

West Virginia Development Office  
Community Advancement Division

# APPLICATION INSTRUCTIONS

Community Development Block Grant  
CDBG

2017





The Community Development Block Grant (CDBG) is a program of the U.S. Department of Housing and Urban Development. The primary objective of Title 1 of the Housing and Community Development Act of 1974, as amended, is to develop viable communities by providing decent housing, a suitable living environment, and expanded economic opportunities, principally for persons of low- to moderate-income. All projects funded through this program must fulfill one of three national objectives. Therefore, all projects must:

- Benefit low- to moderate-income persons;
- Aid in the elimination of slums or blight; and/or
- Meet an urgent need due to a serious and immediate threat to the health and welfare of a community.

The Consolidated Plan for the State of West Virginia, as approved by the U.S. Department of Housing and Urban Development, has identified three primary community development objectives, through which this program will:

- Support local government efforts to provide affordable infrastructure systems;
- Support local community efforts to assist low- to moderate-income citizens to achieve an improved quality of life; and
- Support job creation and retention efforts.

The complete FY 2017 action plan for the use of program funding will be posted to [www.wvdo.org/downloads](http://www.wvdo.org/downloads). Previous categories will remain, and in FY 2017, the General Community Development category will be expanded to include broadband development.

This Project Application Guide has been prepared by the West Virginia Development Office (WVDO), Community Advancement Division, for your use in preparing an application for CDBG funding.

**A checklist is provided in the application. Public Infrastructure and General Community Development applications are due on or before June 30, 2017. Economic Development, Self-Help Water Projects, and Community Development-Broadband applications are due on or before October 30, 2017.** If you have any questions or require any assistance, please feel free to contact our office by one of the methods listed below:

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	Jim Marshall	Environmental Compliance	<a href="mailto:james.s.marshall@wv.gov">james.s.marshall@wv.gov</a>
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**Phone:** 304.558.2234

**U.S. Mail:** West Virginia Development Office  
Community Development Division-Project Development  
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## INTRODUCTION

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# Community Development Block Grant

## Application Procedures

FY 2017

This Project Application Guide outlines the requirements necessary to submit a Community Development Block Grant (CDBG) application. **Public Infrastructure and General Community Development applications are due on or before June 30, 2017. Economic Development, Self-Help Water Projects, and Community Development-Broadband applications are due on or before October 30, 2017.** All applications must be postmarked or hand delivered to WVDO and stamped received, according to the deadlines below:

### Submission Dates:

• Public Infrastructure Projects - Water/Sewer	June 30, 2017
• Community Development-General	June 30, 2017
• Community Development-Broadband	October 30, 2017
• Economic Development with Business Commitment	October 30, 2017
• Self-Help Water Projects	October 30, 2017

### Maximum Awards:

• Public Infrastructure Projects - Water/Sewer	\$1,500,000
• Economic Development with Business Commitment	\$1,250,000
• Community Development-General	\$ 500,000
• Community Development-Broadband	\$ 500,000
• Planning Projects	\$ 100,000

### Eligible Categories:

The complete FY 2017 action plan for the use of program funding will be posted to [www.wvdo.org/downloads](http://www.wvdo.org/downloads). Previous categories will remain, and in FY 2017, the Community Development category will be expanded to include broadband development.

#### Eligible Categories: State CDBG funds may be used for:

1. Public Infrastructure Projects: Including waterline extensions, replacement of water storage tanks, and wastewater treatment plants, with a cap \$1.5 million.
2. Economic Development Projects: Project that will encourage private investment and create jobs, with a cap of \$1.25 million, and a limit of \$35,000 per job.
3. Community Development Projects: Including downtown revitalization, storm drainage improvements, broadband development, and demolition, with a cap of \$500,000.
4. Planning Projects: With a cap of \$100,000 and a 10 percent local match.

#### Ineligible Categories: State CDBG funds are NOT authorized for:

1. Government Buildings
2. General Government Expenses
3. Political Activities
4. Purchase of Equipment, Furnishings, or Personal Property
5. Operating and maintenance expenses, or
6. New Housing Construction

### Application Review Criteria:

All applications will be reviewed according to the following criteria:

1. The relationship to a national objective, the number of low- to moderate-income persons to be served by the project, and the impact on minority areas;

2. The relationship to the CDBG program design objectives and proposed Fair Housing initiatives;
3. The public health, environmental, and economic development benefits of the project;
4. The readiness of the project to proceed;
5. The degree to which the project will correct identified deficiencies or achieve compliance with required standards;
6. The cost effectiveness of the project;
7. The availability of other sources of funds for the project;
8. The degree to which the project achieves state, regional, and local planning goals;
9. The status of existing open grants;
10. The applicant's capacity to administer the project;

### **Project/Service Area**

As stated in HUD CPD Notice 14-013, "One of the crucial aspects of qualifying an activity as principally benefiting LMI persons on an area basis is the proper identification of the service area. The service area must be defined first before deciding which data to use to determine the percentage of LMI persons and not vice versa." Each application must provide information for the Census Tract(s) and Block Group(s) most closely approximating the project area.

### **Letters of Intent**

Units of local government holding Letters of Intent are ineligible to apply for CDBG funding in the same category.

### **Open Projects**

Units of local government with active grants from fiscal year 2015 or older must receive a waiver to apply if they have not initiated sufficient construction activity and/or received an interim closeout. Previous performance may be considered when assessing an application; therefore, timely and efficient administration of all CDBG projects is important.

### **Activity Description**

All applicants must provide sufficient narrative and details to explain why the project is important to the low- and moderate-income citizens in the community. Documents pertaining to health and environmental concerns and compliance issues must be provided. It is essential to include this documentation in the application. Photographs, videos, support letters, and petitions may also be included.

### **Public Meetings**

Two public meetings are required for **all** first-time applications. **Tear sheets or affidavits** of publication for the public meetings must be included in the application. "Cut and paste" copies are not acceptable. Notification of the public meetings must be published in the newspaper at least five (5) days prior to the meeting, with the meeting being held on the sixth (6th) day after the notice appeared. The notification of the second public meeting may not be published until after the first public meeting is held. For applications that are being resubmitted, only the second public meeting is required; however, notice of the first public meeting from the last year the project was submitted must be included in the application.

### **Fair Housing**

Include an applicant resolution with the HUD Fair Housing logo and a statement that the unit of local government is an equal opportunity employer and takes steps to affirmatively further fair housing in all public notices, ads and publications.

### **Resolution**

The resolution to submit the application cannot be signed until after the public meeting requirements have been fulfilled.

### **Community Development and Housing Needs Assessment**

The Community Development and Housing Needs Assessment Plan must be submitted with the application and should reference the project described in the CDBG application.

## Eligible Applicants

Except for those jurisdictions restricted from applying because of failure to meet the threshold requirements set forth in the program design, all non-entitlement municipal and county governments may submit a grant proposal.

Two or more otherwise **eligible jurisdictions** may submit a joint, combination application, which addresses common problems faced by the jurisdictions, the solution of which requires the mutual action of the joint applicants. Each unit of government participating in a joint application will be considered to have applied for a grant and must be otherwise eligible to apply for funding. There will be only one grant. There will be only one applicant, which will be one of the participating units of general local government who will be authorized to act in a representative capacity for all the participating units of government. The applicant assumes overall responsibility for ensuring that the entire program approved in the application will be carried out in accordance with statutory/regulatory requirements.

To satisfy 106(d)(2)(D) of the Act, the application must identify the housing and community development needs, as well as the needs of low- and moderate-income persons, the combination of the activities designed to meet those needs for each participating jurisdiction, the proposed funding for each activity, and the location of each activity. The applicant must execute an agreement between the participating units of government and the agreement is to be submitted with the application. This agreement must:

1. Authorize one of the participating units of government to act as the applicant to submit the application to the State; and
2. Delineate the responsibilities of each participating unit of government, including the application, to include:
  - (A) That each jurisdiction is eligible to apply for CDBG funding and has the legal authority to carry out the activity, and it does not violate any State or local laws.
  - (B) That each participating jurisdiction, including the applicant, will make, and be responsible for, compliance with the required local certifications under section 104(d)(1) and 106(d)(5) of the Act. Each participating jurisdiction must: 1.) Meet the citizen participation requirements of 106(d)(5) of the Act by requiring that each jurisdiction hold public hearings on the proposed and final project application for the combination and all citizen participation requirements are to be made available in each of the participating jurisdictions; and 2.) Sign the Assurances in the Application Form.
  - (C) That the applicant assumes overall responsibility for ensuring that the entire project approved in the application will be carried out in accordance with all State and Federal CDBG program requirements.

## Public Infrastructure – Water and Sewer Projects

Public Infrastructure – Water and Sewer Projects include water and sewer infrastructure projects, such as waterline extensions, replacement of water storage tanks, and wastewater treatment plants and related upgrades.

All water and sewer projects must be submitted to the West Virginia Infrastructure and Jobs Development Council (IJDC) for technical review. This review is required prior to submission of all water and sewer applications, as well as economic development applications. Applications will not be considered without an IJDC determination letter.

All water and sewer infrastructure projects must be reviewed by the West Virginia Infrastructure and Jobs Development Council (IJDC), and declared technically feasible to be eligible for funding. All IJDC applications must be submitted to the Infrastructure Council by **April 10, 2017**. Note the following:

- Projects submitted to IJDC prior to April 10 will have a complete review. The IJDC determination letter must be submitted with your application. WVDO strongly advises that projects be submitted to IJDC prior to March 10 for a complete review.
- Projects submitted to IJDC after April 10 and prior to May 10 will not have a complete review. These applications will be accepted, but will not be eligible for CDBG funding unless and until the IJDC determination letter is submitted to WVDO. The determination letter and technical review memo must be submitted to WVDO by July 31, 2017.
- Project numbers issued by IJDC in 2015 and 2016 will be accepted with a proper cost estimate update. IJDC Project Numbers dated 2014 or earlier will diminish the competitiveness of the application due to the age of project data. Applications must include rates based upon the 2010 MHI and 3,400 average gallon usage data, regardless of when the application was reviewed by the IJDC.

Projects submitted to IJDC after May 10 will not be considered for FY 2017 CDBG funding. The IJDC determination letter and technical review memo must be submitted with the application. **DO NOT SUBMIT SCREEN SHOTS OF THE IJDC APPLICATION.**

#### **Cost Estimates**

**Engineering estimates must be within 12 months of the application date.** Updates can be made by submitting a memo to WVDO and IJDC with your application, accompanied by current cost estimates as certified by the project engineer. The memo should address any material changes in cost and scope. **Substantial changes in cost or scope would require a new IJDC application.**

#### **IJDC Determinations**

Project numbers issued by IJDC in 2015 and 2016 will be accepted with a proper cost estimate update as described above. IJDC Project Numbers dated 2014 or earlier will diminish the competitiveness of the application due to the age of project data.

### **Economic Development with Business Commitment - Job Creation**

Funds granted to Job Creation Projects are subject to the public benefit standards established by HUD. No more than \$35,000 per net new job may be awarded. Economic Development Projects are subject to a maximum grant of \$1,250,000, and a limit of \$35,000 per job.

Economic development proposals must lead to the direct retention or creation of jobs, 51 percent of which are "taken by" or will be made "available to" low- and moderate-income persons (LMI), consistent with 24 CFR 570.483(b)(4). Proposals to utilize the "available to" concept must request authorization from the WVDO.

Proposals must demonstrate: 1.) that a specific number of jobs will be created or retained; 2.) that new jobs will be created within a reasonable period of time; and (3) that the project cannot be undertaken without block grant funds. **Proposals must outline a strategy for making jobs available to low- and moderate-income persons.** When the job creation activity undertaken is a public improvement and the activity is designed to also serve a primarily residential area, the activity must meet the dual LMI benefit requirements of 24 CFR 570.483(b)(1) (area wide benefit test) and 483(b)(4) (job creation requirements) unless the State agrees in advance that service to the residential area is clearly incidental.

The activity must be described in sufficient detail for the affected citizens and the State to understand how a national objective is to be achieved, the service area and the location of the project, and how the funds are to be used. Documentation as set forth in 24 CFR 506(b)(5) (6) or (7), is required.

The State has designed commitment forms for private businesses. The applicant may design and utilize its own forms if, at a minimum, the information contained in the applicant's form contains the information found in the State provided forms. In addition, 24 CFR 570.482(f) and 570.483(b) (4)(vi)(F) requires the assistance to be reasonable in relation to public benefit and the number of jobs expected to be created or retained by the affected businesses are sufficient to justify the investment. The application shall contain a description of the project, the exact physical location by census data of the facility, and the area served in sufficient detail in that the State, HUD, and the public can conclude that the activity is eligible under 570.482 and public benefit justifies investment.

A commitment to create 'x' number of jobs based on public benefit must be obtained from known benefiting businesses. The business must outline affirmative steps and a plan to hire LMI persons within a reasonable period of time. To fulfill the LMI job requirements, jobs must either be filled by LIM persons, or jobs must be made available to LMI persons. Approval must be obtained from the WVDO prior to using the "available to" method.

Without such commitments, the projects will be viewed as "speculative," and the applicant will be required to request funding under the General Community Development Program. The applicant is at risk for the dollars expended until the national objective is met, i.e., the jobs created. If the actual location of the business is not located in an "presumed benefit" area, our office recommends utilizing the local Jobs Service office to capture all required financial and EEO data from each applicant.

The State discourages the use of CDBG funds to relocate a business from one area of the State to another unless for purposes of expansion that cannot be accommodated in the current area. It is not the State's intention to provide assistance that would create conditions whereby assisted businesses will obtain an unfair competitive advantage in relation to like businesses in the same market area. Additionally, the State is interested in creating "high quality jobs" that will provide an income sufficient to elevate LMI persons out of that economic status. "High Quality Jobs" are those jobs that provide a livable wage and access to a benefit package.

### **Community Development - General**

General Community Development Projects include eligible projects other than public infrastructure or job creation/retention. This category may include downtown revitalization, storm drainage improvements, demolition, broadband development, land development, or revolving loan fund proposals. General Community Development Projects are limited to a maximum grant of \$500,000. The Director reserves the right to partially fund a project.

### **Community Development - Broadband**

Building upon the 2014 Broadband Strategic Plan, in which each Regional Planning and Development Council facilitated the development of a regional broadband strategic plan, the State intends to dedicate 5 percent of its FY 2017 CDBG allocation to broadband development. The State will coordinate projects with the Broadband Enhancement Council and the West Virginia Geological and Economic Survey, Office of GIS Coordination. The following activities are proposed:

- Assisting with updates to the State Broadband Strategic Plan and mapping initiatives;
- Matching CDBG funds to eligible projects also funded by the Broadband Enhancement Council, U.S. Department of Agriculture, U.S. Economic Development Administration, Appalachian Regional Commission and/or other State and Federal sources;
- Providing funds for a pilot project through which additional program criteria will be developed.

### **Planning Projects**

Planning Projects shall be limited to \$100,000, with a 10 percent local cash match. Joint planning projects shall be limited to \$120,000 regardless of the number of jurisdictions in the joint application, with a 10 percent local cash match.



## Application Overview

### Sections 1-7

One original proposal shall be submitted to the State. The following pages contain instructions for completing the application forms. The information/data required is considered minimal and may be supplemented by the applicant to support the proposed project. Citizens must be given the opportunity to comment on the proposed project (see 24 CFR 570.486.) prior to application submission. Organization in the following order, with tabs, dividers, and a table of contents is strongly recommended. A checklist is provided in the application. **All fields and documents are considered mandatory.**

- Section 1      Project Summary**  
Complete all fields to provide a detailed profile of the applicant, the funding scenario, and the project.
- Section 2      Primary Activity**  
This section provides additional space to describe the challenges and opportunities within the project area and how the project can address identified community development and housing needs. Include specific information about the issues the project will address, the line item budget, preliminary schedule, and National Objective information in this section.
- Section 3      Section 3 Plan**  
Attach the applicant's Section 3 Plan. See sample plan at [www.wvdo.org/downloads](http://www.wvdo.org/downloads).
- Section 4      EEO Beneficiary Analysis/LMISD Source Data/Fair Housing**
- Complete the EEO Beneficiary Analysis. **See the WV Data Center Demographic Guide for details.**
  - Provide Census/ACS (American FactFinder) Source Documents.
  - Provide HUD LMISD Source Documents.
  - Provide a list of multiple activities planned by the applicant to further fair housing.
  - Attach Title VI maps in Appendix F using the same census data used to complete the "Beneficiary Analysis" page.
- Section 5      Assurances**  
The Assurances and Certifications are mandated by Federal and State law and program legislation. **The assurances should be read thoroughly.** If the intent of any assurance is unclear, contact the WVDO.
- Section 6      Citizen Participation Plan**  
In order to permit public participation, each applicant shall develop a written citizen participation plan that meets the requirements of 24 CFR 570.486. Two public meetings are required for **all** first-time applications. Enclose a copy of your plan, detailed hearing minutes and attendance lists, and affidavits of publication or tear sheets of **both meetings** conducted prior to adopting a resolution to submit the application to the WVDO.
- NOTE:** 24 CFR 486(B). Activities may serve beneficiaries outside the applicant's jurisdiction provided the applicant submits documentation showing how it was determined that the activities are meeting its community development and housing needs, including the needs of low- and moderate-income persons within the applicant's jurisdiction. If a unit of local government intends to extend water or sewer service outside corporate limits, the unit of local government must own the water or sewer service.
- Section 7      Disclosure/Update Report**  
Instructions contained with HUD Form. Read carefully. See CFR Part 12. All parts **MUST** be completed. **Attachments:** The following additional items are required attachments:
- Copy of Resolution Authorizing the Filing of the Application**  
The local government shall adopt or pass an official act or resolution authorizing the filing of the application, all assurances, and certifications contained therein, directing and

authorizing the person identified as the official representative of the applicant and to provide such additional information as may be required. All resolutions must be signed by the chief elected official and at least one corresponding official (city council member, county clerk, etc. or Notary when applicable).

#### **Project Maps and Location**

The project area(s) must be described in sufficient terms to permit affected citizens the ability to comment upon the proposed project and for the State to know exactly where activities are to be conducted. Maps must include topographical, aerial with project area defined, and driving instructions to location. The area(s) need to be related to affected enumeration districts, census tracts, and block groups showing boundaries and identification of specific activities to be undertaken. Income survey data **must correspond to this service area.**

#### **Section 8 Community and Housing Needs Assessment**

Please refer to the Instructions and Outline provided in this Guide.

#### **Section 9 FFATA/SAM.gov/DUNS Number Certifications**

All applicants and Grantees must have a Data Universal Numbering System (DUNS) number, and must register with the Federal System for Award Management (SAM) at [www.SAM.gov](http://www.SAM.gov). The following steps are required:

- **Step 1: Obtain a DUNS Number**  
A DUNS number, assigned by Dun & Bradstreet, is required to register in SAM.gov. If the applicant does not already have a DUNS Number, please advise applicant to visit [www.dnb.com](http://www.dnb.com) or call 1-866-653-1344. Most organizations will be assigned a nine-digit number. The DUNS number will be used as the unique identifier for registration at [www.SAM.gov](http://www.SAM.gov).
- **Step 2: Register in SAM.gov**  
Registration in sam.gov is a required for application to the CDBG program. Applicants cannot use the sam.gov registration of another agency. Registration is free of charge and may be completed at [www.SAM.gov](http://www.SAM.gov).

## SECTION 1 – PROJECT SUMMARY

### 1.1 - Applicant Information

Complete each item as requested on the application form.

## SECTION 1 – PROJECT SUMMARY

### 1.2 - Project Overview

Provide a description of the project to include the primary activities to be undertaken, their location, and the number of persons to be served. **Describe the activity in measurable terms**, such as “construction of new water service on Fifth Street to include 3,700 linear feet of water line and a 50,000-gallon water storage tank to serve 50 new households and improve service to 25 existing households.”

Complete the information on page 5 of the Application. Refer to those answers and all other pertinent project information that will create a narrative description which provides in depth discussion of the nature of the project, the issues it will address and the population(s) it will serve. Identify incidental, delivery activities involved in carrying out the primary activity, such as “...payment of 26 tap fees, land acquisition, 50 rights-of-way and 1.5 acres for the water storage tank relocation.”

Discuss major project accomplishments to date, if any, including any funding that is already committed; the percentage of the final design that is complete and permits already in hand; the number of service sign-ups or information on letters of support; and petitions for service.

Specifically address the justification for this project and the expected outcomes and effects for the beneficiaries, especially as it applies to the three primary community development objectives identified in the West Virginia Consolidated Action Plan, as approved by HUD, as follows:

- Support local government efforts to provide affordable infrastructure systems;
- Support local community efforts to assist low-to moderate-income citizens to achieve an improved quality of life; and/or
- Support job creation and retention efforts

Include in your narrative project description the LMI figures given under **National Objective-Current & Proposed Status** on Page 14 of the application, and a breakdown of how the project serves existing or new customers. If there is a mix of both, explain the service areas and the street/road names which differentiate replacement and new service. Please ensure that this description is thorough, refers to supporting documentation, and uses a continuation sheet if necessary.

## SECTION 1 – PROJECT SUMMARY

### 1.3 - Funding

Indicate funding sources applied for and provide evidence of any funding that has been secured by including a copy of the commitment letter. If funding has not yet been secured, indicate the anticipated award date in the Funding Secured column. This is a mandatory section. Failure to indicate whether a funding source has been secured will make the application less competitive.

## SECTION 1 – PROJECT SUMMARY

### 1.4 – Engineering and Design

Complete each item of the engineering section as requested.



**Cost Estimates** - Attach cost estimates, signed and dated by the project engineer. Cost estimates shall not be dated more than 12 months prior to the date of the application. All cost estimates must be supported with a letter from the engineering firm or individual who completed the estimates verifying their accuracy. Every project application must have a cost estimate.

Updates can be made by submitting a memo with the CDBG application, accompanied by current cost estimates certified by the project engineer. The same information must be submitted to IJDC and other involved funding agencies under separate cover with a copy also included with the CDBG application. The memo should address any changes in: 1.) Cost, and 2). Scope. Substantial changes in cost or scope would require a new IJDC application to be reviewed for technical and financial feasibility.

## SECTION 1 – PROJECT SUMMARY

### 1.5 - Citizen Participation

Two public meetings are required for **all** first-time applications. Provide requested dates and acknowledgement that detailed meeting minutes are included with the application. **Tear sheets or affidavits of publication** for the public meetings must be included in the application. “Cut and paste” copies are not acceptable. Notification of the public meetings must be published in the newspaper at least five (5) days prior to the meeting with the meeting being held on the sixth (6th) day after the notice appeared. The notification of the second public meeting may not be published until after the first public meeting is held.

**For applications that are being resubmitted, only the second public meeting is required; however, notice of the first public meeting from the last year the project was submitted must be included in the application.**

## SECTION 1 – PROJECT SUMMARY

### 1.6 - Open Grants

If existing grants required a waiver to apply, did applicant submit a request to the WVDO? Please provide a copy with the response received. Provide requested information for any open grants, including current status.

## SECTION 2 – PRIMARY ACTIVITY

### 2.1 - Impact and Planning

The intent of this section is to further describe the activities selected to resolve identified community development and housing needs assessment. Enter the name of the primary activity, for example: “Fifth Street Water Extension.” **(Complete one form for each primary activity.)**

**Community Impact:** Elaborate on how the project would specifically improve conditions for the particular residents of the service area and neighborhood facilities such as schools, daycare facilities, and senior centers. Discuss business and housing growth potential, particular hardship, or minority population areas affected. Describe any direct or indirect benefits of this project towards attracting, retaining, or improving the economic climate.

The activity must be described, in such a way, as to substantiate the cause and magnitude of the problem to be addressed. Explain what problem is being resolved, and provide data that covers the degree of seriousness of the problem. Attach supporting documentation. Be brief, clear and concise. Attach additional sheets if necessary.

**Plan relation:** Address the question of how this project relates to other local project priorities, services, functions, and the community’s ability to maintain the project.

Relate each primary activity to the community development and housing needs assessment plan that specifies both short- and long-term community development objectives that have been developed in accordance with the primary objectives and requirements of the Act. Attach a copy of your Community Development and Housing Needs Assessment Plan. (See Instructions and Outline for Preparing Community Development and Housing Needs Assessment.)

Activities may serve beneficiaries outside the applicant's jurisdiction provided the applicant is meeting its community development and housing needs. If beneficiaries are not residents of the applicant's jurisdiction, explain how the jurisdiction's needs are being met by the proposed activity (note: 24 CFR 570.486(b)). Please be reminded that if the applicant is proposing to extend water and sewer service outside its corporate limits, the applicant must own the water or sewer service.

Include clear and legible site and vicinity maps of the project area in order to drive to the project area and note its project boundaries, including the starting and ending points for all work. A narrative description of each map must be included to assist in locating the project area as well as the scope of work proposed. Project area maps need to show how the project is situated within the boundaries of the census areas listed on the Application in Section 2.3 National Objective, Page 12.

## SECTION 2 – PRIMARY ACTIVITY

### 2.2 - Project Budget

Enter the amount and sources of funding budgeted for each activity line item. For Public Infrastructure Projects, this must coincide with the IJDC application. **Attach documentation showing availability of other funds.**

Indicate Yes or No regarding the commitment of other funds. If funds are not currently available for expenditure, provide a list of milestones to be achieved to obtain the other funds with estimated date(s) of when the milestones will be met. Contingency line items are not allowed. All funding must be committed to a specific line item.

## SECTION 2 – PRIMARY ACTIVITY

### 2.3 - National Objective - Eligibility

**National Objective: Use 24 CFR Part 570.483**

**Review: 24 CFR Part 570.506(b)**

List the Activity Name, and under "National Objective being met," mark A., B., or C. to indicate which method of LMI benefit is being used to qualify the activity.

- A. Benefit to LMI Persons – including:
  - a. Limited Clientele
  - b. Housing
  - c. Job Creation/Retention
  - d. Planning
- B. Elimination of Slum and Blight
- C. Urgent Need

The Area-Wide Benefit to Low- and Moderate-Income Persons category is the most commonly used National Objective for activities that benefit a residential area. As defined, this means the activity benefits all residents in a particular area, where at least 51 percent of the residents are LMI persons.

For this purpose, LMI determination is based upon the income of a family, household, or individual living in the CDBG project area whose household income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families (HUD generated LMI data).

**ACS/Census Data** – Each application must provide information for the census tract(s) most closely approximating the project area. This also applies to those projects qualifying the LMI benefit through an income survey.

When using multiple Census geographies in the determination of LMI compliance of a service area, applicants are reminded that percentages shall not be averaged across multiple geographies. The proper calculation is as follows:

$$\text{LMI \%} = \frac{(\text{LMI Persons Geography A} + \text{LMI Persons Geography B} + \text{LMI Persons Geography C})}{(\text{LMI Universe Geography A} + \text{LMI Universe Geography B} + \text{LMI Universe Geography C})}$$

Multiply the result by 100 to get the correct percentage. Additional information can be found in HUD CPD Notice 14-10. <http://tinyurl.com/hudcpd1410>

### **Project/Service Area**

As stated in HUD CPD Notice 14-013, “One of the crucial aspects of qualifying an activity as principally benefiting LMI persons on an area basis is the proper identification of the service area. The service area must be defined first before deciding which data to use to determine the percentage of LMI persons and not vice versa.” Each application must provide information for the Census Tract(s) and Block Group(s) most closely approximating the project area.

**If ACS/Census data is being used to qualify a project, this data must coincide with project area and include a map showing clear verification of such.**

### **Income Eligibility: Area-Wide Benefit to Low- and Moderate-Income Persons**

As previously stated, the Area-Wide Benefit to Low- and Moderate-Income Persons category is the most commonly used National Objective for activities that benefit a residential neighborhood. As defined, this includes activities that benefit all residents in a particular area or neighborhood, where at least 51 percent of the residents are LMI persons. For this purpose, LMI determination is based upon the income of a family, household, or individual living in the CDBG project area whose household income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families (HUD generated LMISD data).

**As of this publishing, HUD has not issued an update for either method of qualification explained below. If such notice is received, the WVDO will notify all applicants of any new requirements.**

Eligibility must be verified by one of the following methods:

**1. Census: HUD Income Summary Data/LMISD in compliance with HUD CPD Notice 14-10**

To qualify by Census, the census tracts/block group areas must closely associate with the project area and have a 51 percent or greater LMI population according to HUD generated census data (Low and Moderate Income Summary Data-LMISD).

The 2016 HUD Income Summary Data/LMISD data, based upon the American Community Survey 2006-2010 (ACS), is available at [www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places](http://www.hudexchange.info/manage-a-program/acs-low-mod-summary-data-block-groups-places). If the project area is a census tract(s), select ALL BLOCK GROUPS. If the project area is a whole town or county, select LOCAL GOVERNMENT SUMMARIES. Visit [Local Governments by State](#) for data definitions.

**2. Income Survey: In compliance with HUD CPD Notice 14-013**

To qualify by Income Survey, review HUD CPD Notice 14-013 available at the [HUD EXCHANGE](#) and the **WVDO Income Survey Guide** available at [www.wvdo.org/downloads](http://www.wvdo.org/downloads).

The 2016 HUD Income Limits are available at <http://www.huduser.org/portal/datasets/il/il16/index.html>.

Go to the link provided, choose West Virginia, and then identify the proper County or Metropolitan Statistical Area. Income Limits are typically updated annually in March. The most current Income Limits must be used for an income survey.

**Review the WVDO Income Survey Guide and contact the WVDO prior to conducting an Income Survey.** The Income Survey should include detailed descriptions of the project area, sample, methodology, tabulations and results.

### Income Survey

If an income survey was conducted in accordance with 24 CFR 570.483(b)(1)(I) and the State's guidelines for conducting income surveys, check your determination that 1.) The census boundaries do not coincide sufficiently well with the service area of the activity to use census data, or 2.) The applicant believes the census data does not reflect current relative income levels in an area.

- (1) **Previously completed income surveys should be no more than three (3) years old.** Applicants with surveys that are four (4) years old may request a waiver, which will be considered on a case by case basis.
- (2) Complete all boxes related to the income survey including the Method by which the survey was done. Attach the income survey methodology, including how the sample size was determined. Provide a narrative description of the sample and methodology, public notifications, tabulations, and results, along with the sample survey form, verification of income eligibility signed by the elected official, and the provided LMI worksheet showing the survey results.
- (3) Please be sure that income surveys are conducted using true random sampling.
- (4) **Contact the WVDO prior to conducting an Income Survey, or if there are questions concerning the proper determination of eligibility for a particular project area.**

### Additional WVDO Website Resources for Income Surveys:

The following documents are available at [www.wvdo.org/downloads](http://www.wvdo.org/downloads).

- Guidelines for Conducting Income Surveys
- Updated edition posted with new Low and Moderate Income Worksheet.

### Elimination of Slum and Blight

Check the appropriate box and attach the following:

#### 1. Area wide

- A map that clearly delineates the area declared to be slum and blighted under the State code.
- Describe the conditions of the area in relation to the State Code definition of a slum or blighted area.
- Provide quantifiable data and documentation showing that there are a substantial number of deteriorated or deteriorating buildings **throughout** the area. Provide your definition of deteriorated.
- Has applicant adopted local building codes against which this determination was made? Mark such building(s) on the map.
- Provide quantifiable data and documentation showing that public improvements, when considered in total or in combination, are in a general state of deterioration. Map the deteriorated facilities. Define your standard of deterioration.

- Describe how the activities proposed will address one or more of the conditions which contributed to the deterioration of the area.

## 2. Spot Basis

- Describe and document the existing situation. Only acquisition, clearance, relocation, historic preservation, and building rehabilitation activities may be undertaken.

### Urgent Need

While activities designed to meet urgent need are permitted as an exception, HUD anticipates that such activities, by their nature, will be conducted infrequently. Such activities do not include conditions that are typically found throughout the State. The following documentation must be provided:

1. A local determination and certification as required by 24 CFR Part 570.483(d);
2. Documentation that existing (not potential) conditions constitute an immediate threat to health. Documentation from the State health department or comparable authority is required;
3. Documentation that this condition became known and urgent within the last 18 months; and
4. Documentation that the Grantee is unable to finance the activity on its own **and** other sources of funding are not available. Turndown notices and, if appropriate, user rate analyses are required.

## SECTION 2 – PRIMARY ACTIVITY

### 2.4 - National Objective – Current & Proposed Status

For Water and Sewer Projects, list the service provider and complete the requested information based on census/survey numbers and customer projections provided in the engineering report.

#### Definitions

##### Household

Household means all persons occupying a housing unit. The occupants may be a family, as defined in 24 CFR 5.403; two or more families living together; or any other group of related or unrelated persons who share living arrangements, regardless of actual or perceived, sexual orientation, gender identity, or marital status. A household should be represented on a single income survey sheet. Households do not always correspond with the defined number of customers in a project, as there may be one utility service to a duplex of two households, or a single tap to a trailer park, which may contain multiple households. A housing unit which is considered seasonal, meaning the household resides there less than six months out of average year, is not a beneficiary household and must not be included in income surveys.

##### Individual/Person

A member of a household, regardless of age or marital/familial relationship. The number of persons in a household determines the applicable income limits to determine LMI. The total persons in a project are all members of all beneficiary project area households.

##### Customer

An individual water tap or sewer hookup. Please provide this as the total possible customers in occupied housing units for a project and not only the expected sign ups, such as 80 percent. Customers have to be separated between residential and non-residential (business/church/seasonal) for CDBG projects as non-residences can report no income and are not beneficiaries.

##### Existing Customers

The total customers on the utility system who had the same utility service from the city, town, or PSD provider prior to the proposed project construction.



Improved Service

Existing service/customers that will benefit from improvements to the treatment plant or other upgrade planned for an existing system.

New Customers/Service

Those who had no previous utility service of the type being installed in the proposed project, and will potentially be served after project completion.

Total Project Customers (Total New & Improved)

The total number of new taps or hookups in an extension project and/or any existing customers who will benefit from upgrades or replacement lines/facilities in proposed project areas.

Beneficiary

Any person living in a determined project area of benefit or a residential neighborhood who will benefit from a CDBG project activity. Infrastructure projects have area-wide beneficiaries. Typically the CDBG projects funded through WVDO *do not have any direct beneficiaries* unless they have applied individually for an income qualified service or financial assistance.

LMI Percentage

The number of persons living in LMI households in a project area divided by the total number of persons residing in all beneficiary project area households. To meet CDBG requirements the LMI percentage of beneficiary persons must meet or exceed 51%.

LMI persons/beneficiaries

A family, household, or individual living in a CDBG project area whose household income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger households or families (HUD generated LMI data). This number can be determined by taking the total number of project beneficiaries and multiplying by the LMI percentage previously determined.

## SECTION 3 – SECTION 3 PLAN

A sample Section 3 Plan is provided at [www.wvdo.org/downloads](http://www.wvdo.org/downloads).

## SECTION 4 – EEO BENEFICIARY ANALYSIS/LMISD/FAIR HOUSING

### Beneficiaries of Proposed Activities

#### BENEFICIARY ANALYSIS FORM:

List applicant name, project name, and date completed. Utilize census data to report minority composition of **applicant's** jurisdiction. Use the most recent American Community Survey (ACS) Five-Year Estimates for 2011-2015. The Five-Year Estimates encompass all population levels of geography. Therefore, data for the smallest county, place or block group can be retrieved on an annual basis. This raw census data is available at:

[www.census.gov/acs/www/](http://www.census.gov/acs/www/) or <https://catalog.data.gov/dataset/american-factfinder-ii>

#### Demographic Data

HUD has adopted the ACS as the primary data source for Census information. At this time, ACS data may be more readily available for towns and counties than smaller geographic areas and rural locations. However, demographic data should be derived from the ACS Five-Year Estimates wherever possible. Refer to the WV State Data Center Guide to Demographic Data for additional details.

For demographic data, use the most recent of the ACS Five-Year Estimates (2011-2015) or 2010 Census data in the application, wherever possible. If this data is not available in either the ACS or the 2010 Census, the applicant may cite the 2000 Census.

- *Note:* The 2000 Census should only be cited as a source if data is not contained in the ACS or the 2010 Census. Disability data was recently added to the ACS Five-Year Estimates, but may not be available for all project areas.

Section 4, titled EEO Beneficiary Analysis/LMISD/Fair Housing, Item (1) indicates that the “*most recent ACS/U.S. Census data*” should be used to determine the total minority composition of the applicant. Similarly, Item (2), indicates that “*the most recent ACS/Census data (Census.gov or factfinder2.census.gov)*” should be used to determine the defined minority composition of the census area most closely related to the project service area.

The 2010 Decennial Census did not capture data regarding incomes, disability status, poverty status, education, occupation and other demographic data. As a result, multiple demographic data sources may be used as part of the application, as follows:

- ACS
- 2010 Decennial Census
- 2000 Decennial Census (*Use only if data is not available in ACS or 2010 Census*)

When using data sources other than ACS, note the use of these data sources, by providing a footnote on the form, as follows:

- One asterisks (\*) for 2010 Decennial Census
- Two asterisks (\*\*) for the 2000 Decennial Census.

As indicated above, ACS data may be more readily available for towns and counties than smaller geographic areas and rural locations. However, if available through ACS, this data should be derived from the ACS Five-Year Estimates 2011-2015. These estimates encompass the smallest county, place or block groups and can be retrieved on an annual basis by accessing the U.S. Census Bureau main page ([www.census.gov](http://www.census.gov)) and/or the U.S. Census Bureau’s American FactFinder (<https://catalog.data.gov/dataset/american-factfinder-ii>). Refer to the WV State Data Center Guide to Demographic Data for additional details.

Data for direct beneficiaries (individuals and households applying for direct assistance such as housing rehabilitation, job creation, or homeownership assistance) will consist of actual users and may not be determined until project completion. If this is the case, enter “Direct Benefit”—to be reported when funds are drawn down and upon project completion in the Final Performance Report.”

Report “Single Head of Household by Gender” information only if beneficiaries are receiving direct benefit.

#### **CENSUS/ACS SOURCE DATA (AMERICAN FACTFINDER)**

Provide source documents from American FactFinder used in the completion of the EEO Beneficiary Analysis.

#### **HUD LMISD SOURCE DATA (LOW-MOD DATA)**

Provide source documents for the HUD generated census data (Low and Moderate Income Summary Data-LMISD) for census tract(s) and block group(s) must closely associated with the project area.

#### **FAIR HOUSING PLAN**

Provide a description of actions to be undertaken to “Affirmatively Further Fair Housing” at the local level. (See Fair Housing Review Criteria on the following page.)

#### **TITLE VI COMPLIANCE AND MAP:**

Provide information regarding minority groups within the project area. Attach a Title VI map in Appendix F.

**FAIR HOUSING REVIEW CRITERIA:**

As a recipient of Federal funding, the State of West Virginia must certify that it will take actions necessary to abide by Affirmatively Further Fair Housing (AFFH) regulations.

This requirement is outlined in 42 USC 3608(e) of the Fair Housing Act, and is one of the guiding principles of the U.S. Department of Housing and Urban Development (HUD).

AFFH is a requirement to use HUD financial assistance and other housing program resources in a manner that counteracts housing segregation, overcomes barriers to fair housing choice and promotes equal housing opportunity. The Fair Housing Act protects people from discrimination in housing based on race, color, religion, sex, national origin, familial status, and disability.

HUD requires that grant recipients take “significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparity in access to opportunity.”

Section 570.601(b) sets forth the general requirements for Title VIII of the Civil Rights Act of 1968 and the Grantee’s certification that it will affirmatively further fair housing. In reviewing a recipient’s actions in carrying out its housing and community development activities in a manner to affirmatively further fair housing, the State will monitor funded projects to assure that local governments comply with their certification to affirmatively further fair housing. Local governments may consider as “safe harbor” the following actions to comply with AFFH requirements:

- (1) Conducted an analysis to determine the impediments to fair housing choice in its housing and community development program and activities. The term “fair housing choice” means the ability of persons, regardless of race, color, religion, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. This analysis may include a review for impediments to fair housing choice in the following areas:
  - i. The sale or rental of dwellings;
  - ii. The provision of housing brokerage services;
  - iii. The provision of financing assistance for dwellings;
  - iv. Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing;
  - v. The administrative policies concerning community development and housing activities, such as urban homesteading, multi-family rehabilitation, and activities causing displacement, which affect opportunities of minority households to select housing inside or outside areas of minority concentration;
  - vi. Policies affecting the provision of resources to areas of minority concentration;
  - vii. Tenant selection; housing choice for certificates and voucher holders, sale of subsidized housing, and displacement; and
  - viii. Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of non-compliance by HUD regarding assisted housing within a recipient’s jurisdiction, an analysis of the actions which could be taken by the recipient to help remedy the discriminatory condition, including actions involving the expenditure of funds made available under this part.
- (2) Based upon the conclusions of the analysis in (1) above, the recipient has taken lawful steps, consistent with this part, relating to housing and community development to overcome the effects of conditions that limit fair housing choice within the recipient’s jurisdiction. Such actions may include:

- i. Enactment of a resolution supporting fair housing activities consistent with the Federal fair housing law;
- ii. Support of the administration and enforcement of State fair housing laws providing for fair housing consistent with the Federal fair housing law; and, if appropriate, creating a local enforcement agency by ordinance that is equivalent to HUD;
- iii. Participation in voluntary partnership developed with public and private organizations to promote the achievement of the goal of fair housing choice (including implementation of a locally-developed comprehensive fair housing plan);
- iv. Contracting with private organizations, including private fair housing organizations, where such support will bring about actions consistent with Titles VI and VIII, to address the impediments identified in the analysis described above;
- v. Activities which assist in remedying findings or determinations of unlawful segregation or other discrimination involving assisted housing within the recipient's jurisdiction; and
- vi. Other actions consistent with law determined to be appropriate based upon the conclusions of the analysis, such as:
  - Conduct neighborhood meetings to educate and overcome "not in my backyard" attitudes;
  - Provide additional security in areas where minorities or persons with disabilities have reasons to feel threatened;
  - Participate with public or private organizations to educate and promote fair housing choice;
  - Undertake activities to equalize conditions between minority and non-minority neighborhoods; and
  - Distribute fair housing materials and information.

**\*ALL ADS MUST CONTAIN THE FAIR HOUSING SYMBOL, A STATEMENT OF EQUAL OPPORTUNITY EMPLOYMENT, AND FAIR HOUSING. THE SYMBOL IS INCLUDED ON THE FINAL PAGE IN THIS DOCUMENT.**

## **SECTION 5 – ASSURANCES**

**To Be Signed by Chief Elected Official**

Assurances are contained within the application forms and must be signed and returned with the application.

## **SECTION 6 – CITIZEN PARTICIPATION PLAN**

**Documentation of Citizen Participation**

The plan describes how local units of government will involve citizens in the planning, implementation, and assessment of the CDBG program.

The State is required to certify that it is following a detailed citizen participation plan that meets the requirements of Section 508 of the Housing and Community Development Act of 1987. HUD has determined that states can satisfy 24 CFR 570.486 by developing a plan that will require each applicant and recipient of funds to carry out citizen participation in a manner that satisfies the requirements of 24 CFR 570.486.

## Scope of Citizen Participation

- (a) General: Each applicant shall provide citizens with an adequate opportunity for meaningful involvement and participation in the planning, implementation, and assessment of the CDBG program on a continuing basis. The applicant shall provide adequate information to citizens, hold public hearings at the initial stage of the planning process to obtain views and proposals of citizens on housing and community development needs, and provide citizens an opportunity to comment on the applicant's proposal and community development performance. Nothing in these requirements, however, shall be construed to restrict the responsibility and authority of the governing body of the applicant for the development of the application and the execution of its Community Development Plan.
- (b) Citizen Participation Plan: Each applicant seeking a CDBG grant must prepare and follow a written citizen participation plan that:
1. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low- and moderate-income who are residents of slum and blight areas and of areas in which funds are proposed to be used.
    - (A) The views and proposals of citizens, particularly low- and moderate-income persons, members of minority groups, and residents of blighted areas and neighborhoods where activities are proposed or ongoing, shall be solicited.
    - (B) Each unit of general local government must identify its community development and housing needs, including the needs of low- and moderate persons. This process shall involve public participation.
    - (C) Citizen participation shall be required during each stage of the application process:
      - (i) Pre-application stage:
        - a. Prior to the preparation of the application, the applicant shall, in accordance with its written plan, hold a hearing to obtain the views and proposals of citizens with regard to the determination of community development and housing needs including the needs of low- and moderate-income persons, and make available the following:
          - The total amount of funds that may be applied for by the applicant for community development;
          - The range of activities that may be undertaken with these funds, the kind of activities previously funded in the community (if applicable), and the progress made with respect to these activities;
          - The fact that more applications will be submitted to the State than can be funded;
          - The process to be followed in soliciting and responding to the views and proposals of citizens in a timely manner; and
          - A summary of other important program requirements.
        - b. Prior to public meetings, the applicant shall provide for adequate public notices. (See para. 2A below.)
      - (ii) Application stage: Prior to the submission of the application to the State, the applicant shall, in accordance with the written plan, hold a hearing to

make available for comment and take into consideration those comments on the proposed application before adoption of a resolution or similar action by the local governing body authorizing the filing of the application with the State. Comments received, and responses thereto, shall be included in the application. An assurance shall be submitted with the application assuring that all requirements have been met.

- (iii) Post approval stage: Following the approval of its application, the Grantee shall, in accordance with the written plan:
    - (a) Assure citizen participation when considering subsequent amendments to the Community Development Program; and
    - (b) Provide citizen participation in the planning, implementation, and assessment of the Community Development program including the holding of a hearing on the Final Performance Report submitted to the State upon project completion.
2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the proposed use of funds and relating to the actual use of CDBG funds:
    - (A) Adequate notices of public hearings shall be provided in a timely manner so as to make them accessible and understandable to all citizens, including non-English speaking persons, and with accommodations for the handicapped. The plan shall specify the number of days prior to hearings that notices shall be made available. The time shall not be less than that required allowing the notice **to appear at least five days prior to the date of the meeting**. General news releases block ads, legal ads, or other methods deemed appropriate should be set forth in the written plan. **The meeting must be held at least six days after the notice appears in the newspaper**.
    - (B) Meetings to obtain citizen views and to respond to citizen proposals will be scheduled at times and locations which permit broad participation. Full public access to program information and affirmative efforts to get adequate information to citizens shall be provided, particularly for persons of low- and moderate-income and residents of blighted neighborhoods and project areas. The written plan shall set forth methods to achieve this.
    - (C) Low- and moderate-income persons and minorities will be ensured substantial representation in an advisory committee, if one has been created.
  3. Provides for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the applicant.
    - (A) Technical assistance will be provided to citizen organizations and groups upon request.
    - (B) The level and type of assistance to be set forth in the plan and may support efforts to understand the CDBG program, application procedure, define policy, organize for the implementation of the program, and other activities as set forth in the plan.
    - (C) Assistance could be provided in the form of staff or local presentations, informational handouts, research of a specific issue, obtaining assistance from another agency such as Regional Planning and Development Councils, or other short- or long-term efforts within the capability of the applicant.
  4. Provides for public hearings to obtain citizen views and responds to proposals and

questions at all stages of the community development program, including at least the development of needs; the review of proposed activities; and review of program performance; which hearing shall be held after adequate notice at times and locations convenient to potential or actual beneficiaries with accommodations for the handicapped.

5. Provides for a timely written answer to written complaints and grievances, within 15 working days where practicable.
  - (A) Citizens are to be invited to submit comments on all aspects of program performance throughout the project period.
  - (B) Citizen complaints are to be submitted to the chief elected officer or other official designated by the chief elected officer in such manner and by such form as set forth in the local plan. A written response to a citizen complaint is to be prepared within 15 working days where practicable. Every effort should be made to resolve the complaint within 15 days. If it cannot be resolved within 15 days, an explanation of what is occurring and a time schedule for resolution should be presented.
  - (C) Program staff will be available during normal business hours to respond to citizens' inquiries/complaints.
  - (D) If the citizen is not satisfied with the Grantee's response, the citizen should first appeal the response to the Grantee's governing body (city council or county commission) for a final administrative review and decision.
  - (E) It is the Grantee's responsibility to develop and administer projects. However, should a citizen complaint be filed with the State, it will be forwarded to the Grantee for response according to the process set forth above. The State would judge the Grantee's response for adequacy. State reviews will include (1) matters of regulation/law and (2) matters where the Grantee information is plainly inconsistent with available facts and data.
6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.
  - (A) Each Grantee's written plan shall assess their non-English speaking population and make a determination as to whether non-English speaking residents can reasonably be expected to attend. Review of census data may be helpful.
  - (B) Where a significant number of non-English speaking residents can be reasonably expected to participate, the plan must address how notices of public hearings, summaries of basic information, and speakers at public meetings will be dealt with.
7. Maintains citizen participation files, which contain documentation that demonstrates compliance with all requirements contained in this Citizen Participation Plan.

## **SECTION 7 – DISCLOSURE/UPDATE REPORT**

### **Applicant/Recipient Disclosure/Update Report**

The required Applicant/Recipient Disclosure/Update Report form and instructions are provided in the application document. Section 102 of the HUD Reform Act of 1989 and 24 CFR Part 12 requires that all applicants for CDBG funds exceeding \$200,000 in the aggregate must make a disclosure statement that includes:

1. Assistance from other government sources in connection with the project.
2. The financial interests of persons in the project.

3. The sources of funds to be made available for the project.
4. The intended use of funds.

The Act states that “in no case are states...to commit...assistance unless all...disclosures have been provided. No consideration for funding could be given until the disclosures are submitted to the State.” Each unit of general local government is required to complete the attached disclosure forms.

These disclosures are only necessary if the aggregate amount of the CDBG funds received, or expected to be received, by the applicant will exceed \$200,000 in the Federal fiscal year in which the application is submitted. This requirement applies to all applications received by the State after March 16, 1992. Applicants must also update these disclosures to reflect substantial changes in information.

**UPDATES:**

See instructions on attached form.

**RECORD RETENTION:**

All disclosure reports must be kept on file and available to the public for five years after completion of the project. Update reports must be made available along with the applicant disclosure reports, but in no case for a period of less than three years of the project completion date.

## SECTION 8 – HOUSING NEEDS ASSESSMENT

### Instructions and Outline

For counties and larger municipalities, this information—at a minimum—should be included in this section of the application. For smaller municipalities, an effort should be made to provide as much of the information as possible. A community needs assessment should begin prior to the required public meetings phase of the CDBG application, beginning with a paper review of prior plans, reports, or grant applications of the community and continuing with small group meetings to identify or clarify issues and goals. This process can continue through the public meeting phase of the application to arrive at some agreed-upon statement of values and action plan.

#### 1. Existing Conditions (Research Prior to Public Meeting)

- Location description and advantages to include community assets such as individuals, groups, hospitals, colleges, capital improvements, and business support.
- Prominent economic issues/history, including income, employment, poverty status, environmental constraints.
- Significant demographic trends, including population loss or gain, aging, household composition. **This is mandatory data for housing rehab projects.**
- Significant housing trends, including housing age and type, condition, vacancy, overcrowding, ownership, and cost.
- Significant community issues, to can include traffic and transportation services, including police, fire and other agencies; recreation; housing quality and quantity; economic conditions including business and employment data; educational profile; as well as issues affecting quality of life, such as noise and pollution.
- Future development issues, to be amended from public input, with any foreseeable changes, any reasonable changes, and any unexpected or unpredictable changes.

#### 2. Priority and Selection of Project(s)

- Comparisons made, issues identified and verified; consensus on problem(s); causes known; costs known; environmental problems; legal problems; outcome/benefits; tasks and responsibilities with clear beginning and ending points.



- Project priorities/alternatives/phases based on facts and public input. Can also be based upon agreement on vision/mission/shared values, key themes, or desired or practical ways of meeting objectives.
- Agenda for community needs identified for further study.

### 3. Community Mission Statement and Action Plan

- Statement of community values and objectives.
- Key facts supporting project priorities and desired outcomes.
- Assignment of major responsibilities and commitment of financial and organizational resources.
- Signed and dated Statement by Chief Elected Official, and accompanying resolution.

## SECTION 9 – FFATA/SAM.gov/DUNS Number

The Federal Funding Accountability and Transparency Act (FFATA) requires the WVDO to submit the award of federal funds to the FFATA Sub-award Reporting System (FSRS) website for all federal awards of \$25,000 or more. This report requires all applicants be registered and active in [www.SAM.gov](http://www.SAM.gov). Please complete this section with all required information.

All applicants and Grantees must have a Data Universal Numbering System (DUNS) number, and must register with the Federal System for Award Management (SAM) at [www.sam.gov](http://www.sam.gov). The following steps are required:

- **Step 1: Obtain a DUNS Number**  
A DUNS number, assigned by Dun & Bradstreet, is required to register in [sam.gov](http://sam.gov). If the applicant does not already have a DUNS Number, please advise them to visit [www.dnb.com](http://www.dnb.com) or call 1-866-653-1344. Most organizations will be assigned a nine-digit number. The DUNS number will be used as the unique identifier for registration at [www.sam.gov](http://www.sam.gov).
- **Step 2: Register in SAM.gov**  
Registration in [sam.gov](http://sam.gov) is a required for application to the CDBG program. Applicants cannot use the [sam.gov](http://sam.gov) registration of another agency. Registration is free of charge and may be completed at [www.SAM.gov](http://www.SAM.gov).

**Prior to the award of a grant, applicants must be reviewed** for debarments on the State and Federal websites: <http://www.state.wv.us/admin/purchase/debar.html> and [www.SAM.gov](http://www.SAM.gov). The WVDO will conduct the debarment review prior to the award of grant funds; therefore, registration in [sam.gov](http://sam.gov) is required.

## CERTIFICATION

This application must be signed by the Chief Elected Official of the Unit of Local Government, and must be accompanied by an authorizing resolution.

## Other Required Attachments

- Appendix A:** Resolution Authorizing Application Filing
- Signed by the Chief Elected Official and at least one other Elected Official
- Appendix B:** Other Funding Sources Commitment Letters

**Appendix C:** Cost Estimates from the project engineer

**Appendix D:** Income Survey Documentation and Survey Tabulation Sheet

**Appendix E:** IJDC Documentation *(Do not submit the IJDC application screenshots.)*

- Technical Feasibility/Determination Letter
- IJDC/DEP Technical Review Memo
- Most recent Funding Committee Report – Preliminary Application Review Sheet

**Appendix F:** Title VI Map

**Appendix G:** Clearly defined project area topographical, aerial, and driving maps

**Appendix H:** Maps clearly reflecting the census area and data if the applying project is based on Census Tract information. Note: The census area must coincide with service area.

**Appendix I:** Urgent Need 24 CFR 5470.483(3) if applicable

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