understand the range of assistance options available utilizing existing housing counseling programs to the greatest extent possible;
- C. Give priority in assisted housing units in the neighborhood to area residents facing displacement;
- D. Provide counseling and referral services to assist displaced homeowners and renters, finding alternative housing in the affected neighborhood; and
- E. Work with area landlords and real estate brokers to locate vacancies for households facing displacement.

4. CERTIFICATION

I certify that **NAME OF JURISDICTION** has adopted the above Anti-displacement and Relocation Assistance Plan by formal resolution on this ____ day of _____, 20__.

(Name of Jurisdiction)

By: _____
(Signature)

WITNESS: _____
(Signature)

(Typed Name and Title)

(SEAL)

APPENDIX F

SUB-CONTRACT AGREEMENT EXAMPLE

THIS AGREEMENT entered into this ____ day of _____, 20__, by and between _____, a body politic of the state of Utah, hereinafter referred to as "Contractor," and _____, a local organization organized under the laws of the state of Utah, hereinafter referred to as "Subcontractor."

WITNESSETH:

WHEREAS, Contractor will enter into a Contract Agreement with the Utah Department of Workforce Services, Housing and Community Development Division, hereinafter referred to as the "Community Development Block Grant Agreement" and

WHEREAS, Contractor desires to subcontract with Subcontractor to provide said project as outlined in Attachment D, Scope of Work, and

WHEREAS, the Subcontractor desires to perform the project for Contractor as outlined in the Scope of Work, upon the following terms and conditions,

NOW, THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the parties hereto agree as follows:

1. Subcontractor agrees to abide by all of the terms and conditions and perform all of the responsibilities and obligations of the Community Development Block Grant Agreement. A copy of said Block Grant Agreement, which is incorporated herein and by this reference made a part hereof, shall be made available to Subcontractor upon written request.
2. Contractor hereby agrees to pay to Subcontractor such funds as it may receive, and shall make available all rights, privileges and responsibilities Contractor may have under the Block Grant Agreement, subject to Subcontractor's full performance of the terms and conditions hereof.
3. Subcontractor shall provide the services set forth in the scope of work, and in doing so shall, in addition to the requirements of Paragraph 1 above, perform according to the provisions of the attached Standard Terms and Conditions, any additional terms and conditions; and other, performance requirements established by Contractor, if any. A copy of each attachment is attached hereto and by this reference made a part hereof.
4. Subcontractor acknowledges that Contractor, as a condition of receiving a block grant under the Community Development Block Grant Agreement, has agreed to hold the State of Utah harmless from such claims, damages, loss or injury as the state may suffer in the event Contractor fails to comply with the terms of the Block Grant Agreement. Recognizing that default by Subcontractor in performance of the terms and conditions of this Agreement may result in default by Contractor in its obligations to State of Utah under the Block Grant Agreement, Subcontractor hereby agrees to hold Contractor harmless from any and all such claims, damages, loss, or injury as

Contractor may suffer as a result of Subcontractor's failure to comply with the terms and conditions of this Agreement.

WHEREFORE, the parties have signed this Contract the day and year first above written.

CONTRACTOR

By: _____

Printed Name _____

Title: _____

WITNESS:

By: _____

Printed Name: _____

Title: _____

SUBCONTRACTOR

By: _____

Printed Name: _____

Title: _____

WITNESS:

By: _____

Printed Name: _____

Title: _____

APPENDIX G

RATING AND RANKING

It is the state's policy to decentralize decision-making in the prioritization of applications for the Small Cities Community Development Block Grant Program. The state has delegated project selection to the Association of Governments (AOGs) through the Regional Review Committees (RRCs). These committees are also known as Rating and Ranking Committees. Each RRC has established policies, procedures and an objective rating and ranking system that is used to evaluate projects for funding. The state reviews and approves these systems annually in August.

The delegation of the rating and ranking process to the RRCs does not remove the state's responsibility to ensure CDBG national objective and eligible activity compliance. The state maintains the right to refuse funding to any project that does not meet minimum program requirements.

The state requires that these rating and ranking systems contain at least **eight** basic criteria. This requirement has been instituted to bring some consistency to the ranking of applications statewide. The RRCs are not required to use the identical language shown in addressing these criteria, but they must meet the general intent.

1. Public Participation

Section 104(a)(2) of the Housing & Community Development Act of 1974, as amended, requires that CDBG grantees implement a citizen participation process as a prelude to the allocation and expenditure of CDBG funds. The primary goal is to provide citizens, especially low and moderate income citizens of the community where CDBG-funded activities will take place, an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects. To that end, the regional policies and rating and ranking process of each AOG must be transparent.

The following actions are required of each AOG. Documentation of each of these actions must be provided to the state.

1. The RRC meetings must be documented with dates, members present, minutes and decisions made.
2. The proposed policies (updated annually) must be posted on the State of Utah Public Meeting Notice website with the public invited to comment for 30 days.
3. The proposed policies should be posted on the AOG website and also mailed to all eligible communities/counties in the region.
4. The policies and rating and ranking criteria must be formally approved by the AOG in a public meeting.
5. Regional application scoring documents must be submitted to the state CDBG Program Manager for review and certification BEFORE formal announcement of awards by the AOG.

6. The annual regional awards must be announced in a public meeting and documented in the meeting minutes.
7. The list of regional awards must be publicized, at a minimum, on the State Public Meeting Notice website; not as a meeting, but just a notice. Other options such as newsletters, websites or social media, could also be utilized to publish the award announcement.
8. The Housing and Community Development Division will post the list of statewide awards on the State Public Meeting Notice website annually in May.

2. Capacity to Carry Out the Grant

The grantee must have a history of successful grant administration in order to receive full points in this category. To adequately evaluate grantee performance, the RRC must consult with the state staff regarding scoring for this criteria. Staff will rate performance on a scale of 1-5.

- A. Project manager consistency (1 point)
- B. Communication with state staff (1 point)
- C. Project completed in contract period (1 point)
- D. Compliance with regulations/laws (1 point)
- E. Project management documents in WebGrants (1 point)

(First-time grantee: default is 2.5 points)

In order to be eligible to receive new funding, a grantee/sub-grantee must have drawn down at least 50 percent of their previous year's CDBG grant funds by February, prior to application rating and ranking.

3. Housing Stock

Because housing is a state priority, housing projects that improve or expand the communities housing stock must be weighted to receive additional points in rating and ranking systems.

4. Affordable Housing Plan

House Bill 259 was passed during the 2018 state legislative session and mandates that all cities and counties address the problems associated with the availability of affordable housing in their local plans. (Cities with less than 1,000 persons and counties less than 25,000 are exempt from this requirement. Utah Code: 10-9a.400 (Cities) and Utah Code: 17-27a.400 (Counties) Applications for projects that are intended to address some element of that plan will be given additional points. Communities and counties that are not in compliance with HB 259 are not eligible to apply for CDBG funding.

5. Extent of Poverty

Points must be given for the percent of "low income" and "very low income" persons benefiting either from the project or carried out in a low-income community. Low-income persons are members of families whose income is 50 percent of the county or statewide median income per year. Very low-income families are those whose income is 30 percent of the county or statewide median income per year.

6. Financial Commitment to Community Development

It is difficult to compare all of the various ways commitment to community development can be measured. Donated property and financial commitment to a project are examples. The state will only require that additional points be given to communities who show commitment based on criteria selected by the RRC. A sliding points system is encouraged that gives greater points for higher match percentages based on the size of the community.

7. Project Maturity

Each application must contain a specific and detailed scope of work that contains a narrative description and a detailed cost estimate. Rating and ranking questions should allow the RRC to determine the "immediate viability" of the project. Additional points may be given to applicants that have demonstrated progress and organization in their application. Examples of this can be demonstrated by advanced procuring of engineering services or having a dedicated and involved project manager. Simple projects should not be penalized compared to more complex projects; maturity should not be confused with complexity. Applicants may demonstrate maturity by leveraging the CDBG funds being requested. RRCs must give additional points for applicants that provide a cash match to the CDBG funding. Other funding sources must be committed prior to rating and ranking to ensure a project is viable.

8. Planning

The state of Utah emphasizes the importance of incorporating planning in the operation of government. RRC's must review previous year's consolidated plan, establish regional priorities and award points according to those priorities. Communities that demonstrate their desire to improve through planning should receive additional points in the rating and ranking process.

In the rating and ranking of CDBG applications, each region will recognize an applicant's accomplishments consistent with these principles by adding additional points for the following:

- A. Demonstration of local responsibility for planning and land use in their communities in coordination and cooperation with other governments.
- B. Development of efficient infrastructure including water and energy conservation.
- C. Incorporation of fair housing opportunity and affordability into community planning.

- D. Protection and conservation plan for water, air, critical lands, important agricultural lands and historic resources.
- E. Removal of barriers to accessibility of programs and facilities for all persons.

In addition to the criteria listed above, the State will award 0-2 points to each application based on whether or not all the required elements are addressed and documentation is attached.

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Bear River Region CDBG Allocation Policies 2022 Funding Year

- 1) The Bear River Regional Community Development Block Grant (CDBG) project rating and ranking and funding allocation process will be administered by the Bear River Association of Governments (BRAG) Community Investment Council (the Council). This council is created by and responsible as a sub-committee to the BRAG Governing Board. Its core composition shall consist of at least one county and one city elected official from each county. All elected officials serving on the BRAG Community Investment Council shall also serve as members of the BRAG Governing Board. At least one representative for each of the following categories must be seated on the council: low income persons, small business owners, and private lenders. It will consist of no more than ten (10) members. Appointments of members shall be made by the BRAG Governing Board. Elected officials shall have no specified term of office. Other Council members shall serve two-year terms and may be reappointed.
- 2) The highest ranked CDBG project will be funded first. As a rule, funding requests will not be reduced if it would mean a reduced scale of the project unless the project is the last one funded. The next ranked project will be considered and funded similarly. This process will continue until the funds available are exhausted.
- 3) In the event of a tie for the last funding position, the project with the most project beneficiaries will be funded.
- 4) After all requests have been fully funded in the order of their Rating and Ranking prioritization and a balance remains insufficient for the next project in priority to complete a project in the current year, the available funds will be first applied to the highest scoring project until that project is fully funded and then to the next project, and so on. Any remaining funds, after all competitive applications have been fully funded, will be applied to the BRAG Emergency Home Repair program.
- 5) Any project that does not score a minimum of 40 points in the BRAG Rating & Ranking Application will not be considered for funding.
- 6) Applicants must participate in the regional consolidated planning process which ensures that projects considered for funding are those which are of high priority and part of the applicant's previous planning process. Applicants and those submitting projects through a sponsoring city or county must make reasonable effort to amend the sponsor's capital improvement list in a timely manner as determined by the Council.
- 7) The Council and BRAG staff will review and rate and rank all applications. The Council determines final rating and ranking and recommends to the Governing Board for approval.
- 8) These policies will be revised annually and will be published for public comment in August preceding the program year.

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9) Since funds are available from the Safe Drinking Water Committee and the Board of Water Resources, the maximum CDBG allocation per water project will be 50% of total project cost.

10) The Council may request an allocation of emergency funding outside of the regular CDBG application cycle from or on behalf of a city or county from the next program year's allocation. The Council has defined "emergency" to mean any public health and safety crisis experienced by a city or county which could not have been foreseen (i.e. fire, flood, act of God) and where no other alternative funding or temporary solution is available. Such projects must meet a CDBG national objective. The Council will review and forward all such applications to the State CDBG Policy Committee for final approval on a case by case basis.

11) When a city or county presents a project that is intended to address an emergency situation that is a clear threat to public health and safety, the Council may determine said project to meet the urgent need national objective of the CDBG program. In this case the applicant may present their application in accordance with Policy 10 above. There are strict CDBG program requirements that must be met. State CDBG staff will determine if the project meets the national thresholds.

12) When an applicant submits more than one application, only the highest ranked application will be considered for funding unless all other projects have been funded. This excludes applications that are sponsored by a city or county on behalf of another organization.

13) The minimum CDBG allocation per project will be \$30,000 and the maximum shall be \$200,000. At the discretion of the Council, applicants can request the ceiling be raised for their projects based on the following: multiple entity collaboration or emergency health and safety needs. Any applicant that receives the maximum award of \$200,000 must wait 24 months before applying for a new grant.

14) Multiple year projects are discouraged and will be allowed only at the discretion of the Council for a maximum of two (2) years. The applicant must demonstrate clearly why two years is required to complete the project.

15) The Council may approve regional CDBG set-asides under the following three conditions: a) they are consistent with the priorities established in the Bear River District Consolidated Plan; b) they are approved prior to the CDBG applicant "How-to-Apply" meetings for the region; and c) the opportunity for public comment is accommodated by publishing the proposed allocation on the State Public Notice website and receiving public input via a public hearing.

16) Public service providers, traditionally non-profit organizations, are encouraged to apply for CDBG funds for capital improvements and major durable equipment purchases. Examples are fixtures, construction, remodeling, and facility expansion. State policy prohibits the use of CDBG funds for operations and maintenance. This includes paying administrative costs, salaries, purchasing non-durable equipment, supplies, etc. No more than 15 percent of the state's yearly allocation of funds may be expended for public service activities.

17) BRAG will only act as sponsor for non-profit organizations with CDBG projects having regional implications.

18) Should an applicant feel that their project was unfairly rated, ranked, or otherwise considered by the Council, they may file a grievance in writing no later than ten (10) business days following the Rating & Ranking date to Brian Carver, Community & Economic Development Director, Bear River Association

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of Governments, 170 North Main, Logan, Utah. Responses will be provided in writing within 15 business days of receipt. If a response satisfactory to the aggrieved is not issued by the Committee, an appeal may be made to the BRAG Governing Board. Any appeal of the local determination made by the BRAG Governing Board should be filed with the State of Utah CDBG Policy Board, as set forth in the State of Utah CDBG Policies and Procedures.

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REGIONAL PROJECT ALLOCATIONS 2022

The following set-asides are recommended for the 2022 CDBG Program Year.

A) ADMINISTRATION AND PLANNING (\$50,000):

In order to assure that applicants have the assistance they need in accessing the CDBG Program, \$35,000 will be provided to fund staff at the Bear River Association of Governments to help the CDBG applicants in Box Elder, Cache, and Rich Counties; and \$15,000 will be provided to complete the Regional Consolidated Plan Action Plan Update.

B) ASSISTANCE TO LOW INCOME FAMILIES FOR WATER/SEWER REPAIRS OR HOOK-UPS AND HOUSING REHABILITATION (\$45,000):

In order to remedy health hazards associated with failing water and waste water systems and provide urgently needed housing rehabilitation, BRAG will operate a grant/loan program to assist low income families in Box Elder, Cache, and Rich Counties.

C) PROGRAM DELIVERY AND ADMINISTRATION (\$19,250):

Emergency Home Repair program delivery costs (\$14,750) and Administration costs (\$4,500) for the home buyer assistance program for BRAG staff.

D) FIRST TIME HOME BUYER PROGRAM (\$50,000):

Up to \$2,000 loan to first time low to moderate income home buyers to pay costs related to purchasing a home. Grantees must complete home ownership workshops. \$5,000 will be used to provide homeownership workshops.

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Bear River Association of Governments Community Development Block Grant (CDBG) 2022 Rating & Ranking Criteria

This application can be found on the web at www.brag.utah.gov/CDBG/CDBG.htm

1) What percent of the project beneficiaries fall into the following income groups? <i>20 points possible</i>							My Project Percentage
80% CMFI*	<51% 0 points	51-55% 8 points	56-60% 9 points	61-70% 10 points	71-80% 11 points	81-100% 12 points	
50% CMFI	65% or more of total project beneficiaries have household income at or below 50% CMFI 4 points						
30% CMFI	40% or more of total project beneficiaries have household income at or below 30% CMFI 4 points						
Opting to meet a HUD National Objective without income data**		<p>Projects that meet a HUD National Objective by meeting the criteria for “presumed Low-to-Moderate Income (LMI)” groups or qualified Urgent Need projects may opt to not document specific LMI beneficiaries and receive 8 points automatically.</p> <p>Qualified Slum & Blight projects may opt to receive 8 points without providing income documentation</p> <p>Urgent Need projects are not required to provide proof of income qualification and are limited in budget size and scope and may receive 9 points without documenting specific LMI beneficiaries.</p>				<p>Project Meets Criteria and opts to not document LMI</p> <p>____ Yes</p>	

* County Median Family Income (see <http://jobs.utah.gov/housing/cdbg/applications.html> or State Application Appendix C).

How to Document: Consult BRAG staff to determine the best way to document income for your project. **Projects that meet a HUD National Objective (see Chapter III of State Application Guide) by serving a HUD specified “Presumed Low-to-Moderate income (LMI) group or that aid in the prevention of slum or blight (National Object #2) or respond to an Urgent Need (National Object #3) may opt to receive “default” points in this category automatically without having to document LMI beneficiaries. Otherwise they must document LMI benefit and will not be eligible for default points. You must consult with BRAG staff if you think your project may qualify.

2) Is the jurisdiction implementing Fair Housing, Civil Rights and Quality Growth Principles? <i>10 points possible</i>		My Jurisdiction Is Participating
<u>3 Points</u>	Has your jurisdiction addressed moderate income housing in its general plan as required by State Code Title 10-9a-403(2)(a)(iii)? (Towns with populations under 1,000 receive 2 points if no plan)	
<u>2 Points</u>	Does this project implement moderate income housing or homeless goals as identified in your general plan (whether required by state code or not) or in BRAG’s Consolidated Plan?	
<u>3 Points*</u>	Has your jurisdiction adopted ordinances to protect and conserve water, air, energy resources, critical lands, important agriculture lands and/or historic places?*	
<u>1 Point</u>	The Community has completed an “ADA Checklist for Readily Achievable Barrier Removal” for the main administrative office.	
<u>1 Point</u>	The Community has adopted the following policies – 1) Grievance Procedure under the Americans with Disabilities Act, 2) Section 504 and ADA Effective Communication Policy, 3) Language Access Plan and 4) Section 504 and ADA Reasonable Accommodation Policy	

*

Applicants will receive one point for each ordinance adopted to protect or conserve water, air quality, energy resources, critical lands, important agriculture lands, and/or historic places. Up to three points possible. Attach copies of ordinances and planning documents to Application Packet.

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3a) For Community-wide Projects – Does the jurisdiction have capacity to fund the project through increased taxes?

Your Jurisdiction's Tax Rate as a Percentage of State Ceiling

10 points possible

<u>Tax Rate as a % of Ceiling*</u>	<u>Tax rate <15% of ceiling</u> <u>0 points</u>	<u>Tax rate 16-25% of ceiling</u> <u>5 points</u>	<u>Tax rate >25% of ceiling</u> <u>10 points</u>	

How to Document: BRAG staff will use the tax rate data produced by the Utah Tax Commission to confirm your jurisdiction taxing position. No documentation required.

OR

3b) For Drinking Water/Waste Water Projects – Are the system user fees competitive according to State Drinking Water and Water Quality standards?

Your Jurisdiction's Utility Rate as a Percentage of MAGI

10 points possible

<u>Maximum Affordable Water Bill (1.75% of MAGI)</u>	<u>Fee rate <0.6% of MAGI</u> <u>0 points</u>	<u>Fee rate 0.61-1.40% of MAGI</u> <u>5 points</u>	<u>Fee rate >1.40% of MAGI</u> <u>10 points</u>	

Regional Priority

4) How does the project rate with regional priorities, goals, and policies? Regional priorities are determined by the Community Investment Council and BRAG Governing Board.

20 points possible

<u>Regional priorities, goals, and policies</u>	<u>Public Utility Infrastructure</u> 20 points	<u>Public Safety Activities</u> 16 points	<u>Removing Barriers</u> 12 points	<u>Community Facilities (non-recreational)</u> 8 points	<u>LMI Housing</u> 4 points	<u>Other Projects</u> 0 points	

Public Utility Infrastructure – Projects designed to increase the capacity of public utility systems to better serve the community. May include drinking water, wastewater disposal projects and transportation facilities.

Public Safety Activities - Projects related to the protection of life or property, would include activities such as flood control, fire protection, or abuse prevention projects in a community.

Community Facilities – Non-administrative and non-recreational facilities and service activities such as senior citizen centers, health clinics, and food banks.

LMI Housing – Projects designed to provide for the housing needs of very low, low, and moderate income families. May include the acquisition and/or rehabilitation of existing dwelling units or the development of public infrastructure that would serve LMI housing projects or homeless shelters.

Removing Barriers – Accessibility to public facilities by disabled persons is mandated by federal law. Projects will remove accessibility barriers in existing public buildings and facilities.

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5) When was the last time the jurisdiction or organization was funded with CDBG and did you manage the project satisfactorily? 10 points possible

<i>Last funded with CDBG*</i>	Applicant funded in 2020 0 Points	Applicant funded in 2019 1 Point	Applicant funded in 2018 2 Points	Applicant funded in 2017 3 Points	Applicant funded in 2016 or never funded. 5 Points	
<i>Applicant Capacity to Administer Grant</i>	Project Manager Consistency 1 point	Documentation/Communication 1 point	Project Completed in Contract Period 1 point	Compliance with Regulations & Laws 2 points	First-time applicant default: 2.5 Points	

6) What is the overall project impact? 15 points possible

Project Impact Geography	The project benefits fewer than 50 individuals 1 Point	The project benefits between 51 and 100 individuals 4 Points	The project benefits between 101 and 500 individuals 6 Points	The project benefits between 501 and 1000 individuals 8 Points	The project benefits more than 1000 individuals 10 Points	
Project Impact Beneficiaries	The project benefits a targeted population. 2.5 Points AND The project addresses a critical need. 2.5 Points					

Targeted population includes LMI populations and HUD-specified “presumed” LMI populations such as homeless, elderly, disabled adults, victims fleeing abuse, etc.

“Critical need” would include health and safety emergencies and special needs as defined in the Consolidated Plan such as transitional housing, mobility, respite care, etc.

7) Per Capita Funding – How much CDBG money is invested in each beneficiary?

5 points possible

Project CDBG \$'s per Beneficiary	<u>>\$800</u> 1 point	<u>\$401-800</u> 2 points	<u>\$201-400</u> 3 points	<u>\$101-200</u> 4 points	<u>\$1-100</u> 5 points	
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8) Does the project have competitive matching funds or leverage of funds?

10 points possible

<i>Applicant contribution and any other outside funding (Beneficiary Population >5,000)</i> Percentage of non-CDBG funds invested in project	>40%	30.1-40%	20.1-30%	10.1-20%	<10%	
	10 Points	7.5 Points	5 Points	2.5 Points	0 Points	
<i>Applicant contribution and any other outside funding (Beneficiary Population 1,001-5,000)</i> Percentage of non-CDBG funds invested in project	>30%	23.1-30%	15.1-23%	7.1-15%	<7%	
	10 Points	7.5 Points	5 Points	2.5 Points	0 Points	
<i>Applicant contribution and any other outside funding (Beneficiary Population 501-1,000)</i> Percentage of non-CDBG funds invested in project	>20%	15.1-20%	10.1-15%	5.1-10%	<5%	
	10 Points	7.5 Points	5 Points	2.5 Points	0 Points	
<i>Applicant contribution and any other outside funding (Beneficiary Population <500)</i> Percentage of non-CDBG funds invested in project	>10%	7.1-10%	4.1-7%	1-4%	<1%	
	10 Points	7.5 Points	5 Points	2.5 Points	0 Points	

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FIVE COUNTY ASSOCIATION OF GOVERNMENTS COMMUNITY DEVELOPMENT BLOCK GRANT GENERAL POLICIES

1. Weighted Value utilized for Rating and Ranking Criteria: The Rating and Ranking Criteria utilized by the Five County Association of Governments contains a weighted value for each of the criteria. Point values are assessed for each criterion and totaled. In the right-hand columns, the total points received are then multiplied by a weighted value to obtain the total score. These weighted values may change from year to year based on the region's determination of which criteria have higher priority.
2. Five County AOG staff require a visit with each applicant for an onsite evaluation/review meeting.
3. All applications will be evaluated by the Five County Association of Governments Community and Economic Development staff using criteria approved by the Steering Committee.
4. Staff will present prioritization recommendations to the RRC (Steering Committee) for consideration and approval. Membership of the Steering Committee includes two elected officials (mayor and commissioner) and a school board representative from each of the five counties. Appointments to the Steering Committee are reviewed and presented annually in February for the two elected officials of each county as well as the county school boards.
5. Maximum amount per year for a single-year project is \$350,000 if the projects benefit an entire community or multiple communities. Maximum amount per year for a site specific or a project benefiting a portion of a community is \$200,000.
6. Maximum years for a multi-year project is 2-years for a total amount of \$350,000 (year 1 @ \$200,000 and year 2 @ \$150,000). Community wide, multi-community, and site-specific projects, or projects benefiting a portion of the community may apply for multi-year funding. Applicants undertaking HUD eligible construction activities cannot apply for multi-year funding. (See eligible activities section of the Policies & Procedures manual for construction activities). Applicants undertaking a multi-year project must inform AOG staff during the consultation process and indicate in the budget section of the application.
7. All applications must be complete to be Rated and Ranked. Public hearing notices must be sent to the AOG CDBG staff immediately after posting. Any changes to the public hearing notices must be sent to the AOG Staff immediately after posting said change with notes describing the change.
8. Applications on behalf of sub-recipients (i.e., special service districts, non-profit organizations, etc.) are encouraged. However, the applicant city or county must understand that even if they name the sub-recipient as project manager the city/county is still responsible for the project's viability and program compliance. The applying entity must be willing to maintain an active oversight of both the project and the sub-recipient's contract performance. An inter-local

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agreement between the applicant entity and the sub-recipient must accompany the CDBG final application. The inter-local agreement must detail who will be the project manager and how the sponsoring entity and sub-recipient will coordinate work on the project.

APPLICANT DEADLINES TO THE AOG

- **Applicants must Consult with AOG CDBG Staff by December 1, 2021** – Applicants that do not consult with AOG CDBG Staff regarding their project and application by December 1, 2021 will not be eligible to apply for CDBG. The project manager and sponsoring applicant representative (if applicable) must attend the consultation.
- **Income Surveys must be conducted and received by the AOG for tabulation no later than January 4, 2022 at 9:00 AM.** If surveys have been conducted incorrectly, they can be re-conducted and submitted to the AOG for tabulation no later than January 14, 2022 at 9:00 AM. Applicants that do not meet this requirement will not be eligible for CDBG funding.
- **Capital Improvements Lists (CIL)- due Friday, January 7, 2022 at 5:00 p.m.** The project applied for must be included on the prioritized capital improvements list (CIL) that the entity submitted for inclusion in the Consolidated Plan. If the CIL list containing the project is not submitted by the deadline, the project application will not be rated and ranked. Applicants may not amend Capital Improvements List after the deadline.
- **Complete Applications must be submitted in WebGrants3 by January 17, 2022 at 5:00 PM** for Five County CED staff to provide administrative support and draft the Annual Action Plan. Applicants that do not meet this requirement will not be eligible for CDBG funding.

10. Pre-approved funding:

- \$98,000 to Five County AOG (Administration, Consolidated Plan Planning, Rating & Ranking, Planning Assistance, Affordable Housing Planning, and Economic Development TA).

11. Set-aside Funding:

- \$ 90,714 for Cedar City on Behalf of the Cedar Housing Authority Project.
- \$350,000 for Five County AOG land acquisition for an office in Cedar City.

12. Emergency projects may be considered by the Regional Review Committee (FCAOG Steering Committee) at any time. Projects applying for emergency funding must still meet a national objective and regional goals and policies.

Projects may be considered as an emergency application if:

- Funding through the normal application time frame will create an unreasonable risk to health or property.
- An appropriate third-party agency has documented a specific risk (or risks) that; in their opinion; needs immediate remediation.

If an applicant wishes to consider applying for emergency funds, they should contact the Five County Association of Governments CDBG Program Specialist as soon as possible to discuss the

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state required application procedure as well as regional criteria. Emergency funds (distributed statewide) are limited on an annual basis to \$500,000. The amount of any emergency funds distributed during the year will be subtracted from the top of the appropriate regional allocation during the next funding cycle.

13. Public service providers may apply for CDBG funds for capital improvement and major equipment purchases. Examples are delivery trucks, furnishings, fixtures, computer equipment, construction, remodeling, and facility expansion. State policy guidelines prohibit the use of CDBG funds for operating and maintenance expenses. This includes paying administrative costs, salaries, etc. No more than 15 percent of the state's yearly allocation of funds may be expended for public service activities.
14. State policy has established the minimum project size at \$30,000. Projects less than the minimum size will not be considered for rating and ranking.
15. In accordance with state policy, grantees with open grants from previous years who have not spent 50 percent of their previous grant prior to rating and ranking are not eligible to be rated and ranked, except for housing rehabilitation projects.
16. It is the policy of the Five County Association of Governments RRC (Steering Committee) that CDBG funding of housing related projects shall be directed to:
 - The development of infrastructure supporting affordable housing, and/or eligible limited clientele housing.
 - Rehabilitation of rental housing managed by a public housing authority, or another entity showing documentation that they can carry out the project within HUD's allotted timeline.
 - Acquisition of real property for affordable housing that will be managed by a public housing authority.

CDBG funds in this region shall not be utilized for LMI rental assistance or direct housing assistance payments.

17. It is the policy of the RRC (Steering Committee) that lots for single family homes may not be procured with CDBG funding in the Five County region unless the homes remain available as rental units under the auspices of a public housing authority.
18. In the event of a tie for the last funding position, the following will be awarded one (1) point for each criterion answered affirmatively:
 - The project that has the Highest percentage of LMI.
 - The project that has the most Local funds leveraged.
 - The project with the most other funds leveraged.
 - The largest Geographical area benefitted.
 - The project with the Largest number of LMI beneficiaries.

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If a tie remains unbroken after the above-mentioned tie breaker, the members of the RRC will vote and the project that receives the majority vote will be ranked higher.

19. After all projects have been fully funded in the order of their Rating and Ranking prioritization and a balance remains insufficient for the next project in priority to complete a project in the current year, the funds will be applied as follows, in this order, until funds are spent:
- Applied to the highest scoring multi-year project. This will prepay the funding to that multi-year project that would have been allocated out of the upcoming program year's funding.
 - If there are no multi-year projects, the balance will be divided proportionately to the cost of each funded construction project, and those grantees will be directed to place that amount in their budget as "construction contingency".
 - Prorated to all applications with City, Town, or County match as a match substitute. Grantees will be directed to place that amount in their budget as "match substitute".

After completion of those projects, if the dollars are not needed as contingency, they are to be released back to the state to be reallocated in the statewide pool.

20. Grantees who are awarded CDBG funding and choose to not undertake the project in a timeframe that will allow for redistribution of funds in the Five County region, during the same program year, will be prohibited from re-applying for the same project. Grantees who choose not to follow through on their project within the allocated timeframe, will not be permitted to apply for CDBG in the following program year. A request for an exception to this policy may be considered by the Rating & Ranking Committee (R&RC) if a project circumstantially could not be completed (E.g., environmental conditions do not permit). Cost overruns and overbidding are unacceptable circumstances for not undertaking the project and shall not be considered by the R&RC, as grantees should plan for such events.

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FIVE COUNTY ASSOCIATION OF GOVERNMENTS CDBG HOW-TO-APPLY APPLICATION WORKSHOP ATTENDANCE POLICY

Attendance at one workshop within the region is mandatory by all prospective applicants or an official representative of said applicant. [State Policy]

Attendance at the workshop by a county commissioner, mayor, city council member, county clerk, city manager, town clerk, or county administrator also satisfies this attendance requirement.

Attendance by prospective eligible “sub-grantees”, which may include non-profit agencies, special service districts, housing authorities, etc. is strongly recommended so that they may become familiar with the application procedures. If a city/town or county elects to sponsor a sub-grantee it is the responsibility of that jurisdiction to ensure the timely and accurate preparation of the CDBG application on behalf of the sub-grantee.

Jurisdictions may formally designate a third-party representative (i.e., other city/county staff, consultant, engineer, or architect) to attend the workshop on their behalf. Said designation by the jurisdiction shall be in writing. The letter of designation shall be provided to the Five County Association no later than the beginning of the workshop.

Extraordinary circumstances relating to this policy shall be presented to the Executive Director of the Five County Association of Governments for consideration by the Regional Review Committee (Steering Committee).

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FIVE COUNTY ASSOCIATION OF GOVERNMENTS CDBG RATING AND RANKING PROGRAM YEAR 2022 DATA SOURCES

1. **CAPACITY TO CARRY OUT THE GRANT:** The grantee must have a history of successful grant administration to receive full points in this category. First time grantees or grantees who have not applied in more than 5 years are presumed to have the capacity to successfully carry out a project and will receive a default score of 3 points. To adequately evaluate grantee performance, the RRC must consult with the state staff. State staff will rate performance on a scale of 1-5 (Five being best). A grantee whose performance in the past was poor must show improved administration capability through third party administration contracts with AOG's or other capable entities to get partial credit.
2. **GRANT ADMINISTRATION:** Those making a concerted effort to minimize grant administration costs taken from CDBG funds will be awarded extra points, with applicants using zero CDBG funds toward administration receiving 3 points.
3. **UNEMPLOYMENT:** Points are awarded to projects serving jurisdictions in counties that are above the state average unemployment, using data "Utah Economic and Demographic Profiles" (most current issue available prior to rating and ranking), provided by Utah Office of Planning and Budget or The Kem Gardner Policy Institute; or "Utah Labor Market Report" (most current issue with annual averages), provided by Department of Workforce Services.
4. **FINANCIAL COMMITMENT TO COMMUNITY DEVELOPMENT (Self-Help Financing):**
Documentation by the applicant in the grant application of the source(s) and status (whether already secured or not) of all proposed "matching" funds must be provided prior to the rating and ranking of the application by the RRC. Any changes made in the dollar amount of proposed funding, after rating and ranking has taken place, shall require reevaluation of the rating received on this criterion. A determination will then be made as to whether the project's overall ranking and funding prioritization is affected by the score change.

Use of an applicant's local funds and/or leveraging of other matching funds is strongly encouraged in CDBG funded projects. This allows for a greater number of projects to be accomplished each year. Acceptable matches include property, materials available and specifically committed to this project, and cash. Due to federal restrictions unacceptable matches include donated labor, use of equipment, etc. All match proposed must be quantified as cash equivalent through an acceptable process before the match can be used. Documentation on how and by whom the match is quantified is required. "Secured" funding means that a letter or applications of intent exist to show that other funding sources have been requested as match to the proposed project. Documentation of matching funds must be included in the application. If leveraged funds are not received, then the points given for that match will be deducted and the project's rating reevaluated.

A jurisdiction's population (most current estimate provided by the Census, ACS, or Kem C. Gardner Policy Institute.) will determine whether they are Category A, B, C, or D for the purposes of this criteria. A jurisdiction is defined as an incorporated city, town, county, or a

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defined special service district area. All public housing authorities or similar non-profits shall be considered a 4B jurisdiction for this criterion.

5. **CDBG FUNDS REQUESTED PER CAPITA:** Determined by dividing the dollar amount requested in the CDBG application by the beneficiary population.

6. **LOCAL JURISDICTIONS COMMUNITY DEVELOPMENT OBJECTIVES: THRESHOLD CRITERIA:**
Every applicant is required to document that the project for which they are applying is consistent with that community's and the Five County District Consolidated Plan. The project, or project type, must be a high priority in the investment component (Capital Investment Plan (CIP) One-Year Action Plan). The applicant must include evidence that the community was and continues to be a willing partner in the development of the regional (five-county) consolidated planning process. Refer to the Utah CDBG Application Policies and Procedures Handbook section about Consistency with the Consolidated Plan for further information.

7. **COUNTY'S COMMUNITY DEVELOPMENT GOALS AND POLICIES:** Prioritization will be determined by the three (3) appointed Steering Committee members representing the county in which the proposed project is located. The three (3) members of the Steering Committee include: one County Commission Representative, one Mayor's Representative, and one School Board Representative. (Note: for AOG applications that are not set asides, determination is made by the Steering Committee Chair, in consultation with the AOG Executive Committee.)

8. **REGIONAL COMMUNITY DEVELOPMENT GOALS AND POLICIES:** Determined by the Executive Director with consultation of the AOG Finance Committee members. The Finance Committee is comprised of one County Commissioner from each of the five counties.

#1 priority	6 points X 2.0 (weighting) =	12.0 points
#2 priority	5 points X 2.0 (weighting) =	10.0 points
#3 priority	4 points X 2.0 (weighting) =	8.0 points
#4 priority	3 points X 2.0 (weighting) =	6.0 points
#5 priority	2 points X 2.0 (weighting) =	4.0 points
#6 priority	1 points X 2.0 (weighting) =	2.0 points

Regional Prioritization

Justification

#1 **Public Infrastructure**

Projects designed to increase the public infrastructure systems. Examples include but are not limited to transportation, utilities, storm water projects, etc.

#2 **Public Safety Activities**

Projects related to the protection of property include activities such as flood control projects or fire protection improvements.

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#3	Community Facilities	Examples include but are not limited to senior citizens centers, health clinics, food banks, and/or public service activities. Includes community centers that are not primarily recreational in nature.
#4	LMI Housing Activities	Projects designed to provide for the housing needs of low- and moderate-income persons.
#5	Parks and Recreation	Projects designed to enhance the recreational qualities of a community i.e., new picnic facilities, playgrounds, aquatic centers, etc.
#6	Projects to remove Architectural Barriers	Projects that address accessibility of public facilities for the provision of services to people with disabilities on an equal basis. See the Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal for Existing Facilities to assess facilities and see examples of potential solutions.

Note: The Executive Director, in consultation with the Finance Committee members, reviewed and obtained approval of this regional prioritization for the CDBG program FY2022.

9. **IMPROVEMENTS TO, OR EXPANSION OF, LMI HOUSING STOCK, OR PROVIDING AFFORDABLE HOUSING ACCESSIBILITY TO LMI RESIDENTS:** Information provided by the applicant. Applicant must adequately explain reasoning which supports proposed figures, for the number of LMI housing units to be constructed, substantially rehabilitated with the assistance of this grant, or the number of units this grant will make accessible to LMI residents through loan closing or down payment assistance.
10. **AFFORDABLE HOUSING PLAN IMPLEMENTATION:** The CDBG State Policy Committee adopted the following rating and ranking criteria to be used by each regional rating and ranking system: *"Applications received from cities and counties which have complied with Utah code regarding the preparation and adoption of an affordable housing plan, and who are applying for a project that is intended to address element(s) of that plan will be given additional points."*

Projects which demonstrate implementation of a jurisdiction's Affordable Housing Plan policies will be given full points. Applicants must provide sufficient documentation to justify that their project complies with this criterion.

Towns applying for credit under this criterion must show that the project either meets a goal in its adopted Affordable Housing Plan or a regional affordable housing goal in the Consolidated Plan.

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11. **GEOGRAPHIC EXTENT OF PROJECT'S IMPACT:** Describes the actual area to be benefitted by the project applied for. Housing projects are considered a site-specific project.
12. **PROPERTY TAX RATE FOR JURISDICTION:** Base tax rate for community or county, as applicable, will be taken from the "Statistical Review of Government in Utah", or most current source available prior to rating and ranking. Basis for determining percent are the maximum tax rates allowed in the Utah Code: 0.70% for municipalities, and 0.32% for counties. Full points will be awarded to jurisdictions that tax at greater than 50%.

A default of 3 points will be awarded for non-taxing jurisdictions.
13. **PERCENTAGE OF PROJECT AREA WHO ARE LOW TO MODERATE INCOME:** The figures will be provided from the results of a Housing and Community Development Division (HCDD) approved income survey conducted by the applicant of the project benefit area households, or pre-approved LMI communities list in the Policies and Procedures book, HUD CHAS data, or the HUD LMI Map Application Tool.
14. **EXTENT OF POVERTY:** The percentage of the total population of the project area who are Low Income ($\leq 50\%$ of AMI) or Very-Low Income ($\leq 30\%$ AMI) directly benefitting from the project. The AOG staff will use the income surveys (for those who conducted a survey), or pre-approved LMI communities list in the Policies and Procedures book, HUD CHAS data, or the HUD LMI Map Application Tool.
15. **LIMITED CLIENTELE GROUP:** Applicant will provide information as to what percent of the proposed project will assist a presumed LMI group as defined in the current program year CDBG Application Guide handbook. When possible, applicants should include intake forms or other documentation to show that their program or organization serves LMI persons.
16. **CIVIL RIGHTS COMPLIANCE:** Applicants (City/County) will receive points for compliance with federal laws, executive orders and regulations related to civil rights. (Checklist and templates available from State CDBG staff.) An entity can be awarded a maximum of two points for this criterion if the checklist is completed AND the Civil Rights policies have been adopted for the jurisdiction.

1 Point – Complete “ADA Checklist for Readily Achievable Barrier Removal” for city/county office.
1 Point – City/County has adopted the following policies – Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan and Section 504 and ADA Reasonable Accommodation Policy.
17. **PRO-ACTIVE PLANNING:** The State of Utah emphasizes the importance of incorporating planning into the operation of city government. Communities that demonstrate their desire to improve through planning will receive additional points in the rating and ranking process.

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In the rating and ranking of CDBG applications, the region will recognize an applicant's accomplishments consistent with these principles by adding additional points when evaluating the following:

- ** Demonstration proactive land use planning in the community.**
- ** Demonstration that project is in accordance with an applicable adopted Plan in the benefiting community.**
- ** Development of efficient infrastructure including water and energy conservation.**
- ** Protection and conservation plan for water, air, critical lands, important agricultural lands, and historic resources.**
- ** Removal of barriers to accessibility of programs and facilities for all persons.**

Worksheet #17 will be used in the rating and ranking process for applicants who provide documentation showing the community's proactive planning efforts.

- 18. APPLICATION QUALITY:** Quality of the Pre-Application is evaluated in terms of project problem identification, justification, well-defined scope of work likely to address identified problems, and a detailed architectural/engineering report.
- 19. PROJECT MATURITY:** Funding should be prioritized to those projects which are the most "mature". For the purposes of this process, maturity is defined as those situations where the applicant: 1) has selected an engineer and/or architect; 2) has identified a problem, proposed solution, and timeline to proceed immediately; and 3) identifies all funding sources committed or pending.

Projects that are insufficiently mature may not be rated and ranked.

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FIVE COUNTY ASSOCIATION OF GOVERNMENTS FY 2022 CDBG RATING AND RANKING CRITERIA and APPLICANT'S PROJECT SCORE SHEET

The Five County Association of Governments Steering Committee (RRC) has established these criteria for the purpose of rating and ranking fairly and equitably all Community Development Block Grant applications received for funding during FY 2022. Only projects which are determined to be threshold eligible will be rated and ranked. Eligibility will be determined following review of the submitted CDBG application with all supporting documentation provided prior to rating and ranking. **Please review the attached Data Sources Sheet for a more detailed explanation of each criteria.**

Applicant:		Requested CDBG \$'s		Ranking:		of		Total Score:	
Application Description:									

CDBG Rating and Ranking Criteria Description Five County Association of Governments		Data	Data Range/Score (circle only one for each criteria)						Score	X Weight	Total Score
1	Capacity to Carry Out the Grant: Performance history of capacity to administer grant. Scored by State CDBG Staff. (First-time & >5-yr grantees: default is 3 points)		Excellent 5 points	Good 4 points	Fair 3 points	Deficient 2 point	Poor 1 point			0.4	
2	Grant Administration: Concerted effort made by grantee to minimize grant administration costs.		0% CDBG Funds 3 points	1 - 5% 2 points	5.1 - 10% 1 point					1.0	
3	Unemployment: What percentage is applicant County's unemployment percentage rate above State average percentage rate? Source: https://jobs.utah.gov/wi/update/une/	%	4.1% or greater above state average 3.0 points	3.1% - 4.0% above state average 2.5 points	2.1% - 3.0% above state average 2.0 points	1.1% - 2.0% above state average 1.5 points	0.1% - 1.0% above state average 1.0 point	Up to state average 0 points		1.5	
4 A	Financial Commitment to Community Development (Self-help Financing) - (<i>Jurisdiction Population <500</i>) Percent of non-CDBG funds invested in total project cost.	%	> 10% 5 points	7.1 % - 10% 4 points	4.1% - 7% 3 points	1% - 4% 2 points	< 1% 1 point			2.0	
4 B	Financial Commitment to Community Development (Self-help Financing) - (<i>Jurisdiction Population 501 - 1,000</i>) Percentage of non-CDBG funds invested in total project cost.	%	> 20% 5 points	15.1 - 20% 4 points	10.1 - 15% 3 points	5.1 - 10% 2 points	1 - 5.0% 1 point			2.0	
4 C	Financial Commitment to Community Development (Self-help Financing) - (<i>Jurisdiction Population 1,001 - 5,000</i>) Percentage of non-CDBG funds invested in total project cost.	%	> 30% 5 points	25.1 - 30% 4 points	20.1 - 25% 3 points	15.1 - 20% 2 points	1 - 15% 1 point			2.0	

CDBG Rating and Ranking Criteria Description Five County Association of Governments		Data	Data Range/Score (circle only one for each criteria)						Score	X Weight	Total Score
4	Financial Commitment to Community Development (Self-help Financing) - (<i>Jurisdiction Population >5,000</i>) Percentage of non-CDBG funds invested in total project cost.	%	> 40% 5 points	35.1 - 40% 4 points	30.1 - 35% 3 points	25.1 - 30% 2 points	1 - 25% 1 point			2.0	
5	CDBG funds Requested Per Capita: CDBG funds requested per beneficiary.		\$1 - 100 5 points	\$101-200 4 points	\$201- 400 3 points	\$401 - 800 2 points	\$801 or > 1 point			1.0	
6	Jurisdiction's Project Priority: Project priority rating in Regional Consolidated Plan, (<u>Capital Investment Plan - One-Year Action Plan</u>)		# 1 6 points	# 2 5 points	# 3 4 points	# 4 3 points	# 5 2 points	# >5 1 point		2.0	
7	County's Project Priority: Prioritization will be determined by the three (3) appointed Steering Committee members representing the county in which the proposed project is located. The three (3) members of the Steering Committee include: one County Commission Representative, one Mayor's Representative, and one School Board Representative.		# 1 6 points	# 2 5 points	# 3 4 points	# 4 3 points	# 5 2 points	#6 or > 1 point		2.0	
8	Regional Project Priority: Determined by the Executive Director with consultation of the AOG Finance Committee members. The Finance Committee is comprised of one (1) County Commissioner from each of the five counties.		# 1 Public Infrastructure 6 points	# 2 Public Safety 5 points	# 3 Community Facilities 4 points	# 4 LMI Housing 3 points	# 5 Parks and Recreation) 2 points	#6 or > Remove Architectural Barriers (ADA) 1 point		2.0	
9	LMI Housing Stock: Infrastructure for the units, rehabilitation of units, and/or accessibility of units for LMI residents.		> 20 Units 8.5 points	15 - 20 Units 7 points	10 - 14 Units 5.5 points	5-9 Units 4 points	3-4 Units 2.5 points	1-2 Units 1 point		1.0	
10	Affordable Housing Plan Implementation: Points under this criterion are met by providing their adopted Moderate-Income Housing Plan and demonstrating that their project meets a goal in their Plan. Jurisdictions required by Utah code to prepare and adopt an affordable housing plan must include the current adopted plan in the application.		Plan provided & applicant explains how Plan goals are met. 3 Points	Plan provided but applicant does not demonstrate how the project meets Plan goals. 1.5 Points	Affordable housing Plan not provided. 0 Points					1.0	
11	Project's Geographical Impact: Area benefitting from project.		Regional 3.5 points	Multi-county 3.0 points	County-wide 2.5 points	Multi-community 2.0 points	Community 1.5 points	Site-Specific 1 point		1.5	

CDBG Rating and Ranking Criteria Description Five County Association of Governments		Data	Data Range/Score (circle only one for each criteria)						Score	X Weight	Total Score
12	Jurisdiction's Property Tax Rate: Communities that maintain a high tax burden as compared to the State tax ceiling will receive higher points for this category. Property tax rate as a percent of the maximum allowed by law. Determined by dividing the local property tax rate by the State allowable maximum. Three-point default for non-taxing jurisdiction.	%	> 50% 5 points	40.1 - 50% 4 points	30.1 - 40% 3 points	20.1 - 30% 2 points	10.1 - 20% 1 point	< 10% 0 points		1.0	
13	Jurisdiction's LMI Population: Percent of residents in the project area considered 80 percent or less LMI.	%	91 - 100% 5 points	81 - 90% 4 points	71 - 80% 3 points	61 - 70% 2 points	51 - 60% 1 point			1.0	
14	Extent of Low-Income Population: The percentage of the total population in the project area who are Low Income (\leq 50% AMI) and Very Low Income (\leq 30% AMI), directly benefitting from the project.	%	20% or More 5 points	15 - 19% 4 points	10 - 14% 3 points	5 - 9% 2 points	1 - 4% 1 point			0.5	
15	Limited Clientele Groups: Project specifically serves CDBG identified LMI groups, i.e., elderly, disabled, homeless, etc., as stipulated in the state of Utah Small Cities CDBG Application Policies and Procedures.	%	100% 4 points	51% 2 points						1.0	
16	Civil Rights Compliance: Applicants (City/County) will receive points for compliance with federal laws, executive orders and regulations related to civil rights. 1 Point – Complete “ADA Checklist for Readily Achievable Barrier Removal” for city/county office. 1 Point – City/County has adopted the following policies – Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan and Section 504 and ADA Reasonable Accommodation Policy.		Complete both criteria 2 points	Adopt Civil Rights Policies described in criterion. 1 point	Complete ADA Checklist 1 point					1.0	
17	Pro-active Planning: Reflects on communities who pro-actively plan for growth and needs in their communities, coordination and cooperation with other governments, development of efficient infrastructure, and protection and conservation plan for water, air, critical lands, important agricultural lands and historic resources. Refer to Worksheet #17 for scoring criteria.		Very High 4 points	High 3 points	Fair 2 points	Low 1 point				0.5	

CDBG Rating and Ranking Criteria Description Five County Association of Governments		Data	Data Range/Score (circle only one for each criteria)						Score	X Weight	Total Score
18	Application Quality: Application identifies the problem, contains a well-defined scope of work, is cost effective, demonstrates that it will be completed in a timely manner, demonstrates that it does not duplicate existing services, and provides an architectural/engineering report. Refer to Worksheet #18 for scoring criteria.		Excellent 5 points	Very Good 4 points	Good 3 points	Fair 2 points	Acceptable 1 point	Poor 0 points		1.5	
19	Project Maturity: Project demonstrates capacity to be implemented and/or completed in the allotted contract period and is clearly documented in the application. Refer to Worksheet #19 for scoring criteria.		Excellent 5 points	Very Good 4 points	Good 3 points	Fair 2 points	Acceptable 1 point	Poor 0 points		2.0	

PLEASE NOTE:

Criteria marked with a T* is a THRESHOLD eligibility requirement for the CDBG Program.

< Less Than > More Than

Previously Allocated Pre-Approved Funding:

- \$98,000 to Five County AOG for Administration, Consolidated Plan, Rating & Ranking, RLF Program Delivery, Economic Development Technical Assistance and Affordable Housing Plan Development and Updates.

CRITERIA 17 WORKSHEET

PRO-ACTIVE PLANNING		
Criteria	Support Documentation Provided	Score (4 Points Total)
1. Has the applicant provided information about the local jurisdiction which demonstrates pro-active planning and land use in their community in coordination and cooperation with other governments ?	Yes___ 0.5 point No___ 0 points	
2. Has the applicant documented that the project is in accordance with an applicable <u>adopted</u> plan (E.g., water facilities master plan, etc.)	Yes___ 2 point No___ 0 points	
3. Has the applicant documented adopted plans or general plan elements addressing protection and conservation of water, air, critical lands, important agricultural lands and historic resources?	Yes___ 0.5 point No___ 0 points	
4. Has the applicant documented information about the local jurisdiction which demonstrates pro-active planning for the removal of barriers to accessibility of programs and facilities for all persons?	Yes___ 0.5 point No___ 0 points	
5. Has the applicant provided information about the local jurisdiction which demonstrates the development of efficient infrastructure including water and energy conservation.	Yes___ 0.5 point No___ 0 points	
Very High = 3.5 - 4 Points High = 2.5 - 3 Points Fair = 1.5 - 2 Points Low = 0.5 - 1 Point		Total Points: (Very High, High, Fair, Low)

CRITERIA 18 WORKSHEET

Application Quality			
Criteria	Support Documentation Provided		Score (5 Points Total)
1. Problem Identification	Yes___ 0.5 point	No___ 0 point	
2. The proposed solution is well defined in the Scope of Work.	Yes___ 0.5 point	No___ 0 point	
3. The application gives a concise description of how the project will be completed in a timely manner.	Yes___ 1 point	No___ 0 point	
4. The proposed project does not duplicate any existing services, programs, or activities already available to the beneficiaries in the jurisdiction, either locally or regionally based. Applicant must provide documentation.	Yes___ 0 point	No___ 1 point	
5. Detailed Architectural/Engineering Report , design/plans are included in application. Projects that do not require an Architect/Engineer will receive full points if build specification documents are provided when applicable. (E.g., Fire trucks have build specification documents, while acquisition of real property will not have pertinent documents.)	Yes___ 2 point	No___ 0 point	
Excellent = 5 Points Acceptable = 1 Points Very Good = 4 Points Poor = 0 Points Good = 3 Points Fair = 2 Point			Total Points_____

CRITERIA 19 WORKSHEET

PROJECT MATURITY				
Criteria	Status		Score (5 Points Total)	
1. Architect/Engineer already selected and is actively involved in the application process	Yes___ 1 point	No___ 0 points		
2. Is the proposed solution to the problem identified in the Scope of Work ready to proceed immediately?	(Well Defined) Yes___ 1 points	No___ 0 points		
3. Funding Status (Maturity).	Select one of the following: Is CDBG the only funding source for the project? Yes___ 0 point <div style="text-align: center;">(or)</div> Other project funding was applied for but not committed. Yes___ 2 points <div style="text-align: center;">(or)</div> All other project funding is in place for immediate use. Yes___ 3 points			
Excellent = 5 Points Fair = 2 Points Very Good = 4 Points Acceptable = 1 Points Good = 3 Points Poor = 0 Points			Total Points:_____ (Excellent, Very Good, Good, Fair, Acceptable, Poor)	

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Appendix G

MOUNTAINLAND CDBG POLICIES

FY22

The following policies have been established to govern the MAG CDBG award process so that HUD dollars are targeted toward projects of greatest need and impact, and to determine project eligibility under CDBG federal and state program guidelines. All eligible project applications will be accepted for rating and ranking.

1. In compliance with the policies of the State of Utah CDBG program, in order to be eligible for funding consideration, all grantees or sub-grantees must have expended 50% of any prior year's CDBG funding prior to the Rating and Ranking Committee's (RRC) rating and ranking session (generally mid-January).
2. Applicants must provide written documentation of the availability and status of all other proposed funding at the time the application is submitted, including all sources of funding which are considered local contributions toward the project and its administration. A project is not mature if funding cannot be committed by the time of application.
3. All proposed projects must be listed in the latest capital improvements list submitted by the applicant for the Consolidated Plan, and must meet the regional priorities identified in the Consolidated Plan. First time applicants and those submitting projects through a sponsoring city or county must make reasonable effort to amend the sponsor's listing in MAG's Consolidated Plan in a timely manner as determined by the RRC.
4. To maintain project eligibility, attendance at the annual "How to Apply" Workshops held in the Mountainland Region is **mandatory** for all applicants and sub-grantees. The project manager and an elected official from the applicant's jurisdiction should be in attendance. Newly elected officials and project managers are especially encouraged to attend since the administrative requirements and commitments of a CDBG project are considerable.
5. HUD regulations provide that no more than 15% of the State CDBG allocation can be used for "Public Service" activities. It is MAG's intent to generally apply that same cap to the regional allocation. Consideration of any exceptions will be coordinated with the State and will be based upon impact to the state-wide cap.
6. The state allows up to \$50,000 in funding for the MAG region for program administration and consolidated planning. The actual amount of funding allocated to the AOG for regional program administration and planning will be determined by the RRC.
7. The minimum CDBG allocation per project is \$30,000.
8. The RRC may establish a set aside for project applications in a broad category on an annual basis based on regional needs identified in the MAG Consolidated Plan (i.e., planning, housing, infrastructure, economic development, public service, etc.). For any such set aside(s) that may be established, the RRC will provide notification to eligible jurisdictions of the type and amount of the set aside(s), and rating and ranking policies to be applied, prior to the commencement of the application process, usually in August of each year. There is no specific set aside identified for project applications received in the FY2021 program year.
9. Projects that are primarily designed to enhance private businesses or developers will be denied. Ownership of CDBG funded improvements must remain in the public domain.
10. Mountainland Association of Governments will provide application assistance at the request of any jurisdiction. Technical assistance provided prior to the award of the contract, such as filling out applications, submitting information for the Consolidated Plan, LMI surveys or public hearings, shall be provided without cost to the applicant.
11. RRC, MAG staff and State staff review of all applications will proceed as follows:

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- a. MAG staff will review all applications and become familiar with each project prior to meeting with State staff for review.
 - b. RRC will interview applicants at least one week prior to application deadline.
 - c. MAG staff will review all applications with the State CDBG staff to determine eligibility and national objective compliance.
 - d. RRC members will review all applications that are determined eligible.
 - e. RRC members will rate and rank projects.
 - f. The RRC determines final rating and ranking of projects and funding allocations. This information is reported to Executive Council.
12. Funding will be awarded based on project ranking. The RRC may award less funding than the application request based upon project needs and ability of the jurisdiction to complete the project, including consideration of project planning (is the community prepared to implement the project), project timing (when will the project begin), project phases (can the project be completed in phases), supplemental funding (timing and availability of matching funds), jurisdiction commitment to the project, demonstrated need for the project in the community weighted against project needs for other communities.
13. Multi-year funding (maximum of two years) for projects will generally not be awarded, unless a specific request for multi-year status is received from the project applicant based on defined project needs, and the amount and timing of future funding available can be adjusted to meet such a request.
14. Any appeal of the Mountainland CDBG review process and/or funding allocations will follow the State Regional Appeal Procedure.
15. Emergency Projects: An emergency project is defined as one that addresses a detriment to the health, safety and/or welfare of residents. For any critical project that meets this definition, a jurisdiction may submit an application for emergency CDBG funding outside the normal allocation cycle.
 - a. The application must be made utilizing the state's application form for the most recent funding cycle, and by holding a public hearing. All emergency applications must meet CDBG program requirements, and the Mountainland CDBG policies defined herein, including meeting minimum matching requirements, if any (see Paragraph 5).
 - b. AOG staff will review the application for eligibility and consistency with the Consolidated Plan.
 - c. The RRC will review the project application, including the jurisdiction's capacity to meet funding needs.
 - d. If the RRC recommends the application to the State Policy Committee, the state staff will review the application to ensure the project meets program eligibility and national objective compliance. The state reserves the right to reject or amend applications that do not meet these threshold requirements.
 - e. The state will permit applications for emergency projects. The State Policy Committee will make the final review and funding determination on all emergency projects.
 - f. Any emergency funds distributed to projects in the region will be deducted from the region's allocation during the next funding cycle. Therefore, any emergency funds awarded to a jurisdiction will be considered as a funded project in the next funding cycle. Policies on second round funding will be applied as outlined in Paragraph 5.
 - g. Additional information on the Emergency Fund program is available in the Application Policies and Procedures handbook developed annually by the state in Chapter 2, Funding Processes.
16. Membership on the RRC is by appointment of the Chairman of the Executive Council with annual ratification by the full Council. RRC membership will include at least two representatives from each county (1 from the county and 1 from a city/town). There are four members of the RRC. One member of the RRC will be appointed to sit on the State CDBG Policy Committee. RRC members representing jurisdictions that are submitting applications must abstain from ranking their applications.

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17. MAG CDBG Rating and Ranking Policies are updated annually by MAG Staff and the RRC, with consideration given to guidance from the State CDBG Policy Committee and/or State CDBG Staff. Rating and Ranking policies are published for public comment and provided to all eligible cities and counties. The RRC has final review and is responsible to adopt the MAG CDBG Policies and Rating and Ranking System.
18. In the event of a tie for the last funding position, the following are the tie breakers in order of priority:
 - The project with the highest percentage of LMI
 - The project that has highest percent of local funds leveraged
 - The project with the most other funds leveraged
 - The project with the largest number of LMI beneficiaries
19. After all projects have been fully funded in the order of their Rating and Ranking prioritization and a balance remains insufficient for the next project in priority to complete a project in the current year, the balance will be divided proportionately to the cost of each funded construction project, and those grantees will be directed to place that amount in their budget as "construction contingency". After completion of those projects, if the dollars are not needed as contingency, they are to be released back to the state to be reallocated in the statewide pool.

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2021 MOUNTAINLAND CDBG RATING AND RANKING SYSTEM

NOTE: Underlined Criteria are required by the State of Utah.

1. PERCENT OF THE APPLICANT'S TOTAL POPULATION DIRECTLY BENEFITTING FROM THE PROJECT. (5 POINTS)

Regardless of size, the applicant jurisdiction is given greater priority for projects that benefit the highest proportion of the applicant's total population. Direct benefit will result from the project for:

More than 2/3 of the applicant's total population	5 points
1/3 to 2/3 of the applicant's total population	3 points
Less than 1/3 of the applicant's total population	1 point

2. PERCENT OF THE JURISDICTION'S LMI POPULATION DIRECTLY BENEFITTING FROM THE PROJECT (for site-specific or city/county-wide projects). (5 POINTS)

Points are awarded to applicants serving the highest percentage of their LMI population.

A substantial proportion of LMI served (more than 2/3)	5 points
A moderate proportion served (1/3 to 2/3)	3 points
A small proportion served (less than 1/3)	1 point

OR

PROJECT SERVES A LIMITED CLIENTELE GROUP (presumed to be 51% LMI) OR TARGETED LMI GROUP (100% LMI).

Points are awarded to limited clientele activities that serve a HUD presumed LMI group (abused children, elderly, disabled, homeless, etc.), a documented low income group (LMI income certification required for program eligibility), or activities that serve a targeted LMI group, where benefit is provided exclusively to LMI persons based upon their income eligibility (example: construction of new housing whose occupancy is limited exclusively to LMI individuals or families).

Project serves a limited clientele, or targeted LMI group as defined by HUD	3 points
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3. POINTS ARE AWARDED TO PROJECTS WHICH SERVE LOW INCOME (defined as 50% of the County Median Income) AND VERY LOW INCOME (defined as 30% of the County Median Income) BENEFICIARIES AS DOCUMENTED BY SURVEY. (5 POINTS)

Points are awarded to projects whose direct beneficiaries are low or very low income as follows:

25% or more of the direct beneficiaries are low or very low income	5 points
20-24.9% " " " " " "	4 points
15-19.9% " " " " " "	3 points
10-14.9% " " " " " "	2 points
1 - 9.9% " " " " " "	1 point

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4. **LOCAL DOLLARS INVESTED IN THE PROJECT. (5 POINTS)**

Points are awarded to applicants investing local (city/county) dollars in their own projects, thus leveraging regional CDBG funding. Local contribution must be documented, and includes bonded indebtedness that is directly attributable to a proposed project. Points are awarded based upon the following scale:

Population	5 Points	4 Points	3 Points	2 Points	1 Point
< 1,000 population	> 10%	7.1% – 10%	4.1% – 7.0%	2.1% – 4.0%	<2%
1,001 to 10,000	> 20%	14.1% – 20%	8.1% – 14%	2.1% – 8%	<2%
> 10,000 population	> 30%	20.1% – 30%	10.1% – 20%	2.1% – 10%	<2%

5. **AMOUNT OF OUTSIDE PROJECT LEVERAGING BY THE APPLICANT. (8 POINTS)**

Points are awarded to applicants who are able to use CDBG dollars to leverage other private, state or federal funds. Leveraging is based on outside funds committed that are currently available.

Outside funding is 50% or more of the total cost	8 points
Outside funding is 40-49% of the total cost	6 points
Outside funding is 30-39% of the total cost	4 points
Outside funding is 10-29% of the total cost	2 points
Outside funding is 0-9% of the total cost	0 point

6. **TYPE OF JOBS CREATED OR RETAINED: PERMANENT OR CONSTRUCTION. (5 POINTS)**

The type of actual jobs created or retained as a result of the project is evaluated as follows:

Permanent full-time jobs created or retained	5 points
Temporary jobs only	2 points

7. **THE CAPACITY OF THE GRANTEE TO CARRY OUT THE PROJECT. (5 POINTS)**

Points will be awarded on a scale of 1-5 to grantees who have previously demonstrated the ability to successfully administer and carry out a CDBG project, or to new grantees who have administered other grants in the past and demonstrated an understanding, capacity and desire to successfully administer a CDBG project.

Previous Performance (Rated by State CDBG Office)	1-5 Points
OR	
No Previous Experience	3 Points

8. **POINTS ARE AWARDED TO APPLICANTS (not project sponsor) BASED ON AMOUNT OF FUNDING RECEIVED IN PRIOR YEARS (5 POINTS)**

Applicant has not received funding in the last two years	5 Points
Applicant received less than \$150,000 in last two years	3 Points
Applicant has received from \$150,000 to \$299,999 in last two years	1 Points
Applicant has received more than \$300,000 in last two years	0 Points

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9. MODERATE INCOME HOUSING PLANNING BY THE APPLICANT OR ITS SPONSOR. (5 POINTS)

Towns less than 1,000 are not required to have a housing plan, however they will receive 2 points if they do not have one and 5 points if they do have a housing plan.

Housing Plan

Part of General Plan	5 Points
Completed	2 Points
In Process	0 Point

10. PROJECTS WHICH SUPPORT AFFORDABLE HOUSING FOR LMI up to 80% AMI. (3 POINTS)

The majority of project funds will be used to improve, expand, or support LMI housing education, choice, availability, affordability, or opportunity.

Projects benefiting 10 or more units or individuals	3 Points
Projects benefiting 5-9 units or individuals	2 Points
Projects benefiting 1-4 units or individuals	1 Point

11. PROJECTS WHICH DEVELOP/IMPROVE INFRASTRUCTURE. (6 POINTS)

The majority of project funds are for the expansion of basic infrastructure (water, sewer) or other physical infrastructure (fire stations, community center, etc.) to create suitable living environments for the residents of the community.

Water Projects	7 Points
Sewer/Storm Drainage	6 Points
Secondary Water	5 Points
Public Health/Safety	3 Points
Other Public Facilities/Housing	2 Points
Streets/Sidewalks	1 Point

12. FOR WATER PROJECTS - ARE YOUR SYSTEM USER FEES COMPETITIVE ACCORDING TO STATE DRINKING WATER AND WATER QUALITY STANDARDS? (10 POINTS)

Maximum Affordable Water Bill = 1.75% of MAGI

Non-Water Projects get a default score of 5

10 Points	5 Points	3 Points	0 Points	Your Jurisdiction's Tax Rate as a Percentage of State Ceiling
Fee rate > 1.25% of MAGI	Fee rate 0.75-1.25% of MAGI	Fee rate 0.51-.75	Fee rate < 0.5% of MAGI	

13. ATTENDANCE BY AN ELECTED OFFICIAL OF THE APPLICANT AT THE "HOW TO APPLY" WORKSHOP. (2 POINTS)

Points are awarded to applicants with an elected official in attendance 2 Points

14. JURISDICTION PARTICIPATED IN UPDATING THE CONSOLIDATED PLAN. (5 POINTS)

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Jurisdiction provided MAG with updated materials for the consolidated plan and capital improvement list. 5 Points

Jurisdiction did not provide MAG with updated materials for consolidated plan and capital improvement list. 0 Points

15. PROJECT MEETS JURISDICTION PRIORITIES IDENTIFIED IN THE CONSOLIDATED PLAN PRIORITIES (10 POINTS)

Local priorities identified in each jurisdictions capital improvements list will be used to determine jurisdiction priorities.

First Priority	10 Points
Second Priority	7 Points
Third Priority	4 Points

Civil Rights Compliance – Applicants (City/County) will receive points for compliance with federal laws, executive orders and regulations related to civil rights. (Checklist and templates available from State CDBG staff.)

16. COMPLETE “ADA CHECKLIST FOR READILY ACHIEVABLE BARRIER REMOVAL” FOR CITY/COUNTY OFFICE. (1 POINT)

Checklist is available from AOG Staff.

17. CITY/COUNTY HAS ADOPTED THE FOLLOWING POLICIES – GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT, SECTION 504 AND ADA EFFECTIVE COMMUNICATION POLICY, LANGUAGE ACCESS PLAN AND SECTION 504 AND ADA REASONABLE ACCOMMODATION POLICY. (1 POINT)

Templates are available from AOG Staff.

18. PRIORITY WILL BE GIVEN TO PROJECTS THAT ARE MATURE AND HAVE A DEMONSTRATED ABILITY TO SOLVE THE PROBLEM. (12 POINTS)

A mature project exhibits a specific and detailed scope of work, a timeline, a well thought out funding plan with supplemental funding already applied for and committed, and a **detailed engineer's cost estimate**. Immediate viability of the project means CDBG dollars can be spent in a timely manner.

- a. The problem or need is clearly identified in application; applicant is able to present project clearly and concisely and can respond to questions; staff and/or engineer, etc., are involved in and understand the planning process. 3 Points
- b. Proposed solution is well defined in Scope of Work and is demonstrated to solve the problem or need. 3 Points
- c. Applicant has secured matching funds 3 Points
-OR-
Applicant is pursuing matching funding. 1 Point
- d. Applicant can demonstrate a timeline for project completion during grant period, and can give concise description of how the project will be completed in a timely manner. 3 Points

19. PROJECTS THAT HAVE LOWER CDBG PROJECT COSTS PER PERSON WILL RECEIVE MORE POINTS. (2 POINTS)

Dividing the CDBG project request amount by the number of project beneficiaries results in a calculation of the cost per beneficiary. Projects that have a lower cost per beneficiary will receive additional points.

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- | | |
|---|----------|
| a. Projects that cost less than \$1,000 per beneficiary | 2 Points |
| b. Projects that cost between \$1,001 and \$5,000 per beneficiary | 1 Point |
| c. Projects that cost over \$5,001 per beneficiary | 0 Points |

UNDER THIS SYSTEM, A MAXIMUM OF 100 POINTS ARE POSSIBLE.

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CDBG RATING AND RANKING POLICIES

PROGRAM YEAR 2022

ALLOCATIONS POLICIES — the following set-asides are established for the 2022 program year:

1. \$174,000 will be set-aside to fund the following Region-wide single-family housing rehabilitation programs operated by the Southeastern Utah Association of Local Governments:
 - 1) \$134,000 to provide rehabilitation of the homes of LMI residents throughout the Region, either as a stand-alone project or in coordination with funds from the Olene Walker Loan Fund, Rural Development, or other sources;
 - 2) \$40,000 for the cost of program delivery of the Region's housing rehabilitation programs funded by CDBG, by providing loan underwriting services, development of scopes of work, contractor supervision, and housing rehabilitation-repair technical assistance directly to clients and to other entities or agencies providing services to low income persons;
 - 3) Operate the lead-based paint evaluation program for the Region's housing rehabilitation activities, and other agencies that serve low-income clients with housing and rehabilitation services
2. \$100,000 will be set-aside to fund the Region-wide CDBG administration, consolidated planning, general planning assistance, affordable housing planning, and economic development technical assistance activities operated by the Southeastern Utah Association of Local Governments:
 - 1) Update of the Region's required Consolidated Plan;
 - 2) Coordinate Consolidated Planning activities and efforts with the Region's economic development practitioners, chambers of commerce, travel councils, and the Southeastern Utah Economic Development Region Board and CEDS (Comprehensive Economic Development Strategy) Committee;
 - 3) Coordinate Consolidated Planning activities and efforts with the Region's homeless coordinating committees, agencies providing services to person with disabilities, region housing authorities, and other non-profit and special service agencies that serve low-income clients;
 - 4) Coordinate Consolidated Planning activities with the Region's Rural Transportation Planning Organization for the development and implementation of a mobility management system to provide access and mobility services to senior citizens, persons with disabilities, and low-income workers;

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- 5) Provide technical assistance to the Region's CDBG applicants to ensure the successful completion of their applications.
 - 6) Technical assistance to for-profit businesses located within low- to moderate-income areas and/or low- to moderate-income business owners. Technical assistance includes, but not limited to; workshops, assistance in developing business plans, marketing, and referrals to lenders or technical resources
3. In compliance with the policies of the State of Utah CDBG Program, and to be eligible for funding, all applicants must have drawn down 50% of any prior year's CDBG funding prior to the Regional Review Committee's (RRC) rating and ranking meeting in March.
 4. The State of Utah has established the minimum amount of funding of \$30,000 per project and the maximum amount is limited by the annual allocation amount.
 5. Applicants must provide written documentation of the availability and status of all other proposed funding at the time the application is submitted, including all sources of funding which are considered local contributions toward the project and its administration.
 6. The Southeastern Utah Association of Local Governments (SEUALG) will aid with the completion of the application. All applications for CDBG funds will be prepared in accordance with the State of Utah and federal regulations.
 7. Official representatives of potential applicants **MUST ATTEND ONE** of the "How to Apply Workshops." Applicants that do not attend will not be considered for funding. Official representatives can be elected officials of the applicant entity or management level employees of the entity such as city/county managers or administrators, city/county recorders or clerks, or management staff from the entities' planning or community development department. Third party representation (engineers, architects, lower level entity staff, etc.) will be accepted only if a written designation from the entity is provided at the start of the "How to Apply Workshop". Nonprofit organizations and special service districts executives should attend with the sponsoring city or county, if possible.
 8. All applications will be scored by the Rating and Ranking Committee (RRC) based on the rating and ranking criteria approved by the SEUALG Governing Board. SEUALG staff will make recommendations to the RRC on each application and then present the applications to the SEUALG Governing Board for final approval.
 9. The SEUALG Governing Board has the final approval for projects. The SEUALG Board consists of one county commissioner and one municipal elected official from each county. The process for selecting these board members from each county is in alignment with the SEUALG Bylaws.
 10. The Rating and Ranking Committee will be composed of two recommended individuals from each county to represent the county and municipalities and will be on the Committee for two-year terms. These recommendations will be from the SEUALG Governing Board. The Rating and Ranking Committee creates the Rating and Ranking Policies and Criteria to be approved by the SEUALG Governing Board.
 11. Projects must be consistent with the Region's Consolidated Plan.
 12. Public service providers, traditionally non-profit organizations, are allowed to apply for CDBG funds for capital improvements, and major equipment purchases. Examples are program delivery vehicles, new construction, rehabilitation, and facility expansion. State of Utah policy prohibits the use of CDBG funds for operating and maintenance expenses. This includes paying administrative costs, salaries, etc. No more than 15% of the state's yearly allocation of funds may be expended for public service activities.

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13. Applications on behalf of sub recipients (i.e. special service districts, non-profit organizations, etc.) are allowed. The applicant city or county must understand that even if they name the sub recipient as project manager the city or county is still responsible for the project's viability and program compliance. A subcontractor's agreement between the applicant entity and the sub recipient must accompany the application. A letter from the governing board of the sub recipient requesting the sponsorship of the project must accompany the application. The letter must be signed by the board person. To utilize CDBG funds for a public service, the service must be either a new service or a quantifiable increase in the level of existing services which has been provided by the applicant in the previous 12 months.
14. To qualify for Americans with Disabilities Act (ADA) points a project must be an adaptation to an existing facility or structure. New construction must be ADA compliant by law, so while these projects may meet a National Objective and qualify for CDBG funding, they will be rated and ranked as community development projects.
15. Project Maturity: Funding should be prioritized to those projects which are the most "mature". Maturity is defined as those situations where: 1) the applicant has assigned a qualified project manager; 2) has selected an engineer and/or architect; 3) proposed solution to problem is identified in the Scope of Work and ready to proceed immediately; 4) has completed architectural/engineering design (blueprints); and 5) identifies all funding sources and funding maturity status. Projects that are determined to not be sufficiently mature to be ready to proceed in a timely manner, may not be rated and ranked.
16. When an applicant submits more than one application, only the highest ranked application will be considered for funding unless all other applications have been funded.
17. Emergency projects may be considered by the RRC at any time during the year. Projects that are considered for emergency CDBG funding must still meet a national objective and regional goals set by the RRC. Projects may be considered an emergency if the following apply:
 - ❖ Funding through a normal CDBG funding cycle would create an unreasonable health and or safety risk to people or property.If an applicant deems it necessary to apply for emergency funding, they must contact the Southeastern Utah Association of Local Governments promptly to discuss the details of the project and the state required application procedure and the RRC criteria. Emergency funds are limited on a statewide basis and will need approval from the State CDBG Policy Board. The amount of emergency funds awarded will be subtracted from the top of Region's next yearly allocation.
18. In regards to applications scoring, the following policies will be followed in the event of a tie:
 1. The project that has the highest percentage of LMI persons benefiting.
 2. The project with the most local leveraged funds.
 3. The project with the most other leveraged funds.
 4. The largest geographical area benefitted.
 5. The project with the largest number of LMI beneficiaries.
19. All applications will be fully funded beginning with the highest ranked project then sequential to the next highest ranked project and so on. In the event the next highest ranked project cannot be fully funded, the following policies will be implemented to allocate the remaining funds:

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1. The next ranked application will be evaluated to determine whether or not the project is still viable and can meet a CDBG national objective with reduced funding.
 2. If the next ranked application cannot be awarded partial funding, AOG staff will move to the next highest ranked application and follow the same evaluation process. This process will be followed until all applications have been evaluated and funding is exhausted.
 3. If none of the remaining applications can be adequately funded with the remaining funds, the funds will be allocated to the region-wide single-family housing rehabilitation program.
20. To ensure all requirements and time constraints for the CDBG application deadline of January 31 are met, applicants must have a project consultation meeting with SEUALG CDBG staff prior to December 15. Those applicants that do not consult with SEUALG CDBG staff prior to December 15 will not be eligible to apply for CDBG funding.

Definitions by Criteria Number:

1. Capacity to Carry Out Grant (5 points possible): Grantee's history in administering CDBG grants. In the case that this is a grantee's first CDBG grant, 2.5 points will be given. The State of Utah CDBG Staff determines this score by the following:
 - a. Applicant's capacity to administer grant: project manager consistency (1 point)
 - b. Documentation/communication (1 point)
 - c. Project completed in contract period (1 point)
 - d. Compliance with regulations/laws (2 points)
2. Project Maturity (12 points possible): A qualified project manager has been selected, meaning the project manager is an employee or elected official that will be with the applicant or sub-recipient entity to oversee the grant until closeout; an architect or engineer has been selected and is working with applicant; applicant has a well-defined scope of work illustrating the problem and solution of the project including demographics, data, address of project, work to be performed, etc.; completed architectural/engineering design (blueprints) are completed and submitted; funding in place meaning all other forms of funding is secured/committed and supporting documents are attached with the application.
3. A. Public Facility Development/Improvements (7 points possible): Development and improvements of water/sewer or other community infrastructure such as ADA improvements, fire stations/medical service facilities and equipment, parks, community centers, streets and sidewalks, storm water drainage, etc. All activities must be eligible for CDBG Activities.

-OR-

B. Improvement of LMI Housing (5 points possible): Improvement of existing housing stock with rehabilitation. This includes but is not limited to; energy-efficiency improvements, infrastructure, ADA accessibility, rehabilitating an existing building to become LMI housing.

-OR-

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C. Development of LMI Housing (7 points possible): Development of new housing that is to benefit low- to moderate-income families and individuals. This includes but is not limited to; infrastructure, property acquisition for housing projects, construction.

4. Affordable Housing Plan (2 points possible): City or county has adopted an affordable housing plan and the project implements items addressed in the plan. Those projects that do not implement items in plan will receive 0 points.
5. Extent of Poverty (5 points possible): Extent of extremely low- to very low- income (0-50% AMI) households or beneficiaries in a project area divided by total households or population of a project area.
6. CDBG Funds Requested per Capita (5 points possible): Total CDBG funding divided by total project beneficiaries.
7. LMI Project Beneficiaries (4 points possible): Percentage of project beneficiaries that are low- to moderate-income (LMI).
8. Project Overall Impact (10 points possible): The area in which the beneficiaries are located. Those projects impacting the community/county as a whole will receive more points than those projects that are site specific or targeting a population.
9. Percentage of Non-CDBG Funds Invested in Total Project Cost (5 points possible): Total non-CDBG funds divided by the total project cost. Points will then be given in relation to the jurisdiction's population size (9 a-d).
10. Applicant Last Funded (5 points possible): Points are given to those applicants based on when they last received CDBG funding.
11. Jurisdiction Property Tax Rate (5 points possible): The communities/counties that maintain an already high tax burden, as compared to the tax ceiling set by set law (municipalities .007 per dollar [Utah Code 10.6.133]; counties .0032 or .0036 per dollar [Utah Code 59.2.908]), will be given higher points in this category.
12. Civil Rights Compliance (2 points possible): Applicant is in compliance with federal laws and regulations related to civil rights. One point will be awarded if the applicant has completed the "ADA Checklist for Readily Achievable Barrier Removal" form. One point will be awarded is the applicant has adopted all the following policies: Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan, and Section 504 and ADA Reasonable Accommodation Policy (Forms available from SEUALG).

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2022 CDBG Application Scoring Criteria									Score
1	Capacity to Carry Out Grant	Excellent 5 points	Very Good 4 points	Good 3 points	Average 2 points	Below Average 1 point			
2	Project Maturity	Project Manager 1 point	Architect or Engineer 1 point	Scope of Work 3 points	Completed Architectural or Engineering Design 4 points		Funding in Place 3 points		
3 a	Public Facility Development/Improvements	Water & Sewer 7 points	ADA Compliance 6 points	Fire, Medical Service Facilities and/or Equipment 5 points		Other Public Facilities 4 points	Streets & Sidewalks 3 points	Recreation Facilities or Planning 2 points	
OR		>15 units 5 points	10-14 units 4 points	5-9 units 3 points					
3 b	Improvement of LMI Housing								
OR		>15 units 7 points	10-14 units 6 points	5-9 units 5 points					
3 c	Development of LMI Housing								
4	Affordable Housing Plan	Yes 2 points	No 0 points						
5	Extent of Poverty in Project Area	>20% 5 points	15%-19% 4 points	10%-14% 3 points					
6	CDBG Funds Requested per Capita	\$1-100 5 points	\$101-200 4 points	\$201-400 3 points	\$401-800 2 points	≥ \$801 1 point			
7	LMI Project Beneficiaries	>76% 4 points	66%-75% 3 points	56%-65% 2 points	51%-55% 1 point				
8	Project’s Overall Impact	County/Community Wide 10 points		Site Specific or Targeted Population 5 points					
9	Percentage of Non-CDBG Funds Invested in Total Project Cost								

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9 a	Jurisdictions with a population of less than 500	>10% 5 points	7.1-10% 4 points	4.1-7% 3 points	1-4% 2 points	<1% 1 point			
9 b	Jurisdictions with a population of 501-1,000	>20% 5 points	15.1-20% 4 points	10.1-15% 3 points	5.1-10% 2 points	1-5% 1 point			
9 c	Jurisdictions with a population of 1,001- 5,000	>30% 5 points	25.1-30% 4 points	20.1-25% 3 points	15.1-20% 2 points	1-15% 1 point			
9 d	Jurisdictions with a population of greater than 5,000	>40% 5 points	35.1-40% 4 points	30.1-35% 3 points	25.1-30% 2 points	1-25% 1 point			
10	Applicant Last Funded	Last Funded PY2017 or earlier 5 points	Last Funded PY2018 4 points	Last Funded PY2019 3 points	Last Funded PY2020 2 points	Last Funded PY2021 0 points			
11	Jurisdiction Property Tax Rate	>50% 5 points	40-49% 4 points	30-39% 3 points	20-29% 2 points	10-19% 1 point	<10% 0 points		
12	Civil Rights Compliance	Fully Compliant 1 point	Completed ADA Checklist 1 point						
Total Points								/ 82	

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SIX COUNTY ASSOCIATION OF GOVERNMENTS

CDBG Application Policies

2022 Program Year

Method of Distribution

Community Development Block Grant (CDBG) – To ensure that CDBG projects administered through the Six County Region meet the national objectives. Six County Association of Governments (SCAOG) has implemented the following 1) An application will be rated and ranked against all applications within the Region. 2) Successful applications will be funded in order of priority as determined by the rating and ranking process until the regional CDBG funding allocation is exhausted.

CDBG POLICIES – 2022 Program Year

The following policies have been established to govern the CDBG award process. All eligible project applications will be accepted for rating and ranking.

1. The Six County Association of Governments approved \$50,000 of the total allocation for administration of the SCAOG CDBG program and regional consolidated planning, to be subtracted from the SCAOG total. The remaining amount is allocated on a competitive basis. To encourage multiple projects and local match, no project will receive more than 50% of the net allocation or \$250,000, whichever is less. Depending on funding, the SCAOG Regional Review Committee (RRC) reserves the right to eliminate the 50% rule and \$250,000 maximum by a vote of the board.
2. In compliance with the policies of the State of Utah CDBG program, and to be eligible for funding consideration, all grantees or sub-grantees must have drawn down 50% of any prior year's CDBG funding prior to the RRC rating and ranking session.
3. Applicants must provide written documentation of the availability and status of all other proposed funding at the time the application is submitted, including all sources of funding which are considered local contributions toward the project and its administration. A project is not mature if funding cannot be committed by the time of the application.
4. State policy has established the minimum amount of funding of \$30,000 per project and the maximum amount is limited only by the annual allocation amount, and the Six County CDBG policies outlined in paragraph 1 (one).
5. Projects must align with and be consistent with the Region's Consolidated Plan. Sponsored projects on behalf of an eligible sub-recipient may not necessarily be listed in the jurisdiction's capital investment plan, but the sub-recipient's project must meet goals identified in the Region's Consolidated Plan.
6. Attendance at one of the annual How to Apply workshops is mandatory of all applicants and sub-grantees. The project manager and an elected official from the applicant's jurisdiction should be in attendance. Newly elected officials and project managers are especially

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encouraged to attend since the administrative requirements and commitments of a CDBG project are considerable.

7. Housing projects are encouraged to use the SCAOG Housing Department's available resources and emergency projects may be considered by the RRC at any time. Projects applying for emergency funding must still meet a national objective and regional goals and policies. Projects may be considered as an emergency application if:
 - Funding through the normal application timeframe will create an unreasonable risk to health or property.
 - An appropriate third-party agency has documented a specific risk (or risks) that in their opinion need immediate remediation.
 - Cost overruns from a previously funded project may be funded only if the RRC deems it an appropriate emergency.
8. The amount of any emergency funds distributed during the year will be subtracted from the top of the regional allocation during the next funding cycle. Additional information on the emergency fund program is available in the Application Policies and Procedures manual developed annually by the state in Chapter II, Funding Processes.
9. Applications on behalf of sub-recipients (i.e., special service districts, non-profit organizations, etc.) are allowed. The applicant city or county must understand that even if they name the sub-recipient as project manager the city/county is still responsible for the project's viability and program compliance. A subcontractor's agreement between the applicant entity and the sub-recipient must accompany the application (after funds have been committed to the project).
10. Multi-year projects will be considered. Proposals must contain specific cost estimates and work elements by year so that annual allocations by the RRC can be determined at the outset. No projects over 2 years will be considered.
11. Project maturity will be considered in determining the awarding of funds for the funding cycle, i.e., project can be completed within eighteen months, leveraged funds are in place, detailed scope of work is developed, **engineer's cost estimates in place**, etc.
12. Applicants that were funded in the year immediately prior to the current program year are not eligible for funding.
13. The application must be submitted by 5:00 PM, December 15, 2021. Any applications received after this date and time will not be considered for funding.
14. Applicants with lower populations will receive additional points in the non CDBG funds category.
15. In the event of a tie the following policies will be followed:
 - A) The project is in a Distressed Community
 - B) The project that has the highest percentage of LMI beneficiaries
 - C) The project with the most non CDBG funds leveraged
 - D) The Project with the most points in the Geographical Impact category

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16. All projects will be fully funded in the order of their rating and ranking prioritization. If a balance remains insufficient for the next project in priority to complete a project in the current year, the funds will continue to be applied to the next project in priority if the funds are sufficient to fund that project. Once no additional projects can be funded, the balance will be added to the region's single-family housing rehab program allocation for that funding cycle.
17. The SCAOG RRC is filled by the members of the SCAOG Executive Board. This 12-member committee comprises a commissioner and a mayor from each county of the region. Members of the committee are appointed by their county and fulfill terms until the end of their elected period or reappointment if they still hold office. Due to election cycles the average term of a board member is 4 years. The chair of the RRC is the chair of the SCAOG Executive Board.

The Six County Regional Review Committee has approved the following set-aside of funding:

Housing- \$100,000 if the allocation is over \$400,000. If the allocation is under \$400,000 then 25% of the allocation for the SCAOG Housing department to help LMI individuals access available housing resources.

Planning - \$50,000 for planning activities to be conducted by SCAOG staff in HUD pre-approved or survey approved Low to Moderate Income communities.

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Six County Association of Governments 2022 CDBG Rating and Ranking Criteria and Project Score Sheet

Applicant:

Requested CDBG Amount:

Total Score:

0

CDBG Rating and Ranking Criteria Description		Data Range/Score (Mark only one for each criteria)						SCORE
1	Capacity To Carry Out The Grant: Rated by state staff. (See Note #1 for scoring)	5 points	4 points	3 points	2 points	1 points		
2	Percent Of Non-CDBG Funds Invested In Total Project Cost.							
2a	Jurisdictions with a population less than 500	>10% 5 points	7.1-10% 4 points	4.1-7% 3 points	1-4% 2 points	<1% 1 point		
2 b	Jurisdictions with a population of 501-1,000	>20% 5 points	15.1-20% 4 points	10.1-15% 3 points	5.1-10% 2 points	1-5% 1 point		
2 c	Jurisdictions with a population of 1,001-5,000	>30% 5 points	25.1-30% 4 points	20.1-25% 3 points	15.1-20% 2 points	1-15% 1 point		
2 d	Jurisdictions with a population greater than 5,000	>40% 5 points	35.1-40% 4 points	30.1-35% 3 points	25.1-30% 2 points	1-25% 1 point		
3	Non-CDBG Funds Secured: Non-CDBG funds have been secured, partially secured, or applied for.	Secured 3 points	Partial 2 points	Applied 1 point				
4	CDBG Funds Requested Per Capita: CDBG funds requested divided by # of beneficiaries.	\$1-100 5 points	\$101-200 4 points	\$201-400 3 points	\$401-800 2 points	\$801 or > 1 point		
5	Project's Geographical Impact: Projects will be rated on their relative impact in the community both in terms of numbers and relative need.	County 5 points	Portion of County 4 points	Community 3 points	Portion of Community 1 point			
6	LMI Population: Percent of the projects beneficiaries considered 80 percent or less LMI. (based on LMI survey)	>80% 5 points	76-79% 4 points	61-75% 3 points	56-60% 2 points	51-55% 1 points		
7	Extent Of Poverty: The percentage of Low Income (LI: 50% AMI) and Very Low Income (VLI: 30% AMI) persons directly benefiting from the project.	>20% 5 points	15.1-20% 4 points	10.1-15% 3 points	5.1-10% 2 points	1-5% 1 point		
8	Project Maturity: Project demonstrates capacity to be implemented and/or completed in a timely manner. (See Note #8 for scoring)	2 Points	1 point					
9	Applicant Funded In Previous Years:	2017 and Prior 4 points	2018 3 points	2019 2 points	2020 1 point			

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10	Project Priority: Determined by the CDBG Administrator with consultation of the AOG Executive Board members. This Board comprises of a mayor and commissioner from each county.	Water Infrastructure Improvements 6 points	Street/Sidewalk Improvements 5 points	Recreation Facility Improvements 5 points	Sewer/Storm Infrastructure 3 points	Public Facilities, Public Health/Safety 2 points	LMI Housing 1 point	
11	Remove Architectural Barriers (ADA): Does this project work to remove architectural barriers to persons with disabilities and/or is the project ADA compliant?	Yes 2 points	No 0 points					
12	Health And Safety: Does the project address serious health and safety threats.	Yes 3 points	No 0 points					
13	LMI Housing Stock: Infrastructure for the units, rehabilitation of units, new units and/or accessibility of units for LMI residents.	>20 units 6 points	15 - 20 units 5 points	10 - 14 units 4 points	5 - 9 units 3 points	1 - 4 units 2 points		
14	Affordable Housing Plan Implementation: City/County has adopted an Affordable Housing Plan and this project addresses some element of that plan.	Yes 2 points	No 0 points					
15	Pro-active Planning: Communities who pro-actively plan for growth and needs in their communities. (See Note #15 for scoring)	4 points	3 points	2 points	1 point			
16	Civil Rights Compliance: Applicant is in compliance with federal laws and regulations related to civil rights. (See Note #16 for scoring)	2 points	1 point	0 Points				
17	Application Completion: (See note #17) for Scoring	1 point	0 point					

Notes:

#1 - All applicants will receive 5 points for this category unless state CDBG staff has evidence or compelling reason to believe the applicant lacks capacity. In this event, the state staff will give the applicant a score of less than 5.

#8 - One point will be awarded if an **architect/engineer is already selected** and is actively involved in the application process, or an RFP process has been followed for equipment purchases. One point will be awarded if **architectural/engineering designs/plans** are completed for the project or a vendor has been selected for an equipment purchase.

#15 - One point will be awarded if the applicants general plan has been updated in the previous 5 years. (ex. For the 2022 cycle: updated during or after 2017) One point will be awarded if the applicant maintains a detailed Capital Improvements List for future projects. One point will be awarded if the applicant keeps a detailed Asset Inventory list. One point will be awarded if the applicant can document an active planning and zoning commission.

#16 - One point will be awarded if the applicant has completed the "ADA Checklist for Readily Achievable Barrier Removal" form. One point will be awarded if the applicant has adopted all of the following policies: Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan, and Section 504 and ADA Reasonable Accommodation Policy. (Forms available from SCAOG)

#17 - One point will be awarded to applications that contain all supporting documentation (i.e.: **engineers estimate**, scope of work, project location map, public hearing notice proof, public hearing minutes, SAM Registration and photographs of the project area,) at time of submission.

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Uintah Basin Association of Governments Regional Review Committee (RRC) Community Development Block Grant (CDBG) Rating and Ranking Criteria Program Year 2022

Policy and Procedures

1. The Uintah Basin Association of Governments (UBAOG) will provide assistance in completion of the CDBG application. All applications for CDBG funds will be made and processed in accordance with Utah State and Federal Regulations.
2. Applicants that do not attend the UBAOG CDBG “How to Apply Workshop” **will not** be eligible to apply for funding. Applications submitted after the deadline **will not** be considered for funding.
3. All applications will be scored by the UBAOG staff using criteria approved by the Rating and Ranking Committee (RRC). The RRC is comprised of 19 members: three County Commissioners in each county, Daggett, Duchesne and Uintah Counties, as well as the Mayors of Altamont, Duchesne, Tabiona, Roosevelt, Myton, Ballard, Vernal, Naples, Dutch John, and Manila. Committee members serve on the RRC as long as they retain their elected position of the respective county or city. Staff will make recommendations to the RRC on each application. Staff will present the applications to the RRC for final rating and ranking and approval. State CDBG staff must review/approve all applications as being “threshold eligible” prior to rating and ranking.
4. Timeline for rating and ranking criteria

March 2021 – rating and ranking distributed to all committee members
 - I. Final approval of rating and ranking criteria by committee members
 - II. Submittal to the State Community Block Grant Program staff
5. Eligible applicants are cities, towns and counties. Applications on behalf of sub-recipients (i.e., special service districts, non-profit organizations, etc.) are allowed. City and county sponsors will be responsible for sub-recipient’s project viability and program compliance. They must maintain active oversight of the project and sub-recipient’s performance. An inter-local agreement between the sub-recipient and the sponsoring city or county must accompany the application. This inter-local agreement must state the details of the coordination between the sponsor and the sub-recipient and how the sponsor will monitor the sub-recipient.
6. All projects must be consistent with the region’s Consolidated Plan. All projects applied for **must be** on the prioritized one-year capital improvement’s list. Projects not on the one-year list will not be considered for funding.
7. The minimum project size for CDBG funding is \$30,000 as per state policy. Projects less than \$30,000 will not be considered.
8. As per state policy, grantees with open grants from previous years that have not yet spent 50 percent of their previous funding are not eligible to apply for new CDBG funds.
9. Applicants must provide written documentation of the availability and status of any matching funds for the project at the time of application. Changes in funding after this time may result in a modified rating and ranking.

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10. In case of scoring ties the project with the most LMI beneficiaries will get funded. In a case of a tie, the project with the most leveraged funds will have priority.
11. After all projects have been fully funded in the order of their Rating and Ranking prioritization and a balance remains insufficient for the next project in priority to complete a project, the funds will be first applied to the highest scoring project. An amount, determined by the RRC, will be used for construction contingency. Any remaining balance not allocated to the highest scoring project will be allocated to the region's single family housing rehab program.
12. The Uintah Basin Regional Review Committee has approved the following set asides:
 - \$50,000 set aside for administration of region-wide administration and consolidated planning activities of the AOG.
 - \$135,000 set aside for Housing Rehabilitation
 - \$ 30,000 set aside for Utilities of water and sewer for new home construction
example: Self-Help Homes
 - \$45,000 set aside for Housing Rehabilitation program delivery
 - \$36,000 set aside for Homebuyers assistance
 - \$7,000 set aside for Homebuyers assistance/Other administration
 - \$303,000 = Total Housing set aside
 - \$308,749 = Duchesne City MY 2 set aside, (based on CDBG regional allocation)
13. Emergency projects may be considered by the Regional Review Committee at any time during the year. Projects that are considered for emergency CDBG funding must still meet a national objective and regional goals set by the committee. Projects may be considered an emergency if the following apply:
 - Funding through a normal CDBG funding cycle time frame would create an unreasonable health and/or safety risk to people or property.
 - A public health and safety crisis experienced by a city or county which could not have been foreseen (i.e. fire, flood, act of God)
 - Alternative funding or temporary solution is not available.

If an applicant deems it necessary to apply for emergency funding, they must contact the Uintah Basin AOG promptly to review the project. Emergency funds are limited on a statewide basis and require approval from the State CDBG Policy Board. The amount of emergency funds awarded will be deducted from the region's allocation during the next funding cycle.
14. The maximum multiple-year (MY) grant amount is \$350,000 per year, up to two years (amount may change based on funding appropriation). All applicants proposing projects requiring two years of funding must have a cost estimate and/or breakdown for each year. If a project has been awarded a two-year grant, the second year's grant amount will be a set aside from the region's appropriation at the beginning of that year's rating and ranking process. Funding is dependent on State's receipt of CDBG annual award from HUD.

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Application Scoring Information


Application scoring by the UBAOG and the RRC members will be according to the following guidelines.

1. **Capacity to Carry-Out Grant:** The grantee must have a history of successful grant administration in order to receive full credit in the category. First time grantees and grantees that have not had an application funded in the past six years will receive 2.5 by default. Applicants with poor past performance must present a plan, at the time of application, showing how they will overcome past issues and make this a successful application. The state CDBG staff will award 1-5 points for this criteria.
2. **Project Maturity:** Funding should be prioritized to those projects which are the most "mature". For the purposes of this process, maturity is defined as those situations where: 1) the applicant has assigned a qualified project manager; 2) has selected an engineer and/or architect; 3) proposed solution to problem is identified in the Scope of Work and ready to proceed immediately; 4) has completed architectural/engineering design (blueprints); and 5) identifies all funding sources and funding maturity status. Projects that are determined to not be sufficiently mature so as to be ready to proceed in a timely manner, may not be rated and ranked.
3. **Infrastructure:** Ten points are awarded to any Infrastructure project.
4. **Improvement of Housing Units:** Rehabilitation of housing units will receive points based on the units being rehabilitated. The number of units to be rehabilitated must be provided at the time of application.
5. **Health and Safety:** Projects that address a threat to public health, safety or the ability to provide basic services (water, sewer, natural disaster) to an area or serve a need will receive ten points. These projects must be presented as a health or safety issue at the time of application.
6. **LMI Beneficiaries:** Points will be awarded based on the percentage of project beneficiaries that are Low-Moderate Income (LMI) based on information provided by the most current census data or approved income survey. LMI population of more than 76% will be awarded 4 points, 66% 3 points, 56% 2 points, and 51-55% 1 point.
7. **Targeted LMI Population:** Projects that target the percentage of the beneficiaries that are LMI beneficiaries will receive 5 points. Applicant must demonstrate that 100% of the beneficiaries are LMI.
8. **Financial Commitment-Outside Funds:** If funds are contributed from an outside source, points will be awarded based on the amount of funds contributed. If more than \$50,000 is contributed, full points will be awarded. \$25,000 to \$49,999 contributed will receive three points. \$10,000 to \$24,999 will receive two points. And \$500 to \$9,999 will receive one point.

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9. **Consolidated Plan-Capital Improvements List:** Projects must be listed in the Regional Consolidated Plan's One-Year Capital Improvements List to be considered for funding. Projects that have been considered for a longer amount of time and have shown prior planning will be given more points. Projects that have been on the list for four or more years will receive four points, three years will receive three points, two years will get two points, one year will get one point.
10. **Consolidated Plan:** Each entity is required to submit information for the annual update of the Regional Consolidated Plan. Those entities that have submitted their information, in a timely manner, to the UBAOG to complete that update will be awarded full points.
11. **Area Served by Project:** Points are given based on the area served by the project. If a project will benefit multiple counties (UBAOG), it will receive 10 points. If the project will benefit one entire county, it will receive 7 points. If the project benefits a city or town it will receive 5 points. If the project benefits a specific site it will receive 2 points.
12. **Civil Rights Compliance:** Applicants (City/County) will receive points for compliance with federal laws, executive orders and regulations related to civil rights. 1 Point will be given by completing the "ADA Checklist for Readily Achievable Barrier Removal" for city/county office.
13. **Civil Rights Compliance:** 1 point will be given to a city/county who has adopted the following policies – Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan and Section 504 ADA Reasonable Accommodation Policy.
14. **Completed Application** - City/County has attached and completed all necessary documents for the CDBG application. If the application has all required documents, the applicant will be given 5 points. 0 points will be given with an incomplete application.

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		Utah Basin Association of Governments FY 2022 CDBG Rating and Ranking Criteria and Applicant Score Sheet					
Applicant		Requested CDBG \$		Ranking:	# of	Total Score	0
Rating and Ranking Criteria Description		Scoring (Circle One for Each Criteria)					Score
1	Capacity to Carry Out Grant: Grantee's Past History in Administering CDBG Grants	Excellent = 5 points	Very Good = 4 points	Good = 3 points	Average = 2 points	Poor = 1 point	
2	Project Maturity: Funding should be prioritized to those projects which are the most "mature". For the purposes of this process, maturity is defined as those situations where: 1) the applicant has assigned a qualified project manager; 2) has selected an engineer and/or architect ; 3) proposed solution to problem is identified in the Scope of Work and ready to proceed immediately; 4) has completed architectural/engineering design (blueprints); and 5) identifies all funding sources and funding maturity status. Projects that are determined to not be sufficiently mature so as to be ready to proceed in a timely manner, may not be rated	Excellent = 5 points	Very Good = 4 points	Good = 3 points	Average = 2 points	Poor = 1 point	
3	Infrastructure: Project is a an Infrastructure Project	Yes = 10 points					
4	Improvement of Housing Units: Improvement of existing Housing Stock with Rehabilitation	>16 units = 10 pts	11-15 Units = 7 pts	6-10 units = 5 pts	1-5 units = 2 pts		
5	Health and Safety: Serious Health & Safety threats as defined by HUD	Yes = 10 points					
6	LMI Population: % of residents considered LMI (based on the most current census data or survey)	>76% = 4 pts	66% - 75% = 3 pts	56% - 65% = 2 pts	51% - 55% = 1 pt		
7	Targeted LMI Population: Or: Project serves a targeted group in which 100% of clients that will be served are LMI.	Yes = 5 points					
8	Financial Commitment-Outside Funds: Have outside funds been committed to the project? (MUST BE A CASH MATCH)	>\$50,000 = 4 pts	\$25,000-49,999 = 3 pts	\$10,000-24,999 = 2 pts	\$500 - 9,999 = 1 pt		
9	Consolidated Plan-Capital Improvement List: Length of time the project has been on the Regional Capital Improvement's List.	4+ Years = 4 pts.	3 Years = 3 pts.	2 Years = 2 pts.	1 Year = 1 pt.		
10	Consolidated Plan: Entity has submitted required information for annual Con Plan update.	Yes = 5 points					
11	Project Area: Points are given based on area project will serve. Multiple county projects receive four points, county/city receive two.	Multiple County (UBAOG) = 10 pts	County Wide Project = 7 pts	City Project - 5 pts	Site Specific = 2		
12	Civil Rights -Complete "ADA Checklist for Readily Achievable Barrier Removal" for city/county office.	Yes =1 point	No = 0 points				
13	Civil Rights - City/County has adopted the following policies – Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan and Section 504 and ADA Reasonable Accommodation Policy.	Yes = 1 point	No = 0 points				
14	Completed Application - City/County has attached and completed all necessary documents for the CDBG application	Yes= 5 points	No = 0 points				
	Total Points Awarded						0

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WASATCH FRONT REGIONAL COUNCIL	
2022 RATING AND RANKING CRITERIA - GENERAL POLICIES	
The Wasatch Front Regional Council (WFRC) staff assists applicants through the CDBG process. Applicants are encouraged to take advantage of this service to help reduce administrative costs. Contact Christy Dahlberg at christy@wfrc.org or 801-363-4250 with questions.	
FUNDING INFORMATION	
1	Minimum grant amount is \$30,000 per year.
2	The maximum multiple-year grant amount is \$200,000 per year, up to two years (amount may change based on funding appropriation). All applicants proposing projects requiring two years of funding must have a cost estimate and/or breakdown for each year. If a project has been awarded a two-year grant, the second year's grant amount will be taken from the region's appropriation at the beginning of that year's rating and ranking process.
3	The maximum grant amount per year for community infrastructure projects is \$250,000. Community infrastructure projects can include water, sewer, street, sidewalk, curb, and gutter projects.
4	A single entity may not receive more than \$250,000 in one funding cycle. Multiple projects may be awarded to a single entity in one funding cycle, so long as they do not exceed \$250,000. An exception will be made if there is more funding available after all eligible projects have been funded.
5	After fully funding all projects in ranked order, any remaining funds shall be awarded to the next ranked project if it is determined that partial funding is a reasonable option. If partial funding is not an option, then the next ranked project shall be reviewed and funded if possible and so on. Should there be more funding available once all eligible projects are fully funded, up to \$20,000 can be used to study the feasibility of a Revolving Loan Fund (RLF).
6	In compliance with the policies of the State of Utah CDBG program, and to be eligible for funding, all grantees or sub grantees must have drawn down at least 50% of any prior year's CDBG funding before the RRC's rating and ranking meeting.

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APPLICANT INFORMATION	
7	All applicants are required to attend the region's annual "How to Apply" workshop. The project manager should attend the workshop. If the project manager cannot attend, he or she needs to identify an alternate representative. If sponsorship is required, representatives from the sponsoring city or county and the sub-recipient must also attend. See number 8 to determine if you need a sponsor.
8	Only cities and counties are eligible to receive CDBG funding. Applicants, other than cities or counties, are required to gain the sponsorship of a city or county no later than the date of the first public hearing. The decision to sponsor non-governmental entities is entirely up to the city or county. Sponsoring entities are required to ensure all program requirements are met including, attending the How to Apply workshop, ensure that the project is viable, and provide active oversight of the project and contract performance. Sponsors are also required to ensure that the project is part of the Consolidated Plan and that a subcontractor's agreement is mutually agreed on and signed by both entities.
PROJECT INFORMATION	
9	Public service providers are encouraged to apply for capital improvement projects and/or major equipment purchases. Examples include delivery trucks and other public service vehicles, fixtures, computer equipment, construction, remodeling, and facility expansion. State policy prohibits the use of CDBG funds for operating and maintenance expenses including administrative costs or salaries and items that can be easily removed from the building such as office supplies, cleaning supplies, etc. No more than 15% of the state's yearly allocation of funds may be expended for public service projects.
10	Projects must be consistent with the region's Consolidated Plan and included in a city or county prioritized capital investment list and meet the overall goals identified in the Plan.
11	Emergency projects may be considered by the RRC at any time. An emergency project is one that eliminates or mitigates an imminent threat to health and safety. These projects must meet all CDBG requirements. Applicants must work closely with WFRC staff to ensure program compliance. Emergency projects will be reviewed by the RRC to ensure that a regional goal listed in the Consolidated Plan will be met. Emergency

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	projects must be approved by the statewide CDBG Policy Committee. Any funding awarded for emergency projects will be deducted from the subsequent year's annual regional allocation.
12	WFRC staff will visit each applicant on site for a project evaluation/review.
13	The RRC may approve regional CDBG set-asides under the following conditions: 1) they are consistent with the region's Consolidated Plan; 2) they are approved prior to the "How to Apply" workshop.
RATING AND RANKING INFORMATION	
14	In order to receive points for any of the evaluation criteria, applicants must state and include the necessary information as an attachment in WebGrants. The RRC reserves the right to eliminate incomplete applications.
15	WFRC staff preliminarily evaluate all applications using these criteria. The pre-evaluation will be shared with the RRC who makes the final rating and ranking and funding recommendations to the Housing and Community Development Division.
16	In the event that two or more projects receive the same rating and ranking score, the RRC will rank them using the regional priorities identified in Criterion 10. If there is still a tie score, the applicant with the highest percentage of other matching funds shall prevail.
17	Prior to adoption, these Criteria shall be publicly noticed and made available for a 30-day public comment period and public open house.
REGIONAL REVIEW COMMITTEE (RRC) INFORMATION	
18	The members of the RRC are listed below along with their respective appointed terms. The RRC consists of six members, two from each of the three counties plus one staff member from WFRC. Each County Council of Governments appoints one elected official and one staff person to represent their county on the RRC. Each member serves a two-year term with no limit upon succession.
19	The RRC reviews the Rating and Ranking Criteria annually to ensure the available funding promotes regional needs and program goals.
20	RRC Membership:
	Thomas Karjola, Mayor, Town of Stockton
	Rachelle Custer, Community Development Director, Tooele County

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	Mark Allen, Mayor, Washington Terrace City, Weber County
	Melissa Freigang, Weber County Center of Excellence
	Jared Andersen, Councilmember, Morgan County
	Lance Evans, Community Development Director, Chair, Morgan County
	SET-ASIDES
21	The Wasatch Front Regional Council will set aside \$50,000 of the region's annual CDBG allocation to provide administration and planning assistance to eligible entities.

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WASATCH FRONT REGIONAL COUNCIL			
2022 RATING AND RANKING CRITERIA			
<i>Rank</i>			
<i>Applicant</i>			
<i>Sub-Applicant</i>			
<i>Project</i>			
<i>Total Points</i>			
<i>Total Project Cost</i>			
<i>2020 CDBG Request</i>			
<i>2021 CDBG Request</i>			
<i>% Match</i>			
<i>ACTUAL 2021 CDBG Funding</i>			
CRITERIA	MAX SCORE	DESCRIPTION	APPLICANT SCORE
1. CAPACITY	5 *select up to 4	The grantee's capacity to carry out the CDBG grant. Points are awarded based on historical CDBG grant administration. State staff set and award points for these criteria.	0
Project manager consistency	1		
Documentation and communication	1		
Project was completed within the contract period	1		
Compliance with regulations and laws	2		
First time grantees (default is 2.5 points - no other points awarded)	2.5		
2. HOUSING STOCK	8 *select up to 2	Project results in the construction of housing units; or, housing units made accessible to LMI households. Projects may include acquisition of property and/or construction of infrastructure in support of the proposed housing units. Double the score if the	0

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		project serves chronically homeless individuals (up to 8 points). Add 1 additional point if the project serves homeless individuals or families (up to 7 points).	
1 housing units	1		
2 housing units	2		
3 housing units	3		
4 housing units	4		
5 housing units	5		
>5 housing units	6		
Project serves chronically homeless individuals	x2		
Project serves homeless individuals or families	1		
3. MODERATE INCOME HOUSING PLAN	3 *select up to 2	Project results in the development, update, or implementation of a housing project identified in the jurisdiction's Moderate Income Housing Plan. Towns not required to comply will receive 1 point if the project benefits an affordable housing goal identified in the Consolidated Plan.	0
Project results in the development of a Moderate Income Housing Plan	1		
Project results in the update to a Moderate Income Housing Plan	1		
Project implements a Moderate Income Housing Plan element	2		
Project implements a Consolidated Planning housing goal (towns)	1		
4a. EXTENT OF <u>VERY LOW</u> INCOME SERVED BY THE PROJECT	6 *select 1	Project directly benefits very low income households (household income is at or less than 30% area median income).	0
1 - 5%	1		

6 - 10%	2		
11 - 15%	3		
16 - 20%	4		
21 - 25%	5		
>26%	6		
4b. EXTENT OF <u>LOW</u> INCOME SERVED BY THE PROJECT	5 *select 1	Project directly benefits low income households (household income is 31%-50% area median income).	0
1 - 10%	1		
11 - 20%	2		
21 - 30%	3		
31 - 40%	4		
>41%	5		
4c. EXTENT OF <u>MODERATE</u> INCOME SERVED BY THE PROJECT	4 *select 1	Project directly benefits moderate income households (household income is 51%-80% area median income).	0
1 - 20%	1		
21 - 40%	2		
41 - 60%	3		
>61%	4		
4d. PRESUMED LMI GROUPS OR TARGETED LMI	6 *select 1	Projects that are completed by a public service provider and directly benefit the following: PRESUMED LMI GROUPS: elderly (62+), severely disabled adults, homeless, abused children, battered spouses, migrant farm workers, illiterate adults, and persons living w/AIDS. TARGETED LMI: project targets persons or households that are less than 80% area median income (must be income qualified).	0
Presumed 51% LMI persons or households	5		
Targeted 100% LMI persons or households	6		

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5. FINANCIAL MATCH	6	The percent of non-CDBG funds the applicant commits toward the total project cost. Percentage is based on the jurisdiction's population (where the project is located).	0
Less than 1,500 persons	*select 1	1,501 to 7,000 persons	
Match is 1 - 4%	1	Match is 5 - 9%	
Match is 5 - 8%	2	Match is 10 - 14%	
Match is 9 - 12%	3	Match is 15 - 19%	
Match is 13 - 16%	4	Match is 20 - 24%	
Match is 17 - 20%	5	Match is 25 - 29%	
Match is >21%	6	Match is >30%	
7,001 to 10,000 persons	*select 1	10,001 to 20,000 persons	
Match is 8 - 13%	1	Match is 11 - 17%	
Match is 14 - 19%	2	Match is 18 - 24%	
Match is 20 - 25%	3	Match is 25 - 31%	
Match is 26 - 31%	4	Match is 32 - 38%	
Match is 32 - 37%	5	Match is 39 - 45%	
Match is >38%	6	Match is >46%	
More than 20,000 persons Or Public Service Providers	*select 1		
Match is 14 - 21%	1		
Match is 22 - 29%	2		
Match is 30 - 37%	3		
Match is 38 - 45%	4		
Match is 46 - 53%	5		
Match is >54%	6		

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6. MATURITY OF PROJECT	5 *select up to 5	The applicant has proven that the project is mature and have provided the necessary information in their application.	0
Project manager is dedicated, involved, and attended the How to Apply workshop	1		
Scope of work is complete, detailed, and concise	1		
Detailed cost estimate with map AND photos of the project area	1		
Project manager has provided a timeline showing that the project can be completed within an 18-month period (12 months for non-construction projects)	1		
Architectural or engineering design is complete (If N/A, this is a free point)	1		
7. REGIONAL QUALITY PLANNING	4 *select up to 4	Applicants can receive points if they provide information in their application proving they abide by regional quality planning efforts. Applicants must provide documentation..	0
Coordinates planning w/other governments in accordance w/Wasatch Choice 2050	1		
Plans and develops infrastructure efficiently including roads, water, and utilities	1		
Incorporates fair housing opportunity and affordability into community planning	1		
Plans/protects/conserves critical land, water, air, and historic sites	1		
8. LOCAL PLANNING	4 *select 1	The applicant's project must be included in the jurisdiction's Capital Investment Plan (CIP). Points are awarded to CIP projects ranked 1 - 4.	0
High/Medium #4	1		
High/Medium #3	2		

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High #2	3		
High #1	4		
9. RECENT CDBG FUNDING	6 *select 1	The applicant or sub-applicant, when applicable, has not received CDBG funding in recent years (based on the CDBG program's fiscal year).	0
Received CDBG funding in FY2021	2		
Received CDBG funding in FY2020	3		
Received CDBG funding in FY2019 or older	4		
Has never received CDBG funding	6		
10. REGIONAL PROJECT PRIORITY	6 *select 1	Project meets one more of the region's priorities that are identified in the region's Consolidated Plan.	0
Public health and safety equipment	2		
Community facilities or Removal of ADA barriers	3		
Public service activities	4		
Public utility infrastructure	5		
LMI housing activities	6		
11. GEOGRAPHICAL IMPACT	5 *select 1	Area impacted by and benefitting from the project.	
Site specific	1		0
Community-wide	5		
12. BENEFIT COST RATIO	5 *select 1	Project benefits the most people with the least amount of investment. Points are determined by dividing the total CDBG dollar amount requested by the number of proposed beneficiaries.	
>\$6,001	1		0
\$4,001 - \$6,000	2		

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\$2,001 - \$4,000	3		
\$1,001 - \$2,000	4		
<\$1,000	5		
13. PROPERTY TAX RATE	5 *select 1	Jurisdictions with a higher tax rate will receive additional points. Points awarded based on the jurisdiction's rate as a percent of the maximum rate allowed by law (compared to the tax ceiling set by State Tax Commission). The tax rate noted above shall include the levy for police, fire, sewer and water services that may be assessed by a multi-jurisdictional special service district. For non-taxing entities, the jurisdiction's tax rate applies where the majority of the beneficiaries reside.	
0 - 19%	1		0
20 - 30%	2		
31 - 40%	3		
41 - 50%	4		
>51%	5		
14. AMERICANS WITH DISABILITIES ACT (ADA) CHECKLIST	1 *select 1	Jurisdictions will receive one point if they have completed the ADA checklist for "Readily Achievable Barrier Removal" for their city/county office and provide documentation in the application.	
Completed the checklist and provided documentation	1		0
15. CIVIL RIGHTS COMPLIANCE	1 *select 1	Jurisdictions will receive one point if they have adopted Civil Rights Compliance procedures and provided documentation in the application.	
Adopted an ADA Grievance Procedure	1		0
Adopted an ADA Effective Communication Policy, Language Access Plan	1		
Adopted an ADA Reasonable Accommodation Policy	1		

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<i>TOTAL</i>	85	
		0

WASATCH FRONT REGIONAL COUNCIL			
2021 RATING AND RANKING CRITERIA - SUPPLEMENTAL SCORING INFORMATION for CERTAIN CRITERIA			
2. HOUSING STOCK			
Definition of a homelessness:	1) literally homeless - individuals and families who lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who resided in an emergency shelter or a place not meant for human habitation and who is exiting an institution where he or she temporarily resided.		
	2) Imminent risk of homelessness - individuals and families who will imminently lose their primary nighttime residence.		
	3) Unaccompanied youth - unaccompanied youth and families with children and youth who are defined as homeless under other federal statutes who do not otherwise qualify as homeless under this definition.		
	4) Fleeing/attempting to flee domestic violence - individuals and families who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member.		
Definition of chronically homelessness:	1) Chronically homeless individual with a disability who lives in a place not meant for human habitation, a safe haven, an emergency shelter,		

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	or institutional care facility continuously for 12 months or on at least 4 separate occasions in the last 3 years that total 12 months.		
	2) Chronically homeless families have an adult or minor head of household who meets the "individual" definition of chronically homeless.		
Resource:	https://www.hudexchange.info/resources/documents/Defining-Chronically-Homeless-Final-Rule.pdf		
If applicable, explain how the project benefits homeless persons/families.			
3. MODERATE INCOME HOUSING PLAN			
ALL APPLICANTS must provide documentation showing their plan is in compliance.			
4a. EXTENT OF <u>VERY LOW</u> INCOME SERVED BY THE PROJECT			
Cities and counties use this criterion to determine the extent of low to moderate income beneficiaries.	Household income is at or less than 30% area median income.		
If applicable, provide survey packet (survey methodology, map, tally sheets, and results).			
4b. EXTENT OF <u>LOW</u> INCOME SERVED BY THE PROJECT			

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Cities and counties use this criterion to determine the extent of low to moderate income beneficiaries.	Household income is 31%-50% area median income.		
If applicable, provide survey packet (survey methodology, map, tally sheets, and results).			
4c. EXTENT OF <u>MODERATE</u> INCOME SERVED BY THE PROJECT			
Cities and counties use this criterion to determine the extent of low to moderate income beneficiaries.	Household income is 51%-80% area median income.		
If applicable, provide survey packet (survey methodology, map, tally sheets, and results).			
4d. <u>PRESUMED LMI</u> GROUPS OR TARGETED LMI			
Public service providers use this criterion to determine the extent of low to moderate income beneficiaries.	Projects that directly benefit the following. PRESUMED LMI GROUPS: Elderly (62+), severely disabled adults, homeless, abused children, battered spouses, migrant farm workers, illiterate adults, and persons living w/AIDS. TARGETED LMI: project targets persons or households that are less than 80% area median income (must be income qualified).		
(Population bracket)	5. FINANCIAL MATCH	(Actual population)	
0-1500:	Vernon	390	
	Rush Valley	496	
	Huntsville	648	

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	Stockton	682	
	Uintah	1353	
1500-7000:	Wendover	1525	
	Marriott-Slaterville	2037	
	Morgan City	4361	
	Harrisville	6872	
7000-10000:	Plain City	8799	
	Farr West	7815	
	Riverdale	8968	
	Hooper	9692	
	Washington Terrace	9406	
10000-20000:	Pleasant View	11181	
	Grantsville	12994	
	Morgan County	12460	
	West Haven	17987	
	South Ogden	17375	
>20000:	North Ogden	21820	
	Tooele	37465	
	Roy	40315	
	Tooele County	76799	
	Weber County (excluding Ogden City population)	180330	
6. MATURITY OF PROJECT			
All APPLICANTS must provide a concise scope of			

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work, detailed cost estimate, map and photos of the project area.			
7. REGIONAL QUALITY PLANNING			
ALL APPLICANTS must provide their designation as a Quality Growth Community; or, information detailing how they meet each of the 4 planning goals. Acceptable documents to prove compliance with the outlined criterion include but are not limited to; adopted plans and conservation easements. If you have any questions about acceptable documentation, please contact Christy Dahlberg.	Accepted documents to prove quality planning include but are not limited to; adoption of policies that allow for more affordable housing options such as an ADU policy, higher density allowances in a center or station area, etc., adoption and/or implementation of a center, a multi-city plan, and adopted plans and conservation easements. To inquire about additional documents that may qualify, contact Christy Dahlberg, christy@wfrc.org .		
8. LOCAL PLANNING			
ALL APPLICANTS must provide their jurisdiction's Capital Investment/Facilities Plan			

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and highlight the proposed CDBG project.			
10. REGIONAL PROJECT PRIORITY			
Public health and safety equipment:	Projects that protect property such as lead based paint screening, flood control and fire protection.		
Community facilities or Removal of ADA barriers:	Projects can include senior citizen centers, food banks, or health clinics. Removal of ADA barriers refers to projects that improve the accessibility of public facilities to persons with disabilities.		
Public service activities:	Projects can include services for child care, youth, seniors, handicapped, mental health, legal, transportation, substance abuse, abused and neglected children, and battered and abused spouses.		
LMI housing activities:	Projects can include fair housing activities, rental housing, housing counseling, homeownership assistance, rehabilitation of housing, .		
Public infrastructure and public utilities:	Public infrastructure and public utility projects include the construction of streets, water, and sewer facilities and projects that increase the capacity and safety of water and sewage systems.		
12. BENEFIT COST RATIO			
Example:	A project seeking \$200,000 that benefits 250 people has a cost benefit of \$800 ($200,000 / 250 = 800$).		
13. PROPERTY TAX RATE			
city max rate:	0.007		
county max rate:	0.0032		
0 - 19%	Farr West	0.000617	9%
	Harrisville	0.001123	16%
	Hooper	0.000544	8%
	Huntsville	0.001261	18%

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	Marriott-Slaterville	0	0%
	Plain City	0.000463	7%
	Pleasant View	0.001188	17%
	Riverdale	0.000921	16%
	Rush Valley	0.000908	13%
	Uintah	0.000945	14%
	Vernon	0.000888	13%
	West Haven	0	0%
20 - 30%	Morgan City	0.001544	27%
	North Ogden	0.00118	20%
	Tooele County	0.001938	23%
	Tooele City	0.00203	29%
31 - 40%	Grantsville	0.002559	37%
	Morgan County	0.002517	32%
	Roy	0.002828	40%
	South Ogden	0.0027	37%
	Stockton	0.002605	37%
	Washington Terrace	0.00283	40%
41 - 50%	Weber County	0.003012	43%
	Wendover	0.003226	46%
>51%			
14. ADA CHECKLIST			
ALL APPLICANTS shall provide a copy of their jurisdiction's ADA			

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checklist titled, Readily Achievable Barrier Removal.			
15. TITLE IV COMPLIANCE			
ALL APPLICANTS shall provide a copy of their jurisdiction's adopted Title IV Compliance procedures.			

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APPENDIX H

Moderate Income Housing Plans

Senate Bill 34 (2019)

**Cities and Counties listed below must submit a Moderate Income Housing Plan
in order to be eligible to apply for CDBG funding**

County	City/Town	DWS LIST	Date of Submission
Box Elder	Brigham City	submitted	11/25/2020
Iron	Cedar City	submitted	12/08/2020
Iron	Enoch	submitted	02/02/2021
Weber	Farr West	submitted	11/23/2020
Tooele	Grantsville	submitted	06/24/2021
Weber	Harrisville	submitted	12/17/2020
Wasatch	Heber	submitted	11/30/2020
Weber	Hooper	submitted	11/30/2020
Washington	Hurricane	submitted	12/01/2020
Cache	Hyrum	submitted	11/20/2020
Washington	Ivins	submitted	12/01/2020
Utah	Mapleton	submitted	11/16/2020
Wasatch	Midway	submitted	12/01/2020
Cache	Nibley	submitted	11/30/2020
Cache	North Logan	submitted	01/14/2021
Weber	North Ogden	submitted	12/10/2020
Summit	Park City	submitted	11/23/2020
Weber	Plain City	submitted	01/14/2021
Weber	Pleasant View	submitted	11/25/2020
Cache	Providence	submitted	11/30/2020
Weber	Riverdale	submitted	11/24/2020
Weber	Roy	submitted	11/30/2020
Utah	Salem	submitted	01/19/2020
Washington	Santa Clara	submitted	01/19/2021
Cache	Smithfield	submitted	11/24/2020
Tooele	Tooele City	submitted	12/01/2020
Box Elder	Tremonton	submitted	11/25/2020
Uintah	Vernal	submitted	12/06/2020
Utah	Vineyard	submitted	11/30/2020
Washington	Washington City	submitted	12/01/2020
Weber	Washington Terrace	submitted	11/30/2020
Weber	West Haven	submitted	05/24/2021

Counties	DWS List	Date of Submission
Box Elder	submitted	12/02/2020
Cache	submitted	02/17/2021

Iron		
Summit	submitted	11/24/2020
Tooele	submitted	12/04/2020
Uintah	submitted	10/27/2020
Wasatch		
Washington		
Weber	submitted	12/21/2020

Glossary

ACH Routing Number: The number assigned to each bank by the Federal Reserve for the routing of financial transactions.

Acquisition: to acquire real property for any public purpose, as set forth in 24 CFR 570.201(a).

Activity Code: The code numbers assigned for each activity in a project and shown on the cost summary in each grant agreement.

Adjusted Gross Income (AGI): AGI is an individual's total gross income minus specific deductions.

Affirmative Action: A specific action or activity to eliminate or prevent discrimination. Affirmative action is often designed to remedy past discrimination and to ensure it does not reoccur.

Affirmative Fair Housing Marketing Plan (AFHMP): A document used to help sub-recipients and vendors to offer equal housing opportunities regardless of race, color, national origin, religion, sex, familial status, or disability https://www.hud.gov/program_offices/administration/hudclips/handbooks/ftheo/80251.1 (24 CFR Part 200, Subpart M). Implementing Affirmative Fair Housing Marketing Requirements Handbook (8025.1) can be obtained from HUD's website.

Affirmatively Furthering Fair Housing (AFFH): A legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act. HUD's AFFH rule provides an effective planning approach to aid program participants in taking meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination. The HUD AFFH assessment tool and final rule can be found here: https://www.huduser.gov/portal/affht_pt.html.

Aggregate Cost: Total cost of the project including all other funding sources.

Allowable Costs: Costs that are acceptable under 24 CFR 200 and are approved as part of an activity in the grant agreement.

Allowed Costs: Allowed costs are questioned costs that are allowed when the state accepts the costs as a proper charge to a grant award.

Amendment: A written revision or change to the contract/grant agreement.

American Indian/Alaskan Native: A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

Americans with Disabilities Act (ADA) of 1990: A federal civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public

Appraised Value: An estimate and opinion of the value of property resulting from the analysis of facts. The three generally accepted approaches to real estate value estimates are: (1) market approach - comparison with known sales of other properties in the same area and classification; (2) cost approach—reproduction costs less depreciation; and (3) income approach—capitalization of the estimated net income.

Area Median Income (AMI): Calculated annual limits based on HUD-estimated median family income with adjustments based on family size used for demonstrating LMI beneficiaries in the programs. May also be referred to Area Median Family Income (AMFI) in other program documents.

Asian: A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Assessed Value: The valuation of property for the purpose of levying a tax.

Association of Government (AOG): Designated regional councils of governments (i.e. state planning regions). The regional associations of governments join local governments, as well as state, federal, and private partners to provide cost-effective, better planned, and more accountable public services in each region.

Assurance: A written statement or contractual agreement signed by the chief executive officer in which a grantee agrees to administer Federally-assisted programs in accordance with laws and regulations.

Beneficiary: The recipient deriving advantage from CDBG funding.

Beneficiaries: Persons to whom assistance, services or benefits are ultimately provided.

Black/African-American: A person having origins in any of the Black racial groups of Africa.

Builder/Contractor: (Used interchangeably) A person who contracts to construct or repair houses or buildings and/or supervises building operations.

Certifying Officer: The responsible entity must designate a Certifying Officer -- the "responsible Federal official" -- to ensure compliance with the National Environmental Policy Act (NEPA) and the Federal laws and authorities cited at section 58.5 has been achieved. This person is the chief elected official, chief executive official, or other official designated by formal resolution of the governing body. The certifying officer must have the authority to assume legal responsibility for certifying that all environmental requirements have been followed. This function may not be assumed by administering agencies or consultants

Coastal Barrier Resource Zones: A protected coastal area such as ocean-front land in an effort to protect the barrier system and prevent future damage.

Code of Federal Regulations (CFR): The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government. It is divided into 50 titles that represent broad areas subject of federal regulations. Each volume of the CFR is updated once each calendar year and is issued on a quarterly basis.

Community Development Block Grant (CDBG): HUD program aims to ensure decent affordable housing, to provide services to the most vulnerable communities, and to create jobs through the expansion and retention of businesses. CDBG is one of the longest-running programs administered by the Federal Department of Housing and Urban Development (HUD).

Community Reinvestment Act: A United States federal law designed to encourage commercial banks and savings associations to help meet the needs of borrowers in all segments of their communities, including low- and moderate-income neighborhoods. Congress passed the Act in 1977 to reduce discriminatory credit practices against low-income neighborhoods

Compliance: The fulfillment of the requirements of applicable laws, implementing regulations and instructions.

Condemnation: The act of taking private property for public use by a political subdivision.

Conflict of Interest (COI): A situation in which there is a personal or financial interest that compromises or could compromise a person's independence of judgment in exercising his or her responsibilities

Consolidated Plan (Con Plan): A plan prepared in accordance with the requirements set forth in 24 CFR Part 91, which describes community needs, resources, priorities, and proposed activities to be undertaken under certain HUD programs, including CDBG.

Contract Amendment: A modification to the terms of the contract agreed upon by one or all parties to the contract.

Contractors: A contractor is an entity paid with project funds in return for a specific service (e.g., construction). Contractors must be selected through a competitive procurement process.

Davis-Bacon Labor Standards: All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part with assistance received under this chapter shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended.

Demolition: Clearance and proper disposal of dilapidated buildings and improvements.

Disallowed Costs: Disallowed costs are charges to grants that are unallowable in accordance with federal regulations, state program rules, and/or provisions of the contract.

Discrimination: Unequal treatment of a class of persons. An action, policy or practice is discriminatory if the result is unequal treatment of a particular protected class.

Displaced Person or Business: When a person or business is forced to move permanently as a direct result of acquisition, demolition or rehabilitation of HUD-assisted projects carried out by public agencies, nonprofit organizations, private developers, and others.

Duplication of Benefits: The Robert T. Stafford Disaster Assistance and Emergency Relief Act (Stafford Act) prohibits any person, business concern, or other entity from receiving financial assistance from CDBG funding with respect to any part of a loss resulting from a major disaster as to which he/she has already received financial assistance under any other program or from insurance or any other source.

Easement: The right, privilege or interest one party has in the land of another and is an encumbrance against the property that is subject to it. An easement may be permanent or temporary.

Elevation Standards: Standards that apply to new construction, repair of substantial damage, or substantial improvement of structures located in an area delineated as a flood hazard area or equivalent in FEMA's data source identified in 24 CFR 55.2(b)(1).

Eligible Costs: The costs of a project that are acceptable according to Section 105 of the Housing and Community Development Act and that are consistent with the grant agreement.

Eminent Domain: The power of the government to take private property for public use upon just compensation. The power extends to all lands acquired for the purpose of a higher public character deemed necessary for the proper performance of governmental functions essential to the life of the Commonwealth.

Entitlement Communities: Central cities of Metropolitan Statistical Areas (MSAs) with populations of at least 50,000; and qualified urban counties with a population of 200,000 or more (excluding the populations of entitlement

communities) that receive an annual allocation of CDBG funds directly from HUD under the CDBG Entitlement Program.

Environmental Assessment (EA) Checklist: A concise public document to aid in a grantee's compliance with the National Environmental Policy Act.

Environmental Clearance: A clearance given to indicate a grantee has met the CDBG environmental procedures and sufficient documentation and certification have been provided.

Environmental Impact Statement (EIS): The documentation that is required when a project is determined to have a potentially significant impact on the environment.

Environmental Review: The technical process of identifying and evaluating the potential environmental effects of a specific project within each impact category and as a whole. All qualified projects must undergo an environmental review process. This process ensures that the activities comply with National Environmental Policy Act (NEPA) and other applicable state and federal laws.

Environmental Review Record (ERR): Documentation of the environmental review process including all assessments or environmental impact statements, published notices, notifications and correspondence relating to a specific project.

Equal Employment Opportunity (EEO): Refers to a number of laws and regulations that together require that CDBG grantees provide equal opportunity to all persons without regard to race, color, religion, age, familial status, disability, national origin, or sex in the administration of their programs.

Equity: Funds that will be invested in a project by a private company designated as the participating party in the grant agreement.

Extremely Low-Income: As defined in the Consolidated Plan regulations and Section 8 Program, a family whose annual income does not exceed 30 percent of the area median family income.

Fair Housing: Refers to a number of Federal and State laws and regulations that prohibit a wide range of discriminatory practices and require that CDBG programs be administered in a manner that affirmatively furthers fair housing.

Fair Housing Act: Prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex, national origin, disability, or on familial status (presence of child under age of 18, and pregnant women).

Fair Labor Standards Act: A federal statute that establishes minimum wage, overtime pay, recordkeeping, and child labor standards for full- and part-time workers in the private and public sectors.

Family: Pursuant to 24 CFR 5.403, family includes, but not limited to the following, regardless of actual or perceived sexual orientation, gender identify or marital status: a) a single person, who may be elderly, displaced, nearly-elderly or any other single person; or b) a group of persons residing together: a family with or without children, an elderly family, near-elderly family, disabled family, displaced family, remaining member of tenant family, a single person not elderly, displaced, with disabilities, ro remaining member of a tenant family.

Fair Market Value: The price at which a willing seller would sell and willing buyer would buy a piece of real estate with neither being under abnormal pressure. As defined by the courts, the highest estimated price a property would bring if exposed for sale in the open market.

Federal Assistance: Any funding, property or aid provided for the purpose of assisting a beneficiary.

Federal Emergency Management Agency (FEMA): Agency of the U.S. government tasked with disaster mitigation, preparedness, response, short-term housing, and recovery planning.

Federal poverty guidelines: A measure of income issued every year by the Department of Health and Human Services (HHS). Federal poverty levels are used to determine your eligibility for certain programs and benefits, including savings on Marketplace health insurance, and Medicaid and CHIP coverage.

Federal Register (FR): A daily publication of the U.S. federal government that issues proposed rule-makings and updates, proposed settlements, public meetings and workshops, and other important agency activities published in the Federal Register, the daily legal newspaper of the Federal government), which is produced by the National Archives and Records Administration.

Federal Tax ID Number: The number assigned to the grantee by the Internal Revenue Service (IRS) for the purpose of filing tax information.

Fee Simple: Absolute ownership of real property with unrestricted rights of disposition during the owner's life.

Finding of No Significant Impact (FONSI): A public document by a Federal agency or a state grantee briefly presenting the reasons why an action not otherwise excluded (40 CFR 1508.4) or exempt will not have a significant effect on the human environment and for which an environmental impact statement will not be prepared.

Firm Fixed-Price Contract: A contract that provides for a price that is not subject to any adjustment in the performance of the contract.

Fiscal Year: any twelve-month period designated by the State. A year beginning on October 1 and ending on September 30 is the standard fiscal year of the federal government.

Flood Hazard Area: Areas designated by FEMA as having risk of flooding.

Flood Insurance: The Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) requires that projects receiving federal assistance and located in an area identified by FEMA as being within a Special Flood Hazard Areas (SFHA) be covered by flood insurance under the National Flood Insurance Program (NFIP). In order to be able to purchase flood insurance, the community must be participating in the NFIP. If the community is not participating in the NFIP, federal assistance cannot be used in those areas.

Floodplain: FEMA designates floodplains as geographic zones subject to varying levels of flood risk. Each zone reflects the severity or type of potential flooding in the area. • "100-year floodplain" — the geographical area defined by FEMA as having a one percent chance of being inundated by a flooding event in any given year. • "500-year floodplain" — the geographical area defined by FEMA as having a 0.2 percent chance of being inundated by a flooding event in any given year.

Floodway: The floodway includes the channel of a river or other watercourse as well as the adjacent land areas that must be kept clear to discharge flood waters. Because the floodway is the effective part of the floodplain conveying the water, floodways are the most dangerous part of the floodplain. HUD relies on the Federal Emergency Management Agency (FEMA)'s Flood Insurance Rate Maps (FIRMs) to define the horizontal limits of the floodway

Grantee: An eligible community (entitlement or non-entitlement) or entity that is approved to receive and/or administer an allocation of CDBG funds.

Green Building Standards: an industry-recognized standard that has achieved certification under at least one of the following programs: (1) ENERGY STAR (Certified Homes or Multifamily High-Rise), (2) EPA Indoor Air Plus (Energy Star a prerequisite), (3) LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development), or (4) ICC–700 National Green Building Standard.

Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Home/Housing Unit: (used interchangeably) a house, apartment, group of rooms, or single room occupied or intended for occupancy as separate living quarters.

Household: A household is defined in 24 CFR 570.3 as all persons occupying the same housing unit, regardless of their relationship to each other. The occupants could consist of a single family, two or more families living together, or any other group of related or unrelated persons who share living arrangements. For housing activities, the test of meeting the LMI National Objective is based on the LMI of the household.

Housing: Housing activities may include single family home repair, reconstruction, new construction, demolition, acquisition, and code enforcement or rental activities.

Housing and Community Development Act of 1974, as amended by the Supplemental Appropriations Act of 1984: Established the program of Community Development Block Grants to finance the acquisition and rehabilitation of real property and which defined the recipients and uses of such grants, with the primary goal of benefitting LMI persons.

Housing Quality Standards (HQS): The HQS establish certain minimum standards for buildings constructed under HUD housing programs. This includes new single-family homes and multifamily housing as outlined in 24 CFR 982.401.

Income: income includes the following: a) the gross amount of wages and salaries, before any payroll deductions, of all members of the household; b) The net income from operation of a farm, business or profession; c) interest, dividends, social security and pension payments, workers compensation, unemployment compensation, military pay, and welfare payments. Income should not include food stamps, insurance reimbursements, irregular gifts, stimulus payments or scholarships.

Inspection: The examination and testing of supplies and services to determine if they conform to contractual requirements.

Internal Controls: Policies and procedures that ensure project transactions will be carried out in conformity with applicable regulations and agency policy.

Invitation for Bids (IFB): Under the sealed bidding method of procurement, the written solicitation document that explains what the grantee is buying and requests bids from potential contractors.

Job: Project as defined by the engineering plans and specifications.

Local Match: Funds provided by the locality/grantee as a condition of award/use of CDBG funds. Local match can come from a variety of non-grant, cash sources.

Low- and Moderate-Income (LMI): Family or household earning less than 80% of the area median family income. The area median family income can be based on a metropolitan statistical area or a non-metropolitan county median family income figure. Low-to Moderate-Income National Objective - Activities which benefit persons of income that

does not exceed 80 percent of the area median income: • Very low: Household's annual income is up to 30 percent of AMI, as determined by HUD, adjusted for family size; • Low: Household's annual income is between 31 percent and 50 percent of AMI, as determined by HUD, adjusted for family size; and • Moderate: Household's annual income is between 51 percent and 80 percent of AMI, as determined by HUD, adjusted for family size.

Low-income: A household/family having an income below 50 percent of the area median income.

Method of Distribution (MOD): A description of the process used in determining the distribution of funds between activities to ensure that the needs to have been fully considered.

Microenterprise: A commercial enterprise that has five or fewer employees, including the owner (or owners) of the business.

Middle Income: As defined by the Consolidated Plan regulations, a household with an income between 80 and 95 percent of the area median income.

Minority: A person or groups of persons differing from others in some characteristics such as race, color, national origin, religion, sex, disability or familial status.

Minority Business Enterprise/Woman-owned Business Enterprise (MBE/WBE): Companies owned by minorities or women.

Miscellaneous Revenue: Revenue recaptured by a grantee that is not program income and not subject to Federal requirements.

Mitigation: Improvements made to reduce the possibility of property damage, personal and commercial hardship, as well as long lasting monetary burdens. For example, creating a flood mitigation program such as an acquisition of at-risk flood-prone property/housing, and elevation of housing in high-risk floodplains are two visible and effective mitigation projects that can be taken to make residents and communities safer in the face of natural disasters.

Moderate-income: A household/family having an income above 50 percent but below 80 percent of the median income for the area.

Modular Housing: A home built in sections in a factory to meet state, local, or regional building codes. Once assembled, the modular unit becomes permanently fixed to one site.

Monitoring: A routine review of projects during and after Federal assistance has been provided to the grantee.

Multifamily Rental: Eight or more rental units in the property.

National Objective(s): Refers to the three main goals of the CDBG Program—(1) benefit to LMI persons, (2) prevent or eliminate slums/blight, or (3) meet a need having a particular urgency. All funds expended under the program must meet one of the three national objectives.

National Origin: Can be defined as a person's ancestry, nationality group, lineage or country of birth of parents and ancestors before their arrival in the United States.

Native Hawaiian/Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Necessary and Appropriate: The process used by the grantee to ensure that private firms benefiting from projects will not be unduly enriched.

Negotiation: Discussion regarding technical and price proposals with offers in the competitive range for a contract being awarded using the competitive proposals or noncompetitive proposal method of procurement.

Noncompetitive Proposals: The method of procurement in which the grantee solicits proposal(s) from one source or a limited number of sources. This process may be used only under very limited circumstances and DLG must approve the use of noncompetitive proposals.

Noncompliance: Failure or refusal to comply with an applicable law or regulation or DLG requirement.

Non-Entitlement Communities: Small, rural cities with populations generally less than 50,000, and counties that have a non-metropolitan population under 200,000 and are not eligible for direct funding from HUD. Non-entitlement communities apply for CDBG funds from the state.

Non-Entitlement Grants: Federal funding to help states and units of local government in non-entitled areas meet their housing and community development needs. Community Development Block Grants carry out a wide range of community development activities directed toward neighborhood revitalization, economic development, and improved community facilities and services.

Non-Housing activities: Include infrastructure repairs, equipment acquisition and installation, as well as economic development.

Notice of Intent/Request Release of Funds (NOI/RROF): The notice the grantee completes and submits to HUD and the state once it is determined that a project will not require an environmental impact statement.

One-for-One Replacement: Subpart B Requirements Under Section 104(d) of the Housing and Community Development Act of 1974, 24 CFR 42.375 provides for public and/or assisted lower-income dwelling units to be demolished or converted to a use be replaced with comparable lower-income dwelling units.

Occupational Safety and Health Administration (OSHA): "Occupational Safety and Health Administration" is overseen by the U.S. Department of Labor (DOL) and aims to assure safe and healthful working conditions for working people by setting and enforcing health and safety standards and by providing training, outreach, education and assistance.

Office of Management and Budget (OMB): A federal Executive Office that oversees the performance of federal agencies and administers the federal budget. In particular, OMB establishes government-wide grant management policies and guidelines which are typically adopted by each federal agency via regulations issued by that agency. In 2013, OMB finalized its comprehensive overhaul of federal grant administrative, cost accounting and audit policies guidance, titled the Uniform Administrative Requires, Cost Principles and Audit Requirements for Federal Awards.

Overall Benefit: The state must certify that, in the aggregate, not less than 70 percent of the CDBG funds received by the state during a period specified by the state will be used for activities that benefit LMI households.

Participating Party: For profit or nonprofit entity that is the beneficiary of the Federal funds awarded.

Period of Performance: the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award. The Federal awarding agency or pass-through entity must include start and

end dates of the period of performance in the Federal award (see 200.210 Information contained in a Federal award paragraph (5) and 200.331 Requirements for pass-through entities, paragraph (a)(1)(iv)).

Persons with Disabilities: Persons who have physical or mental impairments that substantially limit one or more of their major life activities (i.e., talking, walking, working, etc.), have histories of those impairments, or are regarded as having those impairments under provisions of the ADA.

Potential Beneficiaries: Those persons who are eligible to receive Federally- assisted program benefits and services.

Procurement procedures: The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§200.317 through 200.327.

Program Income: Net income derived from the sale of program assets that exceeds \$35,000 in the aggregate, in a single fiscal year, received by the subrecipient and directly generated from the use of housing CDBG funds.

Proposal: In the competitive/noncompetitive proposal method of procurement, the offer submitted by a potential contractor.

Protected Class(es): A person or persons who, by virtue of race or color, national origin, religion or creed, sex, disability, age or familial status are protected and given redress by the law when discriminated against.

Public Notification: Process of publicizing information about CDBG projects. This is attained through the use of newspapers, newsletters, periodicals, radio and television, community organizations, grassroots and special needs directories, brochures, and pamphlets.

Public Posting: Display of information in prominent locations throughout the community.

Quotation: The price or offer submitted by a business in the small purchase method of procurement.

Recipient: City and/or county that is awarded a CDBG grant (also referred to as grantee). The term recipient can also be used to refer to beneficiaries of certain programs, like housing programs.

Reconstruction: Demolition and rebuilding of a unit on the same lot in substantially the same footprint and manner. This activity also includes replacing an existing substandard unit with a new or standard unit. The number of units on the lot may not increase, and the total square footage of the original, principal residence structure to be reconstructed may not be substantially exceeded; however, the number of rooms in a unit may be increased or decreased based on the applicant's current household size.

Rehabilitation: Repair or the restoration of housing units to applicable construction codes and standards.

Regulations: Refers to the implementing requirements that are developed and issued by the agency responsible for a certain program or requirement. In the case of CDBG, the regulations are issued by HUD and can be found at 24 CFR Part 570.

Request for Proposals (RFP): Under the competitive proposal method of procurement, the agency's written solicitation to prospective firms to submit a proposal based on the terms and conditions set forth therein. Evaluation of the proposal is based on the factors for award as stated in the solicitation.

Request for Qualification (RFQ): A form of procurement of professional services by competitive proposals in which price is neither requested in the advertisement nor used as an evaluation factor. Only technical qualifications are reviewed and a fair and reasonable price negotiated with the most qualified firm.

Request for Quotations: Under the small purchase method of procurement, a brief written request for a price quotation from potential contractors.

Responsible Bidder: A bidder who has the technical and financial capacity to secure the necessary resources in order to deliver the goods or services.

Responsible Entity (RE): Term used to refer to the entity responsible for completing and certifying an environmental review record, as required under 24 CFR Part 58. In the case of CDBG funds, grantees (that are local governments) are the responsible entity.

Responsive Bid: A bid that conforms exactly to the requirements in the invitation for bids (IFB).

Revolving Fund: A separate fund that is independent of other program accounts established to carry out specific activities that, in turn, generate payments to the fund for use in carrying out such activities. Commonly used under CDBG program income funds for ongoing housing rehabilitation or economic development activities.

Right of Way: A privilege operating as an easement upon land whereby the owner has given to another the right to pass over the land to construct a roadway or use as a roadway a specific part of the land. The right to construct through or over the land telephone, telegraph or electric power lines, or the right to place underground water mains, gas mains or sewer mains.

Sanctions: Measures that may be invoked by DLG or HUD to exclude or disqualify someone from participation in HUD programs (e.g., debarment and suspension) or to address situations of noncompliance.

Scope of Work: Written definition of work to be performed that establishes standards sought for the goods or services to be supplied, typically used for service contracts.

Sealed Bidding: The procurement method for requesting competitive sealed bids. This method of procurement requires specifications be written clearly, accurately and completely describing the requirements. A public bid opening is held and evaluation of bids and award of the contract are based on the best bid submitted by a responsive and responsible contractor.

Section 3: Refers to Section 3 of the Housing and Urban Development Act of 1968, as amended in 1992, which requires that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be directed to low- and very low-income persons, and/or to businesses that provide economic opportunities to low- and very low-income persons.

Single Family Home: A single-unit family residence detached or attached to other housing structures.

Single Family Housing Rehab: The utilization of CDBG funding to rehabilitate or reconstruct damaged homes for the applicant to remain in the original home at the original home site. The home to be assisted must have been owner-occupied at the time of the event.

Slum and Blight National Objective: Activities which help to eliminate slums and blighted conditions. It must be justified in the application for funding and the restrictions of its use will be expressly detailed in the contract. Slum

and Blight activities must meet the criteria of one of the three following categories: • Prevent or eliminate slums and blight on an area basis; • Prevent or eliminate slum and blight on a spot basis; or • Be in an urban renewal area.

Specifications: Clear and accurate description of the technical requirements of a service or supply contract.

State Historic Preservation Office (SHPO): The State office that determines whether a grantee's project includes historically significant properties under applicable environmental review requirements.

Statute/Statutory: Refers to requirements that have their basis in the law passed by Congress. In the case of CDBG, the statute is Title I of the Housing and Community Development Act of 1974. Statutory provisions cannot be waived by HUD, except in cases of a natural disaster, and must be changed or approved by Congress. There are also some parts of the state statutes applicable to the CDBG Program.

Statutory Checklist: A checklist covering environmental compliance required by other Federal agencies, executive orders and other HUD regulations (24 CFR 58.5).

Subrecipient: Cities, counties, local governmental agencies (including AOGs), chosen by the grantee to undertake certain eligible CDBG activities. The definition of subrecipient does not include procured vendors, private grant administrators, or contractors providing supplies, equipment, construction, or services and may be further restricted by program rules or other guidance including applications. See vendor definition for further clarification.

Termination for Cause: Termination of a contract when the contractor fails to perform or make progress so as to endanger performance.

Termination for Convenience: Termination of a contract on a unilateral basis when the grantee no longer needs or requires the products or services or when it is in the best interest of the grantee.

Time Delay: An interruption during which services, supplies or work are not delivered in accordance with the performance time schedule stated in the contract.

Title VI of the Civil Rights Act of 1964: Federal law (USC 2000d-4) prohibiting discrimination based on race, color or national origin.

Uniform Federal Accessibility Standards (UFAS): Uniform standards for the design, construction and alteration of buildings so that physically disabled persons will have ready access to and use of them in accordance with the Architectural Barriers Act.

Uniform Grant Guidance or Uniform Guidance: (UG) Office of Management and Budget's (OMB) comprehensive grant guidance titled the Uniform Administrative Requires, Cost Principles and Audit Requirements for Federal Awards that establishes a government-wide grants management framework. The UG is generally codified at 2 C.F.R. Part 200 and has been adopted by all federal agencies. The UG is intended to ease administrative burden and strengthen oversight over federal funds. In particular, the UG addresses topics relating to protecting and using federal funds such as procurement, property standards, financial management, monitoring, allowable costs (i.e., costs which may be paid for with federal funds) and audit requirements.

Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (Title 49 CFR Part 24) (42 U.S.C. 4601 et seq.) (URA): Applies to all acquisitions of real property or displacements of persons resulting from federal or federally assisted program or projects. URA's objective is to provide uniform, fair, and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects. For the purposes of these guidelines, URA mostly applies to residential displacements in involuntary (49 CFR

Subpart B) acquisition or multifamily damaged/occupied activities that require the relocation of the tenants. A displaced person is eligible to receive a rental assistance payment that is calculated to cover a period of 42 months, as waived by the FR.

Urgent Need National Objective: An urgent need that exists because conditions pose serious and immediate threat to the health or welfare of the community; the existing conditions are recent or recently became urgent; and the subrecipient cannot finance the activities on its own because other funding sources are not available. Subrecipients or the state must document how each program and/or activity funded under this category responds to a disaster related impact. See 24 CFR 570.208(c).

United States Code (U.S.C.): A compilation and codification of the general and permanent federal law of the United States.

U.S. Department of Housing and Urban Development (HUD): HUD establishes the regulations and requirements and administers programs aimed at creating strong, sustainable, inclusive communities and quality affordable homes, such as the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Program (HOME)

U.S. Department of Justice: a federal agency that enforces laws and defends the interests of the United States. DOJ administers several federal grant programs through the Office of Justice Programs (OJP), Office for Victims of Crimes (OVC), Office of Juvenile Justice and Delinquency Prevention (OJJDP) and the Office on Violence Against Women (OVW).

U.S. Department of Labor (DOL): Department of the U.S. Government that is responsible for Federal labor regulations and requirements.

U.S. Environmental Protection Agency (EPA): Department of the U.S. Government that is responsible for Federal environmental regulations and requirements.

U.S. Equal Employment Opportunity Commission: the federal agency responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.

Vendor: Vendors and private grant administrators procured by the state or subrecipients to provide supplies, equipment, or services necessary to implement the program and to serve homeowner assistance needs. Upon approval, the vendor may implement the program or act on behalf of the subrecipient.

Very Low-income: As defined by the Consolidated Plan regulations and Section 8 Program, a family whose annual income falls in the range of 31 to 50 percent of the area median family income.

White: A person having origins in any of the original peoples of Europe, North Africa or the Middle East