

**Office of Community Renewal
NYS Housing Trust Fund Corporation**

NYS Community Development Block Grant Program



2008 Community Planning Program
Application

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**OFFICE OF COMMUNITY RENEWAL
NYS HOUSING TRUST FUND CORPORATION**

2008 Community Planning Program

The Community Development Block Grant (CDBG) Program is a federal program that provides funding for housing and community development activities. In 1974, Congress passed the Housing and Community Development Act, Title I, which authorized the development of the CDBG Program. The program, administered by the U.S. Department of Housing and Urban Development, consists of two components, an entitlement program that provides funding directly to urban areas and a New York State CDBG Program which provides funding to non-entitlement communities. The New York State Housing Trust Fund Corporation's Office of Community Renewal (OCR) administers the CDBG Program for the State of New York.

Section 811 of the Housing and Community Development Act of 1992 allows each State that administers the CDBG Program to set aside 1% of its annual award for technical assistance. In accordance with the New York State CDBG Program 2008 Annual Action Plan and the 2006-2010 NYS Consolidated Plan, The Office of Community Renewal invites eligible applicants to participate in a competitive round of funding for Community Planning Grants.

Program Description

The Community Planning Program provides an opportunity for local governments to obtain funding for the development of a wide range of community development plans (Plan). The Plan produced with these resources must identify community development challenges and needs and establish a strategy to address them within the framework of specific goals and objectives. The Plan should consider existing and projected housing and economic conditions and detail how such conditions will be impacted by the Plan. The Plan should also identify and describe potential funding sources that may be used to tackle these challenges, including federal, state, local and private resources.

A successful Plan should serve as a basis and foundation for identifying eligible projects for subsequent applications to the funding sources identified in the Plan, including, but not limited to the NYS CDBG Program, Housing Trust Fund, HOME, Main Street and Affordable Housing Corporation Programs. An objective of the Community Planning Program is for applicants to identify an eligible CDBG project and to apply for CDBG funding. Award of a Planning Technical Assistance grant does not guarantee that an eligible CDBG project identified in the Plan will be awarded CDBG funding in the future. However, communities are encouraged to apply for CDBG funding. Projects eligible for CDBG funding must comply with Subpart C of 24 CFR part 570 and must meet one of the National Objectives (benefit to low- and moderate-income persons, elimination of slums or blighting conditions, or elimination of imminent threats to the health and safety of the community), and principally benefit low- and moderate-income persons, as required under the provisions of Sec. 570.200 and Sec. 570.208. The method for calculating the use of these funds for compliance with the 70 percent overall benefit requirement is set forth in Sec. 570.200(a)(3)(i) through (v). Therefore, community goals outlined in the Plan must address the kinds of activities likely to benefit low- and moderate- income populations in the jurisdiction.

Subject matter for proposed plans may include, but are not limited to:

- Affordable Housing
- Economic Development
- Downtown and Main Street Revitalization
- Shared Municipal Services
- Expanding Access to Broadband
- Smart Growth Initiatives
- Comprehensive Planning

Compliance with the Community Planning Grant Agreement requires completion of the planning process and the expenditure of grant funds within fourteen months of the effective date of the grant agreement. **A copy of the Plan must be submitted to the Office of Community Renewal upon completion in order to close out the grant.**

Available Funding

Approximately \$500,000 is available for Community Planning Grants. Eligible communities may apply for a grant up to \$25,000.

Eligible Applicant

Eligible applicants are non-entitlement cities, towns and villages having a population under 50,000, and counties with an unincorporated population of fewer than 200,000. **Eligible applicants seeking to develop a Plan that will address specific goals and objectives in a downtown/main street area or other similarly defined areas such as central business districts are encouraged to apply.**

Match Requirement

A 40% match of the total cost of the Plan is required. The match may be in the form of in-kind services or cash contribution. Private or public funding can be used for the required match. **(For Example: If the total cost of the Plan is \$35,000, the applicant must provide a match of \$14,000. The Applicant would be eligible for a grant of \$21,000.)**

Submission Information

Applicants must submit one (1) original and two (2) copies of:

- Applicant information pages;
- Proposal information for consideration;
- Signed copy of the certifications required under the CDBG Program; and
- Completed and signed U.S. Department of Housing and Urban Development Applicant/Recipient Disclosure/Update Report.

The application deadline is November 21, 2008. Applications must be submitted to the address below by 4:00 p.m. on November 21, 2008 or **postmarked no later than the deadline.**

**Office of Community Renewal
Hampton Plaza
38-40 State Street, 9th Floor
Albany, NY 12207-2804**

The above stated application deadline is firm as to the date and hour. In the interest of fairness to all competing applicants, **applications received after 4:00 p.m. on, or postmarked after, November 21, 2008 will be considered ineligible and returned to the applicant.** Applicants should take this policy into account and make early submission of their materials to avoid any risk of loss of eligibility due to unanticipated delays or other delivery related problems.

Selection Criteria

It is the intention of the State to fund Plans that will identify the community's needs, mission statement, goals and provides an action plan with specific implementation steps. Funding determinations will be based upon the following criteria. The criteria are not listed in order of importance.

- Demonstrated community need for Plan;
- Extent to which the planning process will result in identifying community development challenges and community assets and needs;
- Degree to which the goal of the Plan is to establish obtainable goals and objectives that address the challenges and needs identified and an implementation plan;
- Degree to which a commitment is demonstrated to accomplishing the goals and objectives of the Plan including identification of the financial resources required;
- Extent to which the proposed community development needs identified are potential CDBG eligible activities;
- Extent of public participation;
- Level of support for implementing the Plan and accomplishing its goals;
- Ability to provide the required match;
- Demonstrated need for financial assistance (no other sources of funding is available including revenue generated from CDBG grants); and
- Timely completion of planning process.

**OFFICE OF COMMUNITY RENEWAL
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**2008 COMMUNITY PLANNING PROGRAM
GRANT APPLICATION**

APPLICANT INFORMATION

1. Applicant

Name: _____ County: _____

Type of Applicant: County Town Village City

Address: _____

_____ Zip Code _____

Federal Identification Number: _____ Fiscal Year End Date: _____

Chief Elected Official Name: _____ Title: _____

Telephone #: () _____ Fax #: () _____ E-Mail: _____

3. Primary Local Government Contact Person (if not the Chief Elected Official)

Name: _____ Title: _____

Address: _____

_____ Zip Code _____

Telephone #: () _____ Fax #: () _____ E-mail: _____

4. Application Preparer

Name: _____ Title: _____

Organization: _____

Address: _____

_____ Zip Code _____

Telephone #: () _____ Fax #: () _____ E-mail: _____

5. Applicant Political District Information

United States:

Congress: Member's Name _____ District #: _____

Member's Name _____ District #: _____

New York:

Assembly: Member's Name _____ District #: _____

Member's Name _____ District #: _____

Member's Name _____ District #: _____

Senate: Member's Name _____ District #: _____

Member's Name _____ District #: _____

Member's Name _____ District #: _____

FINANCIAL INFORMATION

A. TOTAL COST OF PLAN \$ _____

-

B. TOTAL MATCH \$ _____

=

C. TOTAL CDBG REQUEST (A - B) \$ _____
(MAXIMUM ELIGIBLE GRANT IS \$25,000)

% OF MATCH (B ÷ A) _____ %
(AT LEAST 40% OF THE TOTAL COST OF THE PLAN IS REQUIRED)

APPLICATION AUTHORIZATION

To the best of my knowledge and belief, all data in this application is true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurance if the assistance is rendered.

 Typed Name of Chief Elected Official

 Signature of Chief Elected Official

 Date

PROPOSAL INFORMATION

Each proposal must be typed and labeled as identified below and provide the following information:

1. Identification of lead agency and staff that will undertake the planning effort and a description of their qualifications demonstrating the technical capacity to undertake the project;
2. Description of the need for a community development plan and the process used to identify the needs;
3. Project schedule identifying the tasks to be performed and the timeframe for undertaking the tasks;
4. Elements of steps to ensure citizen and stakeholder participation;
5. A description and analysis of the community from the collection and analysis of relevant social and economic data; consultation with local and regional planning and economic development officials, residents, merchants; inventory parcels available for development; and the review of current and future infrastructure, comprehensive and consolidated plans;
6. Listing and description of community development needs;
7. Description of the community's development assets and the vision for capitalizing on the assets;
8. The community's strengths and weaknesses and how they may impact the future of the community.
9. Proposed outcomes, goals and objectives of the community and the Plan ;
10. Identification of the resources and funding and the strategy for obtaining the funding needed to achieve the community development objectives and accomplish the planning goals;
11. Evidence of the local commitment to complete and implement the Plan;
12. Explanation of the need for financial assistance and that the TA grant will not be substituted for funds available, such as the municipality's general fund, program income and/or other public or private funding sources;
13. Provide the name of the source(s) and the type of funding (grant/loan, in-kind) of the match and evidence that the funding is committed and available within 60 days of the application deadline. For in-kind services, describe the services to be provided, the personnel providing the services and the number of hours to be provided.

CERTIFICATIONS

CERTIFICATION REQUIRED BY TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, WITH RESPECT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

In accordance with the Title I of the Housing and Community Development Act of 1974, as amended, the Applicant hereby certifies that:

- a. It possesses legal authority to make a grant submission and to execute a community development and housing program;
- b. Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the Applicant to submit the subject application and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Applicant to act in connection with the submission of the application and to provide such additional information as may be required;
- c. Prior to submission of its application to the Office of Community Renewal (OCR), the Applicant has met the citizen participation requirements at 24 CFR 570.486 and New York State's Citizen Participation Plan as amended;
- d. The grant will be conducted and administered in compliance with:

Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 USC 2000d et seq.); and
The Fair Housing Act (Public Law 90-284, 42 USC 3601-20);
- e. It will affirmatively further fair housing;
- f. It has developed its application so as to give maximum feasible priority to activities which will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The application may also include activities which the Applicant certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. The grant shall principally benefit persons of low-and moderate-income in a manner that ensures that not less than 70 percent of such funds are used for activities that benefit such persons;
- g. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Act or with amounts resulting from a guarantee under section 108 of the Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - 1) Funds received under section 106 of the Act are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of the Act; or
 - 2) For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies that it lacks sufficient funds received under section 106 of the Act to comply with the requirements of subparagraph (1) above
- h. Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the applicable laws and regulations found at 24 CFR 570.608;
- i. It will minimize the displacement of persons as a result of activities assisted with CDBG funds;
- j. It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under 24 CFR 570.606 (c) governing the residential anti-displacement and relocation assistance plan under section 104 (d) of the Act (including a certification that the Applicant is following such a plan); and the relocation requirements of 24 CFR 570.606 (d) governing optional relocation assistance under section 105 (a) (11) of the Act;
- k. It has adopted and is enforcing:
 - 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 - 2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdiction;

l. To the best of its knowledge and belief:

- 1) No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- 2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- 3) It will require that the language of this anti-lobbying certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly;
- 4) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

m. It will or will continue to provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 2) Establishing an ongoing drug-free awareness program to inform employees about:
 - i. The dangers of drug abuse in the workplace;
 - ii. The Applicant's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - v. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (1);
- 4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will:
 - 5) Abide by the terms of the statement; and
 - 6) ii. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- 7) Notifying the OCR in writing, within ten calendar days after receiving notice under subparagraph (4) (ii) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- 8) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4) (ii), with respect to any employee who is so convicted:
 - i. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency

- 9) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5) and (6).
- 10) The Applicant may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

- 11) Workplaces under grants, for Applicants other than individuals, need not be identified on the certification. If known, they may be identified on the certification. If the Applicant does not identify the workplaces at the time of the application, or upon award, if there is no application, the Applicant must keep the identity of the workplace(s) on file its office and make the information available for Federal inspection. Failure to identify all known
 - 12) workplaces constitutes a violation of the Applicant's drug-free workplace requirements.
 - 13) Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g. all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
 - 14) If the workplace identified to OCR changes during the performance of the grant, the Applicant shall inform OCR of the change(s), if it previously identified the workplaces.
 - 15) This certification is a material representation of fact upon which reliance is placed when OCR awards the grant. If it is later determined that the Applicant knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, OCR may take action authorized under said Act.
- n. It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations in 24 CFR part 135. Section 3 requires that employment and other economic opportunities arising in connection with housing rehabilitation, housing construction, or other economic opportunities arising in connection with housing rehabilitation, housing construction, or other public construction projects shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be given to low-and very low-income persons;
 - o. It will comply with the other provisions of the Act and with other applicable laws;
 - p. It is in compliance with a HUD-approved Consolidated Plan;
 - q. It is in compliance with grant spending threshold requirements as outlined in the Application; and
 - r. It will comply with all applicable Federal/State/local affirmative action requirements.
 - s. To the best of its knowledge and belief all data provided in this application is true and correct.

Signature of Chief Elected Official

Date