

# 2024-25 COMMUNITY DEVELOPMENT BLOCK GRANT GUIDELINES

## County of Marin Notice of Funding Availability For Public Services and Community Infrastructure/Capital projects

### INTRODUCTION

The County of Marin hereby announces the availability of grant funding to support Public Services and Community Infrastructure/Capital Improvement projects serving low-income communities. Funds are available through the federal Community Development Block Grant (CDBG) program in both unincorporated and incorporated areas of the County. The Community Development Block Grant program is provided by the U.S. Department of Housing and Urban Development (HUD), are administered by [the Marin County Community Development Agency](#) (CDA). The Countywide Priority Setting Committee oversees the distribution of federal funds through the Community Development Block Grant. The Committee establishes funding priorities and reviews applications from local nonprofit and public agencies.

Federal funding through the Community Development Block Grant program provides communities with resources to address a wide range of unique community development needs. The CDBG entitlement program allocates annual grants to larger cities and urban counties to develop thriving communities by providing funding to assist in the creation of affordable housing, a suitable living environment, and expanded economic opportunities for low and moderate-income persons.

### Available Funding

Through this application, the following funds are available:

- **Public Services: ~ \$ 230,000.**
- **Community Infrastructure/Capital Improvements: ~ \$430,000.**

The annual grant size for each funding category are:

- Public service grants are typically awarded at \$15,000. The range of funding is currently between \$15,000 and \$65,000.
- Community Infrastructure/Capital Improvement grants range from \$30,000 to \$150,000, depending on the project scope.

## Allocation Process

Date	Event
Monday, January 22, 2024	Applications open.
Wednesday, January 24, 2024 from 11:00 A.M. to 12:00 P.M	Application Information Session via Zoom. <b>Registration is required:</b> <a href="#">Zoom Webinar Registration</a> .
Thursday, February 1, 8, & 15 from 1 P.M. to 2:00 P.M	Application Office Hours via Zoom: <ul style="list-style-type: none"> <li>• <a href="#">Join Zoom Meeting</a> <ul style="list-style-type: none"> <li>○ Meeting ID: 822 5057 4342</li> <li>○ Passcode: 324253</li> </ul> </li> <li>• Or dial by phone: (669) 444-9171 <ul style="list-style-type: none"> <li>○ Meeting ID: 822 5057 4342 #</li> <li>○ Attendee ID: #</li> <li>○ Password: 324253 #</li> </ul> </li> </ul>
Friday, February 16, 2024, 5:00 P.M.	<b>Applications due no later than 5:00 PM.</b> Authorized hardcopy submissions must be in hand - POSTMARKS WILL NOT BE ACCEPTED.
March – April 2024	Staff will review applications.
April – May 2024	Public hearings to determine recommendations.
June 2024	The Board of Supervisors will hold the final public hearing to approve final recommendations. County of Marin will submit approved recommendations to HUD for CDBG and HOME.

## APPLICATION SUBMITTAL

### Proposal Deadline: February 16, 2024 at 5 P.M. PDT

Submissions are due [via the online application](#) no later than February 16, 2024 at 5 P.M. PDT.

Incomplete submissions or submissions that do not meet the minimum qualifications or otherwise do not conform to the requirements specified herein will not be considered.

It is recommended that applicants complete the long-answer application questions in a document saved to a local computer prior to completing the online form for submission. Community Development staff have provided an Application Prep Tool in the NOFA packet for this purpose, which is posted on the County's [Federal Grants webpage](#).

Applicants are encouraged to contact Community Development staff with questions regarding this NOFA. All questions or clarifications should be submitted via email to Molly Kron, Senior Planner, Marin County Community Development Agency at [federalgrants@marincounty.org](mailto:federalgrants@marincounty.org) or (415) 473-6279.

Written responses to questions will be provided within 5 days of receipt and published periodically on [Federal Grants webpage](#) as an addendum.

## **Review Timing**

County staff anticipates that the NOFA review process will take approximately four months. Staff will work with the Countywide Priority Setting Committee, Novato City Council, and San Rafael City Council to identify recommendations of projects to fund. Novato and San Rafael hold public hearings on all CDBG applications for their respective planning areas and make recommendations to the Countywide Priority Setting Committee. All funding recommendations approved by the Countywide Priority Setting Committee go to the Board of Supervisors for final approval prior to submission to the U.S. Department of Housing and Urban Development.

## **Disclaimers**

The County reserves the right to suspend, amend or modify the provisions of this NOFA, to extend the submission deadline, reject all proposals, to negotiate modifications of proposals, or to award less than the full amount of funding available.

While the dates and schedule stated in this NOFA represent the County's preferred timetable, it shall not be considered binding on the County. The submission of a response to this NOFA shall not be binding upon the County nor construed as a contract with or a commitment by the County. The County will not pay any costs incurred in preparing a response to this request. The County reserves the right to make decisions on which proposal it deems in the County's best interest, including rejecting all applicants or canceling the process at any time prior to entering into a formal funding agreement.

All submissions shall be public records subject to public disclosure pursuant to the provisions of the Public Records Act (Government Code Section 6250 et seq.).

## Eligible Applicants and Projects

Applicants must either be a nonprofit, government entity, or have a fiscal sponsor that is a nonprofit or government entity. **Individuals are not eligible for funding.**

### National objectives for funding:

Each activity funded by CDBG must meet one of the following national objectives for the program. Each application must clearly state which objective the proposed project addresses.

- Benefit low and moderate-income persons.
- Prevention or elimination of slums or blight.
- Address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which no other funding is available.

### Countywide Priority Setting Committee local thresholds for funding:

All applications are assessed using the following as thresholds for funding:

- Support projects that Affirmatively Further Fair Housing and have the commitment and capacity to engage in Affirmative Marketing.
- Prioritize projects that serve members of the protected classes as defined by HUD (race, color, religion, national origin, sex, disability, and familial status).
- Prioritize projects that serve low-income persons.

### Evaluation Criteria:

All applications are assessed on the following baseline criteria:

- Readiness—can awarded funds be completely expended during the grant year.
- Sustainability—does the organization have capacity to sustain a project or program beyond this federal funding period?
- Effectiveness and Accountability—does the organization have the capacity and track record to effectively conduct the project and administer federal funds? Are there current or upcoming organizational leadership transitions?
- Prioritize greatest impact.

### Priorities for Public Services:

The Countywide Priority Setting Committee has approved priorities for funding dollars that consider projects in the following categories first:

- **Basic Health Services** – includes services that prevent or treat medical conditions for individuals who are un-insured, under-insured, or people with low incomes who cannot afford their deductible. Programs and services include but are not limited to preventative health such as immunizations, well-child care from birth, periodic health evaluations for adults, voluntary family planning services, children’s eye and ear examinations conducted to determine the need for vision and hearing correction, and hygiene services. Services may also include medically necessary emergency health care, inpatient and outpatient treatment, diagnostic laboratory and diagnostic and therapeutic radiologic services, and provision of prescription drugs.

- **Children, Youth, and Parent Support Services** – includes services that target low-income families and address disparities in access to early childhood education, high costs of childcare county wide, and family self-sufficiency. Programs and services include but are not limited to supporting childcare scholarships, student extracurricular activities, parent engagement and training, case management, therapeutic services, transportation, home visitations, and family legal supports.
- **Food Security** – includes services that provide physical and/or economic access to food to meet dietary needs for a productive and healthy life. Programs and services include but are not limited to free meal sites, food banks, grocery subsidies, home delivered meals, and other programs that provide food to people in need.
- **Housing Support Services** – includes services that assist individuals in accessing stable housing, prevent discrimination in housing choice, and aid renters in maintaining stable housing. Programs and services include but are not limited to fair housing counseling, legal support, housing locators, and down payment and rental assistance.

While this priority list does not preclude the funding of other types of projects, it provides further direction when evaluating applications that meet both the national and local baseline thresholds.

### **Additional Considerations for Applications and Project Planning**

- Minimum grant size is \$15,000 per year.
- Organizations may only **apply for one project in each category** of funding.
- Only complete applications submitted on-time will be considered for funding.
- Projects cannot be located in a Floodway and projects in a Special Flood Hazard Zone must have flood insurance. Use this to verify if your project is in a floodway/zone: <https://msc.fema.gov/portal/home>.
- All applicants are required to income qualify beneficiaries of services provided with CDBG. Under CDBG regulations HUD presumes the following groups to be low-income and income verification is not required: abused children, battered spouses, the elderly, adult persons with serious disabilities, individuals who are homeless, illiterate persons, and migrant farm workers. Removal of architectural barriers to assist seniors and adults with severe disabilities would fall under this category of Presumed Benefit.
- Staff will pursue reprogramming of funds for projects that do not make substantial progress in the initial funding year.

## **PROCUREMENT AND FUNDING APPROVAL PROCESS**

### **Minimum County Contracting Requirements**

The County of Marin will enter into a funding agreement with successful applicants. The funding agreement will require the organization to maintain insurance coverage for the

organization and its employees and for the property funded by the County, as specified below. The County of Marin will require each organization to carry the following minimum insurance:

1. Commercial general liability insurance policy in the amount of \$1,000,000 (\$2,000,000 aggregate). The County of Marin shall be named as an additional insured on the commercial general liability policy;
2. Commercial automobile liability policy, including non-owned and hired automobiles, in the amount of \$1,000,000; and
3. Workers Compensation.

All of the above policies shall be payable on a per-occurrence basis. The contractor may also be required to carry errors & omissions, professional liability, or malpractice insurance.

### **Requirements for Grant Disbursement:**

All recipients will be required to enter into a funding agreement with the County of Marin. This agreement will include:

- Scope of service and use of funds.
- Expected outcomes.
- Compliance with certain administrative requirements and accounting records.
- Agreement to affirmatively further fair housing and conduct affirmative marketing.
- Non-discrimination.

Community Infrastructure/Capital Improvement projects may be subject to the following:

- Comply with County procurement policies and procedures for contractors and/or materials.
- Federal Davis-Bacon prevailing wages for construction workers.
- Section 3 - employment and economic opportunity for low- and very low-income persons, depending on the funding purpose and amount. (Section 3 is not triggered by land acquisition nor material supply contracts.)
- Lead testing, risk assessment, and potential abatement on childcare projects built before 1978 in accordance with the [Lead Safe Housing Rule](#).
- CDBG projects receiving over \$200,000 are subject to Build America, Buy America Act (BABA), requiring domestic content procurement preference for all iron, steel, manufactured products, and construction materials used in covered infrastructure projects.
- A lien may be placed on all Community Infrastructure/Capital Improvement projects. This lien must be repaid if the property is ever sold. The lien amount is not fixed and will be calculated as the amount of funding to the current value. The lien will increase as the value of the property rises. This lien has no time limit. The lien can be assumed

by another nonprofit.

## **Environmental review and assessment**

Before the final funding commitment, projects must be assessed in accordance with the National Environmental Policy Act (NEPA), prior to work commencing.

## **BACKGROUND**

### **Marin County Federal Grants Program Overview**

All of the eleven cities and towns in Marin County and the County of Marin participate in the Federal Grants program through a cooperation agreement. The cooperation agreement establishes a Countywide Priority Setting Committee to oversee the Federal Grants program and is renewed every three years. The cooperation agreement allows Marin County to be defined as an “urban county” for CDBG and enables it to receive a direct CDBG funding allocation. Novato and San Rafael are eligible to receive CDBG funding as entitlement cities because their populations exceed 50,000 persons. However, both cities have chosen to continue with the cooperation agreement to assure that Marin meets the population standard for urban counties and to streamline funding processes for applicants.

The County is divided into three (3) planning areas: Novato, San Rafael, and County Other. Each planning area receives a portion of the overall allocation based on an analysis of the most recent Census Data looking at population, the extent of poverty, and the extent of housing overcrowding, with the provision that the extent of poverty be counted twice.

The total CDBG allocation for Marin County has been about \$1.5 Million dollars annually and HOME is about \$800,000 annually. Staff will make funding recommendations based on these previous allocations.

### **Marin County Allocation Formula:**

The Federal Grants program is administered by staff in the Marin County Community Development Agency. Federal regulations for CDBG limit the amount of administrative costs to 20% of the available grant funds. In addition, public services are limited to 15% of available grant funds. 40% of funds are allocated to housing and the remaining 25% of funding is available for community infrastructure/capital improvement projects and/or housing.

HOME funds are used exclusively for affordable housing serving low and very low-income. Federal regulations limit the amount of administrative costs to 10% of the available grant funds.



## Commonly Used Terms

**Affirmatively Furthering Fair Housing**: Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. Public service projects can affirmatively further fair housing by providing access to opportunities and by transforming racially and ethnically concentrated areas of poverty into areas of opportunity.

**Affirmative Marketing**: Through an affirmative marketing plan, a housing and service provider indicates what special efforts they will make to reach out to potential tenants or applicants who might not normally seek housing or services in their project and identify those least likely to apply and market to them.

**Community Housing Development Organization (CHDO)**, is a private nonprofit, community-based organization that has staff with the capacity to develop affordable housing for the community it serves. To qualify for designation as a CHDO, the organization must meet certain requirements pertaining to their legal status, organizational structure, and capacity and experience. At least 15% of HOME funds must be allocated to CHDOs. A minimum requirement to be a CHDO is that at least one-third of the board membership are either low-income, residents of low-income neighborhoods, or are elected as representatives of low-income neighborhood organizations.

**Community Development Block Grant (CDBG)**: funds local [community development](#) activities such as [affordable housing](#), [anti-poverty programs](#), and infrastructure development.

**Construction of Housing**: Under this category, CDBG funds may be used in certain specified circumstances to finance the construction of new permanent residential structures. Eligible uses include acquisition of sites, site improvements to publicly-owned land to enable the property to be used for the new construction of housing (provided the improvements are undertaken while the property is still in public ownership) and the cost of disposing of real property acquired with CDBG funds, which will be used for new construction of housing.

**Countywide Priority Setting Committee (PSC)**: oversees the distribution of federal funds through the Community Development Block Grant program (CDBG) and HOME Investment Partnerships Program (HOME) to support a variety of community-based projects, including affordable housing, community facilities, and public services such as childcare scholarships and services for individuals with disabilities. The PSC establishes funding priorities and reviews applications from local nonprofit and public agencies. The



PSC includes a member of the Board of Supervisors, 10 city/town council members, as well as seven (7) community members representing six (6) regions spanning Marin and an at-large member representing the County.

**Davis-Bacon:** The Davis–Bacon Act of 1931 is a United States federal law that establishes the requirement for paying the federally established prevailing wages on construction projects for laborers and mechanics.

***Demographics:*** HUD changed the data collection requirements regarding race/ethnicity categories during program year 2002-2003. These changes reflect Office of Management and Budget 1997 standards establishing that “Hispanic” is not a race category, but an ethnic category that cuts across all races. Those who are White, Black, Asian, Pacific Islander, American Indian, or a multi-race may also be counted as being of Hispanic ethnicity. As such, when asking the individual/household to select a race category, the individual/household must also state whether they are of Hispanic ethnicity. For example, an individual/household of Mexican descent would likely state their race as either American Indian or White, and would also fall under the category of “also Hispanic.”

***Housing and Federal Grants Division:*** Staffed by the Marin County Community Development Agency, Housing and Federal Grants provides Marin communities with resources to address a wide range of unique community development needs and Housing Policy.

**HOME Investment Partnerships Program (HOME):** funds a wide range of activities including building, buying, and/or rehabilitating affordable housing for low-income people. HOME projects must match every dollar of HOME funds used with 25 cents from nonfederal sources, which may include donated materials or labor, the value of donated property, proceeds from bond financing, and other resources.

**HUD:** US Department of Housing and Urban Development

**Protected classes:** Under federal anti-discrimination law, a protected class is a group of people with a common characteristic who are legally protected from discrimination on the basis of that characteristic. The following characteristics are protected by the Federal Fair Housing Act: race, color, religion, national origin, sex, disability, and familial status (this last term refers to the presence of at least one child under 18 years old, and also protects prospects and tenants who are pregnant or in the process of adopting a child).

**Public Services:** CDBG funds can be used for activities that benefit low- and moderate-income people, such as childcare, health care, job training, recreation programs, education programs, public safety services, fair housing activities, services for senior citizens, services for homeless persons, drug abuse counseling and treatment, energy conservation counseling and testing, and homebuyer down payment assistance. To be eligible for funding, public services must be either a new service or provide a quantifiable increase in the level of a service. No more than 15% of CDBG funds can be used for public services.

***Rehabilitation:*** CDBG funds may be used to finance the costs of rehabilitation as shown

below.

*Residential*—Residential property, whether privately or publicly owned. This includes manufactured housing when such housing constitutes part of the community's housing stock.

*Commercial/industrial*—Commercial or industrial property, but where such property is owned by a for-profit, rehabilitation under this category is limited to exterior improvements of the building and the correction of code violations.

*Other*—Nonprofit-owned, nonresidential buildings and improvements that are not considered to be public facilities or improvements under §570.201(c) of the CDBG program regulations.

**NEPA**: The National Environmental Policy Act (NEPA) is a United States environmental law that promotes the enhancement of the environment and established the President's Council on Environmental Quality (CEQ). Staff must complete an environmental review for all CDBG and HOME funded projects.