Policies and Procedures: 2011-2012 Program Year

The following policies have been established to govern the Utah County Community Development Block Grant (CDBG) award process so U.S. Department of Housing and Urban Development (HUD) funds are targeted toward projects of greatest need and impact, and to determine project eligibility under CDBG federal program guidelines.

Project Eligibility

1. To be eligible for funding consideration all grantees must have expended 50% of any prior year’s CDBG funding prior to the Utah County CDBG Area Review Committee (ARC) rating and ranking session (generally mid-January).

2. All proposed projects must be listed in the latest Capital Improvement Projects List and must meet the regional priorities identified in the Utah County CDBG Consolidated Plan. First-time applicants and other applicants whose project are not listed in the latest Utah County Capital Improvement Projects List must make reasonable effort to amend the Utah County CDBG Consolidated Plan and Utah County Capital Improvement Projects List to include their project in a timely manner as determined by the ARC.

3. Applicants are strongly encouraged to 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.

4. Attendance at one of the annual “How to Apply” Workshops is mandatory for first time CDBG project applicants. A project manager and an elected official from the applicant’s jurisdiction should typically be in attendance. Newly-elected officials and project managers are especially encouraged to attend since the administrative requirements and commitments of a CDBG project are considerable.

5. U.S. Department of Housing and Urban Development (HUD) regulations stipulate that no more than 15% of the Utah County CDBG allocation can be used for “Public Service” activities. Source: Title 24 §570.201(e)(1)

6. As a general rule, the minimum Utah County CDBG allocation per project is $30,000. Exceptions may be granted by the ARC and CDBG staff on a case-by-case basis.

7. Projects that are primarily designed to enhance private businesses or developers will be denied. Ownership of CDBG funded improvements must remain in the public domain.
Application Process

The ARC and CDBG staff review of applications will proceed as follows:

1. CDBG staff will publicize the CDBG grant and provide assistance to those seeking to apply.
2. CDBG staff will provide information to potential applicants through a How To Apply Workshop or by some other means.
3. CDBG staff will review all applications and become familiar with each project prior to meeting with the ARC for review. The ARC will review all applications that are determined eligible.
4. CDBG staff and/or ARC members may interview applicants prior to the announcement of funding awards.
5. CDBG staff and/or ARC members may conduct project site visits prior to the announcement of funding awards.
6. The Utah County CDBG Area Review Advisory Committee (ARAC) will meet to discuss the applications and provide feedback to the ARC regarding funding allocations.
7. The ARC will rate and rank projects. Only ARC members with voting rights have the authority to decide which projects are funded and at which amounts.
8. Final rating and ranking of projects and funding allocation information is reported to the Board of County Commissioners, Utah County, Utah and the Utah County Council of Governments (COG.)

Funding Awards

1. Funding will be awarded based on project score and ranking. The ARC may award less funding than the application request based upon project needs and ability of the jurisdiction or organization to complete the project, including consideration of project planning (Is the community prepared to implement the project?), project timing (When will the project begin?), project phases (Can the project be completed in phases?) supplemental funding (What is the timing and availability of matching funds?) jurisdiction/organizational commitment to the project, and demonstrated need for the project in the community weighted against project needs for other communities.

2. The ARC may establish a set-aside for project applications in a broad category on an annual basis based on County needs identified in the Utah County Consolidated Plan (i.e., planning, housing, infrastructure, economic development, public service, etc.) For any such set-aside(s) that may be established, information will be provided to eligible jurisdictions and/or organization regarding the type and amount of the set aside(s), and rating and ranking policies to be applied prior to the commencement of the application process, which is typically in August. There is no specific set-aside identified for project applications received in the FY2011-2012 program year.

3. Multi-year funding for projects will generally not be awarded, unless a specific request for multi-year status is received from the project applicant based on defined project needs, and the amount and timing of future funding available can be adjusted to meet such a request.
4. Previously allocated funds that become available to Utah County will be reallocated by the ARC. Possible distribution could be to the next highest ranking project, spread over some or all funded projects, rolled over into the next annual allocation, or some other means.

ARC and ARAC Members

1. ARC members are nominated from the Utah County Council of Governments (COG) once every three (3) years at the monthly meeting and ratified by the Board of County Commissioners, Utah County, Utah.  (See Appendices A1-2.) The ARC shall consist of at least five (5) members and no more than nine (9) voting members. The Committee membership shall represent equally, insofar as is possible and reasonable, all local governments across Utah County participating in the Utah County CDBG program. When possible and reasonable, membership of the Committee shall consist of no less than one (1) member of the Board of County Commissioners, Utah County, Utah or other official representative of the Utah County government, and at least one (1) and no more than (2) members of the Area Review Advisory Committee (ARAC.)

2. In accordance with the purpose of the federal CDBG program to benefit low and moderate income individuals and in accordance with federal regulations that encourage citizen participation, a sub-committee of the ARC entitled the Area Review Advisory Committee (ARAC) shall be formed. The ARAC may include at least three (3) and no more than nine (9) members, three (3) of whom represent citizen interests, three (3) of whom represent low to moderate income citizen interests, and three (3) of whom represent other interests such as, but not limited to: minorities, persons with disabilities, nonprofit, and/or private sector. A Chairperson and Vice-Chairperson shall be nominated from and voted on by the general ARAC membership to serve on the ARC and represent the ARAC. Other sub-committees or work groups and task forces may be instituted by the ARC as deemed necessary.

3. When a conflict of interest, either real or perceived, is discovered by an ARC or ARAC member they are obligated to disclose it to their Committee in a timely manner. ARC members representing current applicants shall abstain from voting on their application in the funding process.

CDBG Staff

1. HUD allows funding for program administration. The actual amount of funding allocated to Mountainland Association of Governments for regional program administration will be determined by Utah County.

2. Mountainland Association of Governments will provide application assistance at the request of any applicant. Technical assistance provided prior to the award of the contract such as filling out applications, submitting information for the Consolidated Plan, LMI surveys, or public hearing information, shall be provided without cost to the applicant.
Emergency Projects

An emergency project is defined as one that addresses an extreme and urgent detriment to the health, safety and/or welfare of residents due to a catastrophic event such as a natural disaster. For any project that meets this definition, a jurisdiction or organization may submit an application for emergency CDBG funding outside the normal allocation cycle.

1. The application must be made utilizing the Utah County CDBG application form for the most recent funding cycle. Holding a public hearing is recommended where appropriate but not required. All emergency applications must meet federal CDBG program requirements, and the Utah County CDBG policies defined herein, including meeting minimum matching requirements, if any.

2. CDBG staff will review the application for eligibility and consistency with the Utah County CDBG Consolidated Plan including the applicant’s capacity to meet funding needs.

3. The final review and funding determination on all emergency projects is made by the ARC and ratified by the Board of County Commissioners, Utah County, Utah and the Utah County Council of Governments (COG.) The ARC reserves the right to reject or amend applications that do not meet threshold requirements.

4. Any emergency funds distributed to projects in the County will be deducted from Utah County, Utah’s allocation during the next funding cycle. Therefore, any emergency funds awarded to a jurisdiction will be considered as a funded project in the next funding cycle.

Appeals Process

Any appeal of the Utah County CDBG review process and/or funding allocations will follow the general format of the State of Utah CDBG Program Regional Appeal Procedure and will be overseen by the ARC and CDBG staff. (See Appendix B.)

Policies & Procedures

Utah County CDBG Policies & Procedures are updated by CDBG staff and the ARC with input from the ARAC and additional citizen participation, if available. The ARC adopts these Policies & Procedures annually.