Texas Community Development Block Grant Program

2021 TxCDBG Planning and Capacity Building (CPC) Fund

Request for Applications (Application Guide)

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TxCDBG Goals and Requirements

The goal of the Texas Community Development Block Grant (TxCDBG) Program is to develop viable communities by providing decent housing and a suitable living environment, as well as by expanding economic opportunities, principally for persons of low-to-moderate income. In awarding funding pursuant to Texas Government Code, Section 487.351(c), the Texas Department of Agriculture (TDA) shall give priority to eligible activities in the areas of economic development, community development, rural health and rural housing to support workforce development.

The objectives of the TxCDBG program are to

- improve public facilities to meet basic human needs, principally for low-to-moderate income persons;
- improve housing conditions, principally for persons of low-to-moderate income (LMI);
- expand economic opportunities by creating or retaining jobs, principally for low-to-moderate income persons; and
- provide assistance and public facilities to eliminate conditions hazardous to the public health and of an emergency nature.

Recommended Steps in Application Process

Although certain steps may be completed at any point in the grant application process, TDA recommends completing the application as follows:

- Review the Application Guide and consider potential eligible projects that would meet local needs.
- Identify an Application Preparer. This may be a local staff person, or a third-party consultant procured using TDA's Pre-Qualified Planning Service Provider procurement process. More information regarding this process can be found on the TxCDBG Professional Services web page.
- Conduct public hearing to solicit feedback from community members regarding community needs. Notice of the public hearing must be provided no less than 72 hours prior to the hearing.
- Discuss most feasible projects with the Application Preparer and decide which project(s) to pursue.
- With Application Preparer, identify benefit area of the project(s) and preliminary cost estimate.
- With Application Preparer, identify LMI beneficiaries of the benefit area via HUD data or income survey. More information on beneficiary documentation can be found on the TxCDBG Beneficiary Documentation web page.
- If the project area qualifies, continue preparing application data with Application Preparer.
- Present local resolution to local governing body to authorize submission of the application. This resolution includes the project description and commitment of any matching funds and must be passed after conducting the public hearing.
- Finalize the application.
- Publish notice of application availability for public review. The application must appear:
    - no less than five (5) days prior to the application deadline; and
    - after the local resolution is passed;

Choosing a Pre-Qualified Planning Service Provider (Planner)

TxCDBG Grant Applicants are responsible for identifying the person or firm that will provide planning services for the project, if funded. Communities will be required to select a planning service provider through formal action of the locality's governing body prior to the service provider preparing the grant application.

Total Planning Service Contract Amount	Required Procurement Method
$50,000 or less	Streamlined process
> $50,000 to $75,000	Traditional method

Communities applying to TDA for Planning and Capacity Building (CPC) funding that intend to use a third-party planning service provider must use the streamlined procurement process to solicit planners from the pre-approved list of vendors unless the anticipated contract amount is greater than $50,000 or TDA has approved the traditional method based on local circumstances. The streamlined procurement forms can be found on the TDA website. Refer to Chapter 5 of the TxCDBG Implementation Manual for step-by-step instructions regarding procurement of planning services.

Part I. CPC Fund – Specific and Other Program Requirements

Action Plan
The requirements and procedures specified in the 2021 TxCDBG Program Action Plan will govern the 2021 CPC Fund application process. The Action Plan is available on the TDA website at www.TexasAgriculture.gov.

CPC Fund Application Submittal and Deadline Requirements

The application procedures for the 2021 TxCDBG Planning and Capacity Building (CPC) Fund are included in this Application Guide. **The procedures in this application guide supersede those published in all previous TxCDBG application guides.**

The deadline for all 2021 TxCDBG CPC Fund applications is 11:59 p.m. C.S.T. on March 16, 2022.

Applications will not be accepted after 11:59 p.m. on the final day of submission. Technical assistance from TDA staff will be unavailable after 5:00 p.m. on the final day of submission. Application submissions shall be accepted through TDA-GO system. The system may be accessed by navigating to https://tda-go.intelligrants.com/.

Amount of Grant Funds Requested

The maximum grant request for CPC Fund applications is based on population, as described in the next table. Application population shall be determined using the most recent American Community Survey (ACS) 5-Year Estimate, Table B01003.

Population	Maximum Grant Amount	Minimum Cash Match Commitment
200 to 1,000 persons	$35,000	5%
1,001 to 1,500 persons	$37,500	5%
1,501 to 2,500 persons	$40,000	10%
2,501 to 5,000 persons	$45,000	10%
5,001 to 7,500 persons	$55,000	15%
7,501 to 10,000 persons	$65,000	15%
10,001 to 25,000 persons	$75,000	20%
25,001 to 50,000 persons	$75,000	25%

NOTE: Requests to update existing plans funded within ten years of the application due date may not exceed 60% of the maximum grant amount for the planning area.

National Program Objective (NPO)

For the CPC Fund, a community must meet the low/moderate income (LMI) NPO as per the Texas Administrative Code. The project must meet all requirements to document LMI Area Benefit (LMA) for each activity.

An activity that addresses the NPO of principally benefitting low-to-moderate income persons must provide documentation as to the income status of those persons (also called beneficiaries). Low to moderate income individuals are those whose income is 80% or less of the area median family income (AMFI). Clear documentation of an applicant's beneficiary identification method must be received with the application.

- HUD's Low-Moderate Income Summary Data (LMISD) may be used to document beneficiaries within a specific Census geography. To obtain a Census map of a specific area, visit the HUD LMISD Mapping Application.
- Use of door-to-door surveys is an acceptable method for documenting beneficiary income levels. Refer to the agency website at www.TexasAgriculture.gov for a copy of the most recent Survey Methodology Manual and required survey forms. Use the survey method to document beneficiaries for projects that have a small benefit area or for proposed project activities with a service area that cannot be reasonably delineated by standard census geographic areas. i.e., place, census tract, block groups.

Additional information regarding documentation for National Program Objectives can be found in the TxCDBG Guide to National Objectives.

Inaccurate or incomplete documentation of beneficiaries will result in disqualification of the application. TDA staff is available to provide technical assistance to confirm beneficiary documentation prior to the application deadline. To request this assistance, email CDBGApps@TexasAgriculture.gov with the following information at least 30 days prior to the application deadline or within a reasonable time before the deadline to allow TDA staff sufficient time to review:

- Brief project description;
- Description of how residents of the identified service area will benefit from the proposed planning activity;

- Map showing the geographical area the planning activity will include AND clear boundaries of benefiting service area; and
- Supporting documentation for beneficiaries (Census-based LMISD data or Beneficiary Survey).

Eligible Activities

~~Planning and Capacity Building applications may request funds for up to three of the following elements:~~

Planning Element	Description
Utility Studies - Focused planning activity - Includes one or more of the following elements: ○ Water (distribution and supply) systems ○ Wastewater (collection and treatment) Systems ○ Other Systems (i.e., city-owned gas or electric system/infrastructure) ○ Storm drainage systems (as secondary element only)	Includes system mapping, system analysis, and capital needs priority list. For water and wastewater systems, analysis must include review of current conditions and compliance with TCEQ minimum standards. Plans must also address drought-related water supply contingency plans, water conservation plans, and utility rate studies. If drainage is included, the plan must address any Flood Hazard Areas within the planning area.
Transportation Studies - Focused planning activity - Includes the following elements: ○ Local street conditions ○ Thoroughfare conditions ○ Public transportation accessibility ○ Other transportation systems ○ Pedestrian walkability conditions ○ Storm drainage systems (as secondary element only)	Includes system mapping, system analysis, and capital needs priority list. Must address transportation options that do not require car ownership. If drainage is included, the plan must address any Flood Hazard Areas within the planning area.
Comprehensive Planning - Traditional planning activities - Includes three to seven of the following elements: ○ Utility systems ○ Storm drainage systems ○ Transportation systems ○ Parks and recreation facilities ○ Special planning studies ○ Zoning ordinance ○ Subdivision ordinance	Includes base map, land use analysis, housing and population analysis, and financial analysis for capital improvements. For each selected element, analysis must include system mapping, review of current conditions, and evaluation for compliance with relevant minimum standards. Request for special planning studies must document the specific need for the activity. TDA reserves the right to negotiate this element in the

	application and/or award stage, including requiring additional matching funds.

TDA reserves the right to decline CPC funding where

- TxCDBG funding was expended for substantially similar planning activities within the ten years preceding the application submittal deadline;
- existing planning documents do not support a need for additional planning; or
- a current TxCDBG grant agreement or pending application indicates that significant system improvements or new system construction plans have already been identified.

Planning Area

Community-wide – All persons within community would benefit from implementation of the plan.

Targeted Area – Persons within a targeted geographic area of a community who would benefit from implementation of the plan.

See TxCDBG Guide to Meeting a National Program Objective, page 3, for further guidance on determination of benefit area.

Citizen Participation

Planning and Capacity Building Fund – Public hearings conducted to solicit information on community needs and priorities, as described in Part II below, will be accepted only if conducted on or after February 1, 2021.

Scoring (Maximum 148 Points Total)	
Median Household Income (MHI)	**10 Points**
Methodology – Awarded if the applicant's median household income (MHI) is lower than the annual state household income using the most recent ACS 5-year estimate as follows: 1. Applicant's MHI divided by Texas MHI = MHI % 2. Subtract applicant's MHI % from 1 to calculate the applicant's MHI Factor 3. MHI Factor multiplied by 10 = Points Received Applicants whose median household income is above the statewide MHI shall receive zero (0) points.	
Benefit to LMI Population	**20 Points**
Methodology – Awarded if the applicant's citywide LMI population is greater than 51% using most recently available Low- to Moderate-Income Summary Data (LMISD) as follows: Points Received = LMI percentage multiplied by 20 For example: The City of Scoresville's LMISD PLACE data indicates its LMI percentage is 67.17% = 0.6717 * 20 = 13.4340 Points Received	
Applicant Population	**20 Points**
Methodology – Application population shall be determined using the most recent American Community Survey (ACS) 5-Year Estimate, Table B01003. Population less than 200 = 0 points Population between 200 and 3,000 = 20 points Population between 3,000 and 7,000 = 10 points Population greater than 7,000 = 0 points	

Has the applicant been funded in the previous three community development (CD) application cycles?	**Maximum 80 Points**
Methodology – Data source documentation will be reviewed and points will be assigned.	
The applicant has not received funding during the previous three funding cycles	80 Points
The applicant has been funded once during the previous three funding cycles	60 Points
The applicant has been funded twice during the previous three funding cycles	40 Points
The applicant has been funded three times during the previous three funding cycles	0 Points
Past Performance Scoring Factors	
Methodology – For the state scoring factor, each applicant is initially awarded the full 20 points. Points are deducted from those 20 points based upon performance of an applicant on a previously awarded contract.	
Past performance on previously awarded contracts (Awarded 2/1/2016 – 9/1/2020)	**Maximum 16 Points**
Timely submission of closeout report Five points will be deducted for applicants that did not submit close-out report within 60 days from the end date of the contract	5 Points
Timeliness of environmental clearance Zero points will be deducted for applicants that completed the environmental review within 30 days of the environmental clearance milestone (210 days after the contract start date) One point will be deducted for applicants that completed the environmental review within 60 days of the environmental clearance milestone (240 days after the contract start date) Three points will be deducted for applicants that completed the environmental review within 90 days of the environmental clearance milestone (270 days after the contract start date) Five points will be deducted for applicants that did not complete the environmental review within 90 days of the environmental clearance milestone (271+ days after the contract state date)	5 Points
Maximum utilization of grant funds awarded Zero points shall be deducted for completed contracts that fully expended the grant funds, or deobligated less than the threshold amount ($10,000). Five points shall be deducted for contracts that deobligated an amount equal to or greater than the threshold for any reason. Exception: This scoring criterion will not apply to Texas Capital Fund Real Estate/Infrastructure contracts that completed the minimum necessary AND fulfilled 100% of the job commitment.	5 Points
Timeliness of completing projects (i.e., extension of contracts) One point will be deducted for applicants that received an extension on a previous contract.	1 Points
If an applicant received more than one grant within the past performance evaluation period (2/1/2016 – 9/1/2020), TDA staff will average the result for all awarded contracts to assess a score for each metric.	

TxCDBG Priorities	Maximum 2 Points
~~• **Early public hearing**~~ ~~Two points shall be received for applicants that conducted the public hearing, a component of the required citizen participation process, at least 90 days prior to application deadline.~~	~~2 Points~~
• **Fair Housing Activity** Two points shall be received for applicants that have conducted at least one of the following activities to affirmatively further fair housing between 9/1/2019 and the application deadline. ▪ Conduct a community wide housing analysis to determine impediments to fair housing and implement action to eliminate these impediments. ▪ Sponsor or fund fair housing counseling/referral services for owners and renters. ▪ Promote housing opportunities outside historically minority and/or low- and moderate-income neighborhoods. ▪ Utilize local businesses and banking institutions to promote fair housing by displaying fair housing posters. ▪ Conduct free training workshops on fair housing laws to homebuyers, rental property owners, and tenant organizations. ▪ Sponsor a poster contest or essay writing contest at local schools to educate and promote fair housing. ▪ Review local zoning laws and procedures to determine whether they contribute to, or detract from, fair housing choice. ▪ Find ways to inform builders and architects as early as possible in the project design phase, but certainly no later than the issuance of a building permit, of the need to comply with the accessibility requirements of the Fair Housing Act. ▪ Participation by community leaders (including but not limited to local official) in COG-hosted fair housing event ▪ Participation by community leaders (including but not limited to local official) in HHSC Housing Summit or similar collaboration. ▪ Invite local and/or regional media to observe TxCDBG-funded projects that have made a positive impact on the community. Additional options may be considered if approval is requested from TDA no later than 30 days prior to application deadline.	2 Points
Tie Breaker	
In the event of a tie, applicants shall be ranked starting with the lowest median household income. Data source: Most recently available ACS 5-Year Estimates, Table DP03	

Part II. General TxCDBG Application Requirements

Application Completeness

Any application that is incomplete, noncompliant with program requirements, or received late will be disqualified. Applications lacking information necessary to make a determination concerning the eligibility of the activity (e.g., data on low-to-moderate income beneficiaries) or compliance with TxCDBG and Federal program requirements (e.g., citizen participation requirements) will be disqualified. A substantially complete TxCDBG application must include all of the following information:

- All application forms, fully completed;
- Accurate beneficiary data for the proposed project activities;
- A passed/adopted Local Government Resolution authorizing submission of the application;
- Evidence of compliance with the TxCDBG Citizen Participation Plan including the Public Hearing Notice and Notice of Application Availability
- Legible, quality maps;
- Annual Audit (See Attachments Section); and
- Active SAM.gov registration for applicant.

Applications lacking any of the items listed above will be disqualified.

Completed applications received by the deadline may be subject to disqualification including but not limited to any of the following reasons:

- The applicant is not a unit of general local government;
- The project is located in an entitlement area;
- The application contains ineligible activities;
- The applicant does not comply with the TxCDBG Citizen Participation Plan requirements;
- The applicant does not meet the Applicant Threshold Requirements;
- The application contains false information;
- The applicant did not comply with the TxCDBG survey requirements;
- The same or substantially the same application has been submitted under two or more TxCDBG fund categories;
- The application does not contain adequate or acceptable information to show that each proposed application activity meets a National Program Objective;
- The application does not comply with the requirement concerning the preparation of an assessment of the applicant's housing and community development needs prior to submission of a TxCDBG application;
- The applicant does not provide the information required in the TxCDBG Applicant/Recipient Disclosure/Update section of the application;
- The applicant does not respond, refuses to respond, or does not provide an adequate response to requests for revisions or additional information within the prescribed timeline.

Applications must propose project(s) that are fully developed. The proposed project scope cannot be changed after the application deadline, unless at the direction of TDA staff. The citizen participation process is intended to identify community priorities, and TDA will not approve a change in project scope based on changing priorities of the local government. Placeholder applications—those proposing a potential project with the intent of securing funding, then making local decisions regarding actual locations and project details after an award—will be considered substantially incomplete and will be subject to disqualification. Applications must justify any amount requested in the application and the amount requested is subject to review.

Applicant Threshold Requirements

To be eligible to apply for or to receive funding under the TxCDBG Program, a community must meet the following criteria, as described in Title 4, Part 1, Chapter 30, Subchapter A, Division 2, Section 30.25 of the Texas Administrative Code (TAC):

1. **Grant Administration –** Demonstrate the ability to manage and administer the proposed project.
2. **Financial Capacity** – Demonstrate the financial management capacity to sustain operation and maintenance of any improvements made in conjunction with the proposed project.
3. **Proposed Benefits** – Demonstrate the ability to meet all proposed benefits identified in its application.
4. **Levy and Collect Tax** – Levy and collect a local property tax or local sales tax option.
5. **Past Performance** – Demonstrate satisfactory performance on previously awarded TxCDBG contracts.
6. **Pending TxCDBG Contracts** – Demonstrate compliance with progress threshold requirements for existing TxCDBG grant awards to be eligible for TxCDBG funding, as follows – details regarding documentation for meeting these thresholds can be found in the TxCDBG Project Implementation Manual.

Fund Category	Contract Period	Progress Threshold #1	Progress Threshold #2
Disaster Relief	12 months	Obligate 50% of TxCDBG contract funds at 9 months	Construction complete, PCR and final draw submitted at 12 months
FAST Fund	18 months	Obligate 50% of TxCDBG contract funds at 9 months	Construction complete, PCR and final draw submitted at 18 months
Community Development	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Downtown Revitalization/Main Street and Small and Micro-enterprise Revolving Fund	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Colonia Fund (CFC, CFP, CEDAP, NOT CSH)	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
Planning and Capacity Building	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Planning complete, reports and maps and final draw submitted at 24 months
Community Enhancement	24 months	Obligate 50% of TxCDBG contract funds at 12 months	Construction complete, PCR and final draw submitted at 24 months
TCF Infrastructure/Real Estate	36 months	Obligate 50% of TxCDBG contract funds at 18 months	Construction complete, PCR and final draw submitted at 36 months

7. **Delinquent Audits** – A community must submit any past due audits to the department within the timeframes prescribed by the department. For audit requirements, see 4 TAC §30.26.
8. **Other Application Requirements** – Other threshold requirements relevant to a particular fund category may be included in the applicable application guidelines.

Basic Eligibility Documentation Requirements

Resolutions

TxCDBG applications require a resolution from the local governing body (i.e., county commissioners court or city council) authorizing the submission of that application. The governing body must adopt/pass the resolution before the application submission and after the application public hearing. Failure to comply with these resolution requirements may result in disqualification of the application.

The language of the resolution must, at a minimum:

- Authorize the submission of an application for funding under the TxCDBG program.
- Designate the fund category under which the application is to be considered.
- Designate the activities addressed in the application.
- Designate the dollar amount being requested.
- Designate a person(s) (e.g., county judge, county commissioner, or mayor) who will be authorized to execute documents in conjunction with the application, and any resulting grant contract.
- Commit to the provision of resources by source and use (if applicable) in support of the proposed project activities, including the specific source (e.g., General Fund, Water/Sewer Fund, General Obligation Bonds) and use of those resources.
- Commit to compliance with all federal, state, and program requirements, including environmental review, labor standards, procurement, acquisition of property, civil rights, and administrative requirements.

In a multi-jurisdiction application, a cooperative agreement must also be included and signed by all participating local governments and must state which participant will serve as the lead administrative entity if the project is funded. Additionally, each locality participating in a multi-jurisdiction application must submit a resolution adhering to the guidelines above.

In the event that an applicant is partnering with another entity or service provider (e.g., water supply corporation, locality providing service to the project area, etc.) that will own or operate the proposed improvements, TDA will request a cooperative agreement outline the responsibilities between the applicant and the partnering entity or entities, upon award.

For a sample resolution, see *Appendix VI: Form/Document Samples.*

Published Notices of Public Hearing and Application Activities

Prior to the preparation and submission of an application for TxCDBG funds, each applicant must hold at least one public hearing and publish a notice that describes the application activities and the availability of the application(s) for public review.

The public hearing gives citizens information about the Texas Community Development Block Grant Program and eligible program activities, as well as opportunities to participate in the development of the applicant's community development and housing needs and the development of TxCDBG applications.

The public notice gives citizens information on proposed uses for the funds and an opportunity to review and comment on the application(s) prior to submission.

Other requirements include:

- Public notices should be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community service providers.
- Ensure nondiscrimination by taking reasonable steps to ensure meaningful access for persons with Limited English Proficiency (LEP) by providing language assistance as appropriate.
- Persons with disabilities must be able to attend the hearing and an applicant must make arrangements for individuals who require auxiliary aids or services, if contacted at least two days prior to the hearing.
- Local organizations that provide services or housing for low-to-moderate income persons, including the local Public Housing Authority, Health and Human Services office, Faith-based organizations, and Mental Health and Mental Retardation office, must receive written notification concerning the date, time, location, and topics to be covered at the public hearing.

The written notification sent to local service providers for the public hearing must include the date, time, location, and topics of discussion at the public hearing. A copy of the notice will suffice if it includes all required information. Send this notification to service providers (e.g., utility companies, education facilities, local non-profits, etc.) serving the jurisdiction’s residents. If a local office is located in the community, then that office should receive the notification. If a local office is not located in the community, send the notification to the local or regional office location that serves the jurisdiction’s residents.

The following items are required as evidence of adherence with public hearing and public notice requirements:

- A copy of the actual published public hearing notice for the required public hearing. This includes a full page of the newspaper with publication title and date <u>or</u> publisher's affidavit and a copy of the notice <u>or</u> affidavit of posting AND a copy of notice publication on applicant’s website. The notice must conform to the requirements of the Citizen Participation Plan, including specifics such as the date, time, location of the hearing and the topics to be discussed.
- A copy of the actual published notice of the application(s) activities and availability of the application(s) for public review. This may be either a full newspaper page with the publication title and date or publisher's or posting affidavit and a copy of the notice. The

notice must conform to the requirements of the Citizen Participation Plan including the timing of the published notice and the information included in the notice.

- A listing of the local service providers that received written notification of the public hearing. Copies of the written notifications must be kept by the applicant and will be reviewed by TDA staff during site visits. Again, the written notification must conform to the requirements of the Citizen Participation Plan including specifying the date, time, and location of the hearing and the topics of discussion.

TDA recommends verifying that the public notices are published on the correct days, as well as allowing sufficient time for publication and public hearing issues to be resolved rather than completing these steps just prior to submitting the application.

For sample public notices, see *Appendix VI: Form/Document Samples.*

Evidence of Active SAM Registration

TxCDBG applicants must demonstrate an active registration in the System for Award Management (SAM) to be eligible for funding. The applicant shall include a screenshot from the SAM website at https://sam.gov verifying the entity's registration is active.

Without evidence of an active SAM registration, the application is ineligible to receive HUD funds and will be disqualified.

Annual Audit

Applicants must comply with the audit requirements in the Texas Local Government Code for the fiscal year identified in the *Request for Applications and Guide Part I*. The applicant is required to submit its most recent annual audit or audit opinion letter with its application to demonstrate financial capacity. The audit opinion letter is preferred to the whole audit (**NOTE**: Not the management letter). A certified public accountant (CPA) who is licensed in this state, or a public accountant who holds a permit to practice from the Texas State Board of Public Accountancy must conduct the audit and prepare the annual financial statement.

Applicants may not submit self-performed audits.

The audit must be an organizational-wide audit and cannot be limited to certain parts of the organization. Annual audits for fiscal years ending on or before December 31, 2018, will not be accepted. Failure to submit an audit for FY 2019 or FY 2020 by the application deadline will result in automatic disqualification.

Project-Specific Documentation Requirements

Project Maps including Census Maps

Each application for TxCDBG funding must include a project map, or maps, which clearly show the following information:

- The boundaries of the applicant's jurisdiction;

- The boundaries of the county;
- Location(s) of the benefit area community or communities; and
- Location(s) of all proposed project activities (e.g., sewer/water lines, lift stations, street pavement, water storage tanks, water wells, wastewater treatment plants, public facility improvements, etc.).

Applicants using HUD-Census-based data (LMISD) to document project beneficiaries must provide maps that clearly show:

- All of the Census geographic areas (e.g., census tracts, block numbering areas, block groups) within the applicant's jurisdiction if LMISD data is used to document project beneficiaries;
- Locations of the project activities (on the same census maps), including the clearly defined boundaries of the proposed project's service area.; and
- The census tract numbers, block numbering area numbers, and block group numbers must be legible.

In addition, applicants requesting a project within a floodplain should submit a FEMA Flood Map with the project location identified. If this map documents that any part of the project is located in a flood way, the applicant must provide evidence that the project is eligible for consideration in accordance with 24 CFR 55.1(c). Maps are available at https://msc.fema.gov

The project area or service area boundaries MUST also be delineated on all maps.

Maps must be reproducible. Care should be taken in copying maps so that project activities that may have been designated by a colored mark are still identifiable.

Applicants are advised to note any property owners that may be in and/or adjacent to the benefit area to ensure that no potential conflict of interest exists. See the *Conflict of Interest* section of this Guide. Identification of property owners is not required to be noted or submitted with the application, but failure to identify potential conflicts of interest may be subject to the sanctions described in the *False Information on Applications* section of this guide.

Documentation of Beneficiaries

Each application for TxCDBG funding must include clear documentation of the persons served by the project for each benefit area. Detailed instructions are provided in Part I. above, and in the *TxCDBG Guide to National Program Objectives*.

Documentation of Match

The following guidelines serve to clarify the type of match acceptable under the Texas Community Development Block Grant Program. Acceptable types of match can be any of the following:

- Cash only;
- In-kind services/equipment use;
- Materials or supplies;
- Land; or
- Any combination of the above.

For more information on the acceptability of each of the different types of matches, refer *to Appendix II: Matching Funds.*

While other resources are strongly encouraged, the commitments for these matching funds must be fully documented as to source, type, use, and minimum dollar amount before they can be considered in the scoring of an application.

Local government resource commitments must be made in the form of a Resolution from the city council or county commissioner's court. This resolution should indicate, at a minimum, the type of resource (e.g., land, labor, materials, money, etc.) and the source, a minimum dollar value to be provided, and for what purpose(s) this resource will be used. **NOTE**: Local match can only be counted for expenditures that would not occur if the proposed application is not funded, with the exception of local funds expended for consultant engineering and administrative services.

Resource commitments provided by other local entities (e.g., public housing authority, special utility districts, private financial institutions or other similar sources leveraging loan funds with a local housing rehabilitation program or other TxCDBG-eligible activity) must be documented in a letter signed by a person authorized by that entity to make such a commitment. This letter should identify the type of resource, a minimum dollar value, and for what purpose this resource will be used. Applicants who are unsure about the eligibility of a commitment from other local entities should contact TDA staff.

Commitments for other state or federal funds (e.g., Texas Water Development Board, UDSA) must be supported by a grant/loan offer, contract award letter, etc., signed by a person authorized to make such a commitment for that agency for an activity directly related to activities included in the TxCDBG funding request. This evidence must include identification of the resource, a minimum dollar value, and the purpose for which this resource will be used. **These resources cannot have been expended before the application is submitted.**

All resources committed in an application and considered in the scoring of that application must be provided in the event that the project is selected for funding. If these resources are not made available, the locality may be subject to the sanctions described in the *False Information on Applications* section of this guide.

Additionally, the use of other funds (e.g., federal, state, or local) in conjunction with TxCDBG funds generally triggers a series of compliance requirements that might not be applicable if those funds were to be used independently. These requirements include but are not limited to environmental review, labor standards, real property acquisition (including easements), prohibition of special assessments, and financial management procedures.

Waiting List and Selection Guidelines for Housing Activities (If Applicable)

Applicants with projects that include the provision of first-time on-site sewage facilities (OSSF), replacement of on-site sewage facilities, or scattered first-time water or sewer service yard lines (that are not associated with the installation of a main trunk line) must provide a waiting list of homeowners—including addresses—that have indicated a need and willingness to participate in

the program. At a minimum, this waiting list must include the address and LMI status of the potential beneficiaries.

Additionally, the applicant must also submit a draft of the selection guidelines that will govern the selection process of the households that will receive benefit. Samples of housing rehabilitation and OSSF guidelines can be found in the TxCDBG Project Implementation Manual on the TDA website. If the applicant has already received TDA approval for the same activity and benefit area, include a copy of the approval documentation with the guidelines.

Jurisdiction of Applications

The applicant (city or county) requesting TxCDBG funding must have jurisdiction to provide oversight for the project. Specifically, the project beneficiaries must reside within the applicant's jurisdiction.

Partnering Jurisdictions

If only a portion of the project beneficiaries are located within the applicant's jurisdiction, the applicant must partner with another eligible unit of general local government that has jurisdiction.

- In addition to the citizen participation requirements for the Applicant, each participating jurisdiction must conduct a separate public hearing. This hearing will address the community's housing and community development needs and how the proposed activities are designed to meet those needs.
- The Applicant and each participating jurisdiction must enter into an interlocal agreement, outlining the responsibilities of each participant and establishing the Applicant's authority to implement the project outside its own jurisdiction. See Appendix VI for a sample agreement.
- All jurisdictions participating within the application must be TxCDBG eligible. For example, if a city and county are partnering on an application and the city is currently ineligible due to past performance issues, the application is ineligible.
- For projects with multiple benefit areas, the application must establish a NPO for each benefit/service area, regardless of jurisdiction. **EXAMPLE**: A WSC provides service inside city limits and in the unincorporated county. Rehabilitation of water well shall benefit both City and County residents and shall be considered one service area. Additionally, residential water lines will be replaced in an unincorporated area of the county and shall be considered a separate service area. Appropriate beneficiary documentation must be provided for both service areas.
- For activities with a single service area due to their nature, such as the sewage treatment plant that would serve each of the participating jurisdictions, the application should consider this a single benefit area.

Partnering with an applicant will not prevent the partnering jurisdiction from submitting a separate unrelated application in the same round of funding, so long as:

- projects in separate applications do not serve the same (or substantially the same) service area; and
- projects in separate applications will not be conducted in the same physical location.

TDA will make the final decision for any service areas and/or locations determined to be substantially the same.

EXAMPLES:

- Construction of a library that will serve all county residents, including residents of incorporated cities (Cities of A, B, and C) within the county. The library shall be located in City B.
  - The county has jurisdiction over all county residents and may apply without establishing the cities as partners, OR
  - Since the project is located in City B, the city has jurisdiction over the project and may apply after establishing the County as a partnering jurisdiction. The County may then submit a separate unrelated application.
- Water improvement project that will serve residents of both County A and County B.
  - Either county may apply but must establish the other county as a partnering jurisdiction.
  - The county not submitting the application may apply for a separate unrelated project.
- Improvements to a Wastewater Treatment Plant that serves residents of City A and its ETJ.
  - Either the City or the County may apply for funding, as both have jurisdiction over the service area and beneficiaries.
- Improvements to a Water Treatment Plant that serves residents of City A and its ETJ – improvements to the main pump station are submitted by City A, while County B requests funding to replace the clarifier.
  - Even though the plant may require extensive investment and there are two viable applicants, only one application will be accepted to improve the plant or provide other system-wide benefits. If both are submitted, TDA will require the two entities to choose which application to withdraw prior to scoring being completed.
- Water improvements for a Water District – City A requests line replacement within the city limits, while the County will construct a new water well to serve the entire district.
  - TDA must evaluate the Benefit Areas for substantial overlap. If determined to not serve substantially the same Benefit Area, both applications may be submitted without requiring a partnering jurisdiction.

Other Program Policies

Conflict of Interest

Applicants to the TxCDBG Program must avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For the procurement of goods and services, no employee, officer, or agent of the Grant Recipient or subrecipient may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. See 24 CFR 570.489(g); Texas Grant Management Standards

(TxGMS) of the Texas Comptroller of Public Accounts, available at https://comptroller.texas.gov/purchasing/grant-management/ ; 2 CFR 200.318(c)(1).

For all other cases other than the procurement of goods and services, non-procurement conflict of interest provisions are applicable to any person or entity including any benefitting business, utility provider, or other third party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards.

Under these provisions, a conflict of interest would exist if an employee, elected official, or their family members receive benefit from an activity. For example, if a member of a mayor's family was selected to receive CDBG assistance or would benefit from or receive a CDBG award, abstention from voting does not clear the conflict of interest. Another example where a conflict of interest would exist (business ties) is a situation where a consultant, who is employed by an engineering firm, has been selected by a city to provide administration services for the TxCDBG contract and the city is considering the selection of an engineer from that same firm to provide engineering services for the TxCDBG contract.

TDA may grant an exception, upon written request from the Grant Recipient to the non-procurement conflict of interest provisions on a case-by-case basis if TDA determines that such exception will serve to further the purpose of the TxCDBG project and the effective and efficient administration of the project. An exception may be considered only upon written request from the applicant that includes the following documentation:

- 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.
- An opinion of the attorney for the applicant that the interest for which the exception is sought would not violate state or local law.
- Where the exception would provide a significant cost benefit or an essential degree of expertise to the project that would not be available otherwise.
- Whether an opportunity was provided for open competitive bidding or negotiation.
- 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 would permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class.
- Whether the person affected has withdrawn from their functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question.
- Whether the interest or benefit was present before the affected person was in the position as an employee, agent, consultant, officer, or elected official of the governing body, or of any designated public agencies, or sub-recipients that are receiving CDBG funds.
- Whether undue hardship will result to the city or persons affected when weighed against the public interest served by avoiding the prohibited conflict.
- Any other relevant considerations.

Local Certifications

Each applicant for TxCDBG funding must certify by signing the 424 Form that it has adhered to the Local Certifications included in this application guide in the preparation of any TxCDBG application. Adherence to these certifications must be ongoing in the event that the application is successful.

With respect to the expenditure of funds provided under a Texas Community Development Block Grant contract, each TxCDBG contractor is required to certify that:

1. It will minimize displacement of persons as a result of activities assisted with such funds.
2. The program will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.) and the Fair Housing Act (42 USC 3601-20), and that it will affirmatively further fair housing, as specified by TDA.
3. It will provide opportunities for citizen participation, hearings and access to information with respect to its community development programs, and that it is following the TxCDBG Program Citizen Participation Plan.
4. It will not attempt to recover any capital costs of public improvements assisted in whole or in part with such funds by assessing any amount against properties owned and occupied by persons of low-to-moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements unless: (A) such funds are used to pay the proportion of such fee or assessment related to the capital costs of such public improvements that are financed from revenue sources other than such funds; or (B) for purposes of assessing any amount against properties owned and occupied by persons of low-to-moderate income who are not persons of very low income, the contractor certifies that it lacks sufficient funds under this contract to comply with the requirements of clause (A).
5. It will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and Federal implementing regulations at 49 CFR Part 24, and the requirements of 24 CFR Section 570.606 including the following of a residential anti-displacement and relocation assistance plan, as specified by TDA, in the event that displacement of residential dwellings will occur in connection with a project assisted with TxCDBG funds.
6. It has adopted or will adopt and enforce 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 enforce 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.
7. To the best of the TxCDBG contractors' knowledge and belief, no Federal appropriated funds have been paid or will be paid, by or on behalf of the TxCDBG Contractor, 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.
8. 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, the TxCDBG Contractor shall complete and submit Standard Form-LLL, *Disclosure of Lobbying Activities*, in accordance with its instructions.
9. The TxCDBG contractor must require that the language of this certification be included in the award documents for all sub-awards at all levels (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

False Information on Applications
The following actions may be taken, on a case-by-case basis, where TDA finds that an applicant provided false information in its application for TxCDBG funding.

If the applicant provides false information in a TxCDBG Fund application that has the effect of increasing the applicant's competitive advantage, or false beneficiary information that increases the number or percentage of potential beneficiaries, TDA TxCDBG staff shall make a recommendation for action to the director of the state TxCDBG Program.

Actions that the Director may make include, but are not limited to:

1. Disqualification of the application and holding the locality ineligible to apply for TxCDBG funding for a period of at least one year not to exceed two program years.
2. Even if an award has been made, the locality may be liable for funds expended if adjustment to the scores would have resulted in a change in rankings for the purpose of funding.
3. Holding the locality ineligible to apply for TxCDBG funding for a period of two program years or until any issue of restitution is resolved, whichever is longer.

An applicant may appeal a decision of the state TxCDBG Director by filing an appeal with the Director of the Office of Rural Affairs.

Appeals Process
Refer to 4 TAC §30.6.

Part III. General CDBG Federal Requirements

Eligible Applicants
Eligible applicants are non-entitlement units of general local government, incorporated cities and counties not participating or designated as eligible to participate in the entitlement portion of the federal Community Development Block Grant Program. Non-entitlement cities that are not participating in urban county programs through existing participation agreements are eligible applicants unless the city's population counts toward the urban county CDBG allocation.

Non-entitlement cities are located predominately in rural areas and are generally:

- cities with populations of less than 50,000 persons;
- cities that are not designated as a central city of a metropolitan statistical area; or
- cities that are not participating in urban county programs.

Non-entitlement counties are also predominately rural in nature and generally have fewer than 200,000 persons in the non-entitlement cities and unincorporated areas located in the county.
While non-entitlement units of general local government are the only eligible applicants for TxCDBG funding, these applicants may submit applications that will provide benefits through other sub-recipient groups serving the jurisdiction.

For example, a county could submit an application for water distribution line improvements to a water system that is owned and operated by a public utility district. The improvements themselves

would become the property of the public utility district, but the programmatic and fiscal compliance responsibilities would remain with the applicant (the county).

As another example, a city could submit an application for the construction of a building to house a social services agency providing primary benefit within the city. Again, the facility could be placed under the control of the agency (through title transfer or lease arrangement), but compliance responsibilities would remain with the city.

Eligible Activities

TxCDBG eligible activities include:

- Water System Improvements
- Wastewater System Improvements
- Drainage Improvements
- Housing Rehabilitation
- Gas System Improvements
- Road/Street Improvements
- Fire Protection Facilities
- Accessibility Improvements to Public Buildings
- Solid Waste Disposal/Landfills/Transfer Stations
- Community/Senior/Social Service Centers
- Shelters for Persons With Special Needs

Additional guidance and further definition concerning eligible and ineligible activities for some of the TxCDBG eligible activities are included in Section 105(a) of the Housing and Community Development Act of 1974 (HCDA).

Ineligible Activities

In general, any type of activity not described or referred to in Section 105(a) of the HCDA, as amended, is ineligible for TxCDBG funding. Specific ineligible activities under the TxCDBG Program include:

- Construction of buildings and facilities used for the general conduct of government (e.g., city halls and courthouses).The only exception is for improvements made to these buildings solely to provide complete access for elderly persons and persons with severe disabilities;
- Financing of political activities;
- Purchase of construction equipment;
- Income payments, such as housing allowances;
- Activities in a floodway may be ineligible; see *Implementation Manual, Chapter 3* for specific guidance;
- New housing construction; and
- Operation and maintenance expenses of public facilities, improvements and services

Various methods used to identify specific sections of wastewater line that require maintenance to reduce or eliminate the amount of inflow or infiltration routed to the treatment facilities, such as smoke testing, televising (TV'ing), and line cleaning (vacuuming, jetting, etc.), are considered maintenance tools.

The process of identifying benefit areas for wastewater line replacement must be completed prior to the submission of an application in order for the scope of the project to be fully identified and

to expedite construction completion. Similar methods may also be used as a part of construction and inspection of the new lines. Maintenance tools will not be accepted as a CDBG eligible activity in an application and such costs will be eliminated from the application. Sludge removal from a wastewater facility may be considered eligible if additional documentation is provided in the application to indicate why it is not operation and maintenance.

Citizen Participation Plan Requirements

Each applicant must complete a citizen participation process that complies with the TxCDBG Citizen Participation Plan requirements as described in this guide prior to submitting a grant application.

A locality can only receive a TxCDBG grant if the locality certifies that it follows a detailed citizen participation plan that provides for and encourages citizen participation at all stages of the community development program.

TxCDBG applicants and funded localities are required to carry out citizen participation in accordance with the Citizen Participation Plan adopted for the TxCDBG Program. Each applicant certifies by signing a 424 form that it has and will comply with the requirements of this Citizen Participation Plan.

Each applicant must maintain a citizen participation file that includes a copy of this plan, the applicant's complaint procedures, any technical assistance provided by the applicant, and public notices, minutes, and attendance lists for public hearings.

Complaint Procedures

The applicant/recipient must have written citizen complaint procedures that provide a timely written response to complaints and grievances. Citizens must be made aware of the location, days, and hours when copies of the plan are available.

Technical Assistance

When requested, the applicant/recipient shall provide technical assistance to groups representative of persons of low-to-moderate income in developing proposals for the use of TxCDBG funds. The level and type of assistance shall be determined by the applicant/recipient based upon the specific needs of the community's residents.

Public Hearing Provisions

The applicant must provide citizens with reasonable advance notice and opportunity to comment on eligible and proposed activities in the CD application.

For public hearings scheduled and conducted by a TxCDBG applicant or recipient, the following public hearing provisions must be observed:

1. Public notice of the hearings must be given in one of the following ways:
    - Public notice of the hearings must be published in a local newspaper at least seventy-two (72) hours prior to the scheduled hearing; or
    - Published on applicant’s website AND posted in public places (e.g. city hall/county courthouse) at least seventy-two (72) hours prior to the scheduled hearing.

    The public notice must include the date, time, location and topics to be considered at the public hearing. A published newspaper article may also be used to meet this

requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.

2. The public hearing must be held at a time and location convenient to potential or actual beneficiaries and include accommodations for persons with disabilities. Furthermore, the applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to each hearing. The public hearing must no earlier than 5:00 p.m. on a weekday or at a convenient time on a Saturday or Sunday.
3. When a significant number of non-English speaking residents are expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking residents.

Applicants must comply with the following citizen participation requirements for the preparation and submission of an application to the Texas Community Development Block Grant Program:

1. The public hearing must occur prior to the adoption of the local government resolution authorizing the submission of the application.
2. The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of one year. Such records must be available to the public in accordance with Chapter 552, Government Code.
3. The public hearing must meet the following TxCDBG notification requirements and include a discussion with citizens covering the following topics:
   - The development of housing and community development needs.
   - The amount of funding available.
   - All eligible activities under the Texas Community Development Block Grant Program.
   - The applicant's use of past TxCDBG contract funds, if applicable.
   - The estimated amount of funds proposed for activities that will meet the national objective of benefit to low-to-moderate income persons.
   - The plans of the locality to minimize displacement of persons and to assist persons actually displaced as a result of activities assisted with TxCDBG funds, if applicable.

Citizens must be encouraged to submit their views and proposals regarding community development and housing needs, with particular emphasis on persons of low-to-moderate income who are residents of slum or blighted areas. Local organizations that provide services or housing for low-to-moderate income persons, including the local Public Housing Authority, the local Health and Human Services office, the local Mental Health and Mental Retardation office, and other local service providers such as Faith-Based organizations, must receive written notification concerning the date, time, location and topics to be covered at the public hearing. Citizens must be made aware of the location where they may submit their views and proposals in case they are unable to attend the public hearing. While more than one application may be discussed at the public hearing, a hearing held for the previous program year's submission of the same application does not satisfy the requirements for any subsequent competition.

A community must provide reasonable notice of the availability of a proposed application in order to afford affected citizens an opportunity to examine the application's contents to determine the degree to which they may be affected, and to submit comments on the proposed application. This requirement may be met by publishing a summary of the proposed application in one or more local newspapers of general circulation at least five (5) days prior to submitting the application to

TDA, and by making copies of the proposed application available at libraries, government offices, and public places.

At least five days prior to the submission of an application for TxCDBG funds, the applicant must publish a public notice in a local newspaper that includes the following information:

- The TxCDBG fund categories for which applications will be submitted.
- The amount of TxCDBG funds requested in each application.
- A short description of the proposed project activities in each application.
- The locations of the project activities included in each application.
- The location and hours when the application will be available for public review.

Public notice must be given in one of the following ways:

- Published in a local newspaper at least five (5) days prior to application submittal; or
- Published on the applicant's website AND posted in public places (e.g. city hall/county courthouse) at least five (5) days prior to application submittal.

In the preparation of the final application, the community shall consider comments and views received related to the proposed application and may, if appropriate, modify the final application prior to submission of the application to TDA. The final application shall be made available to the public.

Applicants must comply with the following citizen participation requirements in the event that the application is successful:

- The locality must hold a public hearing concerning any proposed substantial change, as determined by TDA, in the use of TxCDBG funds from one eligible activity to another.
- Upon completion of the activities, the locality shall hold a public hearing and review its program performance, including the actual use of TxCDBG funds.
- The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for the greater of:
    1. Three years after close-out of HUD's grant to the state of Texas (please see TDA website);
    2. If notified by TDA in writing, the date that the final audit is accepted with all audit issues resolved to TDA's satisfaction (Please see date of TDA audit acceptance letter if applicable); or
    3. A date consistent with the period required by other applicable laws and regulations as described in 24 CFR §§570.490 and 570.502.

The applicant certifies compliance with the TxCDBG Citizen Participation Plan requirements by signing the 424 form. Failure to comply with these requirements may result in disqualification of the application.

Minority Participation/Local Opportunity

The TxCDBG program encourages localities to affirmatively take action to utilize small, minority (MBE) and women owned (WBE) businesses whenever possible. Although funded localities are not directly responsible for meeting a specific minority business participation goal, TxCDBG reports to HUD on the levels of MBE and WBE hiring under all CDBG contracts. To increase participation of small, minority and women owned-businesses, localities may use the Texas Comptroller of Public Accounts Historically Underutilized Business (HUB) Directory. Also in

accordance with Section 3 of the Housing and Urban Development Act of 1968, successful applicants using CDBG funding for housing or other public construction are required, to the greatest extent feasible, to provide training and employment opportunities to lower-income residents and contract opportunities to businesses in the project area.

Fair Housing Activities

Any locality receiving funds under the TxCDBG Program must certify that it will affirmatively further fair housing choice. Each funded locality must conduct at least one fair housing activity during the contract period, even if the locality is currently undertaking fair housing activities. Activities that qualify as affirmatively furthering fair housing include, but are not limited to, the following:

- Cities may pass a fair housing ordinance and publicize the existence of such an ordinance.
- Counties may adopt written fair housing policies and procedures that are equivalent to a fair housing ordinance and publicize the existence of such policies.
- The development of a strategy to pass a fair housing ordinance to be evidenced by public hearings and input from interested parties.
- The establishment of a written local complaint and monitoring process and notification to the public of its existence.
- The initiation of a fair housing counseling referral service that provides housing choices outside historically minority and/or low-to-moderate income neighborhoods to be evidenced by adoption of written procedures and publication of the availability of such service.
- The completion of a community-wide housing analysis to determine impediments to fair housing and actions to eliminate these impediments.
- The designation of April, or some other month, as Fair Housing Month through resolution or proclamation along with other activities to support fair housing.

In addition, communities that receive CDBG funds, chief elected officials, and third-party consultants may be required to have Fair Housing training. Training will be offered at both on-site workshops and state-wide webinars.

Federal Funding Accountability and Transparency Act (FFATA)

In September 2006, the President signed the Federal Funding Accountability and Transparency Act (FFATA) requiring the Office of Management and Budget (OMB) to develop a publicly available, free-of-charge, searchable website on federal funding. Federal funding includes grants, sub-grants, loans, awards, cooperative agreements, and other forms of financial assistance. On April 6, 2010, the OMB issued a memorandum outlining responsibilities for state agencies making sub-awards with Federal funds.

Beginning October 1, 2010, TDA is responsible for reporting data on each TxCDBG award, which will be entered into the usaspending.gov database. This data includes:

- The name of the entity receiving the award;
- The amount of the award;
- Information on the award, including transaction type, funding agency, Catalog of Federal Domestic Assistance (CFDA) number, program source, and a descriptive award title;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, state, congressional district, and county; and
- The Data Universal Numbering System (DUNS) number for the entity receiving the award.

Additional information deemed relevant by the OMB must also be provided, and all information is due no more than thirty days after a grant is awarded.

In addition, applicants must register on the System for Award Management (SAM) and entities must have an active registration to receive funding from HUD. Information on SAM registration is available at https://www.sam.gov.

Appendix I: Application Instructions

The following information describes how to respond to the fields or document requests within the TDA-GO system. **NOTE**: TDA-GO cannot digest symbols. Please refrain from using symbols in the text fields.

Dashboard

After logging in, your Dashboard will appear. **My Tasks** are documents/applications that are in process; **My Opportunities** are blank grant applications.

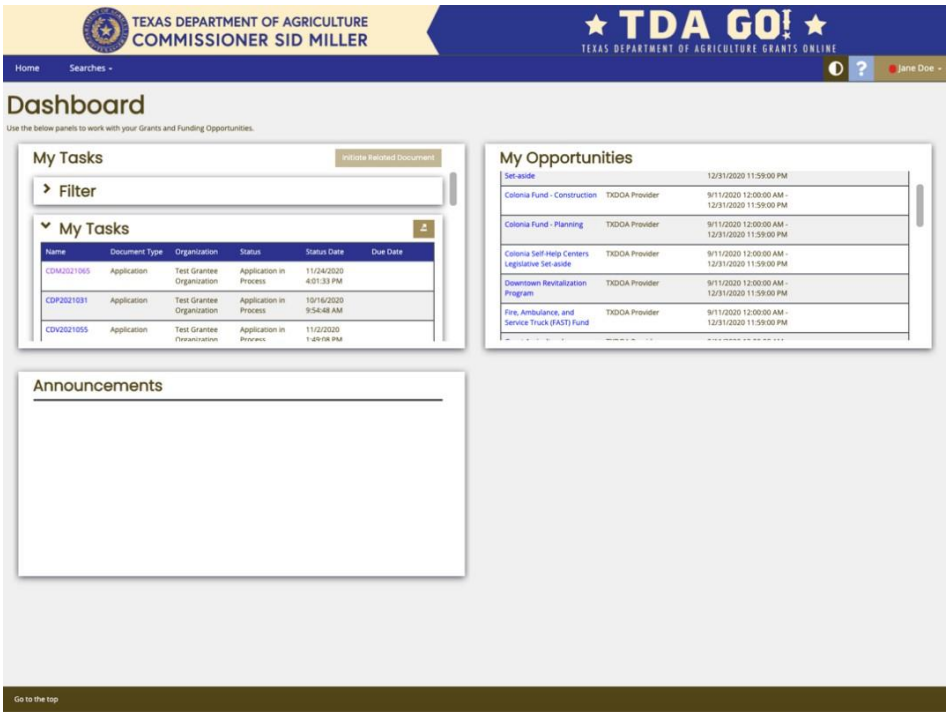


Figure 1. Landing page after logging in

Choose the desired document using the search tool at the page's top-left or scroll down the **My Tasks** or **My Opportunities** boxes. If you have chosen a blank document from My Opportunities, a brief description and agreement language appears.

NOTE: Only the Authorized Official or local staff Project Director for the applicant community can initiate a new application. TDA staff can also assist in initiating the application.

Figure 2. Read and select Agree

The Document Landing Page appears.

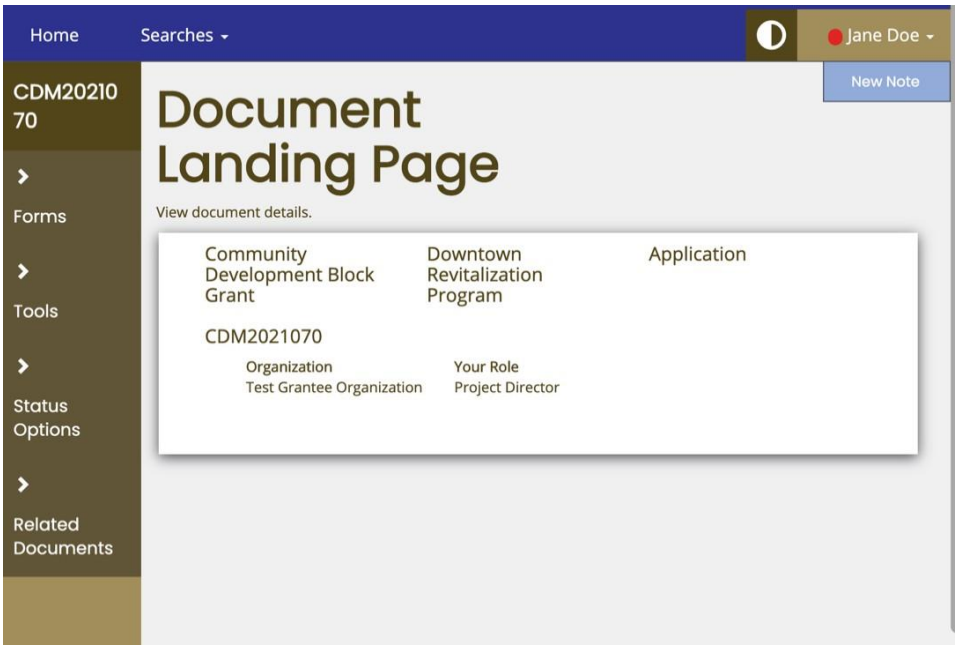


Figure 3. Example of a document landing page

The left column has the document number at the top, then four drop-down menus: **Forms**, **Tools**, **Status Options**, and **Related Documents**.

Add/Edit People

Using the Tools menu, select Add/Edit People to allow internal staff to assist with the application. Select the **plus sign** (+) to search for a person within your organization.

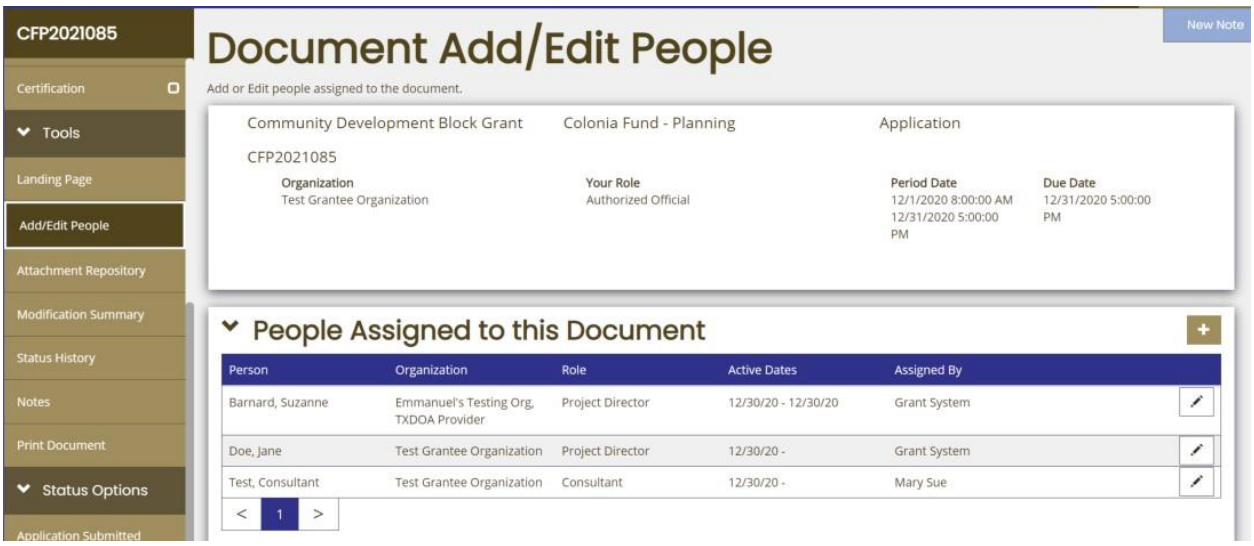


Figure 4. Add/edit people page

For third-party application preparers (including for-profit, non-profit, and Council of Government entities), TDA must grant access for the third-party organization to the application. Request this access using the *Request for Third Party Access* form HERE.

NOTE: Adding a third-party application preparer before formally selecting the entity through a procurement or subrecipient process will create conflict of interest that will not allow that entity to serve as administrator if the project is funded.

Forms

Forms is a scrollable list of required information, such as applicant contact information, project feasibility information, community needs assessment, etc.

Select **Applicant Contact Information**. Fill in all applicable fields.

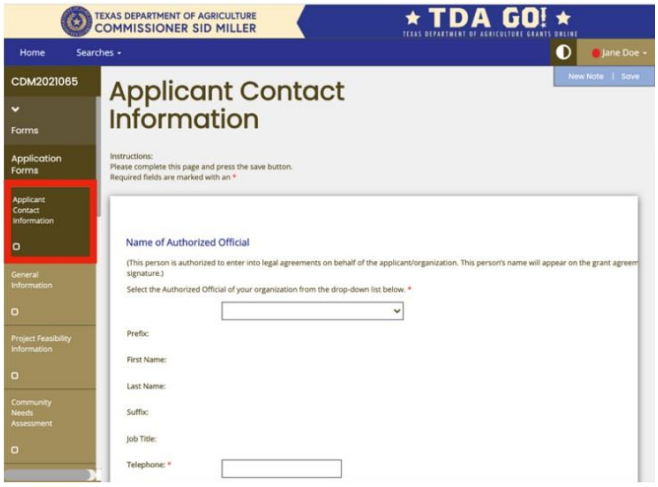


Figure 5. Applicant Contact Information page

General Information

1. Enter the county in which the project is located. If the project will serve beneficiaries in multiple counties, click the button marked with a **plus sign** to add a new row. Once the page is saved, the associated region will be automatically populated.

2. Enter the total population of the Grant Applicant from the most recently available American Community Survey 5-Year Estimate, Table B01003. **NOTE**: This population is used for certain reporting requirements and need not coordinate to the total persons served by the project.

3. Describe the project using up to 100 characters. This description will be used to identify the project in correspondence and reports. **EXAMPLES**:
    - Water improvements for citywide benefit including a new elevated water storage tank.
    - First-time sewer service in the Blue Community.
    - Housing rehabilitation for ten households in Green County.
    - Water improvements and street reconstruction in the Lavender Neighborhood.
    - Water improvements in the Lavender neighborhood and street improvements in the Teal Community.

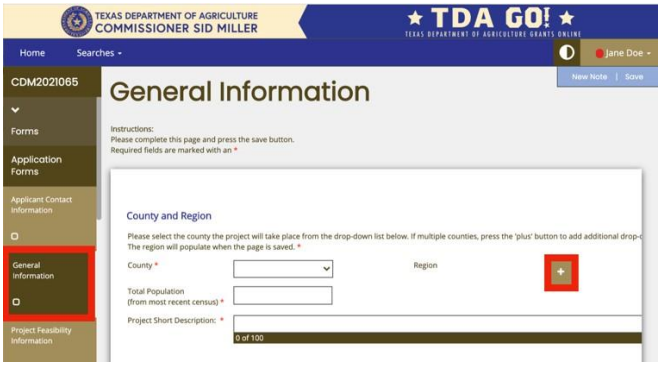


Figure 6. Top of General Information page

National Program Objectives

1. Each proposed activity included in an application for TxCDBG funds must meet one of the U. S. Housing and Urban Development's (HUD) three CDBG National Program Objectives, or NPOs. See the *Request for Applications and Guide Part I* for eligible options for this competition, and *TxCDBG Guide to National Program Objectives* for detailed information on NPOs. Each selection includes additional fields used to support the use of this NPO.

(continued)

2. Select all categories that apply to the project(s) included in the application. These responses are used for HUD reporting only:
    - *One-for-One Replacement* – requires that a grantee replace occupied and vacant units that are demolished or converted.
    - *Revolving Loan Fund* – established to make loans whereby principal repayments of loans are re-paid into the fund and re-lent to other borrowers.
    - *Brownfield Activity* – any activity designed to treat a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated, especially one considered as a potential site for redevelopment.
    - *Special Assessment* – means the recovery of the capital costs of a public improvement, such as streets, water or sewer lines, curbs, and gutters, through a fee or charge levied or filed as a lien against a parcel of real estate as a direct result of benefit derived from the installation of a public improvement, or one-time charge made as a condition of access to public improvement.
    - *Favored Activity* – certain activities specifically related to economic development.
    - *Colonia* – any identifiable unincorporated community that is determined to be a colonia based on objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and was in existence as a colonia prior to the date of enactment of the Cranston-Gonzalez National Affordable Housing Act (November 28, 1990).
    - *Presidentially Declared Disaster Area* – any area that is listed as an active disaster area on the Federal Emergency Management Agency website (www.fema.gov).
    - *Historic Preservation Area* – any area that has been identified in accordance with the standards for the treatment of historic properties as set by the Secretary of the Interior.
    - *Displacement* – a displaced person is any lower income family or individual that moves from real property or moves his or her personal property from real property, permanently and involuntarily, as a direct result of the conversion of an occupied or vacant occupiable low/moderate income dwelling unit, or the demolition of any dwelling unit, in connection with an assisted activity.
    - *Float Funded* – process by which a state's CDBG funds are already under contract to grant recipient, yet the state awards the same funds to another grant recipient providing that the state is repaid before the initial grant recipient needs the funds to meet their obligation(s) for their CDBG funded activities.

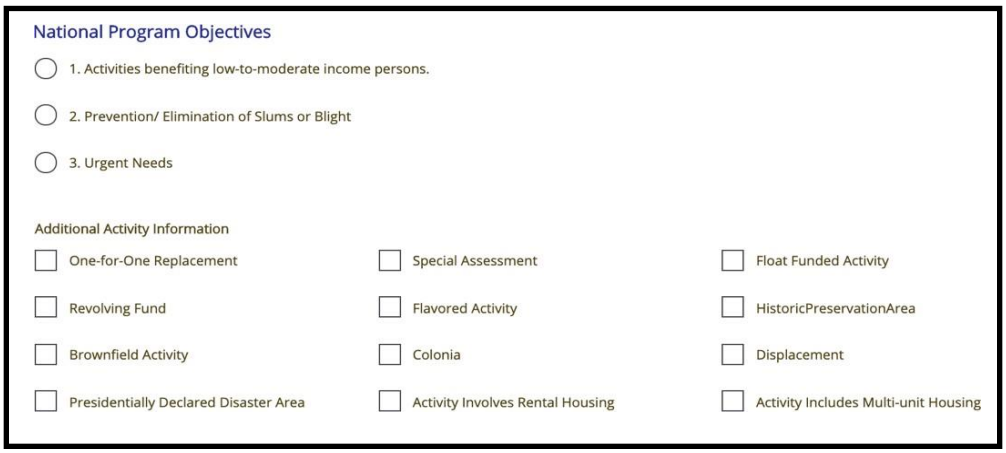


Figure 7. National Programs Objective

Professional Services and Financial Interest Information

1. Identify the administrative service provider, engineering services provider, and any other persons providing services related to this application.
   - All contractors, service providers, including Councils of Government (COGs) and subcontractors, must have an active registration with the System for Award Management (www.SAM.gov) and eligibility status verified (not suspended or debarred) prior to any formal action authorizing the award of a contract to the contractor. Examples of formal action include but are not limited to, authorizing resolution, authorizing ordinance, council/commissioners court approval of award, contract execution, etc.
   - Identify service providers that participate only in the application preparation, as well as those under agreement to provide services contingent upon grant funding. **REMINDER**: Service providers that participate in the application may not *later* be procured to provide grant implementation services; however, service providers procured prior to beginning work on the application may continue to carry out those services throughout the life of the grant. See Conflict of Interest provisions in Part II of the Regulatory Flexibility Act (RFA).
   - If any service providers identified for grant implementation if funded are employees of the Applicant, a partnering city/county, a public utility district, or a utility company i.e., force account employees, the Applicant must include *Force Account Justification* **(Form A808)** on the Required Uploads page. All force account employees, including any temporary employees hired for the project, must be W-2 form registered employees and not 1099 form contractors, and the employer's policies for temporary employees must be followed as applicable.

2. In addition to the service providers above, identify any other firm or individual with a reportable financial interest.
   - Applicants must provide information on anyone with financial interest in the proposed project exceeding $50,000 or ten percent of the requested amount—whichever is lower.
   - A financial interest is any financial involvement in the project or activity, including but not limited to situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity.
   - This includes developers, contractors, or consultants involved in the application for TxCDBG assistance or in the planning, development, or implementation of the project or activity (if not listed above).
   - Residence in housing for which assistance is sought is not considered a covered financial interest. However, if such residents are officials, employees, or agents of the Applicant or service provider, please contact TDA regarding potential non-procurement conflicts of interest.

3. Identify all sources of funding that have been committed to this project. Sources typically include the applicant's local contribution, other government assistance committed by federal, state, or local agencies, equity, and contributions from foundations and private individuals. The report must also specify all expected uses of the funds. All sources and uses of funds must be included if they can be reasonably expected to be available for the proposed project.

- Updated reports may be required if the financial disclosure information in this section changes.
- TDA will make all applicant disclosure reports available to the public in accordance with the Texas Public Information Act (Chapter 552, Texas Government Code). Failure to provide any required information may delay the processing of the application and may result in sanctions and penalties, including imposition of the administrative and civil penalties specified under 24 CFR Section 4.38.

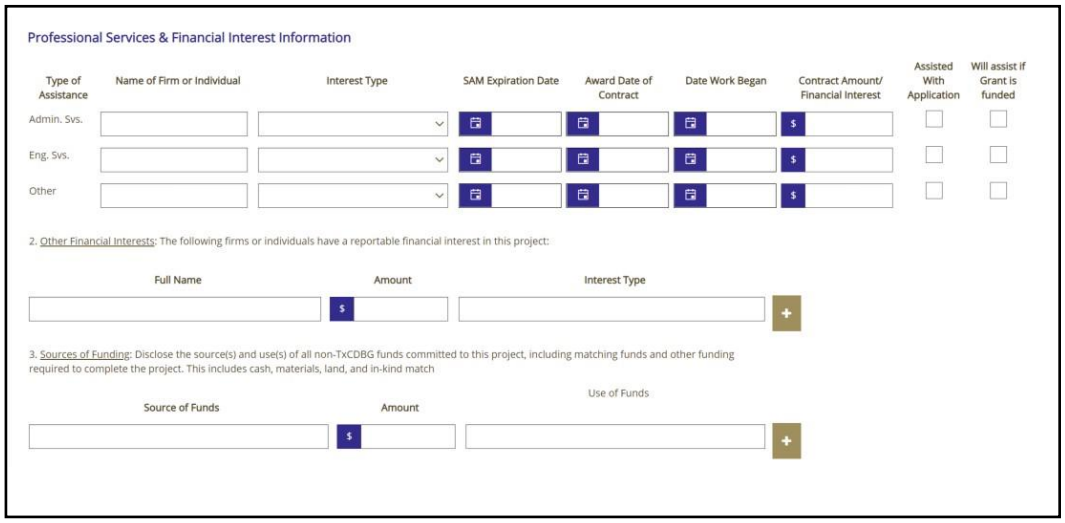


Figure 8. Professional Services and Financial Interest Information

Project Feasibility Information Page

This page asks for a variety of information about a proposed project. Please be sure to verify your responses, as TDA staff may rely on this information to make important decisions regarding the project's approval status. Some items on this form include follow-up questions that will only appear if necessary. If a question does not apply to the proposed project, select **N/A**.

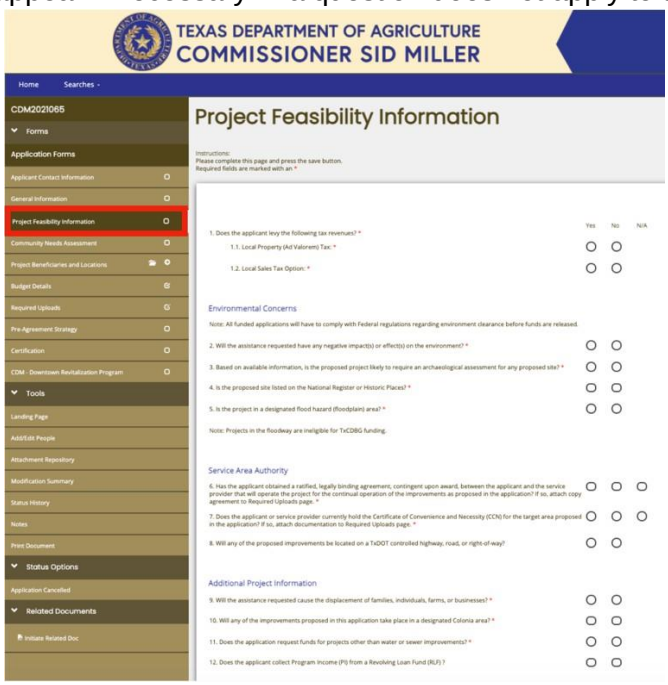


Figure 9. Project Feasibility Information page

Other Funding

Identify all federal, state, or other grant or loan funding requested in the last three years. This includes funding that is related to the project described in the application, as well as other funding requested for unrelated purposes. This information is used to identify the Grant Applicant's experience with grant funding overall, as well as potential overlap or partnership opportunities with related projects.

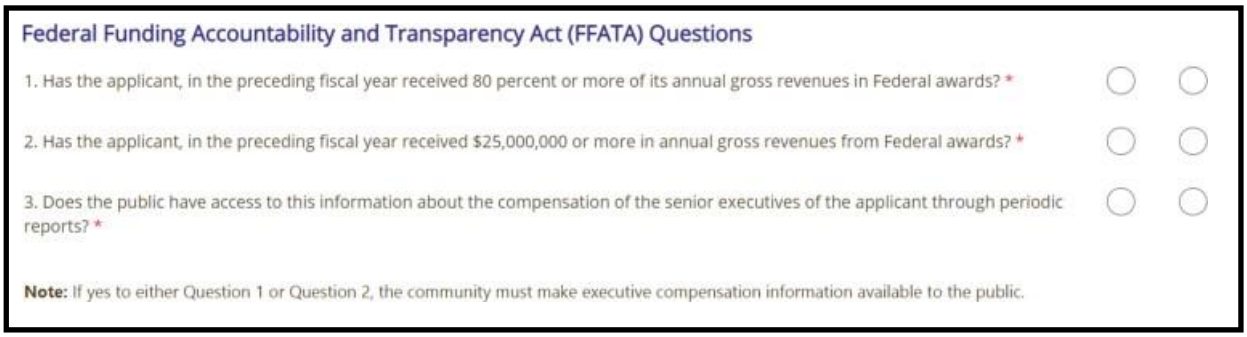
13. List all the Foundation, Federal, and State or other Grant and/or Loan Funds applied for in the last three years. Complete the information on each and indicate if request is still pending.

Program Name	Agency Applied To	Date Approved	Application Status	Application Amount	If Funded, Project Status
				$	

Figure 10. Identify prior grant funding

Federal Funding Accountability and Transparency Act Questions

The Applicant must respond to all three questions. Federal funding includes grants, sub-grants, loans, awards, cooperative agreements, and other forms of financial assistance. This information is used to confirm accurate reporting. If the community is required to make executive compensation publicly available and does not currently do so, TDA will provide technical assistance prior to any grant award.


Federal Funding Accountability and Transparency Act (FFATA) Questions

1. Has the applicant, in the preceding fiscal year received 80 percent or more of its annual gross revenues in Federal awards? *
2. Has the applicant, in the preceding fiscal year received $25,000,000 or more in annual gross revenues from Federal awards? *
3. Does the public have access to this information about the compensation of the senior executives of the applicant through periodic reports? *

Note: If yes to either Question 1 or Question 2, the community must make executive compensation information available to the public.

Figure 11. FFATA questions

Community Needs Information Page

1. Provide a list of all the Grant Applicant's identified community development and housing needs, not just those addressed in the application. List the needs in order of importance, using the boxes marked **+** and **x** to add or delete space for additional items.

2. Provide a short description of the project associated with the need. A project description must include basic details, such as benefit area or type of infrastructure to improve—the name of an activity type, i.e., water improvements, is not a project description.

3. If funds are available after the original project is completed, TDA may consider including one or more of these projects, but only if both the need and project description are completed.

Community Needs Information

Provide a list of all the applicant's identified community development and housing needs, not just those addressed in the application. List the needs in order of importance, using the boxes marked "+" and "-" to add or delete space for additional items. Provide a short description of the project associated with the need. Applicant may also include additional needs with specific projects identified and prioritized that could be considered if addition funding is available. *

Community Need	Specific Project to Address Need	Addressed in this Application	Alternate or Future Project

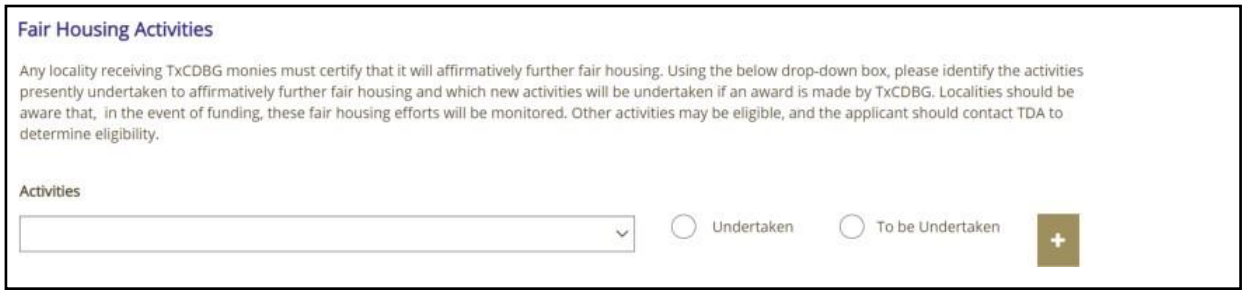
Figure 12. List of the Grant Applicant's community and housing needs

Community Needs Questionnaire

This questionnaire specifically addresses affordable housing as well as infrastructure financing. The questionnaire is required regardless of the type of project requested in this application, Respond to each question in this questionnaire.

Fair Housing Activities

Any locality receiving TxCDBG monies must certify that it will affirmatively further fair housing. Using the drop-down box, identify the activities presently undertaken to affirmatively further fair housing and which new activities will be undertaken if an award is made by TDA. Applicants should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact TDA to determine eligibility. See *RFA and Guide Part III* for details.


Fair Housing Activities

Any locality receiving TxCDBG monies must certify that it will affirmatively further fair housing. Using the below drop-down box, please identify the activities presently undertaken to affirmatively further fair housing and which new activities will be undertaken if an award is made by TxCDBG. Localities should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact TDA to determine eligibility.

Activities

Undertaken To be Undertaken

Figure 13. Confirm that the Grant Applicant is furthering fair housing

Citizen Participation

1. Citizen participation is a key component of any TxCDBG application process. It is imperative that the residents of the community have an opportunity to provide input to the process and to review the final application prior to submittal.

2. Provide each key date as required—see *RFA and Guide Part I* for information about the acceptable dates, and Part III for detailed requirements.

3. List the assessment methods used to determine the needs addressed in this application by selecting from the dropdown list, including the date(s) of each method/assessment.

Use the **plus sign** button to add each method/assessment. If the exact date is not known, choose the first day of the appropriate month and year.

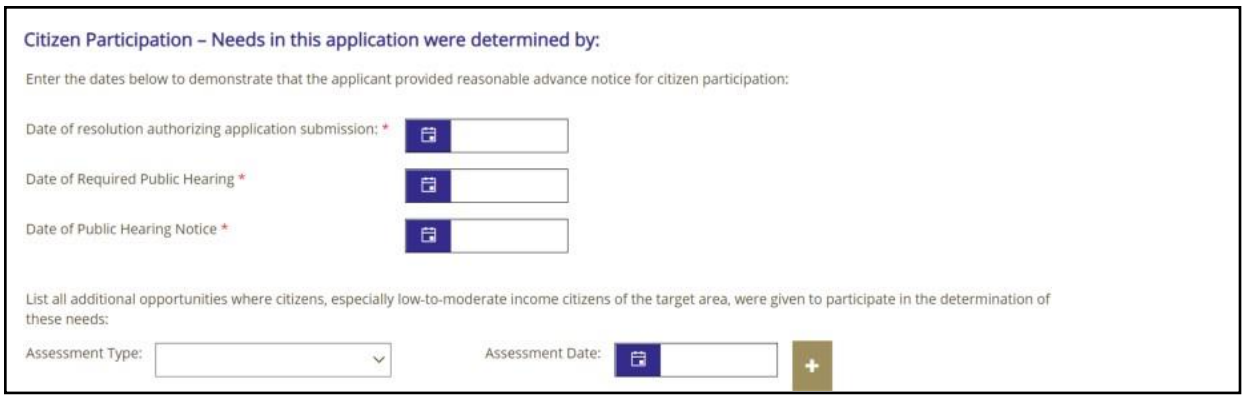


Figure 14. Citizen participation is a compelling component of the application process

Project Beneficiaries and Locations Page(s)

1. The TxCDBG application within TDA-GO is centered around the concept of a benefit area/activity. The benefit area is the service area that includes all beneficiaries of a particular project and is specific to the HUD Activity Code for a particular project type. See TxCDBG Guide to National Objectives.

2. An application for the TxCDBG program may propose up to six benefit Areas. This could be six distinct activities within the same service area, six separate service areas served by the same activity type, or any combination thereof.
   EXAMPLES:
   - Green Community 03J – extension of water mainlines to provide first-time service.
   - Green Community 14A – house-to-line connections to the new water mainline.
   - Blue County water improvements – four unincorporated communities served by the same water treatment plant.
   - City of Purple water improvements – water system improvements than benefit the entire city.
   - Orange Neighborhood water improvements – line replacement that will specifically benefit this portion of the city's water system.

3. The benefit area will be used to identify beneficiaries, confirm the national program objective, and verify cost estimates therefore it is very important that a Grant Applicant carefully select and document the benefit area activities for the application.

4. Benefit areas must be identified based on the actual persons to benefit from a specific scope of work, without combining separate project areas strictly for administrative convenience. **EXAMPLE**: Two street improvement projects proposed in different areas of the same community, where the projects are not contiguous and do not rely on completion of the other project for success, must be treated as a separate benefit area and qualified separately. See *TxCDBG Guide to National Objectives* for additional information.

5. Work performed to benefit individual households must generally be identified as a separate activity from the work that will benefit the entire area. **EXAMPLE:** House-to-line utility connections must be identified as Activity 14A, separate from the larger water system installation project identified as Activity 03J.

6. A separate benefit area is not needed for incidental work that is necessary in order to carry out the primary activity. For example, a water line replacement project may be identified as Activity 03J, including the driveway and road repair required as a result of the linework installation.

7. A maximum of six benefit areas may be used for each application.

Beneficiaries and Locations Form

The project Beneficiaries and Locations Form must be completed separately for each benefit area. To add a new form, select **Add** in the top right corner as shown below.

1. Enter the name of the benefit area and select the activity code from the drop-down list. For a list of activity codes with descriptions of each, click the link to the right of the dropdown box.
2. If the same area will benefit from multiple activities, be consistent in naming and capitalization for each benefit area.
3. Once the page is saved, the benefit area will be included in multiples pages in the application—please ensure that this benefit area accurately reflects the proposed project before saving.

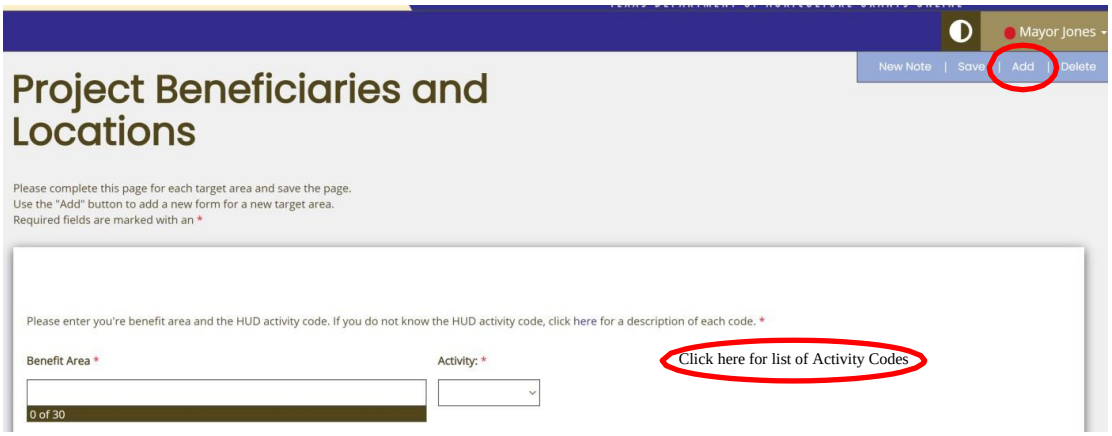


Figure 15. Enter the benefit area name and activity code

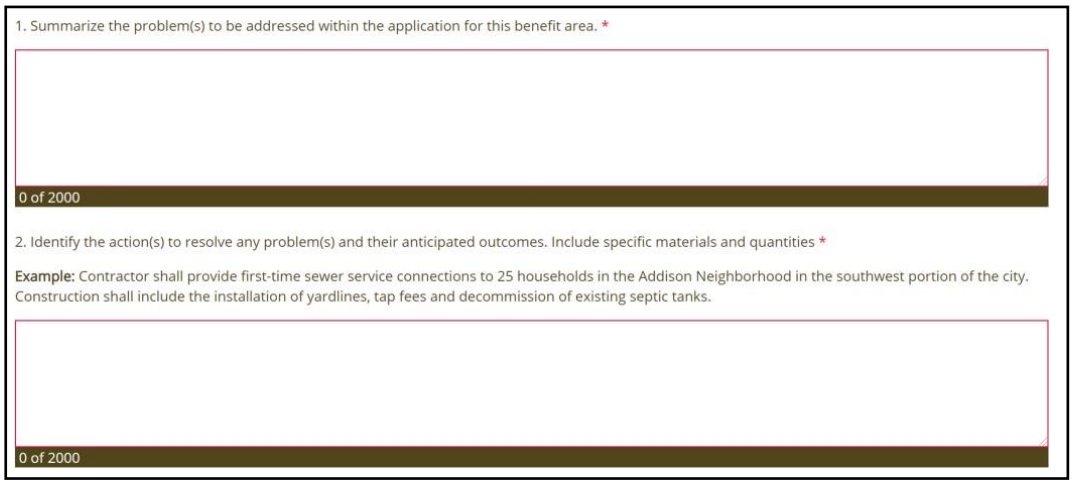
Project Needs

Questions one and two are used to understand the project and to draft the grant agreement if the project is funded.

1. The responses to these questions must explain how the project will actually address the identified problems within the benefit area.

2. Describe specific work to be performed, including the type and amount of material required for construction activities.

3. If a city's application includes activities benefiting persons located within the city's extraterritorial jurisdiction (ETJ), the Grant Applicant must describe how the activity benefiting persons located in the ETJ is meeting the applicant's community development and housing needs, including the needs of low to moderate income persons.


1. Summarize the problem(s) to be addressed within the application for this benefit area. *

0 of 2000

2. Identify the action(s) to resolve any problem(s) and their anticipated outcomes. Include specific materials and quantities *

Example: Contractor shall provide first-time sewer service connections to 25 households in the Addison Neighborhood in the southwest portion of the city. Construction shall include the installation of yardlines, tap fees and decommission of existing septic tanks.

0 of 2000

Figure 16. Detailed responses are required for these questions

Benefit Area Location

1. In the text box, describe the locations where the work will be performed.

2. If the construction or other work locations are not located within the Benefit Area, explain how the Benefit Area was determined.

   EXAMPLE: This water treatment plant is located at 101 County Road 4011 and serves the Smith Water Supply Corporation throughout the southeastern portion of Smith County.

3. For linear projects, such as utility lines or street improvements, identify each segment of the project. **EXAMPLE:**

On	From	To
South Locust Street	East Taylor Street	Jackson Street
Jackson Street	South Locust Street	South Travis Street

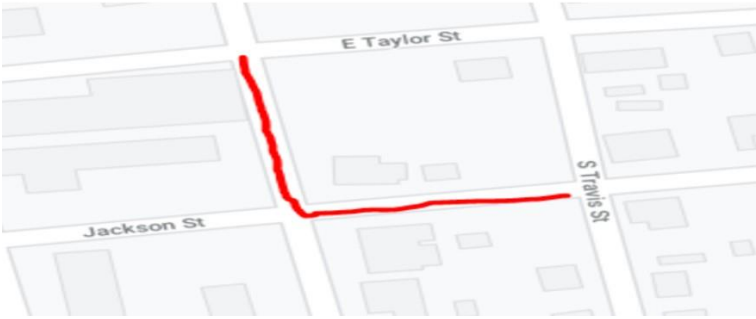


Figure 17. Example of details for utility lines or street improvement

4. Confirm whether the property required for this project work is owned by the applicant or service provider, or if the property must be acquired.
   - Acquisition of any real property associated with a TxCDBG funded project by the Applicant or service provider must follow the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) and the HUD implementing regulations, regardless of whether the acquisition is funded by private funds or funds from another state or federal agency.
   - An environmental review must be completed on any applicable property prior to completing acquisition for any real property associated with a TxCDBG funded project.
   - See Chapter 3 and Chapter 6 of the *TxCDBG Project Implementation Manual* for details.

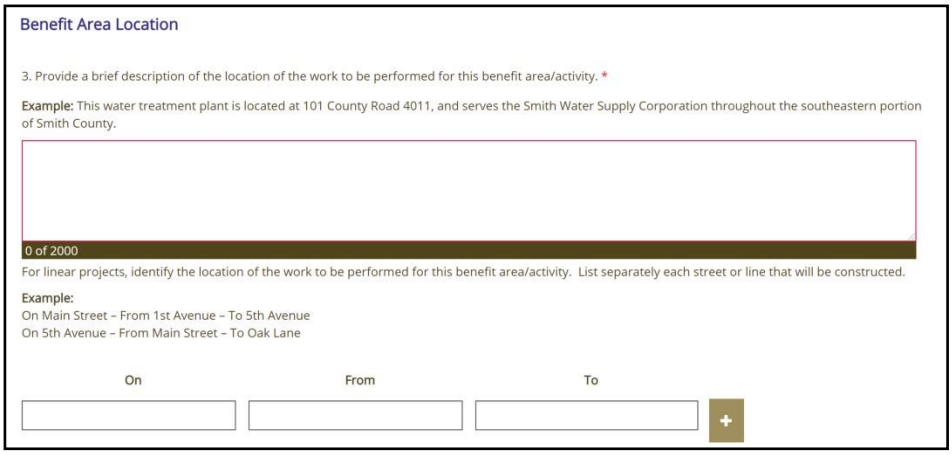


Figure 18. Describe the location of the project or activity

Beneficiary Identification Information

1. Enter the number of persons to benefit from this activity, and the number of low-to-moderate income persons to benefit. The LMI ratio will populate automatically.
   - LMI beneficiaries are those whose income falls below 80% of the area median family income for the county. See the *TxCDBG Guide to National Objectives* for additional information.
   - If the application is intended to meet the LMI National Program Objective, the activity must benefit at least 51.00% LMI persons—50.99% is not acceptable.
   - Activities to benefit individual households generally must benefit 100% LMI persons.

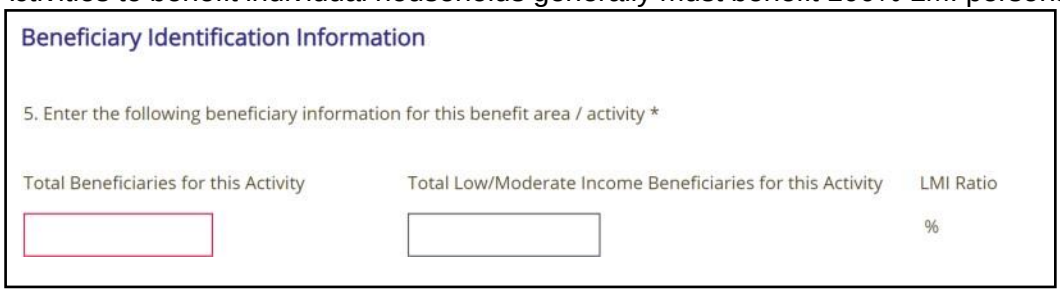
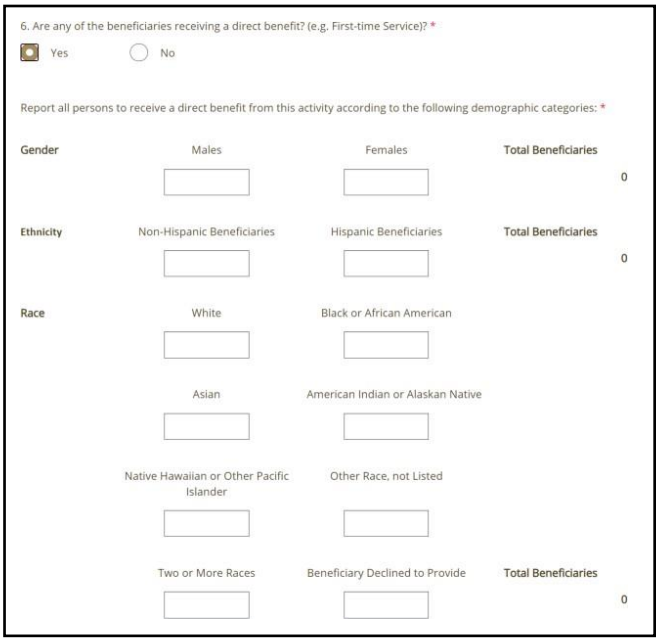


Figure 19. Enter the number of persons to benefit from this project or activity

2. For projects with a direct benefit—including first-time services, housing rehabilitation, and certain direct economic development assistance—demographic information is required. This information is used for reporting purposes only.
    - *Gender data* – enter the number of male and female beneficiaries that will be served in the benefit area. The form will calculate the sum of the two fields, which must match the total beneficiaries for this activity in question five above.
    - *Ethnicity data* – enter the number of beneficiaries identified as non-Hispanic and Hispanic. The form will calculate the sum of the two fields, which must match the total beneficiaries for this activity in question five above.
    - *Race data* – enter the number of beneficiaries that will be served in the benefit area for each race category. The form will calculate the sum of the fields, which must match the total beneficiaries for this activity in question five above.
    - **NOTE**: Although race and ethnicity are often discussed interchangeably, these reporting categories are distinct and all beneficiaries must be reported under one of the racial demographic categories, regardless of the ethnicity category selected.


6. Are any of the beneficiaries receiving a direct benefit? (e.g. First-time Service)? *

Yes No

Report all persons to receive a direct benefit from this activity according to the following demographic categories: *

Gender	Males	Females	**Total Beneficiaries**
			0
Ethnicity	Non-Hispanic Beneficiaries	Hispanic Beneficiaries	**Total Beneficiaries**
			0
Race	White	Black or African American	
	Asian	American Indian or Alaskan Native	
	Native Hawaiian or Other Pacific Islander	Other Race, not Listed	
	Two or More Races	Beneficiary Declined to Provide	**Total Beneficiaries**
			0

Figure 20. Enter the number of persons by gender, race, and ethnicity

3. Identify the method used for identifying beneficiaries. The response will trigger additional information fields. That are required to meet the requirement of fully documenting the NPO and beneficiary data reporting requirements.

4. Identify the HUD Performance Goals that best fit the activity. These responses are used for HUD reporting purposes only.

5. The county Federal Information Processing Standard (FIPS) code will automatically populate when you choose the applicant's county from the drop-down menu on the cover page. Next, enter all the applicable, six-digit census tracts and check the box for each applicable block group where the activity's beneficiaries reside.

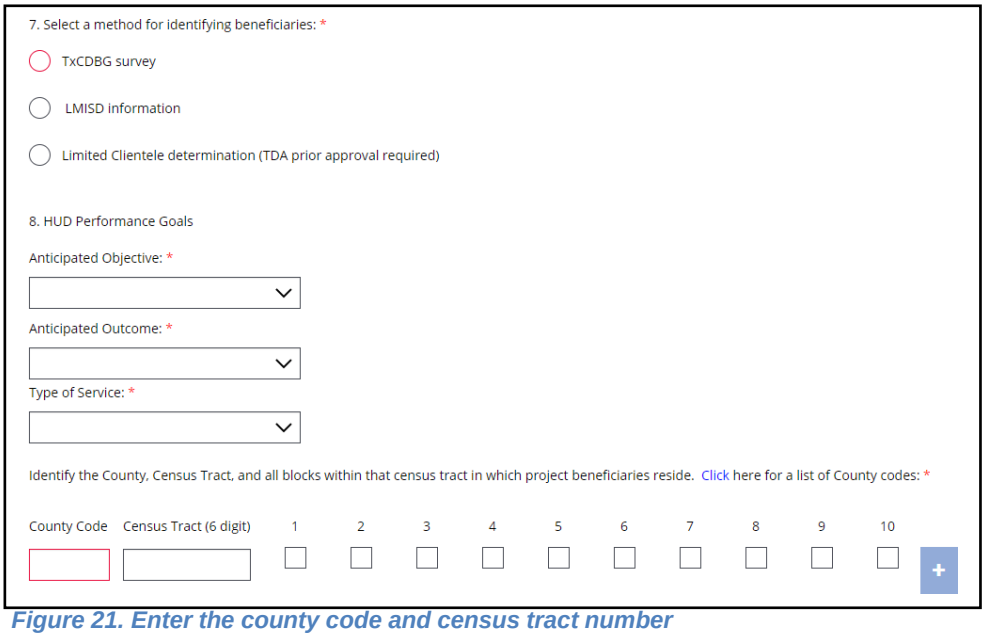


Figure 21. Enter the county code and census tract number

6. Upload documentation to support the identification of beneficiaries. Click the **plus sign** button to add an additional document.

7. Support documentation may include
   - TxCDBG approval letter and the survey tabulation form for a previously approved survey;
   - survey tabulation form, address list, and survey questionnaires for a new survey; TDA also recommends including a map documenting these addresses;
   - HUD-based census low-to-moderate-income summary data (LMISD) spreadsheet for the census geographic area; or
   - documents requested by TDA for projects using the **limited clientele** method with TDA's prior approval.

Figure 22. Submit supporting documentation

Budget Details Page

1. Each application for CDBG assistance must include a justification of the funding being requested for each benefit area.

2. The budget details page automatically generates a budget table for the benefit area each time a new project beneficiaries and locations page is saved. **EXAMPLE**: If a Grant Applicant creates project beneficiary and locations pages for three benefit areas, the budget details page will generate three budget tables using the same benefit area labels.

3. For each benefit area, list the project elements necessary to complete the project.
    - List the major materials and / or services associated with each Benefit Area, including the unit of measure, estimated cost per unit, and estimated quantity required. The units used, e.g., linear feet (lf), square feet (sf), etc., must be priced to include all proposed improvements related to and necessary for the major construction activity.
    - Minor project supplies, including fittings and other appurtenances, may be included with the cost estimates of the major items, rather than listed separately.
    - Do not include cost categories such as contingency funds, profit, overhead, and bonding as separate costs. Costs other than work performed are not eligible for TxCDBG funding.
    - If real property acquisition is required for the benefit area, include one line item for acquisition costs.
    - If force account labor is anticipated for the benefit area, include one line item for force account labor costs and one line item for equipment usage. Document the method used to estimate these costs by uploading the *Force Account Justification* **(Form A808)** to the required uploads page.
    - See Chapter 8 of the *TxCDBG Project Implementation Manual* for eligible force account costs.

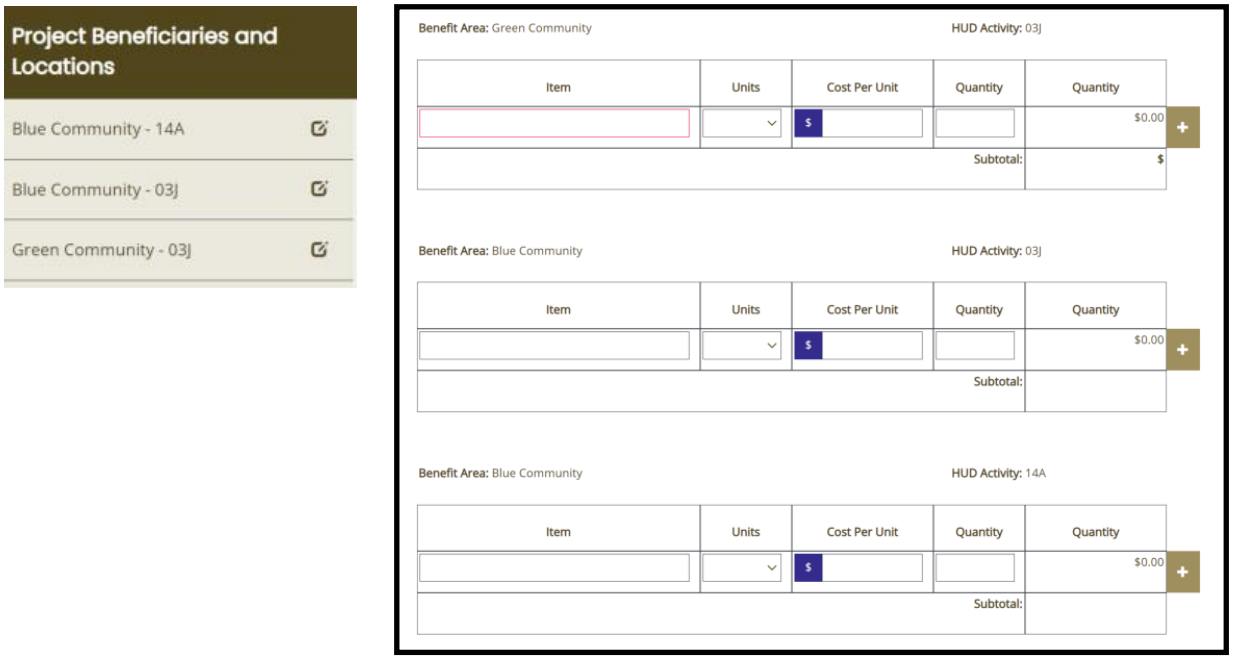


Figure 23. Project elements necessary for each benefit areas

4. The budget details form calculates the budget in multiple ways.
    - The cost per line item will calculate automatically as the line is populated.
    - The subtotal for the Benefit Area will calculate automatically only after selecting the **Save** button at the top right of the Budget Details page.
    - Upon saving the form, the subtotals for each Benefit Area are summarized by Activity Code in the table at the bottom of the form.

5. Separately from the benefit area costs, enter the anticipated costs to for engineering services and administration services in the table at the bottom of the page. All applications must complete these fields. If no funds will be expended for these services, enter $0.

Benefit Area: Green Community — **HUD Activity:** 03J

Item	Units	Cost Per Unit	Quantity	Quantity
Item 1	LF	$ 5.00	1000	$5,000.00
Item 2	EA	$ 125,000.00	1	$125,000.00
			Subtotal:	$130,000.00

Benefit Area: Blue Community — **HUD Activity:** 03J

Item	Units	Cost Per Unit	Quantity	Quantity
Item 1	LF	$ 5.00	3250	$16,250.00
Item 2	EA	$ 125,000.00	2	$250,000.00
Item 3	EA	$ 1,500.00	2	$3,000.00
			Subtotal:	$269,250.00

Benefit Area: Blue Community — **HUD Activity:** 14A

Item	Units	Cost Per Unit	Quantity	Quantity
Item 4	LF	$ 2.00	1000	$2,000.00
Item 5	EA	$ 1,250.00	15	$18,750.00
			Subtotal:	$20,750.00

Activity	Requested Project Cost
03J	$399,250.00
14A	$20,750.00
Engineering	$ 45,000.00
Admin	$ 35,000.00
Project Total	$500,000.00

Figure 24. This form will automatically add up your budget numbers

6. The Project Total reflects the total amount of funds required to complete the proposed project or activity, regardless of funding source.
   - Enter the Grant Amount Requested, up to the maximum grant amount for the specific funding competition.
   - The form will calculate the difference between the Project Total and the Grant Amount Requested. This amount must be committed as matching funds.

7. Applicants will not break out each activity into separate amounts for grant or matching funds. Instead, the columns labeled Recommended Grant and Recommended Match will be completed by TDA staff if the project is recommended for funding. Applicants may, however, request that the match commitment be

used for certain work if applicable. **EXAMPLE:** Engineering costs are eligible for either grant or matching funds, but a Grant Applicant may prefer that these costs be assigned as matching funds based on local budgeting processes.

Activity	Requested Project Cost	Recommended Grant	Recommended Match
03J	$399,250.00	$	$
14A	$20,750.00	$	$
Engineering	$ 45,000.00	$	$
Admin	$ 35,000.00	$	$
Project Total	$500,000.00		
Grant Amount Requested	$ 350,000.00	$0	
Match Commitment:	$-150,000.00		$0
Match Ratio	-42.86 %		%

Requested Use of Match Funds *

Figure 25. TDA staff will fill in the recommended grant and recommended match columns

Required Uploads Page

Upload the appropriate document for each requirement indicated. Failure to upload adequate documentation will result in disqualification of the application.

Once the page is saved, an uploaded document cannot be deleted; however, it can be replaced by a corrected document.

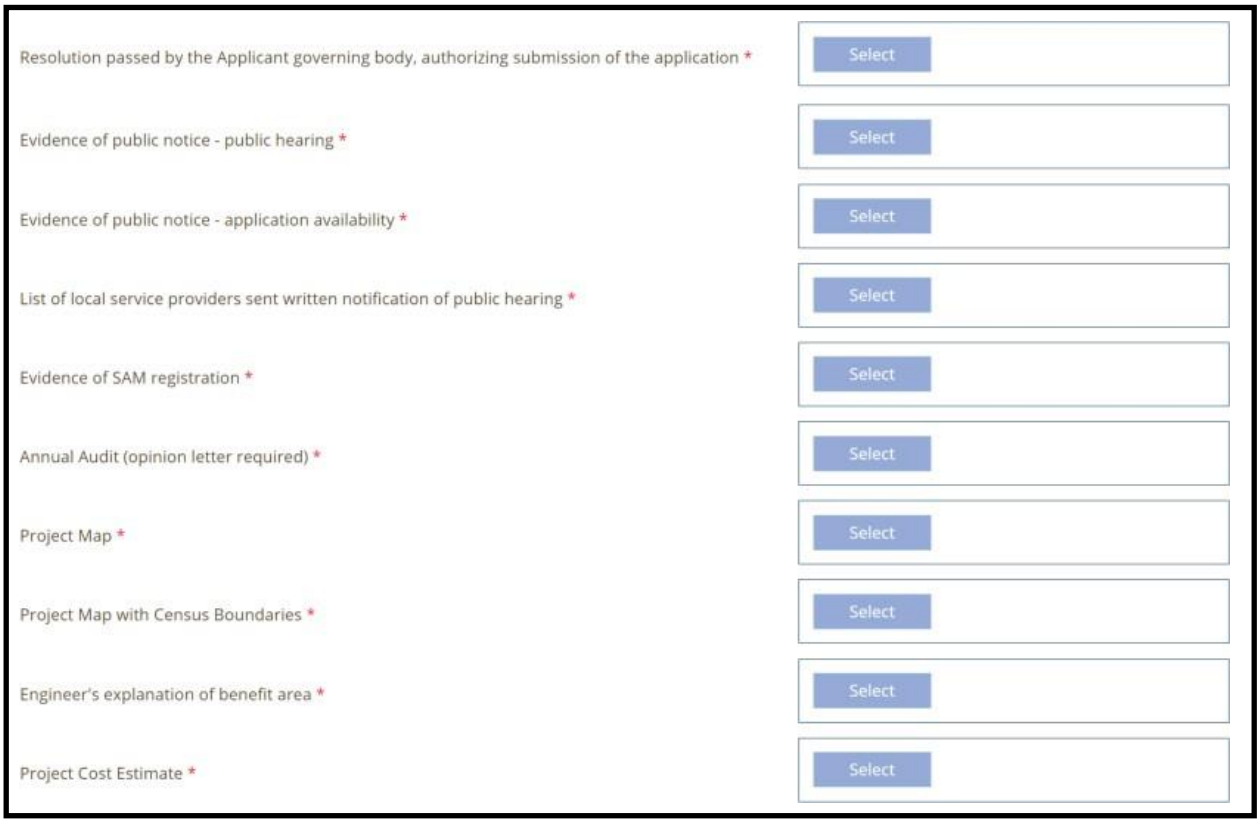


Figure 26. Upload the required documents here

If an optional document is uploaded in error, replace the document with a placeholder clearly marked **Intentionally Left Blank.**

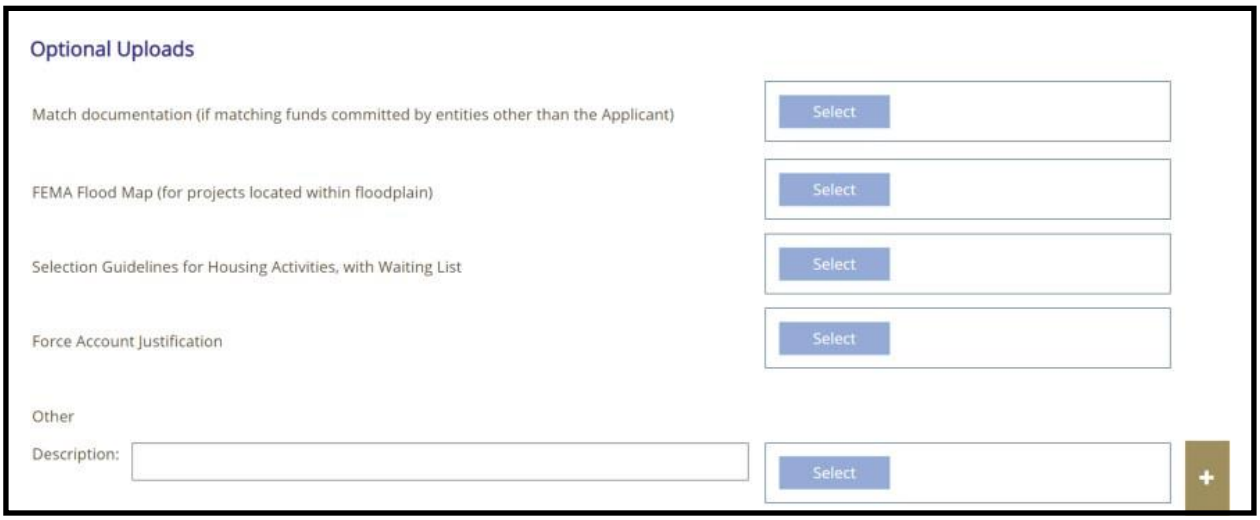


Figure 27. Upload optional documents here

Resolutions

1. The application *must* be submitted with a resolution from the local governing body (i.e., county commissioners court of city council) authorizing the submission of that application. The governing body must adopt/pass the resolution before the application submission and after the application public hearing. Failure to comply with these resolution requirements may result in disqualification of the application.

2. The language of the resolution must, at a minimum
    - authorize the submission of an application for funding under the TxCDBG program.
    - designate the community development fund as the fund category under which the application is to be considered.
    - designate the activities addressed in the application.
    - designate the dollar amount being requested.
    - designate a person (e.g., county judge, county commissioner, or mayor) who will be authorized to execute documents in conjunction with the application, and any resulting grant contract. **NOTE**: In addition, the resolution may designate a person to be responsible for certifying the environmental review, and persons responsible that will be responsible for certifying Payment Requests if the project is funded.
    - if applicable, commit to the provision of resources by source and use in support of the proposed project activities, including the specific source (e.g., general fund, water/sewer fund, general obligation bonds) and use of those resources.
    - commit to compliance with all federal, state, and program requirements, including environmental review, labor standards, procurement, acquisition of property, civil rights, and administrative requirements.

3. In a multi-jurisdiction application, an interlocal agreement must also be included and signed by all participating local governments outlining the responsibilities of each participant and establishing the Applicant's authority to implement the project outside its own jurisdiction. In addition, attach evidence of the public hearing conducted in each partnering jurisdiction

4. For a sample resolution, see *Appendix V Form/Document Samples.*

Documentation of Match

1. The following guidelines serve to clarify the type of match acceptable under the TxCDBG program. Acceptable types of match can be any of the following:
    - Cash only;
    - In-kind services/equipment use;
    - Materials or supplies;
    - Land; or
    - Any combination of the above.

2. Match must be fully documented in the application. For more information on the acceptability of each of the different types of match, refer to *Appendix II Matching Funds.*

3. While other resources are strongly encouraged, the commitments for these matching funds must be fully documented as to source, type, use, and minimum dollar amount before they can be considered in the scoring of an application.

4. Local government resource commitments must be made in the form of a resolution from the City Council or County Commissioners Court. This resolution should indicate, at a minimum, the type of resource (e.g., land, labor, materials, money, etc.) and the source, a minimum dollar value to be provided, and for what purpose(s) this resource will be used. Please note here that local match can only be counted for expenditures that would not occur if the proposed application is not funded.

5. Resource commitments provided by other local entities (e.g., public housing authority, special utility districts, private financial institutions or other similar sources leveraging loan funds with a local housing rehabilitation program or other TxCDBG-eligible activity) must be documented in a letter signed by a person authorized by that entity to make such a commitment. This letter should identify the type of resource, a minimum dollar value, and for what purpose this resource will be used. Grant Applicants who are unsure about the eligibility of a commitment from other local entities should contact TDA staff.

6. Commitments for other state or federal funds (e.g., Texas Water Development Board, UDSA) must be supported by a grant/loan offer, contract award letter, etc., signed by a person authorized to make such a commitment for that agency for an activity directly related to activities included in the TxCDBG funding request. This evidence must include identification of the resource, a minimum dollar value, and the purpose for which this resource will be used. These resources cannot have been expended before the application is submitted.

7. All resources committed in an application and considered in the scoring of that application **must** be provided in the event that the project is selected for funding. If these resources are not made available, the locality may be subject to the sanctions described in the *False Information on Applications* section of this guide.

8. Additionally, the use of other federal, state, or local funds in conjunction with TxCDBG funds generally triggers a series of compliance requirements that might not be applicable if those funds were to be used independently. These requirements include but are not limited to environmental review, labor standards, real property acquisition (including easements), prohibition of special assessments, and financial management procedures.

Citizen Participation Plan Requirements

1. Each Grant Applicant must complete a citizen participation process that complies with the TxCDBG Citizen Participation Plan requirements as described in the TxCDBG Application Guide prior to submitting an application.

2. A locality can only receive a TxCDBG grant if the locality certifies that it follows a detailed citizen participation plan that provides for and encourages citizen participation at all stages of the program.

A locality must provide satisfactory documentation and certify the completion of a detailed and compliant citizen participation plan in its application.

3. TxCDBG Grant Applicants and funded localities are required to carry out citizen participation in accordance with the Citizen Participation Plan adopted for the TxCDBG program. By signing and submitting the grant application, the Grant Applicant certifies that it has and will comply with the requirements of this citizen participation plan including taking reasonable steps to ensure access for persons with Limited English Proficiency (LEP) by providing language assistance as appropriate.

4. Each Grant Applicant must maintain a citizen participation file that includes a copy of this plan, the LEP plan, the Grant Applicant's complaint procedures, any technical assistance provided by the Grant Applicant, and public notices, minutes, and attendance lists for public hearings.

5. **Complaint Procedures –** The Grant Applicant must have written citizen complaint procedures that provide a timely written response to complaints and grievances. Citizens must be made aware of the location, days, and hours when copies of the plan are available.

6. **Technical Assistance –** When requested, the Grant Applicant shall provide technical assistance to groups representative of persons of low-to-moderate income in developing proposals for the use of TxCDBG funds. The level and type of assistance shall be determined by the Grant Applicant based upon the specific needs of the community's residents.

7. **Public Hearing Provisions** – For public hearings scheduled and conducted by a TxCDBG Grant Applicant, the following public hearing provisions must be observed.
   - Public notice of the hearings must be given in one of the following ways:
     - Published in a local newspaper at least 72 hours prior to the scheduled hearing; or
     - Published on applicant’s website AND posted in public places, e.g., city hall/county courthouse, at least 72 hours prior to the scheduled hearing. The public notice must include the date, time, location and topics to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
   - The public hearing must be held at a time and location convenient to potential or actual beneficiaries and include accommodations for persons with disabilities. The applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to each hearing. The public hearing must be held after 5:00 p.m. on a weekday or at a convenient time on a Saturday or Sunday.
   - When a significant number of non-English speaking residents are expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the non-English speaking residents.

8. Grant Applicants must comply with the following citizen participation requirements for the preparation and submission of an application to the TxCDBG program.
   - The public hearing must occur prior to the adoption of the local government resolution authorizing the submission of the application.
   - The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the proposed use of funds for a period of three

years after the application deadline, or as specified by other program requirements. Such records must be available to the public in accordance with § Chapter 552, Government Code.

- The public hearing must meet the following TxCDBG notification requirements and include a discussion with citizens covering the following topics
  - The development of housing and community development needs.
  - The amount of funding available.
  - All eligible activities under the TxCDBG program.
  - The Grant Applicant's use of past TxCDBG contract funds, if applicable.
  - The estimated amount of funds proposed for activities that will meet the national objective of benefit to low-to-moderate income persons.
  - The plans of the locality to minimize displacement of persons and to assist persons actually displaced as a result of activities assisted with TxCDBG funds, if applicable.

9. Citizens must be encouraged to submit their views and proposals regarding community development and housing needs, with particular emphasis on persons of low-to-moderate income who are residents of slum or blighted areas. Local organizations that provide services or housing for low-to-moderate income persons, including the local Public Housing Authority, the local Health and Human Services office, the local Mental Health and Mental Retardation office, and other local service providers such as faith-based organizations, must receive written notification concerning the date, time, location, and topics to be covered at the public hearing. Citizens must be made aware of the location where they may submit their views and proposals if they are unable to attend the public hearing. While more than one application may be discussed at the public hearing, a hearing held for the previous program year's submission of the same application does not satisfy the requirements for any subsequent competition.

10. A community must provide reasonable notice of the availability of a proposed application in order to afford affected citizens an opportunity to examine the application's contents to determine the degree to which they may be affected, and to submit comments on the proposed application. This requirement may be met by publishing a summary of the proposed application in one or more local newspapers of general circulation at least five days prior to submitting the application to TxCDBG, and by making copies of the proposed application available at libraries, government offices, and public places.
    - At least five days prior to the submission of an application for TxCDBG funds, the Grant Applicant must publish a public notice that includes the following information:
      - The TxCDBG fund categories for which applications will be submitted.
      - The amount of TxCDBG funds requested in each application.
      - A short description of the proposed project activities in each application.
      - The locations of the project activities included in each application.
      - The location and hours when the application will be available for public review.
    - Public notice must be given in one of the following ways:
      - Published in a local newspaper at least five days prior to application submittal; or
      - Published on applicant's website **and** posted in public places, e.g., city hall/county courthouse, at least five days prior to application submittal.
    - In the preparation of the final application, the community shall consider comments and views received related to the proposed application and may, if appropriate, modify the final application

prior to submission of the application to TDA. The final application shall be made available to the public.

11. Applicants must comply with the following citizen participation requirements in the event that the application is successful:
    - The locality must hold a public hearing concerning any proposed substantial change, as determined by TDA, in the use of TxCDBG funds from one eligible activity to another. The locality must provide citizens with reasonable advance notice of and opportunity to comment on activities which are proposed to be added, deleted, or substantially changed from the locality's application.
    - Upon completion of the activities, the locality shall hold a public hearing and review its program performance, including the actual use of TxCDBG funds.
    - The locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for the greater of
        - three years after close-out of HUD's grant to the state of Texas. Please see TDA website for additional information;
        - if notified by TDA in writing, the date that the final audit is accepted with all audit issues resolved to TDA's satisfaction. Please see date of TDA audit acceptance letter if applicable; or
        - a date consistent with the period required by other applicable laws and regulations as described in 24 CFR §570.490 and 2 CFR §200.334.

12. Failure to comply with these requirements may result in disqualification of the application.

Project Maps

1. Each application for TxCDBG funding must include a project map, or maps, which clearly show the following information:
    - The boundaries of the applicant's jurisdiction;
    - The boundaries of the county;
    - The boundaries of the benefit area(s) (delineated on all maps); and
    - Location(s) of all proposed project activities, e.g., sewer/water lines, lift stations, street pavement, water storage tanks, water wells, wastewater treatment plants, public facility improvements, etc.

2. Applicants using HUD-census-based data to document project beneficiaries must provide maps that clearly show:
    - All of the census geographic areas, e.g., census tracts, block numbering areas, block groups, within the applicant's jurisdiction where census data is used to document project beneficiaries;
    - Locations of the project activities (on the same census maps), including the clearly defined boundaries of the proposed project's service area.; and
    - The census tract numbers, block numbering area numbers, and block group numbers must be legible.

3. If the project is located within a floodplain or other special flood hazard area, the applicant must submit a FEMA Flood Map with the project location identified. Maps are available at https://msc.fema.gov.

4. Maps must be legible and reproducible. Ideally, a digital version of the map should be uploaded. If this is not attainable, care should be taken in scanning paper copies of maps so that project activities designated by a colored mark(s) are still identifiable.

5. Applicants are advised to note any property owners that may be in and/or adjacent to the benefit area to ensure that no potential conflict of interest exists. See the *Conflict of Interest* section of this guide. Identification of property owners is not required to be noted or sub-mitted with the application, but failure to identify potential conflicts of interest may be subject to the sanctions described in the *False Information on Applications* section of this guide.

Waiting List and Selection Guidelines for Housing Activities (if applicable)

1. Applicants with projects that include the provision of first-time on-site sewage facilities (OSSF), replacement of on-site sewage facilities, or scattered first-time water or sewer service yard lines (that are not associated with the installation of a main trunk line) must provide a waiting list of homeowners (including addresses) that have indicated a need and willingness to participate in the program. At a minimum, this waiting list must include the address and LMI status of the potential beneficiaries.

2. Additionally, the applicant must also submit a draft of the selection guidelines that will govern the selection process of the households that will receive benefit. Samples of housing rehabilitation and OSSF guidelines can be found in the TxCDBG Project Implementation Manual on the TDA website. If the applicant has already received TDA approval for the same activity and target area, include a copy of the approval letter with the guidelines.

Evidence of Active SAM Registration

The applicant shall include a screenshot from the System for Award Management (SAM) website at https://sam.gov verifying the entity's registration is active. Without evidence of an active SAM registration, the application is ineligible to receive HUD funds and will be disqualified.

Annual Audit

Applicants must include the required annual audit, as described in Parts I and II of the RFA and Guide. The audit opinion letter is preferred to the whole audit. **NOTE**: Not the management letter.

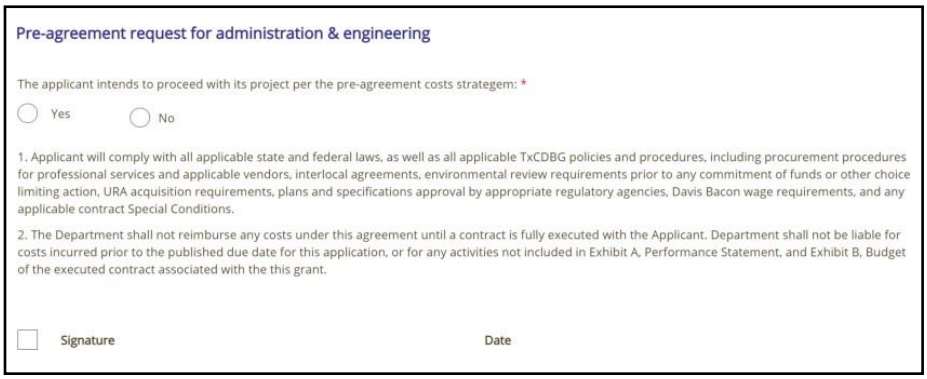
Engineers Explanation of Benefit Area

This uploaded document should include two items from a professional engineer or architect licensed to practice in the State of Texas:

- A copy of the Budget Details page of this application, which has the engineer or architect's signature and registration seal visible on the page. Please also provide the date the form is completed and the engineer or architect's telephone number. If the professional seal is a pressure (non-ink) seal, please ensure that a penciled-over image of the seal is visible on the scan.
- For benefit areas that do not include the entire jurisdiction or utility, the applicant must also include a signed statement from the engineer or architect explaining how the specific work proposed in this application will benefit the benefit area(s). This statement should include information used to determine that the project would benefit the area(s) identified AND would not provide similar benefit to other areas excluded from the application. EXAMPLE: For a city comprised or two block groups requesting water line replacement, where only one block group is included in this application, explain how the project will provide improved service to the benefitting project, while the residents of the other block group will not receive similar improved service. The fact that the improvements are located within the identified block group is NOT sufficient to explain why the improvements are limited to that census geography.

Pre-agreement

Complete this page and press the **save** button. Required fields are marked with an asterisk.



Pre-agreement request for administration & engineering

The applicant intends to proceed with its project per the pre-agreement costs strategem: *

Yes No

1. Applicant will comply with all applicable state and federal laws, as well as all applicable TxCDBG policies and procedures, including procurement procedures for professional services and applicable vendors, interlocal agreements, environmental review requirements prior to any commitment of funds or other choice limiting action, URA acquisition requirements, plans and specifications approval by appropriate regulatory agencies, Davis Bacon wage requirements, and any applicable contract Special Conditions.

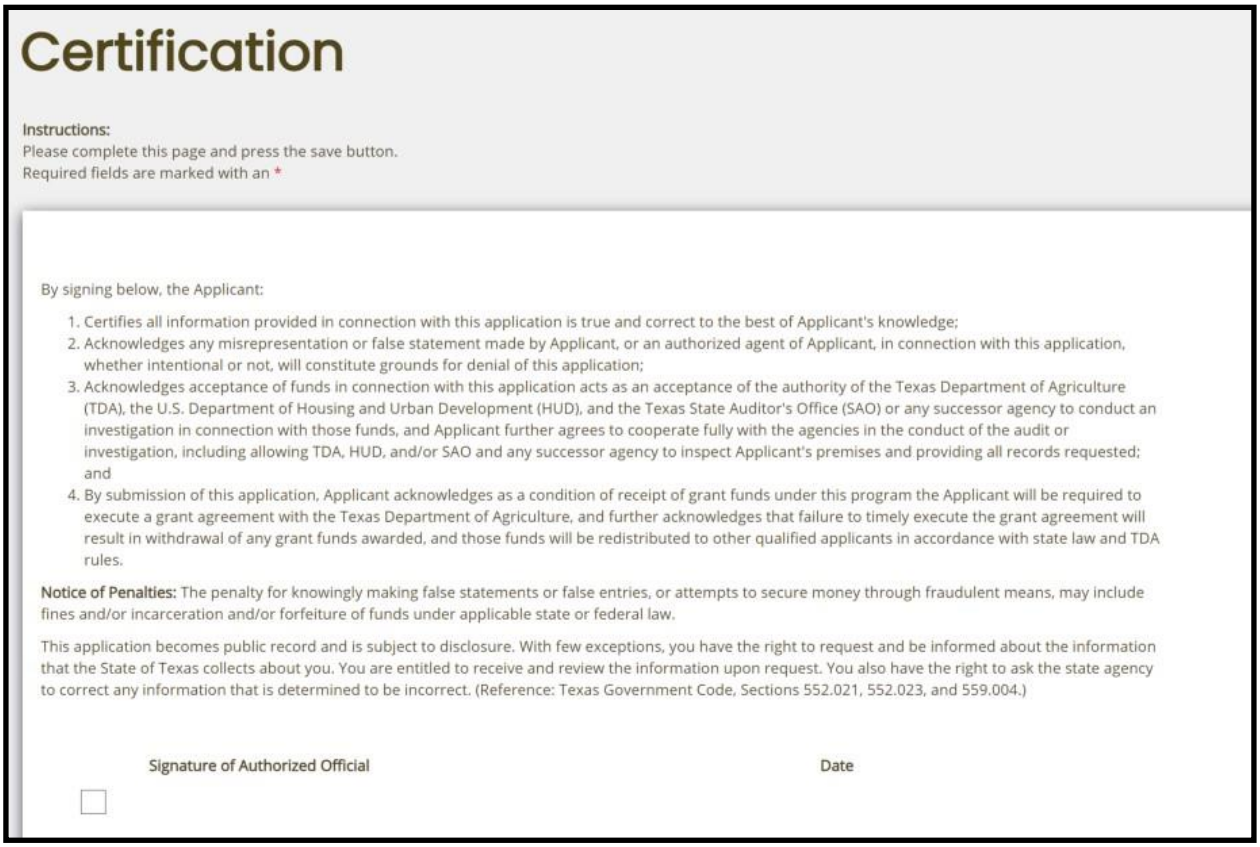
2. The Department shall not reimburse any costs under this agreement until a contract is fully executed with the Applicant. Department shall not be liable for costs incurred prior to the published due date for this application, or for any activities not included in Exhibit A, Performance Statement, and Exhibit B, Budget of the executed contract associated with the this grant.

Signature Date

Figure 28. Pre-agreement page

Certification

Complete this page and press the **save** button. Required fields are marked with an asterisk.



Certification

Instructions:
Please complete this page and press the save button.
Required fields are marked with an *

By signing below, the Applicant:

1. Certifies all information provided in connection with this application is true and correct to the best of Applicant's knowledge;
2. Acknowledges any misrepresentation or false statement made by Applicant, or an authorized agent of Applicant, in connection with this application, whether intentional or not, will constitute grounds for denial of this application;
3. Acknowledges acceptance of funds in connection with this application acts as an acceptance of the authority of the Texas Department of Agriculture (TDA), the U.S. Department of Housing and Urban Development (HUD), and the Texas State Auditor's Office (SAO) or any successor agency to conduct an investigation in connection with those funds, and Applicant further agrees to cooperate fully with the agencies in the conduct of the audit or investigation, including allowing TDA, HUD, and/or SAO and any successor agency to inspect Applicant's premises and providing all records requested; and
4. By submission of this application, Applicant acknowledges as a condition of receipt of grant funds under this program the Applicant will be required to execute a grant agreement with the Texas Department of Agriculture, and further acknowledges that failure to timely execute the grant agreement will result in withdrawal of any grant funds awarded, and those funds will be redistributed to other qualified applicants in accordance with state law and TDA rules.

Notice of Penalties: The penalty for knowingly making false statements or false entries, or attempts to secure money through fraudulent means, may include fines and/or incarceration and/or forfeiture of funds under applicable state or federal law.

This application becomes public record and is subject to disclosure. With few exceptions, you have the right to request and be informed about the information that the State of Texas collects about you. You are entitled to receive and review the information upon request. You also have the right to ask the state agency to correct any information that is determined to be incorrect. (Reference: Texas Government Code, Sections 552.021, 552.023, and 559.004.)

Signature of Authorized Official Date

Figure 29. Certify that all information is correct

Fund-Specific Pages

Any information that is specific to the Fund Category for the current application and is needed to determine scoring, eligibility, or feasibility for the project will be included on a separate page.

Fund Specific pages are located below the Certification tab in the menu, marked with a three-letter-fund-code. **EXAMPLE**: Community Development Fund pages are labeled **CDV**, while pages specific to the Downtown Revitalization Program are labeled **CDM**. Complete all required fields on each page, as detailed in the RFA and Guidance Part I.

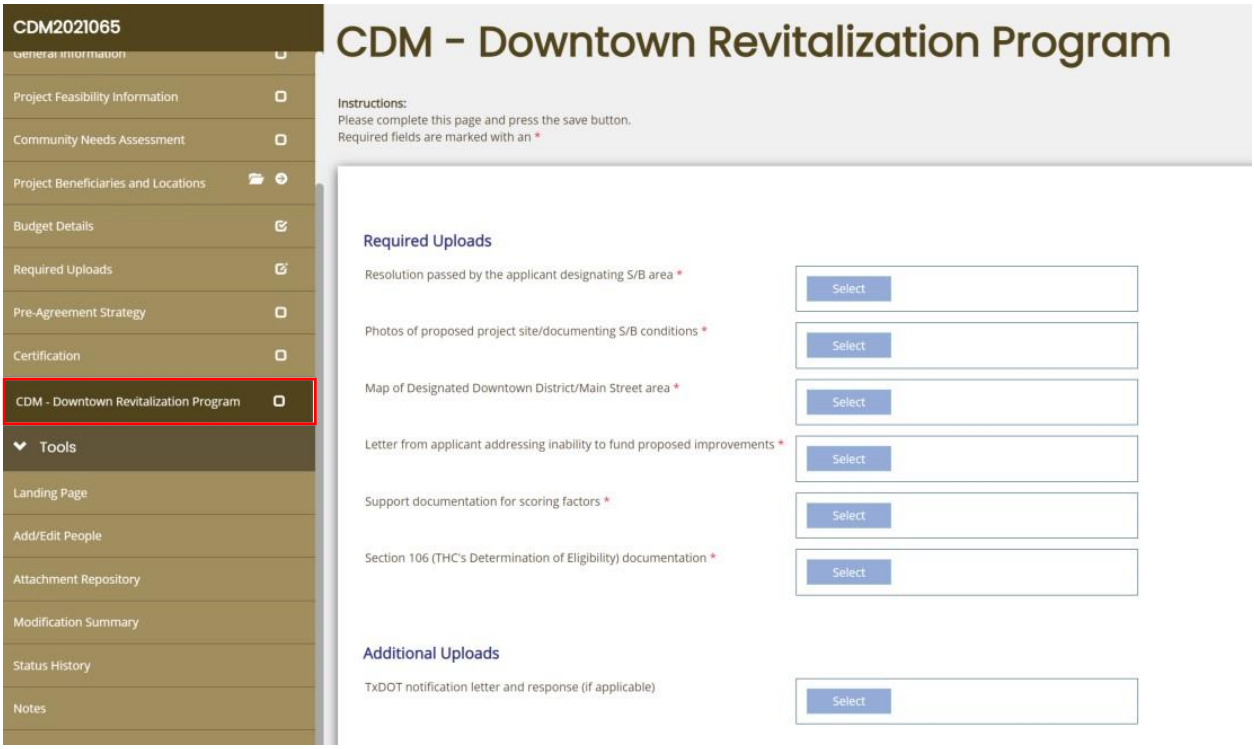


Figure 30. Downtown Revitalization Program uploads page

Submitting the Application

Once the application is complete the **authorized official** must submit the application within the TDA-GO system.

- In the menu on the left of the page, select **Application Submitted**
- The system will identify any errors that must be resolved before submitting
- The system will ask if you are sure—you are!

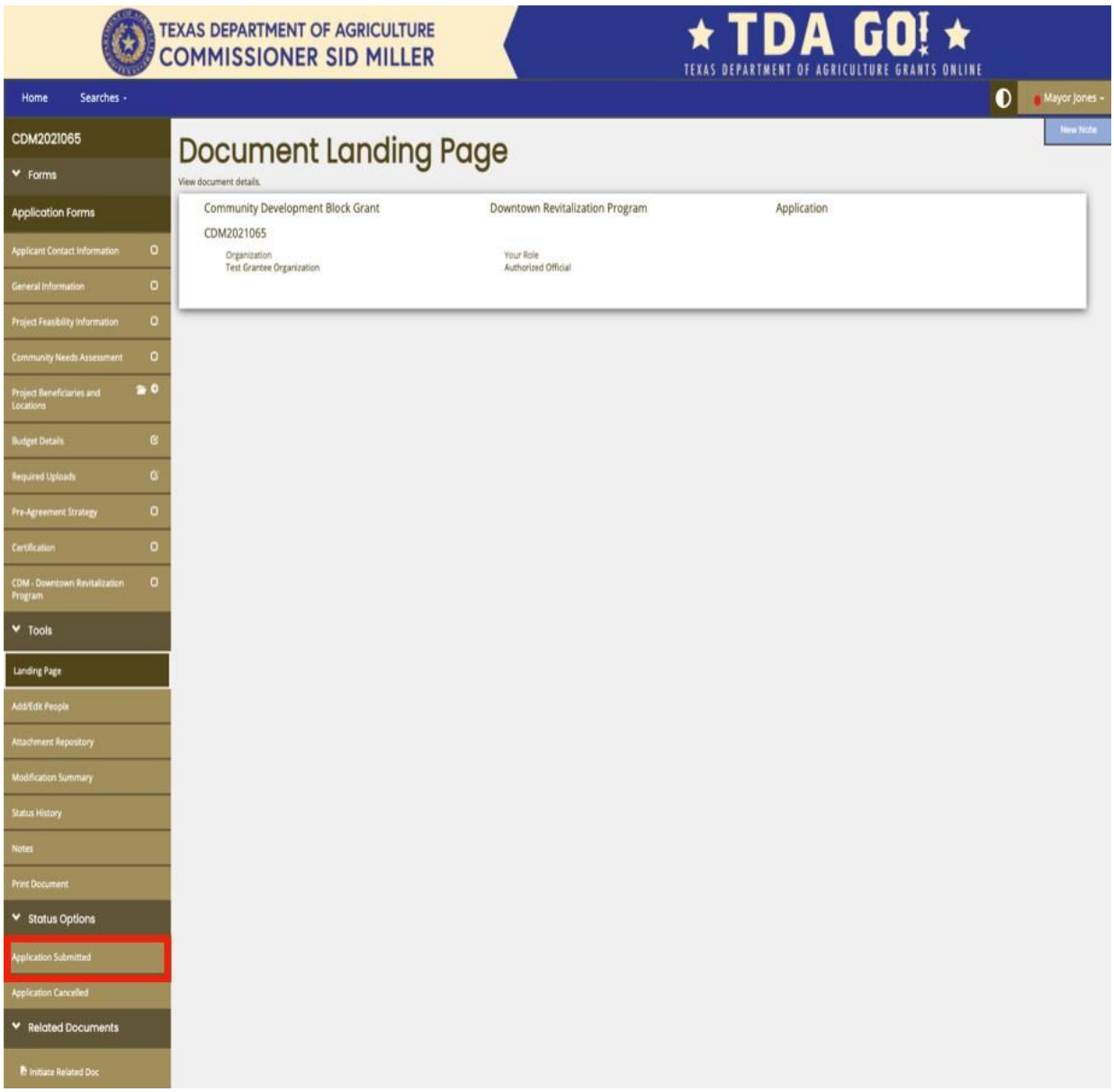


Figure 31. Application submitted page

NOTE: Applications must be submitted by the opportunity due date. The online application will no longer be available after that time. Times identified are based on TDA headquarters (Central Standard Time Zone) and are displayed on your TDA-GO home page.

Application Instructions – Supplement for CPC

In addition to the standard TDA-GO pages for TxCDBG applications, the Applicant must complete the following page for Planning and Capacity Building Fund (CPC) applications. This page includes information required to confirm either eligibility or scoring data for the specific funding Opportunity that is not captured elsewhere in the application.

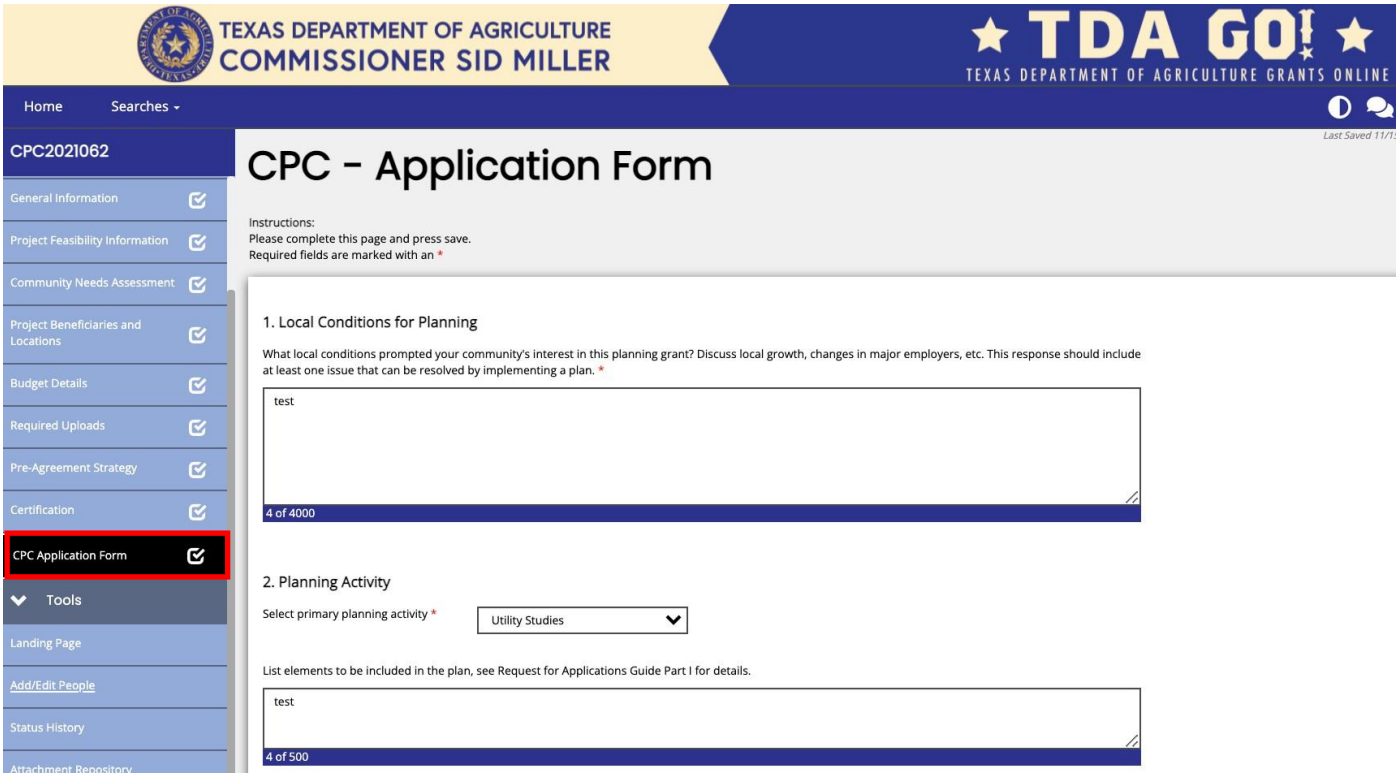


Figure 1. CPC Application Form

Local Conditions for Planning

Describe local conditions that support an investment of federal funds for planning activities in the Applicant Community. Applications that do not adequately demonstrate a need for planning activities, as well as the capacity to implement a plan, if funded, may not receive grant funds. Documentation of the length of time since the most recent plan was adopted may be a factor but is not sufficient as the sole explanation.

Planning Activity

Select one of the three options for the primary planning activity. In the text box below, provide a more detailed description of the intended plan, including elements identified in Part I of this guide. Proposed plans that include elements not stated as allowable in Part I and not confirmed in writing as allowable by TDA staff prior to application submittal may be reduced at TDA's sole discretion.

Existing Documents and Knowledge of Current Conditions

Provide the most appropriate response for each element that best describes the Applicant's current planning documents and knowledge. The Date of Most Recent Update may include formally adopted revisions to the document or routine updates to working documents. Please ensure that the local file contains evidence of this date which may be provided upon request.

Population and the Economy

Provide historical population figures based on American Community Survey (ACS) 5-Year Estimate, Table B01003. Provide the Applicant's best estimate for current population and cite the source of this information.

Planning Participants

Local capacity to implement the results of planning activities is key to a successful Planning and Capacity Building grant. Applicants must provide three named planning participants that will be responsible for implementing the plan. Participants may be individuals or groups and may be identified by position or personal name. Applications that do not identify a minimum of three participants will not be considered for funding due to a lack of local capacity to carry out the plan. If funded, the Applicant must be prepared to demonstrate in the grant documentation the involvement of each identified participant. **EXAMPLES**:

- Mayor
- Joe Smith, City Manager
- Public Work Director
- Water Supply Corporation, Board of Directors
- Planning and Zoning Commission

Complete Annual Audit

The applicant is required to submit its most recent annual audit to demonstrate financial capacity.

- For Planning and Capacity Building applications, the opinion letter alone is not sufficient to meet the application requirements
- Annual audits for fiscal years ending on or before December 31, 2019 will not be accepted.
- Failure to submit an audit for FY 2020 or FY 2021 by the application deadline will result in automatic disqualification.
- See *Part III* of this guide for additional information on audit requirements

CPC Scoring

Complete the required information for scoring. The correct data source for each scoring factor is identified in the *Request for Applications and Guide Part I.*

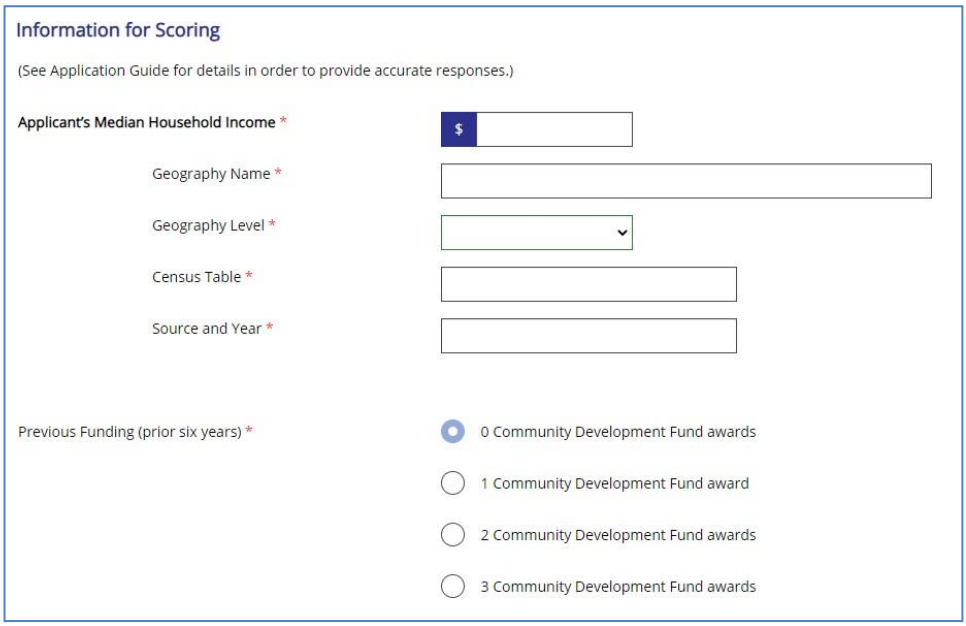


Figure 2. CPC Scoring fields

(Appendices II, III, and IV are not required for this application.)

Appendix V: Form and Document Samples

Sample Resolution

RESOLUTION

A RESOLUTION OF THE COMMISSIONERS COURT OF (XYZ) COUNTY, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE (COMMUNITY DEVELOPMENT FUND); AND AUTHORIZING (THE COUNTY JUDGE) TO ACT AS THE COUNTY'SEXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE COUNTY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the Commissioners Court of (XYZ) County desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

(*if appropriate* WHEREAS, certain conditions exist which represent a threat to the public health and safety; and)

WHEREAS, it is necessary and in the best interests of (XYZ) County to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONER'S COURT OF (XYZ) COUNTY, TEXAS:

1. That a Texas Community Development Block Grant Program application for the (Community Development Fund) is hereby authorized to be filed on behalf of the County with the Texas Department of Agriculture.

2. That the County's application be placed in competition for funding under the (Community Development Fund).

3. That the application be for ($350,000.00) of grant funds to provide (first-time water service).

4. That the Commissioners Court directs and designates the following to act in all matters in connection with this application and the County's participation in the Texas Community Development Block Grant Program:

   - (The County Judge, Mayor, City Manager) shall serve as the County's Chief Executive Officer and Authorized Representative to execute this application and any subsequent contractual documents;

   - The (Mayor, Mayor Pro-Tem, City Manager, County Judge, County Clerk, County Treasurer) is authorized to execute environmental review documents between the Texas Department of Agriculture and the City/County; and

   - If this application is funded, the (Mayor, Mayor Pro-Tem, City Manager, City Secretary, City Council Member, County Judge, County Clerk, County Auditor, County Treasurer) is authorized to execute the Request for Payment Form documents and/or other forms required for requesting funds to reimburse project costs.

5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

6. That it further be stated that (XYZ) County is committing ($25,000.00) from its (General Fund) as a cash contribution toward the administration activities of this (first-time water service) project.

Passed and approved this_____day of_____, 20__.

_____	_____
Mary Smith, County Clerk	John Doe, County Clerk
(XYZ) County, Texas	(XYZ) County, Texas

Sample Public Hearing Notice and Application Activities Notice

SAMPLE PUBLIC HEARING NOTICE:

Published on (July 15, 20XX):

PUBLIC HEARING NOTICE

(XYZ) COUNTY
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(XYZ) County will hold a public hearing at 7:00 p.m. on July 18, 20XX, at (XYZ) County Courthouse regarding the submission of an application to the Texas Department of Agriculture for a [FUND CATEGOR(IES)] Texas Community Development Block Grant Program (TxCDBG) grant. The purpose of this meeting is to allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds. The County encourages citizens to participate in the development of TxCDBG application(s) and to make their views known at this public hearing. Citizens unable to attend this meeting may submit their views and proposals to (John Doe), County Judge at the County Courthouse. Persons with disabilities that wish to attend this meeting should contact the County Courthouse to arrange for assistance. Individuals who require auxiliary aids or services for this meeting should contact the County Courthouse at least two days before the meeting so that appropriate arrangements can be made. Para más información en español, comuníquese con [local contact name] al XXX-XXX-XXXX.

SAMPLE APPLICATION ACTIVITIES NOTICES:

Published on (September 26, 20XX):

PUBLIC NOTICE

(XYZ) COUNTY
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(XYZ) County is giving notice of the county's intent to submit Texas Community Development Block Grant Program grant applications for a (Community Development Fund) grant request of ($275,000) for (the installation of a sewer system) in the (community of XX). The application is available for review at the (XYZ) County Courthouse during regular business hours. Para obtener una copia en espanol, comuníquese con [local contact name] al XXX-XXX-XXXX.

Sample – Affidavit of Posting – Notice of Public Hearing

I,_____, do hereby certify that pursuant to the laws of the State of Texas and of the City/County of_____, a Notice of Public hearing on the development of TxCDBG application(s) was posted on_____. The public notice was conspicuously posted at_____in a manner plainly visible to the general public on_____, 20_____through_____, 20_____*(at least 72 hours prior to public hearing and at least one day prior to signing this affidavit)*. Pursuant to TxCDBG requirements, the physical address and location of the notice was as follows: (for example, lower left corner of east window, or in the center of the noor door, etc.)

_____
_____
_____

Attach a photograph of the Notice(s) as posted on the premises.

_____
Applicant Signature and Title

_____
Date

State of Texas
City/County of _____
Subscribed and sworn to before me by _____
this_____day of_____, 20_____.

_____
SEAL notary signature

_____
My commission expires

Sample – Affidavit of Posting – Notice of TxCDBG Application Availability for Public Review

I,_____, do hereby certify that pursuant to the laws of the state of Texas and of the city/county of_____, a notice of the city/county's notice TxCDBG application(s) activities and availability of the application(s) for public review was posted on_____. The public notice was conspicuously posted at_____in a manner plainly visible to the general public on _____ , 20_____through_____, 20_____*(at least five days prior to application submission to TDA and at least one day prior to signing this affidavit*). Pursuant to TxCDBG requirements, the physical address and location of the notice was as follows: (for example, lower left corner of east window, or in the center of the noor door, etc.)

_____
_____
_____

Attach a photograph of the Notice(s) as posted on the premises.

_____
Applicant signature and title

_____
Date

State of Texas
County of _____

Subscribed and sworn to before me by _____
this_____day of_____, 20_____.

_____
SEAL notary signature

_____
My commission expires

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