

# Nevada CDBG Application Workshop Program Year Grant Agreement Begins July 1, 2023

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## CDBG HISTORY: HCDA of 1974



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## WHAT IS CDBG?

<b>CDBG is the:</b>	Community Development Block Grant Program
<b>Authorization:</b>	Title 1 of HCDA of 1974; <u>1981 amendment for non-entitlement</u>
<b>Administered nationally by:</b>	U.S. Department of Housing and Urban Development (HUD)
<b>In Nevada by the:</b>	Governor's Office of Economic Development (GOED)

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## ENTITLEMENT or NON-ENTITLEMENT

The Non-Entitlement refers to the **State and Small Cities Program**, which is managed by the state for the benefit of non-entitlement or rural areas.

Entitlement	Non-entitlement
Cities over 50,000 in population.	<b>Cities with fewer than 50,000 people;</b>
Typically the larger urban centers.	<b>Counties with fewer than 200,000.</b>
Receive funds directly from HUD.	<b>Units of local government that do not receive CDBG funds directly from HUD.</b>

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## ELIGIBLE APPLICANTS

CDBG ELIGIBLE ENTITIES  
CDBG Non-entitlement  
(2011-2015 ACS)

COUNTIES	LMI %	COUNTY SEAT	CITIES	LMI %
Churchill	44.90%	Fallon	Caliente	45.73%
Douglas	37.65%	Minden	Carlin	38.64%
Eko	38.61%	Eko	Eko	36.89%
Emerald	55.07%	Goldfield	Ely	44.81%
Eureka	31.83%	Eureka	Fallon	60.04%
Humboldt	37.48%	Winnemucca	Fernley	40.29%
Lander	38.79%	Battle Mountain	Lovelock	52.00%
Lincoln	42.62%	Pioche	Wells	56.20%
Lyon	46.82%	Nerington	West Wendover	70.79%
Mineral	50.58%	Hawthorne	Winnemucca	33.16%
Nye	50.98%	Tropic	Nerington	50.87%
Perkins	45.80%	Lovelock		
Storey	28.52%	Virginia City		
Washoe	41.28%	Reno*		
White Pine	39.82%	Ely	Carson City	45.18%

\*Reno and Sparks are Entitlement cities.  
Non-entitlement areas:  
\*Cities with populations of less than 50,000  
\*Counties with populations of less than 200,000

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## SUB-RECIPIENTS

Cities/Counties can sponsor:

- Non- Profits
- For-Profit Businesses
- Housing Authorities

The grant agreement is between the City or County and the State of Nevada.

**The City or County must have a sub-recipient agreement in place**, if awarded, defining the responsibilities of the City/County and the sub-recipient.

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### STATE RESPONSIBILITIES

- Designing program
- Setting funding requirements based on Method of Distribution (MOD)
- Selecting recipients of funds allocated
- Establishing financial management, recordkeeping, reporting, monitoring and closeout procedures
- Ensuring compliance by Unit of General Local Government (UGLG)



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### STATE CDBG PROGRAMS

States are given wide latitude in the design and implementation of their programs.

#### Maximum Feasible Deference:

*"Secretary will give maximum feasible deference to the state's interpretation of the statutory requirements and the requirements of the regulation. . ." [24 CFR Part 570.480(c)]*

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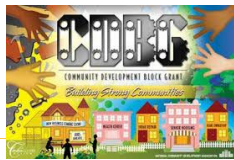
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### UGLG RESPONSIBILITIES

- Deciding what type of activities for which to apply
- Citizen participation
- Carrying out activities state agreed to fund
- Complying with Federal and State program requirements



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## HUD OUTCOME STATEMENTS

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## HUD PROGRAM OUTCOME STATEMENTS

**Develop Viable Communities by Meeting Objectives of:**

- expanding economic opportunities;
- providing suitable living environment;
- providing decent housing.

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## EXPANDING ECONOMIC OPPORTUNITIES



Successful **economic development** creates new jobs, increases incomes and tax revenues, attracts new workers to a community thereby facilitating **community development**.

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### PROVIDING SUITABLE LIVING ENVIRONMENTS

Good **community development** creates an environment that businesses and residents favor, facilitating success in **economic development**.



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### PROVIDING DECENT HOUSING

**Economic and community development** are closely and vitally connected, especially in rural places.



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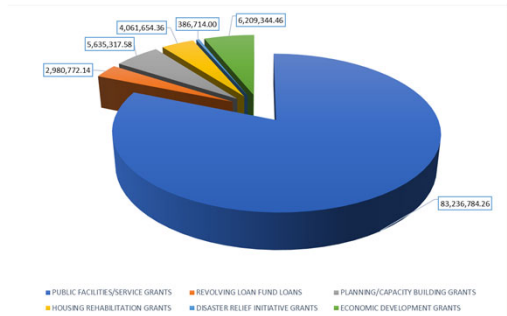
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### CDBG INVESTMENTS 1982-2022 = \$102,510,587



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## HUD: CDBG NATIONAL OBJECTIVES

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## CDBG NATIONAL OBJECTIVES

The HCD Act requires that CDBG-funded activities **meet one of the following three national objectives:**

	National Objectives
#1	Benefit <b>51%</b> or more <b>LMI persons</b>
#2	Aid in the prevention or elimination of <b>slum or blight</b>
#3	Address a <b>recent urgent</b> community development <b>need</b>

**All grants must meet at least one of these National Objectives.**

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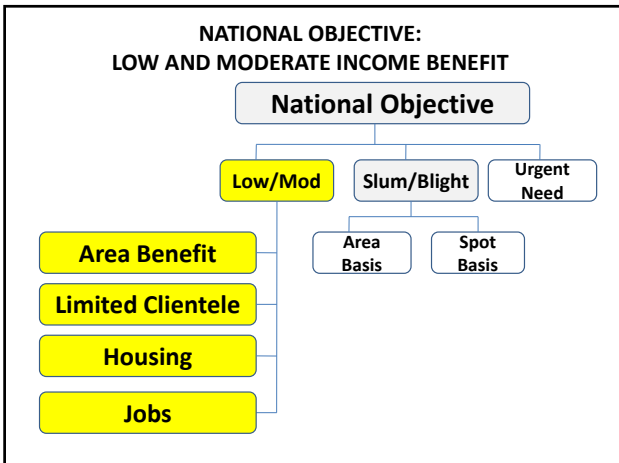
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**AREA BENEFIT (LMI-A)**

Activity benefits available to all residents in a particular area [see 24 CFR 570.483(b)(1)]:

- Must be the entire area served by activity;
- At least 51% of area residents must be LMI;
- Area served must be primarily residential.

LMI documentation for 51% or greater by:

- 1) HUD provided data---Census data/LMI levels, or
- 2) Income survey data (HUD Notice CPD-05-06)
  - Local applicant defines service area and state provides approval.

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**LIMITED CLIENTELE (LMI-C)**

Activity may benefit a limited clientele, per HUD regulation (24 CFR 570.483(b)(2):

Activity may benefit at least one of eight categories of generally presumed principally LMI persons:

- 1) Children who are abused
- 2) People who are homeless
- 3) Adults who are severely disabled
- 4) Spouses who are battered
- 5) People who are elderly
- 6) Adults who are illiterate
- 7) People living with AIDS
- 8) Farm workers who are migrant

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**LIMITED CLIENTELE (LMI-C),  
continued**

Documentation required for limited clientele activities includes:

- Information on family size and income to document that at least 51% of clientele families are LMI (e.g. day care, health clinics);
- Income eligibility requirements limit activity to LMI persons (day care, public services);
- Location and nature of activity primarily serves LMI persons (community/youth center for public housing).

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### LIMITED CLIENTELE (LMI-C), continued

- Removal of materials and architectural barriers to improve accessibility/mobility of elderly and severely disabled adults by assisting:
  - Reconstruction of public facilities;
  - Rehabilitation of privately owned nonresidential buildings;
  - Rehabilitation of common area of residential structure with more than one dwelling unit.
- Microenterprise assistance for LMI owners and persons developing microenterprises;
- Job Training and employment support services.

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### JOB CREATION/RETENTION (LMI-J)

- Create jobs - at least 51% of jobs must employ LMI persons, computed on full-time equivalent basis (24 CFR 570.483(b)(4).
- Retain jobs - document jobs lost without CDBG assistance, at least 51% of which must be LMI based on who they are held by or reasonable turnover of jobs over two (2) years.
- Available to LMI persons - business provides training for unskilled and first consideration for LMI persons.

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### JOB CREATION/RETENTION (LMI-J)

General rule: each assisted for-profit business considered a separate activity except for:

- acquiring real property, a business incubator or an industrial park
- providing technical assistance to businesses; or
- public facilities or improvements that benefit more than one business [For some exceptions, see CFR 570.483(b)(4)]

In these and other cases, must aggregate all jobs created or retained by benefiting businesses.

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### HOUSING (LMI-H)

Providing or improving permanent residential structures, completed and occupied by LMI households [24 CFR 570.483(b)(3)]:

- Only LMI test that must be met by *households*.
- Units must meet requirements:
  - single family structures to be occupied by LMI;
  - two or more units at least 51% units occupied by LMI households;
  - rental housing must be occupied by LMI households at affordable rents.

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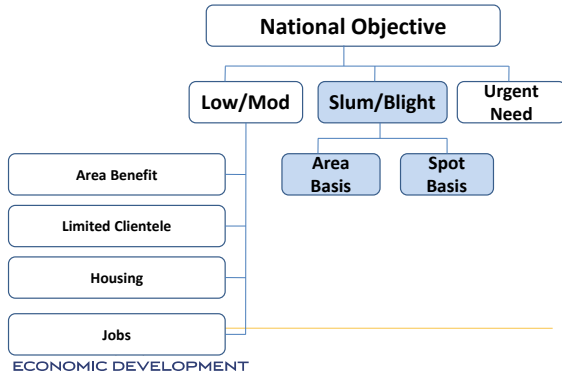
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### NATIONAL OBJECTIVE: PREVENTION OR ELIMINATION OF SLUM & BLIGHT



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### PREVENTION OR ELIMINATION OF SLUM & BLIGHT

Activities must meet one of two determinations:

- **Area Basis**---clearly eliminating objectively determinable signs of slums or blight in a defined area. 24 CFR 570.483(c)(1)
- **Spot Basis**---strictly limited to eliminating specific instances of blight outside such an area. 24 CFR 570.483(c)(2)

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### SLUM & BLIGHT- Area Basis Criteria

- Area must be officially delineated by the local government and must meet a definition of slum, blighted, deteriorated or deteriorating area under state or local law.

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### SLUM & BLIGHT – Area Basis Criteria

Area meets the following HUD provisions:

- At least 25% of properties in area experience one or more of the following:
  - 1) Physical deterioration of building or improvements;
  - 2) Abandonment of properties;
  - 3) Chronic high turnover or vacancy rates in commercial or industrial buildings;
  - 4) Significant declines in property values or abnormally low property values;
  - 5) Known or suspected environmental contamination.

**OR**

- Area public improvements (all public infrastructure) are deteriorated.

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### SLUM & BLIGHT - Area Basis Criteria

- Documentation:
  - Define the boundaries of the delineated area;
  - Identify all building and public improvement conditions demonstrating blight;
  - Describe activity addressing the condition that led to blight in area;
  - Review and issue redetermination every 10 years that area is qualified.

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### SLUM & BLIGHT - Area Basis Criteria

- Activities designed to address slum and blight on an area basis – examples:
- acquisition and clearance of blighted property;
  - renovation and reuse of abandoned historic buildings;
  - commercial revitalization through façade improvements;
  - removal of environmental contamination on property for a specific redevelopment use;
  - rehabilitation of residential buildings to correct substandard conditions stated by local codes.

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### SLUM & BLIGHT - Spot Basis

Criteria per 24 CFR 570.483(c)(2):

Activity takes place outside slum or blighted area and is aimed at preventing the spread of slum and blight.

Activity limited to:

- acquisition\*
- clearance
- relocation\*
- historic preservation or
- rehabilitation of buildings-only to eliminate detrimental conditions to public health/safety

**\*MUST HAVE A FOLLOW UP ACTIVITY.**

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### SLUM & BLIGHT - Spot Basis

Documentation must include:

- Description, location and pictures of the property and contributing deteriorating conditions.
- Identification of activity according to eligibility types:
  - Acquisition
  - Clearance
  - Relocation
  - Historic preservation
  - Building rehabilitation

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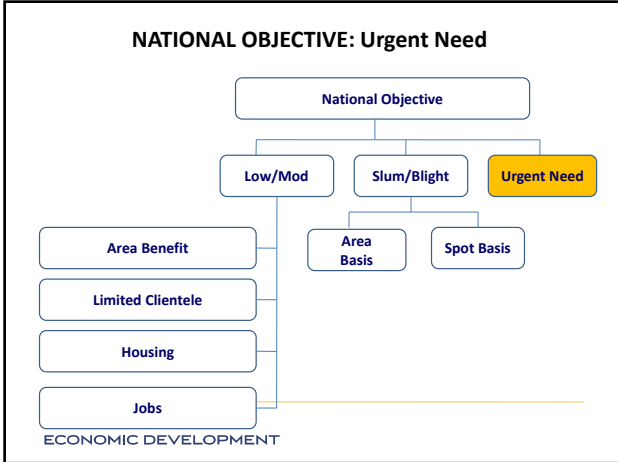
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**URGENT NEED (UN) CRITERIA**

- Need must pose a serious and immediate threat to community health and welfare;
- The need must be of recent origin or recently urgent (within past 18 months);
- Community must be unable to finance activity on its own;
- Other funding sources must not be available to carry out the activity.

**NOTE:** Must contact CDBG office prior to submitting.

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**CDBG ACTIVITIES & FUNDABILITY**

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## ACTIVITY FUNDABILITY

For a project to be **fundable**, it must pass **two** tests:

- 1) Must meet a National Objective **and**
- 2) Must have an Eligible Activity



Refer to: Guide to National Objectives and Eligible Activities for State CDBG Program

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## WHAT IS FUNDABILITY?

### Combining Eligible Activities with National Objectives

- Fundability refers to key thresholds that determine if a project qualifies for CDBG funding.
- The state review process for all local government CDBG funding applications must include a fundability determination prior to award.
- All activities must be eligible for funding.
- All eligible activities must meet a national objective.

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## ELIGIBLE ACTIVITIES

HCDA #	ACTIVITY	EXAMPLES
105 (a)(1)	Acquisition of Real Property	Blighted, rehab, preservation, public use facilities
105 (a) (2)	Public Facilities and Improvements and Privately-Owned Utilities	Acquisition, construction, reconstruction of public works and facilities.
105 (a)(3)	Code Enforcement	Salary of code enforcement officer.
105 (a)(4)	Clearance, Rehabilitation, Reconstruction and Construction of Buildings	Clearance, rehab, reconstruction, construction of buildings.
105 (a)(5)	Architectural Barrier Removal	Removal of barriers that restrict mobility and accessibility.
105 (a)(8)	Public Service	Must be a new service or a quantifiable increase in service.
105 (a)(12)	Planning and Capacity Building	Comprehensive development plan or a plan to develop policy-planning-management capacity.

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ELIGIBLE ACTIVITIES		
HCDA #	ACTIVITY	EXAMPLES
105 (a)(13)	Program Administration Costs	Payment of reasonable administrative costs.
105 (a)(14)	Activities Carried Out Through (public/private) Nonprofit Development Organizations	Acquisition; construction; rehabilitation; planning.
105 (a)(15)	Activities Carried Out Through (neighborhood based, development corps.; Section 301 (d) SBA) Nonprofit Development Organizations	Neighborhood revitalization; economic development, energy conservation.
105 (a)(16)	Energy Use Strategies, Energy Efficiency	Activities necessary to the development of energy use strategies (efficiency).
105 (a)(17)	Economic Development Assistance for For-Profit Businesses	Assistance to for-profit entities to carry out economic development.

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ELIGIBLE ACTIVITIES		
HCDA #	ACTIVITY	EXAMPLES
105 (a)(20)	Housing Services	Housing services would include housing counseling, energy auditing, loan processing, etc.
105 (a)(21)	Assistance to Institutions of Higher Education	Assistance given when there is a demonstrated capacity to carry out activities that fall under one or more of the basic eligibility categories of CDBG.
105 (a)(22)	Micro-enterprise Assistance	Facilitates economic development through technical assistance and other support.
105 (a)(24)	Homeownership Assistance	Direct assistance to facilitate and expand home ownership among LMI persons.

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## PUBLIC FACILITIES

**Eligible activities** include the acquisition, construction, reconstruction, rehab or installation of public facilities and improvements, including:

- Infrastructure Improvements (Construction and installation)
- Neighborhood Facilities (Parks, playgrounds)
- ADA Accessibility

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### PUBLIC FACILITIES

**Public Facility activities** may qualify under these **National Objectives**:

- **Low to moderate income area** – when the activity will benefit those that are predominantly low to moderate income
- **Low to moderate income, limited clientele** – where the facility serves a specific population that can be presumed to be low to moderate income
- **Low to moderate income jobs** – 51% of the jobs created or retained due to the activity are held or available to low to moderate income individuals
- **Slum/Blight, area basis** – when the activity aids in the elimination of or prevents slum and blight

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### ECONOMIC DEVELOPMENT

**Eligible activities** include:

- The acquisition, construction, reconstruction, rehab or installation of commercial or industrial buildings, structures or other real property, equipment and/or improvements.
- Assisting a private, for-profit business, including micro-enterprise assistance.
- Providing economic development services in connection with CDBG eligible ED activities.
- Job training, placement, or other types of service (public service or ED).
- Rehabilitation of publicly and privately owned commercial structures.

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### ECONOMIC DEVELOPMENT

**Economic Development activities** may qualify under these **National Objectives**:

- **Low to moderate income jobs** – 51% of the jobs created or retained due to the activity are held by or available to low to moderate income individuals.
- **Slum/Blight, area basis** – when the activity, e.g. commercial rehab, aids in the elimination of or prevents, slum and blight.
- **Slum/Blight, spot basis** – activities such as acquisition, clearance, and rehab may be undertaken.

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## Planning & Capacity Building

**Eligible activities** include:

- Plans to assist in determining community needs.
- Plans related to implementing a CDBG-assisted project.

**All planning grants must lead to a project.**



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## PUBLIC SERVICES

**Eligible activities** include a wide range of activities:

- Job Training
- Crime Prevention
- Health Services
- Child Care
- Substance Abuse
- Fair Housing Counseling
- Energy Conservation
- Welfare Service
- Recreational Services
- Down Payment Assistance

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## PUBLIC SERVICES

**Public Service activities** may qualify under these **National Objectives**:

- Low to moderate income area – where the public service is available to all residents in which 51% are LMI.
- Low to moderate income, limited clientele – benefits a targeted population in which 51% are LMI.
- Slum/Blight, area basis - when the activity aids in the elimination of slum/blight.

**Note:** additional qualifying criteria may apply.

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## PUBLIC SERVICES

CDBG funds may be used for labor, supplies, and materials as well as the operational costs and/or maintenance of the portion of the facility in which the public service is located.

### Restriction!

Must be for new service or quantifiable increase in the level of previous state and locally supported effort.

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## HOUSING ACTIVITIES

**Housing Rehabilitation** may qualify under these National Objectives:

- Low to moderate income housing – by improving permanent residential structures occupied by low to moderate income families.
- Slum/Blight, area basis – if the house is located in an area that meets the definition of slum/blight, there is a substantial number of deteriorating buildings, and the activity addresses one of the conditions that contribute to the slum/blight of the area.
- Slum/Blight, spot basis – activity must eliminate specific conditions of decay and remove only those conditions that are detrimental to public health and safety.

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## NEVADA CDBG GRANT CYCLE & APPLICATION PROCESS

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**CDBG APPLICATIONS: 2022 GRANT CYCLE**

- For 2022, 21 proposed projects were submitted by 10 cities/counties by the Eligibility due date. Requests totalled \$4,867,745.
- Eighteen of the 21 potential projects were approved for the Application phase.
- The total request for CDBG funding on the 18 projects was \$4,637,745.
- The allocation for 2022 was \$3,421,222

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**STEP BY STEP: CDBG APPLICATION PROCESS**

**STEP #1: Hold 1<sup>st</sup> Public Meeting** – informational meeting about the CDBG program; estimated funding available; projects under consideration; assistance to non-profits; contact information; next meeting date.

**STEP #2: Hold 2<sup>nd</sup> Public Meeting** – 30 days after Public Meeting #1. Ideas received to date. Additional projects due date. Date of 3<sup>rd</sup> Public Meeting.

**STEP #3: Submit projects for Eligibility** –October 14th, 2022. Many projects can be submitted; however only two City/County and two non-profit projects can be selected for applications.

**Note: Job Matrix due Sept. 30<sup>th</sup>**

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**STEP BY STEP: CDBG APPLICATION PROCESS**

**STEP #4: Hold 3<sup>rd</sup> Public Meeting** – Held after the Eligibility Due Date of October 14<sup>th</sup>, 2022. This meeting is to select the projects to be developed as applications.

**STEP #5: Develop project applications from October 19, 2022 – February 17, 2023.**

- Grant CDBG access to ZoomGrants to review application.
- Complete CDBG ZoomGrants application with supporting information and submit by February 17th, 2022.

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**STEP BY STEP: CDBG APPLICATION PROCESS**

**STEP #6:** Advisory Committee Meeting March/April depending on when federal budget is approved.

**STEP #7:** Receive Notification of Recommended Allocation March/April.

**Step #8:** GOED & Governor approval- Grants are approved April/May

**STEP #9:** Attend CDBG Grant Administration Workshop in May/June.

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**STEP BY STEP: CDBG APPLICATION PROCESS**

**STEP #10:** Receive Award Letters from GOED and the Governor and the Grant Agreement.

**STEP #11:** Return signed agreement to the CDBG office with the Certification to draw funds form.

**STEP #12:** Grant Year Begins July 1, 2023



Projects implemented: Planning Grants = 12 months;  
Construction = 24 months

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**CENSUS DATA & LMI ELIGIBILITY**

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### U.S. Census Tracts and Block Groups

- **Census Tract:** a relatively permanent statistical subdivision of a county delineated for the purpose of presenting data. Census tract boundaries normally follow visible features. Census Tracts and Block Groups have been redrawn and re-labeled since 2010.
- **Block Group:** a subdivision of a census tract. A block group is the smallest geographic unit for which the Census Bureau tabulates sample data.
- **LMISD:** For 2022, HUD released LMI Summary Data (LMISD) to the block group level, based on the 2011-2015 American Community Survey data.

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### Determining the LMI Percentage for Eligibility

Three ways to establish LMI eligibility:

- 1) Refer to the one-page Summary of LMI Status by Area for FY 2022;
- 2) Use 2011-2015 ACS data, released by HUD and effective as of April 1, 2019. GIS map will be reviewed.
- 3) Conduct a survey.

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### CDBG LMISD Index: HUD Rural Nevada

- If not clearly eligible from the LMI Status Summary, refer to the HUD released LMISD.
- Locate county, place, census tract and the block group for the project area. Use the GIS map at the following link: <https://www.onecpd.info/manage-a-program/acs-low-mod-summary-data-block-groups-places>;
- Determine area that will benefit from the project: MUST use entire area. If LOW MOD % is at least 51%, the location is eligible for CDBG assistance;
- If proposed project will serve more than one block group, add the LOW MOD numbers and divide by the LOW MOD UNIV sum. The resulting percentage determines the LMI eligibility.

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### Demographics and Census 2010

- For CDBG LMI-A activities: (determined eligible by the census tract or survey) HUD requires the **total number of persons served and the percentage of LMI individuals served.**
- For direct service activities (LMI-C): [e.g. housing rehabilitation, microenterprise assistance, limited clientele activities, job creation projects] **demographic information** of race, ethnicity, female head of households, disability, and age, **is required, as applicable.**
- Race and ethnicity data is not required for activities under the CDBG LMA, Slum/Blight, and Urgent Need National Objectives.
- Refer to the State Grants Office, State Library Data Center, and State Demographer for additional information on US Census, American Factfinder and the American Community Survey (ACS)

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### U.S. Census Help Options

Jeff Hardcastle, State Demographer, UNR, Reno:  
Telephone: 775-687-9999; [jhardcastle@tax.state.nv.us](mailto:jhardcastle@tax.state.nv.us)

Betts Markle, MLS, Assistant Administrator,  
Nevada State Library, Archives and Public Records, Carson City:  
Telephone: 775-684-3306; [bmarkle@admin.nv.gov](mailto:bmarkle@admin.nv.gov)

Jessica Sanders, GOED, Carson City:  
Telephone: 775-687-9919; [jsanders@diversifynevada.com](mailto:jsanders@diversifynevada.com)

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### Why Conduct a Survey?

CDBG regulations 24 CFR 570.483 (b)(1)(i) allow use of HUD's LMISD or surveys to show that at least 51 percent of residents of service area are LMI.

An income survey needed when the:

1. LMISD does not reflect current income levels in the service area due to:
  - (a) Economic changes (plant openings/closings) or massive layoffs;
  - (b) Non-economic changes such as natural disasters or terrorist attacks;
  - (c) Change in population (due to migration patterns).
2. Boundaries of the service are not coterminous with the boundaries of the census tract or block group.

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## Conducting a Survey

- Define service area and determine sample size.
- Conduct a methodologically sound survey.
- Analyze results from the survey.
- Document and save findings from the survey.
- **Have Survey approved by CDBG prior to submission of an application.**

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## Contacts for Conducting a Survey

Jessica Sanders  
CDBG Program Administrator  
[jsanders@diversifynevada.com](mailto:jsanders@diversifynevada.com)  
775-687-9919

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Nevada Rural Water Association  
[kevinb@NVRWA.org](mailto:kevinb@NVRWA.org)  
(775) 841-4222

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## CDBG APPLICATION DEVELOPMENT

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### CDBG Projects

- All CDBG projects are subject to an environmental review prior to Notice to Proceed. **Submit with application.**
- Budget and Scope of Work important. **Be VERY clear on both in the application.**
- Note that the lead time from start of application cycle on July 1<sup>st</sup>, 2022, until start of program year, is one year later, July 1<sup>st</sup>, 2023. Planning Grants expire June 30, 2024; Construction – June 30, 2025.

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### Application Form

#### Application Checklist:

- 1) Submit **one ORIGINAL** and any relevant information the UGLG deems **necessary** for accurate back-up (cost quotes, maps, letters of commitment) to GOED.

and

- 2) Submit the Zoom Grants application to GOED.

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### Additional Submissions

1. At your discretion.
2. Be discerning about items you add.

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### Application Scoring

- I. Project Needs Analysis – 10 points
- II. Proposed Project Activity – 10 points
- III. Scope of Work – 10 points
- IV. Planning & Project Context– 10 points
- V. Long-term Planning & Asset Management – 10 points
- VI. Environmental Review – 10 points
- VII. Internal Funding – 10 points
- VIII. Alternative/External Funding– 10 points
- IX. Economic Development Impact– 10 points
- X. Project Budget & Budget Justification Narrative – 10pts.
- XI. Maturity & Project Readiness – 10 Points

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### Before Submitting the Application

**Review:**

- 1. Have I explained the history of the problem?
- 2. Have I painted a clear picture of the proposed project?
- 3. Have I provided documentation that shows I am project ready?
- 4. Have I included copies of advertisements or notices for Public meetings?
- 5. Are the minutes reflective of public participation in the CDBG application process?

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### Application: Due Date & Time

- Applications are due in ZoomGrants on Friday February 17, 2023, and a full original copy to the CDBG office at the close of business on Friday 24, 2023



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**2023 CDBG ZoomGrants Application**

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**ZoomGrants Review**

- <https://zoomgrants.com/gprop.asp?donorid=2217>

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**Basic Grant Writing**

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### Five Factors for Successful Grant Writing

- 1) Capacity of the Applicant & Relevant Organization Staff
- 2) Need/Extent of the Problem/Issue
- 3) Soundness of Approach
- 4) Leveraging of Non-CDBG Resources
- 5) Expected Results and Proposed Evaluation

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### Factor #1

#### Capacity of the Applicant and Relevant Organizational Staff

Address the extent to which you have the organizational resources necessary to successfully implement the proposed activities in a timely manner.



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### Factor #2

#### Need/Extent of the Problem

Does your community have a significant problem to be addressed and a need for CDBG funding to address the problem?

To determine the need, CDBG requires you to document the extent of the problem/issue in the geographic area that you will target with your project/program.



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### Factor #2 - Continued

How do you frame the problem/issue?

- Who is affected?
- What is happening?
- Where does the problem situation take place?
- Why is it a problem/issue?
- What else can you tell us about the situation?
- Who else thinks it is a problem/issue?
- What are the underlying causes?
- What are the effects of this problem/issue?

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### Factor #3

#### Soundness of Approach

Addresses the quality and appropriateness of your proposed project/program – the heart of your Proposal.

For example:

- What are you going to do?
- How will these activities meet the needs expressed in Factor #2?
- How will these activities meet CDBG goals and priorities?

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### Factor #4

#### Leveraging of Non-CDBG Resources

- This addresses your ability to secure resources beyond those provided by CDBG and is designed to encourage you to obtain resources in combination with CDBG to increase your chances of achieving the purposes of the activities you propose to undertake.
- Leveraging includes financial and in-kind resources and they must be reflected in your budget and be well explained and documented.

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### Factor #5

#### Expected Results and Proposed Evaluation

Application should clearly define the interim and final outputs that will be achieved during and after the award period.

Identify:

- The impact on the community from your project.
- The methodology and benchmarks to be utilized to measure your progress and success.
- The benefits to be achieved.

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### Other Essentials

- Begin with the end in mind
- Understand the resources available: financial, physical, institutional – Project Readiness.
- Build a foundation of knowledge, commitment, resources and capacity BEFORE asking for the \$\$\$.
- Understand the grant process: know your funder, the selection factors, State objectives...



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### Basic Elements of a Proposal

- a. Opportunity/Problem/Needs
- b. Goals and Objectives
- c. Work Plan
- d. Project Evaluation
- e. Budget
- f. Funding Contingencies/Future Funding



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## When you sit down to write:

- Think about your audience and the appropriate format and language.
- Use structure to make it reader-friendly. Section headings, paragraph subheadings, graphs, charts and bullet points can help.
- Proofread your work or get someone else to review it. Review accuracy, clarity, spelling, punctuation, grammar and conciseness.
- Be clear. Don't rely on technical jargon or acronyms.
- Be concise.
- Be professional.

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## Thank you!

Shari Davis, Director - North  
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Jessica Sanders, Program Administrator:  
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# 2023 CDBG APPLICATION HANDBOOK



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## PROGRAM SUMMARY

PROGRAM: Community Development Block Grant Program

FEDERAL RESOURCE: U.S. Department of Housing & Urban Development

STATE ADMINISTRATOR: Governor's Office of Economic Development  
Shari Davis, Director  
Rural Community & Economic Development  
775.687.9911  
[sadavis@goed.nv.gov](mailto:sadavis@goed.nv.gov)

CONTACT PERSON(S): Jessica Sanders, CDBG Program Administrator  
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Sarah Clark, CDBG Program Specialist  
775.687.9920  
[seclark@goed.nv.gov](mailto:seclark@goed.nv.gov)

ELIGIBLE RECIPIENTS: 15 Non- Metro Counties; 12 Rural Incorporated Cities & Carson City City/County

PROGRAM YEAR: July 1<sup>st</sup>, 2022-June 30, 2023



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## COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

### SECTION I: OBJECTIVES AND PURPOSE

The CDBG Program is administered by the Department of Housing and Urban Development (HUD) and is authorized by Title I of the Housing and Community Development Act (HCDA) of 1974, as amended. The primary objective of the Community Development Block Grant Program is the development of viable communities by providing:

- i. expanding economic opportunities principally for persons of low and moderate income,
- ii. suitable living environments, and
- iii. decent housing.

Funds granted through this program support community development activities directed toward the following objectives stated in Title I of HCDA of 1974, as amended.

1. The elimination and prevention of slums and blighting influences that cause deterioration within a community.
2. The elimination of conditions detrimental to health, safety and public welfare through code enforcement, demolition, or interim rehabilitation assistance.
3. The conservation of housing stock to provide a suitable living environment for persons principally of low and moderate income.
4. The expansion and improvement of the quality and quantity of community services principally for persons of low- and moderate-income.
5. The better utilization of land and other natural resources, and the planning of placement of residential, commercial, industrial, recreational, and other needed activity centers.
6. The reduction of isolation of income groups through spatial de-concentration of housing and revitalization of deteriorated neighborhoods.
7. The restoration and preservation of properties with historic, architectural or aesthetic value.
8. The stimulation of private investment and community revitalization to alleviate physical and economic distress.
9. The conservation of scarce energy resources, improvement of efficiency and provision of alternative and renewable energy sources.

## **SECTION II: FEDERAL & STATE GOALS**

As a result of federal initiatives, in 1981 the State of Nevada was given the option to administer the Community Development Block Grant (CDBG) program that had formerly been administered by the U.S. Department of Housing and Urban Development (HUD). The Governor's Office of Economic Development (GOED) administers the CDBG program for Nevada.

The State's goal is to meet the National Objectives of the Community Development Block Grant program. The National Objectives are to:

- 1) benefit low- and moderate-income persons;
- 2) aid in the prevention or elimination of slums or blight; or
- 3) meet community development needs having a particular urgency when other sources of funding are not available.

In addition, it is the State's goal to consider projects addressing:

- 1) documented public health or safety needs and
- 2) needs identified through a community and/or regional planning process.
- 3) economic development needs.

Since 2011, the Nevada CDBG Program has been administered by the Governor's Office of Economic Development (GOED); the focus has been to align program goals more closely with the goals of GOED. In doing so, the program awards fewer but larger grants that have a greater economic development impact for a community or region.

CDBG program goals are determined through a planning process. Every five years, the state must submit a five-year Consolidated Plan for HUD's four formula grant programs: Emergency Supportive Grant (ESG), HOME Investment Partnership (HOME), Community Development Block Grant (CDBG), Housing for People with AIDS (HOPWA), and the Housing Trust Fund (HTF), a separate housing program. These programs are intended to accomplish three HUD objectives: secure decent housing, provide a suitable living environment, and expand economic opportunities for low to moderate-income persons.

The 2020-2024 Consolidated Plan and Strategic Plan, an Analysis of Impediments to Fair Housing Choice, and the 2020 Annual Action Plan were developed August through December of 2019 and have been continuing in 2020. The plans were due to HUD by May 15, 2020. However, because of the COVID-19 pandemic, additional funding was received, and the due date has been extended to August 16, 2021.

The 2022 CDBG Annual Action Plan is a component of the new Consolidated Plan: projects selected for funding for the 2022-2023 Program Year are included in an annual action plan. The Consolidated Plan covers program years 2020 through 2024 and provides a broad range of

goals that are priorities for CDBG, HOME, ESG, HTF and HOPWA during that time frame. The non-entitlement areas of rural Nevada apply these goals in varying degrees, as each applies to moderate-income residents to the city, county or region. The 2020-2024 Consolidated Plan serves as a guideline for the applications submitted for the 2023 CDBG grant application cycle.

### **Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview**

The 2020-2024 Consolidated Plan goals for CDBG to address the needs of low- to moderate-income residents include:

HUD's objectives for its formula programs are to provide to provide decent housing, a suitable living environment, and economic opportunities for low-moderate income residents. The State of Nevada strives to accomplish these goals by maximizing and effectively utilizing all available funding resources to conduct housing and community development activities. These objectives are further explained as follows:

- **Providing decent housing** means helping homeless persons obtain appropriate housing and assisting those at risk of homelessness; preserving the affordable housing stock; increasing availability of permanent housing that is affordable to low- and moderate-income persons without discrimination; and increasing the supply of supportive housing, making down payment and closing cost assistance available for low- and moderate-income persons;
- **Providing a suitable living environment** entails improving the safety and livability of neighborhoods; increasing access to quality facilities and services; and reducing the isolation of income groups within an area through integration of low-income housing opportunities.
- **Expanding economic opportunities** involves creating jobs that are accessible to low- and moderate-income persons; promoting long-term economic and social viability; and empowering low-income persons to achieve self-sufficiency.

In order to fulfill these objectives for housing, homeless, and community and economic development programs, the 2020-2024 Consolidated Plan establishes seven goals. In pursuing these goals, the State of Nevada has established priorities for the use of its resources. The priorities emphasize targeting of activities, leveraging other resources and public investments, and promoting community changing impact.

The Action Plan for fiscal year 2022 continues allocating the state's resources toward these priorities and achieving the goals set forth in the Consolidated Plan.

- I. Affordable Housing –  
Improve access to the full spectrum of quality affordable housing for Nevadans in non-entitlement areas.

- a. Increase the supply of affordable housing opportunities through development of new housing units for rental or homeownership opportunities and preserve the long-term affordability of homes through rehabilitation of existing vacant or owner-occupied units.
- b. Provide direct housing assistance to assist potential buyers to purchase a home, rapidly house those who are homeless or prevent or divert homelessness or provide decent, affordable housing to persons living with HIV/AIDS.
- c. Provide housing services and support in the form of counseling – homebuyer or rental and case management services - to ensure persons are and remain stably housed.
- d. Expand housing and supportive services for people with disabilities

## **II. Community Stabilization & Development**

Prevent and arrest the decline of Nevada neighborhoods and promote revitalization.

- a. Support targeted code enforcement
- b. Demolish vacant, blighted buildings
- c. Cleanup contaminated properties
- d. Support strategic acquisition and disposition activities
- e. Support development and maintenance of the affordable housing stock throughout Nevada.

## **III. Public Facility and Infrastructure**

Acquisition, construction, installation, rehabilitation, or improvement of facilities to support safe, sustainable, resilient communities.

- a. Water/Sewer/Storm Systems
- b. Park, recreation, youth, senior facilities
- c. Streets and sidewalk improvements
- d. Health and safety facilities
- e. Increase access to broadband infrastructure

## **IV. Public Services**

Provide public services to ensure all Nevadans have access to opportunities to improve their quality of life, including people who are homeless.

- a. Support public services to ensure low-income households and vulnerable populations have access to appropriate and needed resources.

## **V. Economic Development**

Develop opportunities to improve the economic environment by creating or retaining business and employment opportunities for low income and diverse Nevadans

- a. Create and retain jobs
- b. Create and expand businesses

## **VI. Community Planning and Capacity Building**

Encourage local and regional planning activity to facilitate understanding of current housing, community development, and resiliency needs and develop a plan for their sustainable future.

- a. Provide training and technical assistance to communities to build their capacity to address housing and community development need.
- b. Assist communities to identify achievable goals to further community needs.
- c. Align community goals with funding opportunities to meet those goals.

#### VII. Homelessness

- a. Provide Rapid Re-housing services & financial supports
- b. Homeless supports and prevention
- c. Support shelter operations
- d. Increase and maintain supply & access of affordable and supportive housing
- e. Outreach

Housing needs are the priority of the Nevada Housing Division (NHD) and HOME and HTF funding; needs for people who are homeless are the priority of the NHD's Emergency Supportive Grant (ESG); needs addressing community and economic development are the priority of the Community Development Block Grant (CDBG) program. The HOPWA program assists individuals living with AIDS/HIV with housing and services.

### **SECTION III: GENERAL INFORMATION**

#### A. Criteria of Eligibility

For an application to be considered for funding, three criteria of eligibility must be met.

- 1) The application must be submitted by an eligible applicant (City or County).
- 2) The project activity or activities must be allowable under Section 105 of the law.
- 3) The project must meet one of the three National Objectives in the specific manner required by HUD.

It is the responsibility of the applicant to submit an application that is allowable under the law and that meets a National Objective. CDBG funds also mandate compliance with many other federal requirements. These requirements should be taken into consideration when developing the project's scope and budget. Applicants are **strongly encouraged** to work with CDBG staff members in developing an application that supports the goals of HUD and of GOED.

Additionally, while HUD has many activities that are eligible, HUD also allows state programs to determine which activities further the goals of each state program. The focus of Nevada's CDBG program is to align its goals more closely with those of the Governor's Office of Economic Development by focusing on fewer but larger grants/projects that have a greater economic development impact for the rural communities.



When submitting applications to GOED, applicants need to be aware that an environmental review (ER) must be submitted for all projects. If the proposed project is Exempt (ex: planning), or Categorically Excluded, Not Subject to, the ER must be submitted with the ZoomGrants application. If the proposed project requires a Categorically Excluded, Subject to or an Environmental Assessment, the applicant must detail the status of the ER when submitting the application. If funded, the ER must be submitted and approved by CDBG staff members before any funds can be obligated by the grantee. The due date for Environmental Assessments is September 30 of the program year. Considering the level of ER is a significant factor in determining if a proposal is Project Ready.

CDBG staff members are available to provide technical assistance to communities developing projects for Eligibility and applications. Cities and counties also need to collaborate with the Regional Development Authorities when developing projects that will have the highest impact for their communities and regions.

## B. Definitions

**Low and Moderate Income:** Persons at or below 80 percent of median family income per HUD Section 8 Housing Limits. Unrelated individuals shall be considered as one-person families for this purpose. [All living in one household constitutes a family.]

**Slum or Blight Area:** The HUD definition is an area delineated by the State (refer to NRS 279.050 and 279.190) or by the grantee:

- that meets a definition of a slum, blighted, deteriorated, or deteriorating area under State or local law and
- where there is a substantial number of deteriorating or dilapidated buildings or improvements needed throughout the area.

### Nevada Revised Statute Definitions:

**Blighted Area:** (from NRS 279.050): "Blighted Area" means an area which, by reason of the presence of a substantial number of slums, deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, in sanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use. If such blighted area consists of open land, the conditions contained in subsection 6 of NRS 279.270 shall apply. Any disaster area referred to in subsection 9 of NRS 279.270 shall constitute a "blighted area."

**Slum Area:** (from NRS 279.190): "Slum Area" means an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the health, safety, morals or welfare.

**Urgent Need:** In the absence of substantial evidence to the contrary, an activity will be considered to address this standard if the applicant certifies that the activity is designed to alleviate existing conditions that **pose a serious and immediate threat to the health or welfare of the community**, which are of recent origin or that recently became urgent, that the applicant is **unable to finance the activity on its own, and other sources of funding are not available**. A condition will generally be considered of recent origin if it developed or became critical within 18 months preceding the certification by the applicant. Funding under this category does not can provide an interim solution until funding can be secured to resolve the issue.

C. Eligible Applicants

Applications will be accepted only from the following city and county governments designated in the table on the following page.

<b>CDBG ELIGIBLE ENTITIES CDBG Non-entitlement [2011-2015 ACS]</b>				
<b>COUNTIES</b>	<b>LMI %</b>	<b>COUNTY SEAT</b>	<b>CITIES</b>	<b>LMI %</b>
Churchill	44.90%	Fallon	Caliente	45.73%
Douglas	37.65%	Minden	Carlin	28.64%
Elko	38.61%	Elko	Elko	36.89%
<b>Esmeralda</b>	<b>55.07%</b>	Goldfield	Ely	44.81%
Eureka	31.83%	Eureka	<b>Fallon</b>	<b>60.04%</b>
Humboldt	37.48%	Winnemucca	Fernley	40.29%
Lander	38.79%	Battle Mountain	<b>Lovelock</b>	<b>52.00%</b>
Lincoln	42.62%	Pioche	<b>Wells</b>	<b>56.20%</b>
Lyon	46.82%	Yerington	<b>West Wendover</b>	<b>70.70%</b>
Mineral	50.56%	Hawthorne	Winnemucca	33.16%
Nye	50.98%	Tonopah	Yerington	50.87%
Pershing	45.80%	Lovelock		
Storey	28.52%	Virginia City		
Washoe	41.28%	Reno*		
White Pine	39.82%	Ely	Carson City	46.18%

NOTE: Cities highlighted in red are LMI areas per the 2011-2015 ACS, the HUD-approved data to use. The census tract, block group, or survey area GIS map needs to be included for Eligibility.

Other entities seeking funding, such as non-profits, must work with these eligible cities and counties to secure sponsorship of a project. CDBG staff members can assist in determining if the proposed sponsorship and proposal are eligible.

#### D. Eligible Activities

Eligible activities are limited to those identified in Section 105 of Title I of the Housing and Community Development Act of 1974 as amended. If a local government has any questions regarding the eligibility of a project, it is recommended that CDBG staff be contacted prior to developing an application. While HUD has many eligible activities, GOED's CDBG program focuses on activities that further economic development in a community or region.

Primary program areas for the annual competitive CDBG program are Public Facilities & Infrastructure; Planning & Capacity Building; and Economic Development. Some examples of eligible activities are listed below.

##### **Public Facilities/Infrastructure**

- establish/upgrade water supply distribution systems
- upgrade sanitary sewers
- improve water treatment facilities
- flood control measures
- water/sewer feasibility studies
- improvement of streets & safety issues
- Façade improvements
- Downtown revitalization

##### **Planning**

- water/sewer feasibility studies
- development of a comprehensive Community Economic Development Plan
- Preliminary Engineering Reports (PER) required for larger projects

##### **Economic Development**

- Job creation
- Job retention

#### E. National Objectives

The projected use of funds must be developed to give maximum feasible priority to:

- activities that will benefit low- and moderate-income persons, or
- aid in the prevention or elimination of slums or blight, or
- activities that address an urgent need that is a serious and immediate threat to the health or welfare of the community.

## F. Funding Levels

Allocation: The funding level for a federal fiscal year depends on actions taken at the federal level. Additionally, the allocation is based on a formula and the level may fluctuate based on population and other factors. The estimated funding level for the current fiscal year is based on the history of funding levels. Final grant awards are made when the actual HUD allocation is known.

Funding Period: Funding recommendations for applications are generally made late March or early April. In recent years it has been later, as it is dependent on congressional and presidential approval of a federal budget. In 2021, the HUD allocation was received in late-February. Grant agreements between the state and HUD are generally not finalized until August or September. In 2019, the agreement was not finalized until late November.

Projects must be able to be implemented as soon as possible after the grant award, July 1<sup>st</sup>. The first draw request is due within nine months of grant award (March 31<sup>st</sup>). Planning grants are funded for a 12-month period; construction grants are funded for a 24-month period. Grants may be extended if not completed within the original funding period. Requests for extensions are submitted to the CDBG Program Administrator for review and approval by the Director of Rural Community & Economic Development.

Limitations on Grant Amount: There is neither a maximum limitation nor a minimum limitation on grant amounts. However, the annual allocation available from HUD to the State of Nevada has been about 3.2 to 3.4 million dollars for the past three years. The funding level for years prior to 2017, was 2.3 to 2.4 million. The higher figures reflect Carson City reverting to the state program in 2017 and some increases in funding.

An application requesting a majority of the funding would receive scrutiny and may not be recommended for funding if it is determined such an allocation would put other viable projects at risk of not being funded. Conversely, administration of a grant is time intensive. Smaller requests may not be recommended for funding if it appears the project will not have significant impact and/or not be project ready.

Public Service and Planning categories have limitations imposed by HUD. Public Service projects cannot exceed 15 percent of the annual allocation from HUD and are not priority projects for the State unless considered contributing to economic development; Planning and Administration cannot exceed 20 percent of the annual allocation from HUD. Planning grants must result in a project, preferable in the next grant cycle.

## G. Joint Applications - Special Conditions

Eligible units of general local governments may submit a joint application requesting CDBG funds. It must address a common problem, the solution to which requires the mutual action of joint applicants. The application must include a written cooperative agreement outlining the

responsibilities and authorities of each party. This agreement must also authorize the primary contact person for administrative and monitoring purpose. It is important to note that both communities must count the joint application as one of two submitted.

In the rating system of the selection process, if a joint application were submitted by Community A and ranked as a #1 priority and Community B ranked it a #1 priority, the application would be considered a higher priority than if only one community had ranked it #1. Community A and Community B can submit only one additional application each.

#### H. Indian Tribes

The State's CDBG funding can be used to benefit concentrations of non-federally recognized bands of Native American Communities. Their requests would be handled by the local government in the same manner as any other application for CDBG funds.

#### I. Citizen Participation

The following summarizes the steps needed to develop an effective citizen participation process that complies with HUD and State requirements.

It is essential the city/county conducts planning activities that involve citizen input when determining potential project requests from the CDBG program. The local government is required to encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used. This process should establish the areas and identify the activities that residents have determined are the most needed for the community.

Local governments are required to ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to proposed and actual use of CDBG funds. The city/county also must assist representatives of low/mod groups that request help in developing proposals.

When planning public meetings, local governments must provide reasonable accommodations, such as sign language or availability of major documents in a requested language. All public meetings must be accessible to the handicapped. The Public Notice for the meeting(s) must include a statement on non-discrimination and provide a TDD or Nevada number where individuals who are hearing impaired individuals can obtain information about the CDBG program.

## Required Meetings:

### First Public Meeting:

The first public meeting is an informational meeting that must be properly noticed and comply with the Nevada Open Meeting Law, NRS 241 as well as other noticing requirements. It is mandatory for the first meeting to be held in July, as the new grant year begins July 1<sup>st</sup>. Public meetings may be held in conjunction with a council or commission meeting. **Noticing of the first public meeting must be done two weeks prior to the meeting.**

Information to be covered in the first meeting is as follows:

- The amount of CDBG funds expected to be made available for the current fiscal year;
- The range of activities that may be undertaken with CDBG funds;
- The proposed CDBG activities that are likely to result in displacement of people and/or businesses and the local government's anti-displacement and relocation plans required under regulation 570.488.

During this meeting the presenter is responsible for the following:

- Presenting a summary of grant performance for all CDBG grants received since 1982 and ensuring that the summary is available for review by the public.
- Asking the public for additional project ideas for the upcoming program year;
- Aiding those interested in submitting an application but not familiar with the CDBG application process;
- Asking for public input on past or potential projects;
- Supplying a contact name and contact information for submitting project ideas;
- Informing the public of the next meeting at which potential projects (with estimated funding amounts and beneficiaries) will be discussed.
- Disseminating any additional information, the city/county government wishes to include.
- Providing a timeline for review of Project Eligibility and Application Due Dates.

After the informational meeting and prior to the second public meeting, the local government will publish or post a notice in various places describing:

1. the projects that are being considered for CDBG funding requests;
2. the amount of funds that will be requested for each project,
3. the availability of a description of past performance, and
4. the location where the potential project list and a history of past performance can be reviewed.
5. the date, time and location of the next public meeting. Give a two-week notice.

One copy of the minutes of the informational meeting (first page of minutes and section discussing the CDBG program **only**) and a copy of the advertised public notice or the posted

notice must be sent with the application(s) to GOED. If a posted notice, locations where posted must be included on the notice.

**Refer to the end of this guidebook for sample notices.**

### **Second Public Meeting:**

The second public meeting is held approximately one month after the first/informational meeting and is properly noticed, as noted at the end of the section on the first meeting procedures.

During this meeting the following items are discussed:

- Project concepts, estimated costs, and estimated beneficiaries are discussed;
- Public input is requested;
- Additional project ideas may be submitted;
- Notification of the next meeting at which potential project(t)s will be selected to move forward with application(s).
- Other relevant information pertaining to the CDBG program and potential Projects, including the due date for Project Eligibility (generally mid-October)

One copy of the minutes of the second meeting (first page of minutes and section discussing the CDBG program **only**) and a copy of the advertised public notice or the posted notice must be sent with the application(s) to GOED. If a posted notice, locations where posted must be included on the notice.

### **Third Public Meeting:**

The third public meeting can be held at any time; it is recommended that it is done after the Project Eligibility. This is the meeting at which the council or commission will determine which projects will be approved to develop as project applications. As with meetings #1 and #2, meeting #3 must be properly noticed, giving a two-week notice.

At this meeting:

- the city council/county commission members address all comments received to date;
- recommendations are made for any changes to the proposed project;
- potential projects are prioritized;
- final selection of projects for the application phase is decided.

One copy of the minutes of the third meeting (first page of minutes and section discussing the CDBG program **only**) and one copy of the advertised public notice or the posted notice must be included with the application(s) to GOED. If the notice was posted, locations where posted must be included on the notice. All minutes will reflect approval of the council/commission as to which applications are to move forward and the prioritization or ranking of the projects.



After applications are completed, they are submitted via ZoomGrants to GOED with copies of the meeting notices (published or posted notices), the minutes, and other required documents. If submitting two applications, only one set of notices and minutes is required. **This evidence of citizen participation is required for applications to be considered for funding. Without this documentation the application cannot be accepted for review.**

Localities should be aware when an application is approved for funding, it is the responsibility of the city/county to ensure that the public has access to the state's Final Consolidated Annual Performance and Evaluation Reports (CAPER). This report provides performance results of each funded project. An electronic copy of the draft CAPER is sent to each city or county each year in August/September for the public to submit comments to be included in the report. After the public comment period, the report is submitted to the Department of Housing and Urban Development by the September 30<sup>th</sup> due date.

#### Community Development and Housing Needs Statement

In prior years, the applicant has been asked to create and submit a Community Development and Housing Needs Statement. However, units of general local government (UGLG) also may use the citizen participation process to obtain information regarding community development needs.

It is suggested that the local jurisdiction request ideas from the citizens at the first public meeting and use the suggestions as one component in planning present and future projects. The following steps should be taken to develop community development needs priorities:

- Through input from public meetings, surveys, or other sources, identify the needs of the community relating to community development and the **needs of low- and moderate-income persons**. (Note: This can be combined with the first meeting required for citizen participation).
- List the identified needs and the activities that should be undertaken to meet those needs. Please cite statistics when necessary and available.
- A citizen input summary may be completed by the grant author, CDBG contact, or a member of the commission or council. It is not necessary to retain a consultant to develop such a summary.

This summary can contribute to the narrative in the application that discusses how the need for the project was established. However, if the city/county has a recent (within the last five years) a master plan or other document (such as a CEDs) that prioritizes needs established through a community participation process, that document may be used to satisfy the Needs Statement. A separate Needs Statement is not required if community and regional planning studies and reports have been done using a rigorous public participation process. Applicants also must state, in the application, how the project meets priorities of the state's Consolidated Plan.

## J. Grant Agreement

Units of general local government must agree to comply with certain federal and state laws if awarded CDBG funds. Some laws require specific activities be conducted to demonstrate compliance while others simply require a signed assurance. The following list summarizes the types of applicable laws:

- Civil Rights and Fair Housing laws
- Environmental laws
- Labor Standards laws
- Relocation and Acquisition laws
- Treasury and Office of Management and Budget Circulars
- Section 504 Handicapped Access Plan.

The 1987 amendments to the Housing and Community Development Act require the unit of local government adopt an anti-displacement plan before receiving a grant award, even if the project will not result in displacement. It is suggested that the applicant adopt the plan during the citizen participation process to prevent delays in awarding the grant.

The Housing and Urban-Rural Recovery Act of 1983 made some significant changes in the assurances required of the CDBG participants. They included that the local government will minimize displacement, affirmatively further fair housing and will not attempt to recover the cost of public improvements. Since many fund requests by the units of general local government (UGLG) are for public improvements, it is necessary to clarify this assurance.

Units of general local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and operated by low and moderate income persons unless: (A) CDBG funds are used to pay the proportion of such assessment that relates to non-CDBG funding or; (B) it is certified that, for the purpose of assessing properties owned and occupied by low and moderate income persons who are not very low income, the applicant does not have sufficient CDBG funds to comply with the provisions of (A) above.

HUD defines an assessment as a fee or charge levied or filed as a lien against a parcel of real estate as a direct result of benefit derived from the installation of a public facility improvement, such as streets, curbs and gutters. The amount of the fee represents the pro rata share of the capital costs of the public improvement levied against the benefiting properties. It is important to note that user fees and fees used to retire bonds do not apply to this requirement.

All units of local government that receive CDBG funding are required to obtain audits which comply with P.L. 98-502 (Single Audit Act of 1997) and the implementing regulations as contained in OMB Circular A-133 and the OMB Super-Circular's new audit requirements effective December 31, 2014.

## K. The Budget

The application requires detailed information about the project costs and the sources of funds that will be used in completing the project. The budget will be closely examined by staff and the Advisory Committee. Contingencies are not allowed by HUD and should not be shown as line items in the budget. While incorporating a contingency into the budget is wise, as from application to award time is a year, this line item needs to be assigned to the city/county/non-profit's budget.

The budget will also be examined for "Resource Leveraging" during the rating of the application to determine the percentages of cash and in-kind that is being contributed. The budget and the applicant's response to the question on efforts to obtain alternative funding will be examined in rating the potential project.

Definitions for resource leveraging terms of cash, in-kind, volunteer, and effort are as follows:

**Cash** is the commitment of dollars to the project if it receives funding. This would include local funds from the applicant and funds from other local sources such as a general improvement district or senior center. Cash also includes committed funds from state and federal agencies, for example, the Nevada Division of Aging Services or the federal Farmers Home Administration.

**Evidence of commitment of these funds must be attached to the application.** Applications may be funded contingent upon obtaining the sources of funds indicated in the application if evidence of commitment is not available. Commitments of cash will be monitored if the project is funded. It is permissible to include any cash expended in the past year (from application date) on the project. Land purchased in the past year (from application date) may be shown at the cash purchase price.

- Attach evidence of ownership. Previous CDBG funding for this project or other projects will not be considered.

**In-kind** refers to the commitment by the community for services to be performed in conjunction with the project alone including force account labor, volunteer labor, administrative costs assumed by the local government, in-house plans or engineering, etc. that will not be paid for with CDBG funds. Land acquired in the past year (from application date) by means other than cash purchase may be included at appraised value.

**Volunteer** refers to the value of volunteer labor that is part of the project. Volunteer labor is identified as in-kind.

**Effort** will be evaluated on two criteria. The application will be reviewed to determine the community's efforts to obtain alternate sources of funds appropriate to the project and local contribution to the project.

Where applicable, projects and applicants will also be evaluated on the initiatives that were taken in the past to address the current problem. For example, if a water quality problem was identified five years ago, and the community has taken initial steps to address the problem by acquiring a new well site or funding a feasibility study three years ago, this will be taken into consideration in the rating of effort.

#### L. Administrative Costs

Please note that while there are eligible costs, administration is infrequently awarded, as the HUD allocation has declined over the years and project funding is considered the priority. Grantees often use city/county administration as an in-kind contribution to the project. Any allowance for administrative costs will not be allowed after CDBG Policies & Procedures are revised in 2020.

#### M. The CDBG Advisory Committee

The CDBG Advisory Committee (AC) consists of eight members whose function is to review applications and recommend projects for funding to the Executive Director of the Governor's Office of Economic Development and the Governor.

When the member cannot attend an AC meeting, a substitute representative is chosen by the member in consultation with the chair of the AC. The substitute must be from the region that the absent member represents.

Carson City retains its separate allocation process and review committee. Final awardees are approved by the Board of Supervisors and the Mayor.

### **SECTION IV: SELECTION SYSTEM**

#### A. Selection Process and Criteria

All applications are initially reviewed for eligibility by staff members of the Governor's Office of Economic Development (GOED). Other State agencies and/or Expert Reviewers are asked to provide a technical review of applications, as appropriate. This information is provided to the CDBG Advisory Committee for consideration in the allocation process. The Advisory Committee scores, ranks, and recommends applications for funding to the Director of Rural Community and Economic Development of the Governor's Office of Economic Development. The recommendations are then submitted to the Deputy Director - North of GOED and to the Governor for final approval.

Each community that applies for funds will be allowed to make a presentation at the Advisory Committee meeting. Each community is permitted 15 minutes to present its project: five minutes of presentation time per application and ten minutes to respond to questions from the Advisory Committee per application. Communities not able to send a representative in-person to present to the AC may present via video.

In accordance with federal law, the CDBG Advisory Committee must meet or exceed the requirement that 70 percent of the State's CDBG funds, over a three-year period, is allocated to projects that benefit low- and moderate-income persons.

## **B. Selection Considerations**

Communities should keep selection considerations in mind when planning or writing community development proposals. A project's rating and ranking is a significant consideration in project selection. These factors include but are not limited to the following:

### **National Objectives:**

Proposals must demonstrably address the primary objective of the Act as well as one of the three broad national objectives set out in the federal Act passed by Congress.

### **Performance:**

The community's past performance with CDBG projects will be considered during the selection process. Project readiness also is considered.

### **Benefit to Low- and Moderate-Income Persons:**

At least 70 percent of the State's CDBG funds, over a three-year period, must go to projects that benefit low- and moderate-income persons. This factor is included in the Technical Review of applications.

### **State Goal:**

Any project that addresses a documented public health or safety need (s) or is identified through a community planning process may receive extra consideration in the selection process based on the urgency of the need.

GOED's goal of funding fewer but larger projects that have a greater economic development impact to the communities.

Please refer to the CDBG Application Rating System that follows in a later section for specific scoring. The funding decision of the Governor's Office of Economic Development and the Governor is final and considers the recommendations of the CDBG Advisory Committee. Applicants who wish to appeal a decision can submit a letter to the Deputy Director - North of the Governor's Office of Economic Development. The filing will be processed according to the program's grievance procedures.

### C. Meeting National Objectives

All applications must meet one of the three National Objectives to be considered for funding. Briefly restated the National Objectives are:

- 1) to benefit low- and moderate-income persons;
- 2) to aid in the prevention or elimination of slums or blight;
- 3) to meet community development needs having an urgency when other sources of funding are not available.

Although an activity may be allowable under Section 105 of the law, if the project does not meet a National Objective in the specific manner required by HUD, it will not be eligible for funding.

For example, a community may choose to improve a water line under the National Objective of benefiting low- and moderate-income persons. After conducting a special survey, they find that fewer than 51 percent of the residents are of low and moderate income. This project cannot be funded because it does not meet the designated National Objective of benefit to low-mod even though it is an allowable activity under Section 105 of the law.

#### **1. Activities Benefiting Low- and Moderate-Income Persons**

The State must certify to HUD that 70 percent of the State's CDBG funds, over a three-year period, will go toward projects benefiting low- and moderate-income persons.

For a project to meet the National Objective of benefit to low- and moderate-income (LMI) persons, at least 51 percent of the persons in the activity or project target area should be LMI. As a rule, the activity must be clearly designed to meet the identified needs of low-mod persons in the community. An activity cannot benefit moderate-income persons to the exclusion of low-income persons.

An activity that will benefit low-mod income (LMI) persons can be LMI-Limited Clientele, LMI-Area Benefit, LMI-Housing or LMI-Jobs.

#### **Limited Clientele Projects:**

A limited clientele activity is one that benefits a specific group of people (rather than all the residents in an area), at least 51 percent of whom are L/M persons. To qualify under this category, the activity must meet one of the following tests:

- A. Benefit a clientele or group who are generally presumed to be principally L/M income persons. The following groups are currently presumed by HUD to meet this criterion: Abused children, elderly persons (some restrictions), battered spouses, people who are

homeless, people who are handicapped, people who are illiterate; people who are living with AIDS, and people who are migrant farm workers; or

- B. Require information on family size and income so that it is evident that at least 51 percent of the clientele are persons whose family income does not exceed the L/M limit; or,
- C. Have income eligibility requirements that limit the activity exclusively to L/M income persons; or,
- D. Be of such nature and location that it may be concluded that the activity's clientele will primarily be L/M income persons.

Limited clientele activities also include special projects directed to the removal of material and architectural barriers which restrict the mobility and accessibility of elderly or handicapped persons to publicly owned and privately owned non-residential buildings, facilities and improvements and the common areas of residential structures containing more than one dwelling unit. [Reference 570.208(a) (2)]

With a Limited Clientele project there is a direct connection between income and receiving benefits. Examples include:

Senior citizen centers or handicapped access projects where persons using the facility are presumed (by HUD) to be of low-mod income unless there is substantial evidence to the contrary.

**Area Benefit Projects:**

An activity that has a service area is an area wide activity. For area benefit projects, such as water systems, sewer systems, and most other community facility projects, at least 51 percent of the persons who benefit must be of low and moderate income.

To determine what areas are LMI, applicants are provided with HUD approved ACS or census data on income and population, calculated for the county's median family income. If economic and population conditions an area seem inaccurate, a special survey might be conducted by the jurisdiction to show that 51 percent of the proposed area is low-mod income.

**2. Activities to Address Slum or Blight Conditions**

Activities which aid in the prevention or elimination of slum or blight may be performed in a slum or blighted area, or outside of that area.

Activities in a slum or blighted area must address one or more of the conditions that qualified the area as "slum" or "blighted". The applicant must delineate in its files the area boundaries

and the conditions of the area at the time of application. This documentation may include maps, photographs, and a narrative description of the area. A map and a written description of the delineated area should be included with the application. The written description should identify which portions of the NRS definition apply to the target area. The governing body of the unit of local government should pass a resolution delineating the slum or blight area in accordance with Nevada Revised Statutes definitions.

Outside a slum or blighted area, "spot blight" activities may include acquisition, demolition, rehabilitation, and historic preservation designed to eliminate specific conditions of blight or physical decay on a spot basis not located in a slum or blighted area. Any rehabilitation performed to non-low-mod households is limited to the extent necessary to eliminate specific conditions detrimental to public health and safety.

### **3. Activities to Address Urgent Needs**

An activity will meet this National Objective if the applicant documents that the activity is designed to alleviate existing conditions that pose a serious and immediate threat to the health or welfare of the community. The conditions must be of recent origin or must have become urgent recently. HUD regulations define "recent origin" as developing or becoming critical within the past 18 months. To meet this national objective, the applicant must document it is unable to finance the activity on its own and other sources of funding are not available.

This national objective addresses an emergency: thorough and complete documentation must be attached. This may include "boil water" orders, other sanctions imposed by federal or state agencies, test results (such as a water quality analysis to prove there is lead in the drinking water supply that has lead joints in the pipes), and photographs. Supporting information must define the severity of the threat, document the condition developed in the past 18 months and show that no other funds are available. Rejection letters from potential funding sources, financial information showing the locality's indebtedness, and other information demonstrating the unavailability of other funding sources must be attached to the application. **Before proceeding with an Urgent Need project consult with state CDBG staff.**

### **4. Rating System**

The rating system and other factors are involved in making funding recommendations. The rating system is used to evaluate CDBG applications. The rating system contains the following elements that are considered in project selections.

#### Question 1

**Project Needs Analysis:** [10 points] The applicant identifies the problem and how it is currently being addressed. The application details how the problem/need was determined and why the project is needed. Applicant provides a summary of the tangible and intangible community impacts.



#### Question 2

**Proposed Project Activity:** [10 points] The applicant addresses how the proposed activity resolves the problem/need. This section also addresses how the applicant will know the problem has been resolved or the need met, and the goal(s) of the project are complete.

#### Question 3

**Scope of Work (SoW):** [10 Points] Proposals are evaluated to determine if the proposed project is clearly defined and provides sufficient detail. The SoW must identify the project activities, milestones and deliverables. The SoW also identifies cost-sharing funds and notes if those funds are secured. The purpose of the proposed project is described in terms of the effect the proposed project will have on the community.

#### Question 4

**Planning & Project Context:** [10 points] The applicant provides details of how the proposed project is specifically or generally identified in a city, county, regional or state plan and how the project would contribute to that larger planning effort.

#### Question 5

**Long-term Planning & Asset Management:** [10 points] The applicant also shows how the proposed project promotes long-term proactive planning in the project category. about how the proposed project contributes to the goals, objectives, and activities of the current Consolidated Plan and/or other long-term planning.

#### Question 6 & 7

**Environmental Review (ER):** [10 points] Proposals are evaluated based on the status of the ER: (1) has the level of environmental review been determined; (2) if determined, is the ER included with the application; (3) if a review includes other State or Federal funding, are those agencies identified and have they been contacted; (4) have environmental impacts associated with the proposed project been adequately addressed?

#### Question 8

**Internal Funding:** [10 points] The applicant addresses efforts to fund the proposed project from internal sources.

#### Question 9

**Alternative/External Funding:** [10 points] The applicant addresses efforts to fund the proposed project from alternative and/or external funding sources. While not a requirement of HUD, match funds are viewed as a commitment to the project.

#### Question 10

**Economic Development Impact:** [10 points] In a continuation of the Planning & Project Context section, the applicant describes how the proposed project contributes to the area's Regional Redevelopment Authority's (RDA) planning goals and indicators. The applicant details the efforts of private investment, local government and the community in funding the proposed project.

Additional detail on private funding may be included in this section. The applicant also provides research based post-grant impacts to the community on employment, tax increment increases, per capita income, and number of businesses impacted.

#### Project Budget Tab

**Project Budget & Budget Justification Narrative:** [10 points] Proposals are evaluated on the soundness of the project budget and the narrative, which explains: (1) each budget line item; (2) how the cost was determined; (3) the source of the estimate. The narrative identifies the proposed project's cost-sharing funds and whether they are secured or not. The application must provide letters of commitment or letters of intent for other funding sources.

#### Project Implementation Tab

**Maturity & Project Readiness:** [10 points] Evaluation of a proposed project assesses project readiness by reviewing information throughout the application and the supporting documentation. This includes but is not limited to: (1) commitment of cost-sharing funds; (2) the proposed timeline of the project; (3) ability of the proposed project to implement on July 1<sup>st</sup>; (4) status of proposed project if a phase in a multi-year project. Ownership issues, if applicable, are addressed in this section.

- (1) An eligibility review of the application is completed by CDBG Staff Members before the proposal can move into the application stage. Additionally, External Reviewers with specific knowledge and expertise are contacted to review proposals in their areas of expertise. This knowledge is provided to the AC during the allocation process.

#### **Other Considerations:**

Factors other than rating are involved in making funding recommendations. The project's rating is the starting point for the CDBG Advisory Committee to begin the discussion on funding allocations. Other primary factors taken are taken into consideration by the AC in recommending projects for funding. Other factors that may be considered during deliberation are:

- If an application with a high rating requests a large proportion of funds available, the AC may take that into consideration and recommend other lower rated applications for funding in the interest of better use of funds.
- Additionally, phasing of larger projects, where practical, into freestanding segments is strongly encouraged to allow the AC to recommend partial funding for projects that might otherwise be non-fundable as a whole. In those cases, projects are partially funded allowing phased implementation with a reduced Scope of Work. In past years, these applications have been funded in their entirety. However, as HUD's allocation have decreased over the past decade, it has not always been possible to fully fund projects with CDBG funding only. Multi-year projects may receive additional consideration when ranking in an effort to "do no harm" to these larger projects. In that effort, projects that receive a lower rating may be funded over projects with a higher rating.

- Project readiness is an important factor taken into consideration. The AC will pay particular attention to the starting and completion dates for projects, so funds are not allocated to a project unable to start for nine to 12 months or more. A grantee must be able to make a first draw down of funds within nine months of grant award (March 31<sup>st</sup>). Exceptions may be granted on a case-by-case basis.
- The AC may consider the community's demonstrated efforts to seek other sources of funding for the project. If a community has not explored, secured, or exhausted resources available at the local or state level to fund the project, the AC may choose to not recommend the project for funding. Examples of these resources include, but are not limited to, a local user fee, room tax, a local gas tax or setting up a general or special assessment district.
- Past performance on CDBG projects is also a consideration. If a community has not made progress on prior year grants, the committee may take this into account when considering whether the community will be able to effectively administer an additional grant. The capacity of the community to administer additional grants and the extent to which the community has received assistance from the State's CDBG program may also be taken into consideration in funding recommendations.
- Proposals must demonstrably address the primary objective of the Act as well as one of the three broad national objectives set out in the federal act passed by Congress. In accordance with federal law, the AC strives to meet or exceed the requirement that 70 percent of the State's CDBG funds for any three-year period must be allocated to projects that benefit LMI persons. The current three-year reporting period is 2018-2020.

**APPENDICES**

## NOTICE #1

### NOTICE OF PUBLIC HEARING FOR DISCUSSION OF POSSIBLE STATE CDBG APPLICATION

NOTICE IS HEREBY GIVEN that the (jurisdiction) will conduct a public hearing on (date) at (time) at (place) in order to discuss possible applications for funding under the next fiscal year's (July 1, 2023 to June 30, 2024) State Community Development Block Grant (CDBG) Program and to solicit citizen input on possible activities to be included in the application. It is estimated that approximately \$3,000,000 will be available in total.

ELIGIBLE ACTIVITIES UNDER THE ABOVE ALLOCATION CONSIST OF: PUBLIC FACILITY AND PUBLIC IMPROVEMENTS PROJECTS, PUBLIC SERVICE PROGRAMS, PLANNING STUDIES, ECONOMIC DEVELOPMENT BUSINESS ASSISTANCE AND MICROENTERPRISE ACTIVITIES. ELIGIBLE ACTIVITIES PAID FOR WITH THE STATE CDBG FUNDS MUST MEET ONE OR MORE OF THE THREE NATIONAL OBJECTIVES LISTED IN CDBG FEDERAL STATUTES AS FOLLOWS: BENEFIT TO LOW INCOME HOUSEHOLDS OR PERSONS; ELIMINATION OF SLUMS AND BLIGHT; OR MEETING URGENT COMMUNITY DEVELOPMENT NEED.

The purpose of this public hearing is to provide information about the CDBG program, past projects that have been funded in the (jurisdiction), how to apply, eligibility requirements, how and where funds can be used, and to give citizens an opportunity to make their comments known regarding what types of eligible activities the (jurisdiction) should apply for under the State CDBG program. A second public hearing will be held to discuss proposed projects submitted to date. A final hearing will be held to discuss, approve and rank applications prior to submittal to the State.

If you require special accommodations to participate in the public hearing, please contact (contact name and phone number; always include a TDD # or the NV Relay #).

If you are unable to attend the public hearing, written comments may be directed to the (jurisdiction), at (mailing address), or you may telephone (contact name and phone number). In addition, information is available for review at the above address between the hours of (hours of availability) on (days of availability; e.g. Monday-Friday).

The (jurisdiction) promotes fair housing and makes all its programs available to low- and moderate-income families regardless of age, race, color, relation, sex, national origin, sexual preference, marital status or handicap.

## **NOTICE #2**

### **NOTICE OF PUBLIC HEARING FOR DISCUSSION OF POSSIBLE STATE CDBG APPLICATION**

NOTICE IS HEREBY GIVEN that the (jurisdiction) will conduct a public hearing on (date) at (time) at (place) in order to discuss potential applications for funding under the next fiscal year's (July 1, 2023 to June 30, 2024) State Community Development Block Grant (CDBG) Program and to solicit additional citizen input on possible activities to be included in an application.

ELIGIBLE ACTIVITIES UNDER THE ABOVE ALLOCATION CONSIST OF: PUBLIC FACILITY AND PUBLIC IMPROVEMENTS PROJECTS, PUBLIC SERVICE PROGRAMS, PLANNING STUDIES, ECONOMIC DEVELOPMENT BUSINESS ASSISTANCE AND MICROENTERPRISE ACTIVITIES. ELIGIBLE ACTIVITIES PAID FOR WITH THE STATE CDBG FUNDS MUST MEET ONE OR MORE OF THE THREE NATIONAL OBJECTIVES LISTED IN CDBG FEDERAL STATUTES AS FOLLOWS: BENEFIT TO LOW INCOME HOUSEHOLDS OR PERSONS; ELIMINATION OF SLUMS AND BLIGHT; OR MEETING URGENT COMMUNITY DEVELOPMENT NEED.

The purpose of this public hearing is to give citizens an opportunity to discuss proposed projects submitted to date and to suggest further ideas. Proposed projects and estimated funding are listed below (list specific activities and dollar amounts applied for). Only projects listed here and proposed at the meeting will be forwarded to the Council/Commissioners for approval.

### **[PROJECT LISTING]**

**NOTE:** If any of the activities are likely to result in displacement, include the jurisdiction's anti-displacement and relocation plans in the Notice, stating that these plans will be discussed as part of the hearing.

A final hearing will be held to discuss, approve and rank applications prior to submittal to the State.

If you require special accommodations to participate in the public hearing, please contact (contact name and phone number; always include a TDD # or the NV Relay #).

If you are unable to attend the public hearing, you may direct written comments to the (jurisdiction), at (mailing address), or you may telephone (contact name and phone number). In addition, information is available for review at the above address between the hours of (hours of availability) on (days of availability, e.g. Monday-Friday).

The (jurisdiction) promotes fair housing and makes all its programs available to low- and moderate-income families regardless of age, race, color, relation, sex, national origin, sexual preference, marital status or handicap.

### **NOTICE #3**

#### **NOTICE OF PUBLIC HEARING FOR DISCUSSION OF POSSIBLE STATE CDBG APPLICATION**

NOTICE IS HEREBY GIVEN that the (jurisdiction) will conduct a public hearing on (date) at (time) at (place) in order to discuss comments received on potential applications for funding under the next fiscal year's (July 1, 2023 to June 30, 2024) State Community Development Block Grant (CDBG) Program and to select and rank projects to move forward with a full application to be submitted to the State CDBG Program.

The purpose of this public hearing is to discuss comments received on potential applications and approve and rank applications prior to submittal to the State.

If you require special accommodations to participate in the public hearing, please contact (contact name and phone number; always include a TDD # or the NV Relay #).

If you are unable to attend the public hearing, you may direct written comments to the (jurisdiction), at (mailing address), or you may telephone (contact name and phone number). In addition, information is available for review at the above address between the hours of (hours of availability) on (days of availability, e.g. Monday-Friday).

The (jurisdiction) promotes fair housing and makes all its programs available to low- and moderate-income families regardless of age, race, color, relation, sex, national origin, sexual preference, marital status or handicap.

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Community  
Development Block  
Grant

## CDBG GRANT CYCLE TIMELINE

What	Who	When	Done
<b>Attend CDBG Application Training:</b> All grant administrators and grant recipients that wish to apply for CDBG must attend training	Grant Administrator, Grantee	June 2022	
<b>ZoomGrantsOpen:</b> <a href="https://zoomgrants.com/gprop.asp?donorid=2217">https://zoomgrants.com/gprop.asp?donorid=2217</a> Enter project ideas into ZoomGrants for eligibility approval	Grant Administrator	July 1, 2022 – October 14, 2022	
<b>1<sup>st</sup> Public Meeting describing CDBG program is held:</b> <b>Public notice posted 14 days prior to meeting.</b> Informational meeting. Review past CDBG projects and estimated funding. Review types of eligible activities and national objectives. Call for project ideas and contact to submit potential projects. Give date of next meeting 30 days after 1 <sup>st</sup> meeting.	Grant Administrator	July	
<b>2<sup>nd</sup> Public Meeting held:</b> <b>Public notice posted 14 days prior to meeting.</b> Talk about proposed projects, estimated costs, and estimated beneficiaries. Request public input and announce that no additional projects can be submitted after <b>October 14<sup>th</sup></b> at 5:00 p.m. Announce 3 <sup>rd</sup> /final meeting date and location 30 days after 2 <sup>nd</sup> meeting. Projects to submit for applications will be determined then.	Grant Administrator	At least 30 days after 1 <sup>st</sup> Public Meeting.  <span style="color: red;">Before Eligibility due date of October 14<sup>th</sup> at 5:00 p.m.</span>	
<b>Submit job matrix to CDBG staff:</b> Must be completed to submit a project for Eligibility.	Grant Administrator	By September 30 <sup>th</sup> so data can be run before October 14 <sup>th</sup> Eligibility due date.	
<b>Project eligibility ideas due and submitted.</b> Grant Administrator must submit eligibility in ZoomGrants.	Grant Administrator	October 14 <sup>th</sup> by 5:00 p.m.	
<b>Notification by CDBG:</b> CDBG Grant Administrators are notified if projects are eligible or not.	CDBG Staff	October 19 <sup>th</sup> - 20 <sup>th</sup>	
<b>Eligible projects developed into applications.</b>	Grant Administrator, CDBG Staff	Mid-October thru Mid-February 17 <sup>th</sup> , 2023.	
<b>Final (3<sup>rd</sup>) Council or Commission Meeting to approve and rank applications to be submitted:</b> <b>Public notice posted 14 days prior to meeting.</b> Council/commission members address public comments and prioritize applications. Final selection of projects is made.	Grant Administrator	Mid-October until last counsel/commission meeting prior to February 17 <sup>th</sup> , 2023	
<b>Grant CDBG Staff access to ZommGrants applications:</b>	Grant Administrator	January 6 <sup>th</sup> , 2023	
<b>Applications due:</b> Applications may be submitted any time between the 3 <sup>rd</sup> (last) Public Meeting and February 17 <sup>th</sup> due date. No applications are accepted after February 17 <sup>th</sup> , 2022.	Grant Administrator	February 17 <sup>th</sup> , 2023	
<b>Applicants with applications not eligible are notified:</b> If conditions apply to any application, applicant is notified.	Grant Administrator	Late February 2023	

## CDBG GRANT CYCLE TIMELINE

<b>Applications available for review by CDBG Advisory Committee.</b>	CDBG staff	After February 22 <sup>nd</sup> due date.	
<b>CDBG Project Presentations due to CDBG Program Specialist:</b> Email the Program Administrator and Program Specialist the presentation	Grant Administrator	Mid-March 2023	
<b>CDBG Advisory Committee Allocation Meeting:</b> Allocation meeting may change depending on when Congress passes the budget.	Grant Administrator, Grantee, CDBG Staff	Late March 2023	
<b>Applicants notified about recommended allocations:</b> Dates are contingent on Congress passing a budget.	Grant Administrator	Late March or early April 2023	
<b>Award agreements processed:</b> Grantees have grant agreements signed and returned to CDBG office by July 1 <sup>st</sup> .	Grant Administrator	Late May or by first week in June 2023	
<b>CDBG Grant Year begins</b>	Grant Administrator, Grantee	July 1, 2023	

## CDBG METHOD OF DISTRIBUTION

July 1, 2022

### **1) Describe the state program to be addressed by the Method of Distribution.**

The Community Development Block Grant (CDBG) program is a flexible program that provides communities with resources to address a wide range of unique community development needs. Beginning in 1974, the CDBG program is one of the longest continuous programs at HUD. Through the CDBG program, HUD provides annual grants on a formula basis to 1,209 general units of local government and States.

The CDBG entitlement program allocates annual grants to larger cities (over 50,000) and urban counties (over 200,000) to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low- and moderate-income persons.

The State of Nevada is a recipient of the State Administered CDBG program, also known as the Small Cities' CDBG program (also referred to as CDBG non-entitlement). States award grants to smaller units of general local government (cities under 50,000 and counties under 200,000) that carry out community development activities. Annually, each State develops funding priorities and criteria for selecting projects. Nevada's priorities are established by the consolidated planning process, state priorities, and the regional community and economic development needs of the communities.

#### **Funding Period**

Grant applications are submitted early to mid-February with funding recommendations generally made before the end of March/April. Grant awards are effective July 1.

The grant period is generally 12 to 24 months depending on the type of grant and complexity of the project. Depending on circumstances, grants may be extended beyond the expiration date. If additional time is required, the grantee must submit a formal request to the CDBG Program Administrator. The request needs to include the reason for the delay, a reasonable revised timeline, and the estimated completion date for all deliverables. Any delayed project is subject to de-obligation of funding. If necessary, the request is referred to the Advisory Committee (AC) for consideration.

#### **Distribution of Funds**

**a. Unused Funds:** Funds unused by a grantee may be redistributed to another CDBG applicant or grantee. The distribution of unused funds may occur during the program year or during the annual allocation process.

**b. Reallocated Funds:** Funds reallocated to the State by HUD and funds recaptured from HUD-administered Small Cities grants and returned to the State by HUD may be redistributed to CDBG applicants or grantees in the same manner as unused funds that revert to the State because of non-use by a grantee. GOED may use up to two percent of the reallocated funds to administer the CDBG Program, if not allocated for administration at a prior time.

**c. Additional or Remaining Funds:** Additional funds received by the State as the result of action at the federal level will be distributed to CDBG applicants or grantees in the same manner as unused funds that revert to the state from a grantee. Funds remaining at the state level may be distributed in the same manner as unused

funds. GOED may use up to two percent of the additional or remaining funds to administer the CDBG Program, if not allocated for administration at a prior time.

**d. Recaptured Funds:** Funds that were awarded to a grantee and later taken back may be distributed in the same manner as unused funds.

**e. Program Income:** This is gross income received by the state or eligible city or county and directly generated from the use of CDBG funds. Program income earned by eligible units of general local government through a Revolving Loan Fund (RLF), a Housing Rehabilitation Program, or other income producing activity may be kept at the local level to continue economic development or housing efforts locally. Program income may be distributed to eligible applicants in the form of loans to for-profit businesses via local governments, or for grants for CDBG-eligible project such as infrastructure projects, housing activities, etcetera. Income earned from other CDBG activities may be retained at the local level and used to fund additional eligible community development activities. Communities electing to retain these funds must submit an intended use plan for the program income to GOED for approval prior to project closeout.

To be treated as program income, the total amount of funds received in a single year and retained by a unit of local government and its sub-recipients must be \$25,000 or more. Program income that is received by the State from the RLF program may be obligated and distributed to eligible grantees for economic development projects funded where deemed appropriate. The State may use two percent of the program income generated by the RLF program for program administration. Program income received by the State from projects other than the RLF program will be distributed in the same manner as unused funds returned to the State by a grantee. Program income received from the Housing Rehabilitation Set-Aside Program may be used to fund other CDBG eligible activities including housing activities were deemed appropriate.

## **2. Describe all the criteria that will be used to select applications and the relative importance of these criteria.**

The CDBG Application: Rating criteria and other eligibility factors contribute to the final funding recommendations. All application questions/sections are of equal importance. Ranking criteria contains the following elements:

### Question 1 & 2

Project Needs Analysis: [10 points] The applicant identifies the problem and how it is currently being addressed. The application details how the problem/need was determined and why the project is needed. The applicant addresses how the problem/need will be resolved and how the resolution will be monitored. This section also addresses how the applicant will know the problem has been resolved and the goal(s) of the project met.

### Question 3

Scope of Work (SoW): [10 Points] Proposals are evaluated to determine if the proposed project is clearly defined and provides sufficient detail. The SoW must identify the project activities, milestones and deliverables. The SoW also identifies cost-sharing funds and notes if those funds are secured. The purpose of the proposed project is described in terms of the effect the proposed project will have on the community.

#### Question 4 & 5

Planning & Project Context: [10 points] The applicant provides details about how the proposed project contributes to the goals, objectives, and activities of the current Consolidated Plan. If the proposed project is specifically or generally identifying a city, county, regional or other state plan, the applicant describes that contribution. The applicant also shows how the proposed project promotes long-term proactive planning in the project category (asset management).

#### Question 6

Environmental Review (ER): [10 points] Proposals are evaluated based on the status of the ER: (1) has the level of environmental review been determined; (2) if determined, is the ER included with the application; (3) if a review includes other State or Federal funding, are those agencies identified and have they been contacted; (4) have environmental impacts associated with the proposed project been adequately addressed?

#### Question 7

Economic Development Impact: [10 points] In a continuation of the Planning & Project Context section, the applicant describes how the proposed project contributes to the area's Regional Redevelopment Authority's (RDA) planning goals and indicators. The applicant details the efforts of private investment, local government and the community in funding the proposed project. Additional detail on private funding may be included in this section. The applicant also provides research-based post-grant impacts to the community on employment, tax increment increases, per capita income, and number of businesses impacted.

#### Questions 8, 9, & 10

Project Budget & Budget Justification Narrative: [10 points] Proposals are evaluated on the soundness of the project budget and the narrative, which explains: (1) each budget line item; (2) how the cost was determined; (3) the source of the estimate. The narrative identifies the proposed project's cost-sharing funds and whether they are secured or not. The application must provide letters of commitment or letters of intent for other funding sources.

#### Question 11

Maturity & Project Readiness: [10 points] Evaluation of a proposed project assesses project readiness by reviewing information throughout the application and the supporting documentation. This includes but is not limited to: (1) commitment of cost-sharing funds; (2) the proposed timeline of the project; (3) ability of the proposed project to implement on July 1<sup>st</sup>; (4) status of proposed project if a phase in a multi-year project. Ownership issues, if applicable, are addressed in this section.

The CDBG program does not require a match. However, cost-sharing funds, noted in the Project Budget & Budget Justification Narrative, contribute to the strength of that section. The CDBG program is one of the few federal grants that can be used as a match for other federal funds. This is helpful to all and often critical for HUD-designated LMI areas in accessing other federal funds, such as USDA or NDEP.

In addition to application scoring, eligible entities are assessed by CDBG staff members for Risk Analysis. The applicant review is based on general grant administration capacity, project readiness, and the ability to implement and maintain the proposed project. Refer to state Risk Assessment tool attached.

#### **Other Considerations:**

Factors other than rating are involved in making funding recommendations. The project's rating form contains primary factors taken into consideration by the CDBG Advisory Committee (AC) in recommending projects for funding. Other factors, some included in the Risk Assessment, may be considered during the advisory committee deliberation. Such factors are:

- If an application with a high rating requests a large proportion of funds available, the AC may take that into consideration and recommend other lower rated applications for funding in the interest of better use of funds.
- Additionally, phasing of larger projects, where practical, into freestanding segments is strongly encouraged to allow the AC to recommend partial funding for projects that might otherwise be non-fundable as a whole. In those cases, projects are partially funded allowing phased implementation with a reduced Scope of Work. In past years, these applications have been funded in their entirety. However, as HUD's allocation has decreased over the past decade, it has not always been possible to fully fund projects with CDBG funding only. Multi-year projects may receive priority when ranking in an effort to "do no harm" to these larger projects. In that effort, projects that receive a lower rating may be funded over projects with a higher rating. Applicants should also be mindful that the award needs to be expended in 12 months for a planning grant and 24 months for a construction grant: the request for funds needs to be in line with an estimated timeline. Projects that require larger funding amounts and take a longer amount of time, should be phased. If requesting future funding from CDBG, that needs to be detailed when requesting funding for the first phase. Generally, the applicant should not expect CDBG to fully fund all phases of a larger project. Other funding sources should be pursued.
- The AC may consider the community's demonstrated efforts to seek other sources of funding for the project. If a community has not explored, secured, or exhausted resources available at the local or state level to fund the project, the AC may choose to not recommend the project for funding. Examples of these resources include, but are not limited to other federal funding, a local user fee, room tax, a local gas tax or setting up a general or special assessment district.
- Project readiness is an important factor taken into consideration. The AC will pay particular attention to the starting and completion dates for projects, so funds are not allocated to a project unable to start for nine to 12 months or more. A grantee must be able to implement a project on July 1<sup>st</sup> and make a first draw down of funds within nine months of grant award (March 31<sup>st</sup>).
- Past performance on CDBG projects also is a consideration. This is one factor in the Eligibility review of the application. If a community has not made progress on prior year grants, the AC may take this into account when considering whether the community will be able to effectively administer an additional grant. The capacity of the community to administer additional grants and the extent to which the community has received assistance from the State's CDBG program may also be taken into consideration in funding recommendations. A maximum of five (5) open grants is allowable.
- Proposals must demonstrably address the primary objective of the Housing and Community Development Act as well as one of the three broad national objectives set out in the federal act passed by Congress. In accordance with federal law, the program must meet or exceed the requirement that 70 percent of the State's CDBG funds for any three-year period must be allocated to projects that benefit LMI persons. The current three-year reporting period is 2021-2023.

- The Department of Housing and Urban Development (HUD) allows states to determine the focus of its State CDBG Program. Since 2011, the Nevada CDBG Program has been part of the Governor's Office of Economic Development (GOED) and the program focus has been to align with the goals of GOED by funding fewer but larger projects that have a greater impact on communities and regions. Guidance from HUD has supported that approach by suggesting that states focus on fewer activities and award larger grants. In part, HUD has given the guidance because staff levels have been reduced at both federal and state levels.

**3. Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government (UGLG), and non-profit organizations, including community and faith-based organizations.**

Nevada has established a selection process that is used for considering which jurisdictions are awarded Community Development Block Grant funds. There are 27 units of local government (UGLG's) eligible to apply. Non-profits, including community and faith-based organizations, apply through sponsorship by an UGLG. The CDBG Grant Administrator at the local level is responsible for meeting the application and grant requirements, even when there is a sub-recipient project.

The process for awarding funds to state recipients is designed to include analysis and comments from a range of interested parties and the public at large.

The application process is a two-step process: Step #1 is Eligibility; Step #2 is Development of Application. Each July 1<sup>st</sup>, a new grant cycle is opened in ZoomGrants. Applicants should hold the first of three required public meetings at this time (month of July). The first meeting informs the public that funding is available from CDBG; the types of projects that are funded; any proposed projects to date; the grant process; the time and date of the next meeting. Applicants are strongly encouraged to communicate with CDBG staff members about proposed projects. This application development is critical in clarifying issues that will enhance the AC's understanding of the project, such as line items within the budget, and in ensuring that potential projects are eligible.

Proposed projects are due in the fall when technical reviews are done by CDBG staff members to ensure eligibility. This initial review ensures the applicant is eligible, the activity is eligible, a national objective is met, and the project meets the focus of GOED. Once eligibility of a proposed project is established, the proposed projects are designated "Eligible" or "Not Eligible". Both are contacted regarding proposal status. Those proposals meeting the eligibility requirements begin the application process. Applications are due mid-February, when CDBG staff members review the final application and assign review to colleagues, in other public agencies, who have expertise regarding the proposed projects. Reviews and comments from the external reviewers are provided to the AC during the allocation meeting and is another factor that may impact initial application scores.

All applications determined to be eligible are provided to the AC in ZoomGrants: each member has a password by which to access the applications on ZoomGrants. In late March or early April, or when congress approves a budget, the AC meets to review and deliberate on which applications best meet the priorities of the current Consolidated Plan, the priorities of GOED's Rural Community & Economic Development Division, other state and regional plans, and the needs of the communities.



The AC is tasked with scoring the applications in advance of the advisory committee meeting. During the meeting, each community that applies for funds is permitted 15 minutes per application to present the project and respond to questions from the AC. Communities not able to send a representative in-person to present to the AC may present via video. In addition to the ranking criterion, selection of projects for funding may take into consideration emergency situations, public health and safety concerns, applicant performance and/or capacity, project readiness, leveraging and any other factors deemed relevant. The cost benefit to low and moderate-income persons is always a consideration and high priority. The AC makes funding recommendations after the final rating and ranking of proposed projects and deliberations.

The list of proposed projects recommended for approval is submitted to the Director of Rural Community & Economic Development and the Executive Director of the Governor's Office of Economic Development. A summary of projects and awards is then forwarded to the Governor for final approval. In the event of disagreement with the AC's recommendation or if an applicant appeals the decision of the AC, the matter is directed back to CDBG staff and the GOED Director for reconsideration.

#### **4. Describe how resources will be allocated among funding categories.**

The allocation of resources is determined by a series of planning processes. The consolidated planning process involves CDBG eligible entities and other stakeholders from across the state. The end-product of that process is the identification of priorities of HUD's formula programs, CDBG, HOME, ESG, HTF (non-formula) and HOPWA, for the next five years. The 2020-2024 funding categories for HUD's four formula programs are in the current Consolidated Plan, which must be referenced in an application. In addition to the statewide planning process, the eligible entities conduct three public participation meetings that occur July through December. These meetings help determine the needs (funding categories) in the various cities and counties. Local government officials prioritize the projects recommended for development as CDBG grant applications. The applications are submitted mid-February and reviewed and recommended for funding in late March or early April. The review date may be later, depending on congressional approval of a budget.

The distribution of resources among funding categories is determined by the needs of the 27 eligible entities as described in the applications. There are no set allocation limits per funding category other than those imposed by HUD for the CDBG program for (1) administration/, technical assistance, planning and (2) public services. The allocation of resources among the funding categories is determined by the CDBG eligible entities in the rural, non-entitlement area of Nevada plus Carson City. Each eligible entity can submit two applications and sponsor two applications.

This Method of Distribution (MoD) of addressing funding categories applies to the 2022 grant allocation cycle. **The Method of Distribution continues to focus more on economic development and collaboration on a regional level to develop projects that have greater community and economic development impact. This focus is expressed in a section of the application handbook, which is updated and posted online.** Each July 1<sup>st</sup>, applicants can begin entering proposed projects in ZoomGrants and can begin working with CDBG staff members to determine project eligibility, as well as on proposed project applications.

#### **Amendment Process:**

Once an award is made and a grant agreement has been signed by all parties, any significant changes must be made through an amendment process. A grantee must request approval to change the size, scope, or beneficiaries of a project. If a project selected for funding requires an amendment, the process is as follows:

The grantee makes a formal request to the CDBG Program Administrator; the Director of Rural Community & Economic Development approves all grant amendments. If the request involves a major change in the Scope of Work of the project, the AC may also be involved in the approval of any amendment to the grant agreement.

**Monetary Increases:**

Request for additional funds for an existing project must follow the same process as normal grant applications. The AC will make a funding recommendation to CDBG staff and the proposal will be submitted to the Governor for final approval. Monetary Increases have not been done in recent history: the applicant should project funds required for a project and request funding initially.

**Scope, Purpose or Intent:**

CDBG staff members may approve requests for minor changes in the scope of a project. If staff members determine a request constitutes a major change in the project, the request requires review by the AC with a recommendation to staff and the director for final approval.

Changes in the scope, purpose and intent include, but are not necessarily limited to, changes in the size, location, use and budget. Changes in the CDBG budget items that constitute less than 20 percent of the CDBG budget are considered minor and may be made by the grant recipient filing an amended budget with staff. Staff members will review budget amendments that are more than 20 percent to determine whether the change alters the scope of the project. If staff members determine that the change in the budget does not constitute a change in scope, the amended budget will be accepted. If staff members believe the amendment significantly changes the scope, the change will be referred to the AC for a recommendation to staff and the director for final approval.

**Beneficiaries:**

If a project was approved to benefit LMI persons and the proposed change results in the total percentage of LMI persons benefited of less than 51 percent, the change will be reviewed by the AC with a recommendation to staff and the director for final decision. The current three-year period for meeting the 70 percent of project benefiting people who are LMI is 2021-2023. Nevada's non-entitlement program has historically been at a higher percentage than 70.

NOTE: If the project scope, purpose, intent, location or beneficiaries changes substantially, the local government shall follow the State's Citizen Participation plan by providing citizen's reasonable notice of and an opportunity to comment on the proposed changes.

**5. Describe threshold factors and grant size limits.**

There is neither a maximum nor minimum limit on the amount of a grant award. However, as noted earlier, the focus of the Nevada CDBG Program places an emphasis on larger community and economic development projects, and fewer and larger grants. The process is highly competitive with only 30 to 40 percent of projects recommended for funding. Over the past three years, CDBG requests have ranged from \$10,000 to \$800,000. Smaller requests are planning grants; larger requests are generally for multi-year projects. Applications for planning grants must lead to a project. Whether small or large, a project based on long-term plans and asset

management are priorities over applications that do not reflect planning. Often the latter applications are not project-ready and are not likely to be eligible.

The Nevada CDBG program does not have a Section 108 program or have Community Revitalization Strategy Areas (CRSA's) but does support community efforts of revitalization. This is done using the National Objective of Slum & Blight.

**6. What are the outcome measures expected as a result of the method of distribution?**

The Method of Distribution ensures that outcome measures are more clearly defined and more readily measured by the application rating criteria. Local public participation contributes to the determination of need by the units of local government. Additionally, because the UGLGs participate in the consolidated planning process, and are the entities that help determine priorities and goals, they also help establish outcome measures during that planning process. Those outcome measures are to provide: (1) suitable living environments; (2) decent housing; (3) increased economic opportunities. The State Program is responsible for ensuring that, over a three-year period, a minimum of 70 percent of projects meet the LMI National Objective. The State of Nevada's Non-Entitlement Program is well over that requirement.

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CDBG Grant Administrator

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Date

TASK	Est. Timeline July 1- June 30 <sup>th</sup> 12 months Planning 24 months Construction
<b>PROJECT START UP:</b>	
File Set up	July 1
Environmental Review (if not attached to application)	
Notice to Proceed	
<b>PROCUREMENT OF PROFESSIONAL ASSISTANCE</b> (including professional engineers, architects, community development consultants, etc.)	
Submit RFP/RFQ, Construction bid document to CDBG for review	
21-day Advertisement period	
Procurement Contractor:	
Wage rates from CDBG	
CDBG review bid docs/appv	
Advertise, 10-day wage check	
Bid open, debar, award	
Pre-construction conf.	
<b>PROJECT IMPLEMENTATION:</b>	
Construction	
<b>PROJECT CLOSEOUT:</b>	
Closeout Documents to CDBG	Planning 12 months Construction 24 months