

NOTICE OF PUBLIC COMMENT AND HEARING

From: Southeastern Utah Association of Local Governments

Date: July 18, 2022

Re: Public Comment and Hearing on Proposed SEUALG CDBG Rating and Ranking Policies for Program Year 2023

NOTICE IS HEREBY GIVEN that the Southeastern Utah Association of Local Governments (SEUALG) is soliciting public comment on the proposed Community Development Block Grant (CDBG) Rating and Ranking Policies for Program Year 2023 attached to this notice.

Interested persons may submit written public comment on the proposed CDBG Rating and Ranking Policies for Program Year 2023 from July 18, 2022 to August 25, 2022 via email or mail. Comments should be addressed to Tamara Dockstader at tdockstader@seualg.utah.gov or P.O. Box 1106, Price, Utah 84501.

The public comment period will close with a public hearing on the proposed CDBG Rating and Ranking Policies for Program Year 2023 on August 25, 2022, beginning at 12:00 pm, or soon thereafter. The location of the public hearing will be 375 South Carbon Avenue, Price, Utah 84501. Virtual options are available and those interested should contact Tamara Dockstader at 435-613-0029 for details no less than 3 days prior to the public hearing.

All interested persons are invited to consult with SEUALG regarding the proposed CDBG Rating and Ranking Policies for Program Year 2023. If any interested person desires to meet or has questions, please contact Tamara Dockstader at 435-613-0029. The CDBG Rating and Ranking Policies for Program Year 2023 are attached to this notice.



CDBG RATING AND RANKING POLICIES PROGRAM YEAR 2023

ALLOCATIONS POLICIES — the following set-asides are established for the 2023 program year:

1. \$174,000 will be set-aside to fund the following region-wide housing programs operated by the Southeastern Utah Association of Local Governments; 1) single-family housing rehabilitation; and 2) capitalize a revolving fund for land acquisition for very-low- and low-income individuals and families to construct homes.
 - 1) \$134,000 to provide rehabilitation of the homes of LMI residents throughout the Region, either as a stand-alone project or in coordination with funds from the Olene Walker Loan Fund, Rural Development, or other sources;
 - 2) \$40,000 for the cost of program delivery of the Region's housing rehabilitation programs funded by CDBG, by providing loan underwriting services, development of scopes of work, contractor supervision, and housing rehabilitation-repair technical assistance directly to clients and to other entities or agencies providing services to low income persons;
 - 3) Operate the lead-based paint evaluation program for the Region's housing rehabilitation activities, and other agencies that serve low-income clients with housing and rehabilitation services;
 - 4) When available, SEUALG will acquire residential building lots for the intent of constructing new housing dwellings for very-low and low-income individuals and families and/or make the required infrastructure improvements to building lots.
2. \$100,000 will be set-aside to fund the Region-wide CDBG administration, consolidated planning, general planning assistance, affordable housing planning, and economic development technical assistance activities operated by the Southeastern Utah Association of Local Governments:
 - 1) Update of the Region's required Consolidated Plan;
 - 2) Coordinate Consolidated Planning activities and efforts with the Region's economic development practitioners, chambers of commerce, travel councils, and the Southeastern Utah Economic Development Region Board and CEDS (Comprehensive Economic Development Strategy) Committee;

- 3) Coordinate Consolidated Planning activities and efforts with the Region's homeless coordinating committees, agencies providing services to person with disabilities, region housing authorities, and other non-profit and special service agencies that serve low-income clients;
 - 4) Coordinate Consolidated Planning activities with the Region's Rural Transportation Planning Organization for the development and implementation of a mobility management system to provide access and mobility services to senior citizens, persons with disabilities, and low-income workers;
 - 5) Provide technical assistance to the Region's CDBG applicants to ensure the successful completion of their applications.
 - 6) Technical assistance to for-profit businesses located within low- to moderate-income areas and/or low- to moderate-income business owners. Technical assistance includes, but not limited to; workshops, assistance in developing business plans, marketing, and referrals to lenders or technical resources
3. In compliance with the policies of the State of Utah CDBG Program, and to be eligible for funding, all applicants must have drawn down 50% of any prior year's CDBG funding prior to the Regional Review Committee's (RRC) rating and ranking meeting in March.
 4. The State of Utah has established the minimum amount of funding of \$30,000 per project and the maximum amount is limited by the annual allocation amount.
 5. Applicants must provide written documentation of the availability and status of all other proposed funding at the time the application is submitted, including all sources of funding which are considered local contributions toward the project and its administration.
 6. The Southeastern Utah Association of Local Governments (SEUALG) will aid with the completion of the application. All applications for CDBG funds will be prepared in accordance with the State of Utah and federal regulations.
 7. Official representatives of potential applicants **MUST ATTEND ONE** of the "How to Apply Workshops." Applicants that do not attend will not be considered for funding. Official representatives can be elected officials of the applicant entity or management level employees of the entity such as city/county managers or administrators, city/county recorders or clerks, or management staff from the entities' planning or community development department. Third party representation (engineers, architects, lower level entity staff, etc.) will be accepted only if a written designation from the entity is provided at the start of the "How to Apply Workshop". Nonprofit organizations and special service districts executives should attend with the sponsoring city or county, if possible.
 8. The SEUALG Executive Board will be the SEUALG CDBG Rating and Ranking Committee (SEUALG RRC). The SEUALG Board consists of one county commissioner and one municipal elected official from each county. The process for selecting these board members from each county is in alignment with the SEUALG Bylaws. All applications will be scored by the SEUALG RCC based on the rating and ranking criteria approved by the SEUALG Governing Board. SEUALG staff and the Rating and Ranking Advisory Committee (RRAC) will make recommendations to the SEUALG RRC on each application and then present the applications for

final approval.

9. A Rating and Ranking Advisory Committee (RRAC) will be composed of two recommended individuals from each county to represent the county and municipalities and will be on the RRAC for two-year terms. These recommendations will be from the SEUALG RRC. The RRAC will assist with the creation of the Rating and Ranking Policies and Criteria to be approved by the SEUALG RRC and review applications submitted to provide recommendations to the SEUALG RRC on project scoring and awards.
10. Projects must be consistent with the Region's Consolidated Plan.
11. Public service providers, traditionally non-profit organizations, are allowed to apply for CDBG funds for capital improvements, and major equipment purchases. Examples are program delivery vehicles, new construction, rehabilitation, and facility expansion. State of Utah policy prohibits the use of CDBG funds for operating and maintenance expenses. This includes paying administrative costs, salaries, etc. No more than 15% of the state's yearly allocation of funds may be expended for public service activities.
12. Applications on behalf of sub recipients (i.e. special service districts, non-profit organizations, etc.) are allowed. The applicant city or county must understand that even if they name the sub recipient as project manager the city or county is still responsible for the project's viability and program compliance. A subcontractor's agreement between the applicant entity and the sub recipient must accompany the application. A letter from the governing board of the sub recipient requesting the sponsorship of the project must accompany the application. The letter must be signed by the board person. To utilize CDBG funds for a public service, the service must be either a new service or a quantifiable increase in the level of existing services which has been provided by the applicant in the previous 12 months.
13. To qualify for Americans with Disabilities Act (ADA) points a project must be an adaptation to an existing facility or structure. New construction must be ADA compliant by law, so while these projects may meet a National Objective and qualify for CDBG funding, they will be rated and ranked as community development projects.
14. Project Maturity: Funding should be prioritized to those projects which are the most "mature". Maturity is defined as those situations where: 1) the applicant has assigned a qualified project manager; 2) has selected an engineer and/or architect; 3) proposed solution to problem is identified in the Scope of Work and ready to proceed immediately; 4) has completed architectural/engineering design (blueprints); and 5) identifies all funding sources and funding maturity status. Projects that are determined to not be sufficiently mature to be ready to proceed in a timely manner, may not be rated and ranked.
15. When an applicant submits more than one application, only the highest ranked application will be considered for funding unless all other applications have been funded.
16. Emergency projects may be considered by the RRC at any time during the year. Projects that are considered for emergency CDBG funding must still meet a national objective and regional goals set by the RRC. Projects may be considered an emergency if the following apply:

❖ Funding through a normal CDBG funding cycle would create an unreasonable health and or safety risk to people or

property.

If an applicant deems it necessary to apply for emergency funding, they must contact the Southeastern Utah Association of Local Governments promptly to discuss the details of the project and the state required application procedure and the RRC criteria. Emergency funds are limited on a statewide basis and will need approval from the State CDBG Policy Board. The amount of emergency funds awarded will be subtracted from the top of Region's next yearly allocation.

- 18.** In regards to applications scoring, the following policies will be followed in the event of a tie:
 1. The project that has the highest percentage of LMI persons benefiting.
 2. The project with the most local leveraged funds.
 3. The project with the most other leveraged funds.
 4. The largest geographical area benefitted.
 5. The project with the largest number of LMI beneficiaries.
- 19.** All applications will be fully funded beginning with the highest ranked project then sequential to the next highest ranked project and so on. In the event the next highest ranked project cannot be fully funded, the following policies will be implemented to allocate the remaining funds:
 1. The next ranked application will be evaluated to determine whether or not the project is still viable and can meet a CDBG national objective with reduced funding.
 2. If the next ranked application cannot be awarded partial funding, AOG staff will move to the next highest ranked application and follow the same evaluation process. This process will be followed until all applications have been evaluated and funding is exhausted.
 3. If none of the remaining applications can be adequately funded with the remaining funds, the funds will be allocated to the region-wide housing programs, which includes land acquisition.
- 20.** To ensure all requirements and time constraints for the CDBG application deadline of January 31 are met, applicants must have a project consultation meeting with SEUALG CDBG staff prior to December 15. Those applicants that do not consult with SEUALG CDBG staff prior to December 15 will not be eligible to apply for CDBG funding.

Definitions by Criteria Number:

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

-OR-

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

-OR-

C. Development of LMI Housing (7 points possible): Development of new housing that is to benefit low- to moderate-income families and individuals. This includes but is not limited to; infrastructure, property acquisition for housing projects, construction.
4. Affordable Housing Plan (2 points possible): City or county has adopted an affordable housing plan and the project implements items addressed in the plan. Those projects that do not implement items in plan will receive 0 points.
5. Extent of Poverty (5 points possible): Extent of extremely low- to very low- income (0-50% AMI) households or beneficiaries in a project area divided by total households or population of a project area.
6. CDBG Funds Requested per Capita (5 points possible): Total CDBG funding divided by total project beneficiaries.

7. LMI Project Beneficiaries (4 points possible): Percentage of project beneficiaries that are low- to moderate-income (LMI).
8. Project Overall Impact (10 points possible): The area in which the beneficiaries are located. Those projects impacting the community/county as a whole will receive more points than those projects that are site specific or targeting a population.
9. Percentage of Non-CDBG Funds Invested in Total Project Cost (5 points possible): Total non-CDBG funds divided by the total project cost. Points will then be given in relation to the jurisdiction's population size (9 a-d).
10. Applicant Last Funded (5 points possible): Points are given to those applicants based on when they last received CDBG funding.
11. Jurisdiction Property Tax Rate (5 points possible): The communities/counties that maintain an already high tax burden, as compared to the tax ceiling set by set law (municipalities .007 per dollar [Utah Code 10.6.133]; counties .0032 or .0036 per dollar [Utah Code 59.2.908]), will be given higher points in this category.
12. Civil Rights Compliance (2 points possible): Applicant is in compliance with federal laws and regulations related to civil rights. One point will be awarded if the applicant has completed the "ADA Checklist for Readily Achievable Barrier Removal" form. One point will be awarded is the applicant has adopted all the following policies: Grievance Procedure under the Americans with Disabilities Act, Section 504 and ADA Effective Communication Policy, Language Access Plan, and Section 504 and ADA Reasonable Accommodation Policy (Forms available from SEUALG).

2023 CDBG Application Scoring Criteria								Score
1	Capacity to Carry Out Grant	Excellent 5 points	Very Good 4 points	Good 3 points	Average 2 points	Below Average 1 point		
2	Project Maturity	Project Manager 1 point	Architect or Engineer 1 point	Scope of Work 3 points	Completed Architectural or Engineering Design 4 points		Funding in Place 3 points	
3 a	Public Facility Development/Improvements	Water & Sewer 7 points	ADA Compliance 6 points	Fire, Medical Service Facilities and/or Equipment 5 points		Other Public Facilities 4 points	Streets & Sidewalks 3 points	Recreation Facilities or Planning 2 points
OR								
3 b	Improvement of LMI Housing	>6 units 5 points	4 units 4 points	2 units 3 points				
OR								
3 c	Development of LMI Housing	>6 units 7 points	4 units 6 points	2 units 5 points				
4	Affordable Housing Plan	Yes 2 points	No 0 points					
5	Extent of Poverty in Project Area	>20% 5 points	15%-19% 4 points	10%-14% 3 points				
6	CDBG Funds Requested per Capita	\$1-100 5 points	\$101-200 4 points	\$201-400 3 points	\$401-800 2 points	≥ \$801 1 point		
7	LMI Project Beneficiaries	>76% 4 points	66%-75% 3 points	56%-65% 2 points	51%-55% 1 point			
8	Project's Overall Impact	County/Community Wide 10 points		Site Specific or Targeted Population 5 points				
9	Percentage of Non-CDBG Funds Invested in Total Project Cost							

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