

COMMUNITY DEVELOPMENT AGENCY

FEDERAL GRANTS DIVISION

Brian C. Crawford DIRECTOR

MEMORANDUM

Roy Bateman

COMMUNITY DEVELOPMENT COORDINATOR

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TO: COUNTYWIDE PRIORITY SETTING COMMITTEE

FROM: Roy Bateman, Community Development Coordinator

SUBJECT: >Selection of Additional Priority Setting Committee Members

➤ Policies to Adjust to Funding Cuts

DATE: February 12, 2012

The Countywide Priority Setting Committee will hold a public hearing on Thursday, February 16, 2012, at 7:00 p.m., in the Council Chambers, San Rafael City Hall, 1400 Fifth Avenue, San Rafael, California. Please note the meeting location. The purpose of the hearing is (1) to select additional members for the Countywide Priority Setting Committee and its subcommittees to accomplish the goal of adding representatives of racial and ethnic minorities and people with disabilities and (2) to consider policies to adjust to a 19% funding cut in the Community Development Block Grant (CDBG) Program and a 46% funding cut in the HOME Program.

Selection of Additional Priority Setting Committee Members

In September 2011, the CDBG Countywide Priority Setting Committee approved an Analysis of Impediments to Fair Housing Choice (AI), including an Implementation Plan that sets out a variety of actions intended to improve the County's performance around fair housing issues in Marin. The AI was approved by the Marin County Board of Supervisors in October 2011. One of the recommendations in the AI was the expansion of the CDBG Priority Setting Committee to add representatives of racial and ethnic minorities and people with disabilities.

Please note that each of the CDBG local area committees (Lower Ross Valley, Richardson Bay, San Rafael [for public service funds only], Upper Ross Valley, and West Marin) has the option to add one new member representing racial and ethnic minorities and/or people with disabilities.

The San Rafael City Council (which serves as the San Rafael local committee for housing and capital funds only) and the Novato City Council (which serves as the Novato local committee) could choose to create a CDBG advisory

PAGE 2 OF 8

committee that includes community representatives of racial and ethnic minorities and people with disabilities, but this is strictly each City's option.

In addition, the Countywide Priority Setting Committee can be expanded to add one or more representatives of racial and ethnic minorities and people with disabilities.

At the February 16, 2012 meeting, the Priority Setting Committee members from each Planning Area will be asked to decide whether to expand their Local Area Committee, and if so, the Committee members from that Planning Area would select the additional member of the Local Area Committee. At the same meeting, the Countywide Priority Setting Committee will be asked to vote on whether to expand itself and, if so, who should be its new members.

Further details are in the attached letter, dated January 4, 2012, from the Marin County Community Development Agency to the Priority Setting Committee members. A list of applicants for the openings on the Priority Setting Committee and its local area subcommittees is also attached, along with copies of their applications.

Potential Policies to Adjust to CDBG and HOME Funding Cuts

Basic Eligible Activities

For CDBG, the basic eligible activities are housing acquisition, housing rehabilitation, acquisition of sites for housing development, off-site improvements that support housing development, fair housing services, public facilities, community centers, homeless shelters, senior centers, parks, removal of architectural barriers, and public services. Public services include a broad range of human services but are limited to 15% of the grant.

For the HOME Program, the basic eligible activities are construction and rehabilitation of housing, site acquisition for housing development, tenant-based rental assistance, and homebuyer assistance.

Grant Amounts Shrink While HUD Restrictions Increase

For the 2012-13 program year, Marin's CDBG allocation is being cut by 19%, with an expected grant amount of \$1,166,041. Marin's HOME allocation is being cut 46%, with an expected grant amount of \$594,462.

At the reduced funding level, we will likely be able to fund only one HOME project per year, maybe two at most.

HOME regulations require us to spend 15% of each year's HOME grant for Community Housing Development Organization (CHDO) projects, so our first (and perhaps only) HOME project each year must be a CHDO project. The

PAGE 3 OF 8

U.S. Department of Housing and Urban Development (HUD) requires a CHDO to set aside 1/3 of Board positions for low-income people or their representatives.

Increasingly, the ability to spend funds quickly has become a requirement for both CDBG and HOME. Under pressure from Congress, HUD is becoming more aggressive about taking CDBG and HOME funds away from communities that can't spend them fast enough. As for CDBG, HUD takes sanctions if, on the annual test date in late April, a community has unspent funds that exceed 1.5 times its annual CDBG grant amount. As our CDBG grant declines, the amount of unspent funds we can hold also declines. For the HOME Program, funds must be committed within 2 years, and any funds used for projects which are not completed within 5 years of the commitment date must be repaid to HUD.

In the implementation of these rules, no exceptions are made for California or the CEQA process. HUD timely spending and project readiness requirements may force us to prioritize projects that are ready to proceed quickly. These "safe projects" may not be the projects that are our top priorities on other criteria. In order to retain funding commitments and meet spending deadlines, it will be increasingly important for local governments to do what they can to help affordable housing projects get through the approval process quickly.

In the current financial environment, it's increasingly important that locally-based funders collaborate, focusing funding from all sources on a single project so that it can proceed. Otherwise, we could end up with many partially-funded stalled projects. There is an increased need to collaborate with staff of County Health and Human Services, the Marin Housing Authority (which has designated rent subsidies to support development projects), Marin Community Foundation, and other locally-based funding sources.

HUD fair housing staff are clear that they do not want to see HUD funds used to build housing located in minority neighborhoods that fills up with only minority tenants. From this perspective, Marin would be prudent to use CDBG and HOME funds to support only those housing projects which are located outside areas of minority concentration, and can also successfully accomplish affirmative marketing so that the residents will be a more diverse group than the surrounding neighborhood. These efforts would be consistent with the County's Analysis of Impediments to Fair Housing Choice.

Thinking About Priorities

Some counties and cities designate very specific priorities for their CDBG and HOME funds. In the last few years, we've heard suggestions for priorities in Marin, such as:

- > Homelessness prevention
- Housing development for extremely low income people
- > Housing-related programs
- Rental assistance (eligible for HOME funds only)

Because the County operates CDBG and HOME on behalf of all the local governments in Marin, any selection of priorities should be decided by the Countywide Priority Setting Committee.

Any new countywide priorities should accommodate the priorities of the San Rafael and Novato city councils. Both cities are large enough to receive funds independent of the County if they so choose. Under the terms of the City-County Cooperation Agreements, San Rafael and Novato are already exempt from the Priority Setting Committee's policy that each planning area must spend at least 30% of its funds on housing. San Rafael has prioritized using \$300,000 per year from its CDBG allocation for curb cuts required by a settlement with the Department of Justice. This year, the CDBG grant won't be enough to yield \$300,000 for this purpose, so San Rafael may not have any discretionary CDBG funds for housing or capital projects. Novato has less specific priorities, but is accustomed to a process where its staff makes recommendations and the Council actively reviews those recommendations.

Project re-framing is also a potential pitfall of prioritization. If we pick a priority, many applicants will try to make the case that their projects fit the priority. For example, if we restrict funds to housing-related projects, child care providers may insist that child care is an essential support that keeps tenants from losing their housing.

As grants shrink, some would say that is all the more reason to focus the funds on clearly defined priorities. However, setting priorities doesn't necessarily mean that we will receive applications for those categories which are also feasible, timely, meet other HUD guidelines, and can attract other funding. Another approach is collaboration with other funders in a thoughtful ongoing process that includes mutual dialogue about community needs and what each funder is prepared to support.

On February 7, 2012, the Board of Supervisors held a workshop session on the CDBG and HOME Programs. Although the Board did not vote on any specific action, Board members made a variety of comments:

- There is value in the sequential process where staff makes recommendations, the Planning Area Committees meet, and then the Priority Setting Committee meets.
- There would be value in articulating general priorities, and applying that lens to the application selection process, but without locking-in overly specific priorities. Homelessness prevention and low income housing should be a lens for decisions about how to allocate funds.

- The one lens we need to look through this year is promoting fair housing and equal opportunity.
- Priorities should be timely project completion, leveraging, and activities that support the implementation plan for the Analysis of Impediments to Fair Housing Choice.
- Given the many restrictions imposed on CDBG and HOME, we should maintain maximum flexibility. Maybe it isn't time for more specific priorities.
- Can we characterize prioritization as a focus, not as a restriction?
- Bigger allocations for fewer projects create more impact.
- We should have a sense of how our partners performed with their funds.
- Coordination with other funders is a way for interesting concepts to bubble up.

Staff recommends that we coordinate with other local funders, since we no longer have enough CDBG and HOME funds to have a significant impact on our own. Staff recommends that we be cautious about adopting any new priorities, since HUD has already imposed so many choice-limiting requirements.

Administrative Cost Pressure

It is becoming more of a challenge to operate the CDBG program within the administrative allowance set by the regulations. CDBG regulations limit administrative expenses to 20% of available funds. The list below shows the trend in the percentage of CDBG funds spent for administration in recent years:

Fiscal Year	Percentage of CDBG Funds Spent for Administration
1999-2000	12.97%
2000-2001	15.86%
2001-2002	17.57%
2002-2003	13.21%
2003-2004	11.09%
2004-2005	13.09%
2005-2006	15.13%
2006-2007	16.62%
2007-2008	19.50%
2008-2009	16.74%
2009-2010	19.87%
2010-2011	20.00%*

^{*}The 2010-2011 entry includes \$65,500 booked as an unliquidated obligation for accrued liability for future retiree health benefits, which has the effect of reducing our administrative percentage in the future.

PAGE 6 OF 8

Administrative, monitoring, and regulatory requirements from the federal government have been increasing. Congress wants greater accountability and more recordkeeping, and as HUD enhances its computer system, we are asked to feed that system more information. Changes in government accounting standards and local accounting systems require more complex work to assure that transactions are posted correctly, almost doubling our cost of accounting services. We need to contribute our share of the cost to build a reserve for retiree health benefits. The CDBG Program has cut staff hours, reducing staff from 3 to 2.5 FTE, which has reduced costs but did not affect workload. One way to reduce the administrative workload to match the reduction in staff hours would be to reduce the number of projects we have to administer.

There are certain fixed costs of basic HUD compliance, reporting, and monitoring of past projects. There are no indications that Congress or HUD will reduce the administrative requirements they impose on localities. There are also variable costs for contract administration, reporting, invoice processing, and accounting, which are largely dependent on the number and complexity of projects we fund. The CDBG program regulations allow us to spend 20% of available grant funds on administrative costs (including staff, rent, overhead, and office expenses). In that formula, available grant funds also includes revenue ("program income") received from past projects, such as repayments of loans made by the Rehabilitation Loan Program and payments in conjunction with the sale of properties that were purchased or improved with CDBG funds.

If present trends continue, we may be only a year from the point where the CDBG grant's allowance for administration won't cover the full cost of CDBG administrative expenses, depending on how much program income we receive. We estimate that, for the 2012-13 program year, the CDBG administrative expenses incurred by the County will, for the first time, exceed the grant's administrative allowance. Because the program income component of the formula varies from year to year, it is difficult to predict the administrative shortfall. We expect that the range will be somewhere between \$3,000 and \$49,000, with the most likely value approximately \$33,000. Because the CDBG program is operated by the County, the County is solely responsible for this financial exposure and would have to absorb any excess expenses.

For HOME, we currently have an unspent administrative allowance which we can carry over from year to year.

Reducing the Number of Projects?

It would make sense to reduce the number of CDBG projects to reduce administrative work. For any policy that reduces the number of projects, we need to pay careful attention to how it would affect West Marin, which has PAGE 7 OF 8

unique circumstances of a dispersed population and a network of small local nonprofits. There is also a case for funding separate local providers for Marin City and for Novato. For some CDBG public service activities, San Rafael, the Upper Ross Valley, and the Lower Ross Valley can be served by one set of Central Marin providers.

CDBG public services are limited to 15% of the grant. While public services are the least complex projects, they still increase our variable administrative costs. Particularly during the recession, staff would be reluctant to suggest eliminating the public service category. There is a strong case for funding public services at the full 15% allowed, but concentrating the funds among a reduced number of projects.

Although public services constitute only 15% of CDBG spending, they absorb more than half of staff time spent during the recommendation and hearing process, and more than half of committee time at the local hearings. An awareness of this issue could lead to better use of staff and committee time.

For the 2012-13 program year, Marin's CDBG allocation is being cut by 19%, with an expected grant amount of \$1,166,041. Over the last 12 years, the number of CDBG projects funded each year has fluctuated between 36 and 52 projects per year. Last year, Marin funded 38 CDBG projects. (See attached list of "Community Development Block Grant Projects Funded FY 2001-FY 2012.")

If we were to scale down the number of CDBG projects in proportion to the decline in funds, that would mean reducing the number of projects from 38 to 31. That may not be enough to shrink administrative expenses to the point where they will be covered by the administrative allowance provided by the grant. Administrative costs are not strictly proportional to the number of projects, partly because there is a fixed cost for meeting HUD planning, process, and reporting requirements. In order to bring actual CDBG administrative costs in balance with the administration allowance provided by the CDBG grant, we might have to reduce the number of projects by 1½ times the grant reduction, or 28.5%. In that scenario, we would need to reduce the number of CDBG projects from 38 to 27.

A reduction from 38 to 31 projects would likely require the program to focus on completing partially-funded past projects and providing continued funding to ongoing activities, with very limited opportunities for small housing projects and small capital projects. Large housing projects could not be funded under this scenario unless they were also receiving HOME funds. There would need to be a small reduction in the number of public service projects, although the percentage of funding allocated to public services would remain the same. In order to reduce the number of projects from 38 to 27, all reasonable options for limiting the number of projects would have to occur, without exceptions.

PAGE 8 OF 8

In recent years, the San Rafael Planning Area has been an anomaly, dominated by one very large project (a \$300,000 accessibility program). In order to achieve a reduction to 27 projects, all other planning areas would have to follow that pattern of severely limiting the number of projects.

For the 2012-13 program year, Marin's HOME allocation is being cut 46%, with an expected grant amount of \$594,462. It is extremely unlikely that this amount could support more than one project with enough funds to proceed in accordance with HUD's timing requirements.

Staff recommends that the Priority Setting Committee set a goal of reducing the number of CDBG projects from 38 to 27, instruct County staff to make all reasonable efforts in its budget recommendations to achieve that goal, and ask all Planning Areas to join in this difficult process.

Staff recommends that the Priority Setting Committee adopt a policy that HOME funds should be allocated in amounts large enough to facilitate the speedy implementation of significant housing projects, knowing that this would likely limit the 2012-13 HOME Program to one project.

Attachments:

Agenda

1/4/12 Memo from Brian Crawford to City/Town Representatives
List of Applicants for CDBG Committees
Applications for CDBG Committees
Community Development Block Grant Projects Funded FY 2001-FY 2012

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MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

BRIAN C. CRAWFORD, DIRECTOR

January 4, 2012

This letter was sent to the following:

Supervisor Judy Arnold (County)

Ms. Denise Athas (Novato)

Mr. Larry Chu (Larkspur)

Ms. Kay Coleman (San Anselmo)

Ms. Carla Condon (Corte Madera)

Mr. Jim Fraser (Tiburon)

Ms. Pam Hartwell-Herrero (Fairfax)

Mr. Andrew McCullough (San Rafael)

Ms. Linda Pfeifer (Sausalito)

Mr. John Telischak (Belvedere)

Mr. Ken Wachtel (Mill Valley)

RE: Changes to Priority Setting and Local Area Committees for CDBG and HOME Funding

In October 2011, the Marin County Board of Supervisors approved an Analysis of Impediments to Fair Housing Choice (AI) and an Implementation Plan that sets out a variety of actions intended to improve the County's performance around fair housing issues in Marin. One of the recommendations our federal grants program staff is currently working on is the expansion of the county's Priority Setting Committees to add representatives of racial and ethnic minorities and people with disabilities. This will involve some changes to the governance structure of the committees that you should be aware of as a member of the Countywide Priority Setting Committee.

The following provides you with a brief description of changes to the County-City Cooperation Agreements that were approved by your Council and the Board of Supervisors earlier this year to accommodate the expansion of the Priority Setting Committees as well as the steps our federal grants program staff has identified to expand the committees in a multi-jurisdictional manner.

In addition, our federal grants program staff is available to meet with you, as the designated member of the Countywide Priority Setting Committee, and appropriate city or town staff to discuss opportunities and issues arising from your jurisdiction's participation in implementing the AI.

Background Information

The Cooperation Agreements between the County and all the cities and towns in Marin, which were adopted in summer 2011, include the following provisions:

[A] Priority Setting Committee shall be formed consisting of one (1) representative designated by each of the participating cities and one (1) representative designated by the Board of Supervisors. With mutual consent of the Board of Supervisors and each of the participating cities, the Priority Setting Committee may be expanded to include one or more additional member(s).

To ensure adequate participation in the planning process, six subregional citizen participation/planning areas will be designated which will include the cooperating incorporated cities as well as adjacent unincorporated areas. These will be the Richardson Bay Planning Area, the Lower Ross Valley Planning Area, the Upper Ross Valley Planning Area, the Novato Planning Area, the San Rafael Planning Area, and the West Marin Planning Area. Each year, a minimum of one workshop or public hearing shall be conducted within each citizen participation/planning area by a panel consisting of one (1) representative designated by the Board of Supervisors and one (1) representative designated by each of the participating cities located within the planning area. With mutual consent of the Board of Supervisors and each of the participating cities located within the planning area, a panel may be expanded to include an additional member.

For any Community Development Block Grant Planning Area which includes a city with a population of 50,000 or more (according to population estimates issued by the U.S. Department of Housing and Urban Development), the system described in Section 3 of this Agreement for allocation of Community Development Block Grant funds in that Planning Area will, at the option of the largest city in the Planning Area, be modified as follows:

The City Council of the largest city in the Planning Area, rather than a panel consisting of one representative designated by the Board of Supervisors and one representative designated by each of the participating cities located within the Planning Area, will prepare the proposed list of projects for the use of (a) that Planning Area's funds, and (b) that Planning Area's "proportional share" of CDBG Countywide Housing funds. . . .

On September 12, 2011, the Countywide Priority Setting Committee approved the draft Analysis of Impediments to Fair Housing Choice, including the Implementation Plan. These documents were approved by the Board of Supervisors on October 11, 2011. The Implementation Plan includes a recommendation:

[E]xpand CDBG Priority Setting Committee to include non-elected community representatives of protected classes.

Options for Selecting City/Town Representatives for Priority Setting Committee

We would like to remind all the City and Town Councils that, under the terms of the Cooperation Agreements, they may choose anyone to serve as their community's representative on the Countywide Priority Setting Committee. It has been the practice of all the Cities and Towns to select a Councilmember, but there has always been the option to select someone other than a Councilmember. We are recommending that all Cities and Towns consider the possibility of appointing a non-elected community representative of "protected classes" (used here to mean racial and ethnic minorities and people with disabilities). Of course, it continues to be the prerogative of each City and Town to decide how to best be represented in the grants process.

Option to Expand Local Area Committee

In addition, each Local Area Committee has the option to add a new member representing one or more protected classes, who could be a community representative of racial and ethnic minorities and people with disabilities. Under the terms of the Cooperation Agreements, this would require consent of the Cities/Towns located in the Planning Area, and the consent of the

Board of Supervisors. (For example, the Upper Ross Valley Local Area Committee currently consists of a member of the Board of Supervisors, a Fairfax representative, and a San Anselmo representative, but could be expanded to add an additional member.) We are encouraging Local Area Committees to add a new committee member as a representative of racial and ethnic minorities and people with disabilities.

Advisory Committee Option for Large Cities

There are two cities with over 50,000 population in Marin, San Rafael and Novato. Under the terms of the Cooperation Agreements, the San Rafael City Council and the Novato City Council may choose to continue serving as a substitute for the Local Area Committees for their planning areas and may expand the committees as described above. A city council always has the option to create an advisory committee including non-elected officials, so there was no need to revise the Cooperation Agreements to make this possible. We would like to point out that the San Rafael City Council and/or Novato City Council could choose to create a CDBG advisory committee that includes community representatives of racial and ethnic minorities and people with disabilities, but this is strictly the City's option.

Option to Expand Countywide Priority Setting Committee

Under the terms of the Cooperation Agreements, the Countywide Priority Setting Committee can be expanded to add one or more additional members, subject to the consent of the participating cities/towns and the Board of Supervisors.

Process Going Forward

We are recommending the following process going forward:

Each City and Town Council will choose its representative to the Countywide Priority Setting Committee, and are encouraged to consider appointing a community member who represents the interests of racial and ethnic minorities and people with disabilities.

In the case of the City of San Rafael and the City of Novato, where the City Council serves as the Local Area Committee, the City Council is encouraged to consider creating an advisory committee that includes community members who represent the interests of racial and ethnic minorities and people with disabilities.

The County will solicit applications from individuals to serve as potential additional members of the Local Area Committees and the Countywide Priority Setting Committee. A single process, with one application form, would be more efficient than several smaller processes, and is more likely to be successful at outreach to minority communities. The application forms should be distributed in early to mid-January 2012. The Countywide Priority Setting Committee would then hold a public meeting, probably in mid to late February, at which time the Committee members from each Planning Area would decide whether to expand their Local Area Committee, and if so, the Committee members from that Planning Area would select the additional member of the Local Area Committee. Relying upon the existing Countywide Priority Setting Committee members to make these decisions at a single meeting would avoid the added bureaucracy and potentially problematic logistics of having the City or Town Councils within each of the six subregional Planning Areas attempt to sequentially reach consensus on approving a new member for the Local Area Committee.

At the same meeting, the Countywide Priority Setting Committee could vote on whether to expand itself and, if so, who should be its new members. This meeting should occur no later

than mid to late February to meet the required schedule for submitting the county's funding request to HUD for the next fiscal year.

Consultation with County Staff

Sincerely

We understand this is a time of change for the CDBG and HOME programs, and that communities may have questions about the Analysis of Impediments to Fair Housing Choice (including its Implementation Plan), the expansion of the committees, and the implications of these changes for the cities and towns. County staff would like to be available to answer any questions that might arise. Brian Crawford and Roy Bateman will be contacting each City/Town Manager to arrange meetings for any communities which would like to have a detailed conversation about the implications of these changes. Those meetings could initially include City/Town staff as well as the community's Priority Setting Committee representative. As recommended in the AI and the County's implementation plan, the Countywide Priority Setting Committee should also serve as a forum for ongoing discussions about collaborative efforts to make fair housing a more visible and important part of the county's federal grants program. In addition, Roy Bateman is available by phone on an informal basis at (415) 473-6698 to discuss these changes with any Councilmember or staff member who has questions.

on dereity,	
Brian C. Crawford	Roy Bateman,
Agency Director	Federal Grants Program Coordinator

Enclosure: Implementation Plan for Analysis of Impediments to Fair Housing (2011)

CC: Gerald Butler, Mayor, City of Belvedere
Bob Ravasio, Mayor, Town of Corte Madera
Len Rifkind, Mayor, City of Larkspur
Garry Lion, Mayor, City of Mill Valley
Carla Small, Mayor, Town of Ross
Tom McInerney, Mayor, Town of San Anselmo
Gary O. Phillips, Mayor, City of San Rafael

Mike Kelly, Mayor, City of Sausalito Jim Fraser, Mayor, Town of Tiburon

George Rodericks, City Manager, City of Belvedere David Bracken, Town Manager, Town of Corte Madera

Michael Rock, Town Manager, Town of Fairfax

Dan Schwarz, City Manager, City of Larkspur

Jim McCann, City Manager, City of Mill Valley

Michael Frank, City Manager, City of Novato

Patricia Thompson, Interim Town Manager, Town of Ross

Debra Stutsman, Town Manager, Town of San Anselmo

Nancy Mackle, City Manager, City of San Rafael

Adam Politzer, City Manager, City of Sausalito

Peggy Curran, Town Manager, Town of Tiburon

Hans Grunt, City of Novato

Katie Korzun, San Rafael Redevelopment Agency

\\Hhsnorthgate\\Bg-Share\Cycle\\2012 Cycle\\Priority Setting Committee\Diversify PSC\\Letter To Ciltes Re Expanding Committees-Jan 04 2012 FINAL .Docx/sb

LIST OF APPLICANTS FOR OPENINGS ON COUNTYWIDE PRIORITY SETTING COMMITTEE AND ITS SUBCOMMITTEES

Planning Area	Name	Applied for Countywide Priority Setting Committee?	Applied for Local Area Committee?	Potential Conflicts of Interest
Lower Ross Valley	[no applicants]			
NI.	01		V	
Novato	Steven Cervantes	X	X	
Richardson Bay	Miriam Alfonso (Mill Valley)	X		
	Allan Bortel (Tiburon)	X		
	Cathy Cortez (Tiburon)	X	X	
	Nancy Johnson (Marin City)	X		Board Member of the Grassroots Leadership Network of Marin (a current CDBG applicant).
	Shirley Thornton (Marin City)	Х	X	
San Rafael	Paul Cohen	Х		Executive Director of Legal Aid of Marin (former CDBG recipient with \$3,900 balance unspent; not currently an applicant). Probably wouldn't be a conflict of interest.
	Raphael Durr	Х		Employee of Community Action Marin, a CDBG recipient and applicant.
	Anh Kellogg	X		
	Sue Mace		X	
Upper Ross Valley	Cecilia Zamora (San Anselmo)		X	
West Marin	Norm Corwin (Inverness)	X	X	Caregiver on the registry of West Marin Senior Services (but not an employee), a current CDBG recipient and applicant.
	Andrew Marshall (San Geronimo)	Х	Х	
	Carlos Porrata (Inverness)	Х		
	Josie Sanchez (Forest Knolls)			Employee of Marin Center for Independent Living (a current CDBG recipient and current CDBG applicant)

A note on conflicts of interest: HUD regulations distinguish between a personal interest and a financial conflict of interest. For example, a Priority Setting Committee member who has been a long-term advocate for arts education would have a personal interest that might affect their objectivity, but HUD would not consider that to be an impermissible conflict of interest. However, a Priority Setting Committee member (a decisionmaking position) who obtains a financial benefit for themselves or those with whom they have family or business ties, from their participation on the Priority Setting Committee, or for one year after, would have a conflict of interest. HUD has a procedure by which an exception to the conflict of interest regulations may be requested, but it would be difficult to meet the criteria under 24 CFR 570.611(d)(2). A copy of the CDBG conflict of interest regulations is included below.

The notes in the table above do not include former Board memberships, current memberships on Boards of organizations that no longer receive CDBG funds, former employment at CDBG-funded projects, or volunteering at CDBG- or HOME-funded projects.

CDBG Conflict of Interest Regulations:

24 CFR 570.611: Conflict of interest.

- (a) Applicability.
 - (1) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply.
 - (2) In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to §570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to §570.203, 570.204, 570.455, or 570.703(i)).
- (b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decisionmaking process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.
- (c) *Persons covered.* The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official

of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

- (d) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.
 - (1) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:
 - (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
 - (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.
 - (2) Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:
 - (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
 - (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
 - (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
 - (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decisionmaking process with respect to the specific assisted activity in question;
 - (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;
 - (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
 - (vii) Any other relevant considerations.

Name Steven Ce	rvantes	_{Email} <u>kstreetca</u>	pital@yahoo.com
Home Address 90	00 Reichert Avenue, Unit 428		
.		eet	305-469-6022
Novato Town	9494 Zip	<u>-5 </u>	305-469-6022
TOWIT			
Employer's Name _	Life Sales, LLC	Telephone:	415-798-5736
& Address	773 San Marin Avenue, Suite 2	160, Novato, CA 949	45
Present Occupation	Compliance Officer	Are You Over 18 Yo	ears of Age Yes
Committee(s) Applie	d for 🗵 Countywide Priority Setting (Committee	
If you represent an o	organization, please list it		
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• -	s of which you are an officer or an emment Block Grant or HOME programs		
Date February	/ 2, 2012 Signature	MM	
Please return to:	County of Marin Federal Grants Division Marin County Community Developm 3501 Civic Center Drive Room 308 San Rafael, CA 94903-4157	nent Agency	

Phone: 415-499-6279 (fax) 415-499-7880

**Please note that an applicant who is an employee or an officer of an organization that receives CDBG or HOME funding may not be eligible to serve as a committee member due to a potential conflict of interest. **

NOTE: This application will remain valid for a period of one year. If you would like information on conflict of interest or other eligibility requirements for positions, or want to check on the status of your application, please contact the Federal Grants office, 415-499-6279. Committee members may be required to file a financial disclosure form (listing sources of income, interests in real property, investments, and business positions) with the County which will be a public document.

MIRIAM ALFONSO

Bateman, Roy

From:

Caroline Peattie <peattie@fairhousingmarin.com>

Sent:

Monday, February 06, 2012 6:07 PM

To:

Bateman, Roy Caroline Peattie

Cc: Subject:

Fwd: Application for County Wide Priority Setting Committee

Attachments:

Miriam Alfonso Application.doc; ATT1797562.htm

Follow Up Flag:

Follow up Flagged

Flag Status:

Caroline Peattie Housing Director Fair Housing of Marin http://www.fairhousingmarin.com (415)457-5025 ext 106 TDD: (800)735-2922

CONFIDENTIALITY NOTICE: The information in this e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may concern confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, and have received this communication in error, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you.

Begin forwarded message:

From: "Rob Goldman" <rgoldman@goldmanattorneys.com>

Date: February 4, 2012 10:34:24 AM PST

To: "Caroline Peattie" < carolinepeattie@gmail.com>

Cc: "Miriam" < Alfonsina Studio@gmail.com>

Subject: Application for County Wide Priority Setting Committee

Hello Caroline -

Miriam has completed the attached application for the County Wide Committee. There does NOT appear to be a way to submit it on line. We do not have access to a printer-scanner-fax machine. She authorizes you to review and edit the attached application if you deem it appropriate, and to sign it on her behalf. Of course, she asks that you return the form as instructed by fax or otherwise.

Thanks so much for your encouragement and assistance on this most important matter. 🙂

Rob

PS - Kindly advise us when you have received and submitted the form. AND btw, how are you and your family doing. Is Jocko okay?

Robert A. Goldman, Esq.

Goldman & Associates, Attorneys at Law 100 Larkspur Landing Circle, Suite 112 Larkspur, CA 94939

(415) 461-1490 telephone (415) 461-1497 facsimile rgoldman@goldmanattorneys.com www.goldmanattorneys.com

Miriam Alfonso

Alfonsinastudio@gmail.com

11 Lomita Drive Mill Valley, CA 94941

Cell phone:

415.706.6936

Work: Goldman & Associates

Attorneys at Law

100 Larkspur Landing Circle, Suite 112

Larkspur, CA 94939

415.461.1490

Administrative Assistant

Committee(s) Applied for Countywide Priority Setting Committee

Reasons for Applying: I am an immigrant to this country who came from Latin America twenty years ago. I have worked very hard, become a citizen and done my best to be an active, informed member of the community. I am very interested in participating in the program because I would like to use my knowledge and experience to help others and to make sure minorities receive meaningful representation.

Relevant Experience: I know what it is to struggle as a minority. I had to learn English, work my way into the system where I eventually obtained a job with Fair Housing of Marin, serving as an administrative assistant and helping the clients find the appropriate assistance. In addition to my five years at FHOM, I have operated my own sewing business and volunteered teaching the Latina community sewing and literacy (in the Canal). I currently handle document and file management at a law office two days a week in addition to my sewing business. I have served as an assistant at the polls in the last two elections, demonstrating my commitment to the political process.

- I do not represent any particular organizations;
- I am over age 18.
- I am not an officer or an employee of any organizations that are funded by or may request funding from the Community Development Block Grant or HOME program

Date: February 4, 2012	Signature	·
• •	_	Miriam E. Alfonso

Please return to: County of Marin Federal Grants Division Marin County Community Development Agency 3501 Civic Center Drive Room 308 San Rafael, CA 94903-4157 Phone: 415-499-6279 (fax) 415-499-7880

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APPLICATION FOR APPOINTMENT TO MARIN COUNTYWIDE PRIORITY SETTING COMMITTEE AND/OR LOCAL AREA COMMITTEE

ame <u>Allan</u>	bortel	Em	ail <u>inverness</u> warthlink.net
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Dei

Bateman, Roy Cathy Cortez <cathycortez@live.com> From: Sent: Tuesday, February 07, 2012 8:51 AM To: Bateman, Roy Subject: Application For Priority Setting Committee. Follow Up Flag: Follow up Flag Status: Flagged APPLICATION FOR APPOINTMENT TO $\,$ MARIN COUNTYWIDE PRIORITY SETTING COMMITTEE AND/OR LOCAL $\,$ AREA COMMITTEE Name Cathy Cortez. Email cathycortez@live.com Home Address 101 Esperanza Street #4 Tiburon California 94920 Telephone: 415-435-4669 Employer's Name disabled Telephone: & Address Present Occupation Are You Over 18 Years of Age yes Committee(s) Applied for **Countywide Priority Setting Committee**

Reasons for Applying Sincere desire to serve. I am very encouraged with the expansion of the committee that extends the opportunity to serve to minority and disabled members in our community. I am very aware of the tough choices and decisions that must be made especially with the cuts in HUD funding (19% CDBG and 46% Home) and the deadlines to complete projects at risk of the loss in funding. (Fewer resources with stricter requirements). I understand that in this county, we need to create/develop housing that extends opportunities to minority and disabled outside of the concentrated areas. All of these goals, priorities and challenges are matters and issues that I care about and keep up on. Difficult choices and decisions need to be made with the increasing need, decreasing funding, and stricter requirements. I keep current and educated in all related matters and am prepared to do the work in order to make sound and solid recommendations. As a disabled minority woman with strong interest and care, I believe that I would be a benefit to the committee and would be very honored to be given the opportunity to serve.

Local Area Committee

If you represent an organization, please list it ______

Relevant Experience Former Housing Commissioner, Marin. Active member and very involved in the National Low Income Housing Coalition. Keep current and educated in all related matters pertaining to housing, CDBG,

HOME, HUD, funding, grants, regulations, requirements, needs, priorities, with focus on the unique and specific matters that relate to Marin.

List any organizations of which you are an officer or an employee that are funded by or may request funding from the

Community Development Block Grant or HOME programs: I am not a current employee or officer of any organization that receives CDBG or HOME funding. I am a former commissioner of the Marin Housing Authority, as is Supervisor Arnold currently. As such, I am very confident that my former status as a Housing Commissioner cannot be construed as a conflict of interest.

Date February 7, 2012

Cathy Cortez. 415-435-4669.

Name NANCO	JOHNSON		_ _ Email <u> </u>	JONANGE	I @ Com	CAST, NET
Home Address $\frac{26}{46}$: FLEMINGS	Court				
	i ky	Sireet	-	Telephone: <u>('4</u> /	15)640-1	318
Employer's Name _ & Address	RETIRED			Telephone:		-
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Date <u>@2/06/.</u>	12	Signature <u>Mann</u>	ry J	ohnson		
Please return to:	County of Marin Federal Grants Divi Marin County Comr 3501 Civic Center D	nunity Development	Agency			

San Rafael, CA 94903-4157 Phone: 415-499-6279 (fax) 415-499-7880 HOUSING HOUSING MANINGER AND SECTION 8 PROGRAM SPERIALIST.

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**Please note that an applicant who is an employee or an officer of an organization that receives CDBG or HOME funding may not be eligible to serve as a committee member due to a potential conflict of interest. **

NOTE: This application will remain valid for a period of one year. If you would like information on conflict of interest or other eligibility requirements for positions, or want to check on the status of your application, please contact the Federal Grants office, 415-499-6279. Committee members may be required to file a financial disclosure form (listing sources of income, interests in real property, investments, and business positions) with the County which will be a public document.

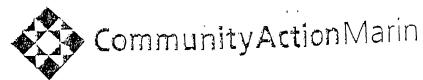
APPLICATION FOR APPOINTMENT TO

COUNTYWIDE PRIORITY SETTING COMMITTEE AND/OR LOCAL AREA COMMITTEE
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Street (15 272-3872) Street (15 272-3872)
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13, 2012 Signature DR Shulley Muntan
County of Marin
Federal Grants Division
Marin County Community Development Agency 3501 Civic Center Drive Room 308
San Rafael, CA 94903-4157 Phone: 415-499-6279 (fax) 415-499-7880

Name PAUL S. COHEN	Email Deohene legalaid marin .org
Home Address 30 N. San Re	to Read #220
Son Rafael Town	Street 94903 Telephone: (415) 492-0230 x 3/0 Zip
Employer's Name LEGAL AIS & Address 30 N. San Pe	el Marin Telephone: (415) 492-0230 x 310 Delto Road # 220, San Rafael, CA 94903
Present Occupation Executive	
Committee(s) Applied for ☐ Countywide Pi☐ Local Area Co	mmittee
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Please return to: County of Marin Federal Grants Division Marin County Commu 3501 Civic Center Driv	ınity Development Agency

3501 Civic Center Drive Room 308 San Rafael, CA 94903-4157

Phone: 415-499-6279 (fax) 415-499-7880



29 Mary St., San Rafael, CA 94901 Ph: (415) 526-7500 Fx: (415) 457-9677 www.camarin.org

FAX Cover Sheet

#Pages(including cover s		Date: 1/10/2012
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^{**}This document may contain confidential information. If received in error, please contact Community Action Marin.

APPLICATION FOR APPOINTMENT TO MARIN COUNTYWIDE PRIORITY SETTING COMMITTEE AND/OR LOCAL AREA COMMITTEE dura 8140 Gmail. 94907 Telephone: 🐬 Employer's Name (& Address Present Occupation Are You Over 18 Years of Age Committee(s) Applied for Countywide Priority Setting Committee ☐ Local Area Committee If you represent an organization, please list it Reasons for Applying Z Additional pages and information may be attached. List any organizations of which you are an officer or an employee that are funded by or may request funding from the Community Development Block Grant or HOME programs: Signature Please return to: County of Marin Federal Grants Division Marin County Community Development Agency 3501 Civic Center Drive Room 308 San Rafael, CA 94903-4157 Phone: 415-499-6279 (fax) 415-499-7880

FAX TRANSMISSIO

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NUMBER	OFFICE DEPOT'S TERMS OF USE	ve-
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	MARIN COUNTYWIDE PRIORITY SETURG COMMITTEE	3.0
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~ ~ ~ ~	ATTLE OF AAR WINDER DERAN TOUCHNIY	

ABUSIVE, THREATENING, HARMFUL SENDËR AGREES NOT TO USE THIS FAX TO: (1) TRANSMIT MATERIAL WHOSE TRANSMISSION IS UNLAWFUL, HARASSING, LIBELOUS, YULGAR, OBSCENE, PORNOGRAPHIC OR OTHERWISE OBJECTIONABLE; (II) CREATE A FALSE IDENTITY, OR OTHERWISE ATTEMPT TO MISLEAD OTHERS AS TO THE IDENTITY OF THE SENDER OR THE ORIGIN OF THIS FAX; (III) POST OR TRANSMIT ANY MATERIAL THAT MAY INFRINGE THE COPYRIGHT, TRADE SECRET, OR OTHER RIGHTS OF ANY THIRD PARTY; (IV) VIOLATE ANY FEDERAL, STATE OR LOCAL LAW IN THE LOCATION, OR (V) CONDUCT ACTIVITIES RELATED TO GAMBLING, SWEEPSTAKES, RAFFLES, LOTTERIES, CONTESTS, PONZI SCHEMES OR THE LIKE,

PLEASE NOTE THAT OFFICE DEPOT DOES NOT REVIEW THE CONTENTS OF ANY FAX SENT USING ITS SERVICES. FURTHER, BY SIGNING BELOW THE SENDER OF THIS FAX HERRESY AGREES TO INDEMNIFY OFFICE DEPOT TO THE FULLEST EXTENT OF THE LAW AND FOR ANY AND ALL CLAIMS, SUITS, OR DAMAGES ARISING OUT OR IN CONNECTION WITH THE REQUEST TO SEND, OR SENDING THIS FAX.

CUSTOMER SIGNATURE (REQUIRED):

STORE INFORMATION

Office Depot Store #698 2926 Aborn Square San Jose, CA. 95121 phone: (408)223-0100 fax: (408)223-0800

ods00698cpc@officedepot.com

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THANK YOU FOR USING OFFICE DEPOT'S CUSTOMER FAX SERVICES Additional Local Fax

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APPLICATION FOR APPOINTMENT TO MARIN COUNTYWIDE PRIORITY SETTING COMMITTEE AND/OR LOCAL AREA COMMITTEE

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la la la cai I	Home Address 35 MITCHELLBLVD #7
A CONTRACTOR OF THE PARTY OF TH	SAN PATAEL CA 94903 Telephone: (45) 342. 6668 Town
	Employer's Name KELLOGG & ASSOCIATES INCTelephone: (415) 472.2095 & Address
16-1	Present Occupation ROLLSTRIE BROKER Are You Over 18 Years of Age
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	Please return to: County of Marin Federal Grants Division Marin County Community Development Agency 3501 Civic Center Drive Room 308

3501 Civic Center Drive Room 308

San Rafael, CA 94903-4157

Phone: 415-499-6279 (fax) 415-499-7880

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GRASSRUOTS

PAGE 03/03

PAGE 02/02

**Please note that an applicant who is an employee or an officer of an organization that receives CDBG or HOME funding may not be eligible to sarve as a committee member due to a potential conflict of interest. **

NOTE: This application will remain valid for a period of one year. If you would like information on conflict of interest or other eligibility requirements for positions, or want to check on the status of your application, please contact the Federal Grants office, 415-499-6279. Committee members may be required to file a financial disclosure form (listing sources of income, interests in real property, investments, and business positions) with the County which will be a public document,

2/8/12- ANH KELLOGG LEFT MESSAGE:
Home ADDRESS IS 103 ORANGE STREET, SAN RAFAEL CA 94901
PHONE: 342-6668
- RR-D.

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3501 Civic Center Drive Room 308

San Rafael, CA 94903-4157

Phone: 415-499-6279 (fax) 415-499-7880

Name <u>Ce</u>	cilia tamora Email Latinocoun@aol.com
Home Address	35 Sietra Aue 415-492-4420-11
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K GA.	
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	Local Area Committee
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at la	ige my experience working with
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	Name NOVM COVWIV Email	regherdnormayahor.co
	Home Addres (P.O. BX 1186) 34 Cve	scent prive
	Woodacre 94973 -1186 -	Cell: 707-293-679
82	Employer's Name Independent Contractor - & Address 82	Telephone:
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	3501 Civic Center Drive Room 308 San Rafael, CA 94903-4157	
	San Karael, OA 94903-4157 Phone: 415-499-6279 (fax) 415-499-7880	



Bateman, Roy

From:

demartinit@aol.com

Sent:

Tuesday, February 07, 2012 8:29 PM

To:

Bateman, Roy

Subject:

Priority Setting Committee Application

Hi Roy,

I have tried all day to fill this out and send it in online.

Name: Andrew Marshall

Email: TDemarsh@aol.com

Home Address: 70 Tamarack Road, San Geronimo, CA (mailing P.O. Box 424)

Telephone: 415-999-0730

Employment: Self Employed

Present Occupation: Green Building Consultant

Committee Applying For: Countywide Priority Setting Committee

Reason for Applying: I have worked in housing and community development starting as a Vista volunteer in the 60's. I was one of the original Habitat of Humanity Marin Board members, a project leader for many years for Christmas in April in San Francisco. I have developed many properties in the County of Marin, I serve as a member of the Marin Human Rights Commission, and am the chair of the Commission's Community and Government Committee. I am a member of the Marin County Personnel Commission. I believe that my experience and input can contribute to Marin County. I have been in several meetings with community development staff and find them a delight to work with. I want to support the County's goals in meeting the federal housing guidelines.

February 7, 2012

Submitted by: Andrew Marshall

Fax Cover Sheet

To:

Benita Shannon

Tel:

000.000.0000

Fax:

415507-4061

From:

Carlos Porrata,

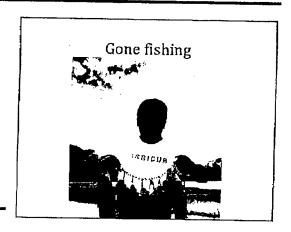
Tel:

415.669.1207

Date:

2/6/2012

Subject: application



Number of pages including this cover sheet: 2

Please	reply	ASAP
review		

Forwarded per your request

Please

Here is the application. Thanks for letting us know the first try was not successful.

APPLICATION FOR APPOINTMENT TO MARIN COUNTYWIDE PRIORITY SETTING COMMITTEE AND/OR LOCAL AREA COMMITTEE Telephone: Committee(s) Applied for Countywide Priority Setting Committee ☐ Local Area Committee If you represent an organization, please list it Relevant Experience Additional pages and information may be attached. List any organizations of which you are an officer or an employee that are funded by or may request funding from the Community Development Block Grant or HOME programs: Please return to:

County of Marin

Federal Grants Division

Marin County Community Development Agency

3501 Civic Center Drive Room 308 San Rafael, CA 94903-4157

Phone: 415-499-6279 (fax) 415-499-7880

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Name Josie Sanchez Email MCILJOSIE @ GMark	
Home Address PO Box 482, 259 CastRo Street	
10285+ KNOLLS 94933 Telephone: 415 299-1824	
Town - 1 - / Daido Shut Inin MCI	_
Employer's Name // Wein Canley for Relephone: My Strage CA 9490.	1
Present Occupation Nows, Ng Advocata Are You Over 18 Years of Age 4	
Committee(s) Applied for Countywide Priority Setting Committee	
If you represent an organization, please list it	
Reasons for Applying to letter the Chances of pretunting go	
from independed in apprecially & sustainable Housing	•
Relevant Experience Housing Specialist & MCIL Housing Course Canal Welcome Center Board Member; Sudgested Living Advocate	
Additional pages and information may be attached.	
List any organizations of which you are an officer or an employee that are funded by or may request funding from the	
Community Development Block Grant or HOME programs: Makin Centur Gan Lindipendent Diving Date 2/6/12— Signature	
Please return to: County of Marin Federal Grants Division Marin County Community Development Agency 3501 Civic Center Drive Room 308 San Rafeel, CA 94903-4157	

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