



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda Community & Economic Development Committee

Wednesday, July 8, 2015

5:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting

[15-1142](#) CEDC Minutes from 6-24-15

Attachments: [CEDC Minutes 6-24-15.pdf](#)

4. Public Hearings/Apearances

5. Action Items

[15-1144](#) Request to approve the proposed amendments to the CDBG Policy as outlined in the attached documents

Attachments: [Memo to CEDC Policy.pdf](#)

[CDBG Policy Draft with markup.pdf](#)

[CDBG Policy Draft Clean.pdf](#)

[15-1068](#) Request to approve the installation of infrastructure and paving of Vantage Drive from Lakeland Drive to Eisenhower Drive as the next phase (and final phase for TIF District #6) in Southpoint Commerce Park

Attachments: [Memo on Southpoint Commerce Park Vantage Drive Phase 6-2015 Revised.pdf](#)

[Southpoint Commerce Park Proposed Phasing 2015-2017.pdf](#)

[Southpoint Commerce Park Old Infrastructure Layout 2007.pdf](#)

Legislative History

6/24/15	Community & Economic Development Committee	recommended for approval
7/1/15	Common Council	referred to the Community & Economic Development Committee

6. Information Items

[15-1145](#) Amendments to Citizen Participation Plan for Community Development
Block Grant (CDBG) Program

Attachments: [Memo to CEDC CPP.pdf](#)

[Citizen Participation Plan Draft with Markup.pdf](#)

[Citizen Participation Plan Draft Clean.pdf](#)

[15-1148](#) Director's Report:
Update on the Exhibition Center
Update on the Foremost Site

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Any questions about items on this meeting are to be directed to Karen Harkness, Director, Community and Economic Development Department at 920-832-6468.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

100 North Appleton Street
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Meeting Minutes - Final Community & Economic Development Committee

Wednesday, June 24, 2015

5:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 5:00 p.m.

2. Roll call of membership

Present: 3 - Alderperson Coenen, Alderperson Jirschele and Alderperson Siebers

Excused: 2 - Alderperson Baranowski and Alderperson Williams

Others present:
Alderperson Kyle Lobner, District #13

3. Approval of minutes from previous meeting

[15-1065](#)

CEDC Minutes from 6-10-15

Attachments: [CEDC Minutes 6-10-15.pdf](#)

Alderperson Siebers moved, seconded by Alderperson Coenen, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 3 - Alderperson Coenen, Alderperson Jirschele and Alderperson Siebers

Excused: 2 - Alderperson Baranowski and Alderperson Williams

4. Public Hearings/Appealances

5. Action Items

[15-1066](#)

Request to approve Verizon Wireless Personal Communications Plan as submitted on June 11, 2015 for 2800 E. College Avenue, Appleton

Attachments: [Memo on Verizon Wireless Plan 2800 E College Ave.pdf](#)
[Verizon Wireless - Kensington - Plan Approval Request CEDC w](#)
[Attachments.pdf](#)
[Kensington - Woodward Deed 1978.pdf](#)

Alderson Siebers moved, seconded by Alderson Coenen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 3 - Alderson Coenen, Alderson Jirschele and Alderson Siebers

Excused: 2 - Alderson Baranowski and Alderson Williams

[15-1068](#)

Request to approve the installation of infrastructure and paving of Vantage Drive from Lakeland Drive to Eisenhower Drive as the next phase (and final phase for TIF District #6) in Southpoint Commerce Park

Attachments: [Memo on Southpoint Commerce Park Vantage Drive Phase 6-2015](#)
[Revised.pdf](#)
[Southpoint Commerce Park Proposed Phasing 2015-2017.pdf](#)
[Southpoint Commerce Park Old Infrastructure Layout 2007.pdf](#)

Alderson Coenen moved, seconded by Alderson Siebers, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 3 - Alderson Coenen, Alderson Jirschele and Alderson Siebers

Excused: 2 - Alderson Baranowski and Alderson Williams

[15-1071](#)

Request to award Eisenhower Drive gas main project as sole source contract to WE Energies in the amount of \$36,934.20 with a 10% contingency of \$3,693.42 for a project total not to exceed \$40,627.62

Attachments: [Eisenhower Gas Memo6-17-15.pdf](#)
[GasElec.pdf](#)

Alderson Siebers moved, seconded by Alderson Coenen, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 3 - Alderson Coenen, Alderson Jirschele and Alderson Siebers

Excused: 2 - Alderson Baranowski and Alderson Williams

6. Information Items

[15-1069](#)

Business/Industrial Park Lot Sale Information

Attachments: [Sale Information 6-17-15.pdf](#)

This Presentation was presented.

[15-1070](#)

Overview of Current TIF Districts

Attachments: [TIF Status Presentation CEDC June 24 2015.pdf](#)

This Presentation was presented.

[15-1074](#)

Director's Report:
Update on the Exhibition Center
Update on Implementing the Economic Development Strategic Plan

Attachments: [EDSP Next Steps Memo.pdf](#)

This Presentation was presented.

7. Adjournment

Aldersperson Coenen moved, seconded by Aldersperson Siebers, that the meeting be adjourned at 5:50 p.m. Roll Call. Motion carried by the following vote:

Aye: 3 - Aldersperson Coenen, Aldersperson Jirschele and Aldersperson Siebers

Excused: 2 - Aldersperson Baranowski and Aldersperson Williams



MEMORANDUM

“...meeting community needs...enhancing quality of life.”

TO: Community and Economic Development Committee
FROM: Roxy Schmidt, Community Development Specialist
DATE: July 8, 2015
RE: Community Development Block Grant (CDBG) Policy Amendment

Staff is proposing amendments to the City's CDBG Policy so that the program can be administered according to the requirements set forth by HUD in an efficient and effective manner.

The amendments address the following:

- Clarification of federal requirements
- Clarification of the administrative process the City uses in allocating funding
- Changes that will most effectively allow staff to gather required data without overburdening subrecipients

There are two documents attached. One document shows the text to be deleted and added along with comments explaining the reasons for the changes. The other document shows only the proposed new text and the comments explaining the reasons for the changes.

If you have any questions, please contact me at 832-6469 or roxann.schmidt@appleton.org. Thank you!



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



Community Development Block Grant (CDBG) Policy
Adopted 9/8/2008, Amended 5/24/2010, 10/3/2012, 12/19/2012

I. PURPOSE

To outline the following aspects of the local Community Development Block Grant (CDBG) Program: a) elements to which the City of Appleton must adhere in order to comply with federal regulations; b) locally-established guidelines; and c) priorities for subrecipient and City Program activity.

II. POLICY

The federal CDBG program was established with the passage of the Housing and Community Development Act of 1974. CDBG funds are distributed to eligible governmental units in two forms:

- (1). Entitlement grants directly to cities and counties, and;
- (2). State grants, which involve annual competitions for non-entitlement communities.

Since 1975, the City of Appleton has received CDBG funds as an entitlement community. The amount of CDBG funds received each year varies based on the appropriation approved by the U.S. Congress and the number of governmental units eligible to participate. While the federal fiscal year operates from October 1 to September 30, the City selected April 1 to March 31 as its CDBG fiscal year. This selection was made as the federal government generally does not release the aforementioned funds until springtime. Federal oversight lies within the U.S. Department of Housing & Urban Development (HUD).

III. FEDERAL REGULATIONS

The citation reference from Title 24 Part 570 – Community Development Block Grants can be found in parentheses next to each heading below. Please view that section for more information on the respective item.

A. Federal Eligibility (24 CFR 570.201)

CDBG funds may be used for the following basic eligible activities:

- | | |
|-------------------------------------|--|
| (1). Acquisition | (11). Housing Services |
| (2). Disposition | (12). Privately-Owned Utilities |
| (3). Public Facilities/Improvements | (13). Homeownership Assistance |
| (4). Clearance/Remediation | (14). Economic Development Assistance |
| (5). Public Services | (15). Technical Assistance |
| (6). Interim Assistance | (16). Institutions of Higher Education |
| (7). Payment of Non-Federal Share | (17). Rehabilitation/Preservation (24 CFR 570.202) |
| (8). Urban Renewal Completion | (18). Planning (24 CFR 570.205) |
| (9). Relocation | (19). Administration (24 CFR 570.206) |
| (10). Loss of Rental Income | |

B. Ineligible Activities (24 CFR 570.207)

The following activities may not be assisted with CDBG funds:

- (1). Buildings (or portions thereof) for the General Conduct of Government
- (2). General Government Expenses
- (3). Political Activities

The following activities are not eligible for CDBG funding, but may be allowed under certain circumstances:

- | | |
|-------------------------------------|-------------------------------|
| (1). Purchase of Equipment | (3). New Housing Construction |
| (2). Operating/Maintenance Expenses | (4). Income Payments |



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C. Special Economic Development Projects (24 CFR 570.203)

CDBG funds may be used for special economic development activities in addition to other activities. Special economic development activities include:

- (1). Acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements
- (2). Assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an economic development project
- (3). Economic development services, including, but not limited to, outreach efforts; screening of applicants; reviewing/underwriting applications; preparation of all necessary agreements; management of activities; and the screening, referral, and placement of applicants for employment

D. National Objectives (24 CFR 570.208)

In order to qualify for funding, activities must meet one of three CDBG national objectives:

- (1). Low & Moderate Income (LMI) Benefit
 - a. Area Benefit: activities available for the benefit of all the residents in a particular area, where at least 51 percent of those residents are LMI persons.⁴
 - b. Limited Clientele: activities benefiting a specific group (i.e. abused children, elderly persons, battered spouses), at least 51 percent of whom are LMI persons.
 - c. Housing: activities carried out for the purpose of providing or improving permanent residential structures that, upon completion, will be occupied by LMI households.
 - d. Job Creation/Retention: activities designed to create or retain permanent jobs where at least 51 percent of the jobs involve the employment of LMI persons.
- (2). Slum & Blight Removal
 - a. Area Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination that are located in a designated area of distress, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
 - b. Spot Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination at specific sites not located in designated blighted areas, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
- (3). Urgent Need
 - a. Activities designed to alleviate existing conditions of recent origin (18 months) that pose serious threats to the health and welfare of the community; this objective may only be used if the community cannot finance necessary activities with other sources.

Comment [RS1]: The City of Appleton is no longer an exception community according to HUD's most recent update to LMI census tracts.

⁴In the City of Appleton, the designated area must consist of 46.7 percent, rather than 51, LMI. HUD calculated this threshold based on a formula that utilizes such factors as total population, total households, poverty rate and median income household.



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E. Categorical Limits

- (1). At least 70 percent of CDBG funds utilized during three consecutive program years, as specified by the grantee, must be expended for LMI benefit; the costs of planning and program administration are excluded from this calculation. (24 CFR 570.200(a)(3))
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the total entitlement grant for that program year, plus 15 percent of the program income received during the preceding program year. (24 CFR 570.201(e)(1))
- (3). The amount of CDBG funds obligated for planning and administration activities in each program year may not exceed 20 percent of the total entitlement grant for that program year plus the program income received during that program year. (24 CFR 570.200(g))

F. Program Income (24 CFR 570.426)

The City may reuse any revenue generated from projects undertaken with CDBG funding towards other eligible activities within the entitlement community. Furthermore, any program income earned by a subrecipient or City Program may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds and thus subject to all applicable federal and local requirements.

G. Fair Housing (24 CFR 570.601)

The Secretary of HUD requires that:

- (1). Grantees must administer all activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. (Public Law 90-284)
- (2). Entitlement communities shall conduct an Analysis of Impediments to Fair Housing Choice every five years, ~~and, furthermore,~~ take action to overcome the effects of the identified impediments, and maintain records reflecting the analysis and related actions taken.

Comment [RS2]: The language was changed to more accurately reflect Federal requirements.

H. Environmental Review Procedures (24 CFR 570.604)

The environmental review procedures outlined in 24 CFR part 58 must be completed for each CDBG subrecipient and City Program activity, as applicable.

I. Faith-Based Activities (24 CFR 570.200)

Religious or faith-based organizations are eligible to participate in the CDBG program. Local government representatives and CDBG program administrators shall not discriminate against an organization on the basis of its religious affiliation.

J. Submission Requirements (24 CFR 570.302)

CDBG entitlement communities must submit the following documents:

- (1). Action Plan → annually
- (2). Consolidated Annual Performance and Evaluation Report (CAPER) → annually
- (3). Consolidated Plan → every three to five years, as chosen by the entitlement community

Creation of these documents must follow HUD requirements for content and citizen participation (see the City of Appleton [CDBG Citizen Participation Plan](#)).

K. Location of Activities (24 CFR 570.309)

CDBG funds may be awarded to an activity outside the jurisdiction of the entitlement community only if it can be determined that the activity directly benefits the entitlement community's residents. Documentation of these benefits must be provided before CDBG funds are awarded for the activity.



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L. Conflict of Interest (24 CFR 570.611)

No persons affiliated with the entitlement community (including subrecipients and City Programs) who exercise or have exercised any responsibilities with respect to CDBG programming, or who are in a position to participate in a decision-making process, may obtain a financial interest or benefit from a CDBG-assisted activity (including subcontracts), either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

IV. LOCAL PROGRAM GUIDELINES

A. Program Oversight

The Community and Economic Development Committee (CEDC) – composed of five aldermen appointed by the Mayor – serves as the jurisdiction for Common Council oversight of the CDBG Program. Local financial oversight lies with the City of Appleton Finance Department. Local administrative/programmatic oversight lies with the City of Appleton Community and Economic Development Department (CEDD).

B. Consolidated Plan Submission

The City of Appleton has elected to submit a Consolidated Plan to HUD every five years. The Citizen Participation Plan provides for and encourages citizens to participate in the development of the Consolidated Plan, which will begin approximately one year before the required submittal date.

C. Definitions

- Subrecipient – an entity charged with implementation of one or more activities funded with Appleton CDBG dollars
 - community partner subrecipient – local agencies awarded CDBG-funding to implement an eligible activity via a competitive application process
 - public services subrecipient – local agencies awarded CDBG-funding to implement an eligible public service activity via a competitive application process
- Adjusted award – the amount of CDBG funds available to City Programs and subrecipients after administration, fair housing, and audit allocations are deducted

D. Local Categorical Limits

The following limits expand upon federal categorical limits associated with the CDBG program:

- (1). At least 70 percent of CDBG funds utilized during a single over three program years must be expended for LMI benefit; this excludes planning/CDBG administration activities.
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the adjusted award for that year.
- (3). The amount of CDBG funds obligated for planning/CDBG administration activities in each program year may not exceed 20 percent of the total entitlement grant for that year.
- (4). Any single award will not be less than \$10,000.

Comment [RS3]: HUD allows this measurement to be made over a one, two or three year period. We propose to change this in PY 2016 to make the measurement over a three year period. Historically, over a one year period the City usually commits approximately 90% of funds for activities benefitting LMI households. Changing this to three years will allow for flexibility in the event a larger percentage of funds are spent on non-LMI households in a single program year.

E. Audit Requirements

Section 2 Part 200 of the Code of Federal Regulations The Office of Management and Budget (OMB) Circular A-133 Compliance Supplement and the State Single Audit Guidelines require major state programs (awards over \$100,000) and federal programs (awards over \$300,000) to complete a single audit. The necessary amount for fulfilling these requirements will be identified by the Finance Department and the City's independent auditors. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

Comment [RS4]: As of December 26, 2014, Federal guidance on administrative requirements, cost principles and audit requirements used by Federal financial assistance programs can be found in 2 CFR 200. Specific dollar amounts are deleted so the policy won't have to be changed when guidelines are changed.



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F. Fair Housing Services

In keeping with the spirit of federal fair housing requirements, an annual allocation for fair housing services will be approved. This activity will be reported as an administrative expense, which claims no benefit. The City of Appleton will utilize the award to contract with an independent entity qualified to provide residents with a variety of fair housing services. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

G. Program Administration

HUD requires entitlement communities to provide for efficient and adequate administration of CDBG programming. Administration costs may only include: salary/fringe, necessary training/travel, supplies and telephone/postage, in addition to fair housing services and audit costs. The necessary amount for fulfilling this requirement will be identified by the Community and Economic Development and Finance Departments. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award. For additional internal control of program administration, a detailed description of these costs will be presented to both the CDBG Advisory Board and the CEDC for informational purposes.

Comment [RS5]: A detailed description of administration costs are found in the City's budget.

H. Analysis of Impediments to Fair Housing Choice

Funding for production/updating of the City of Appleton Analysis of Impediments to Fair Housing Choice will be approved every five years (See federal fair housing requirements).

Comment [RS6]: The necessity of an Analysis of Impediments is addressed in Section III, letter E.

II. Annual Allocation of CDBG Funding

The City of Appleton's Program Year begins April 1 and concludes March 31 of the following year. Each program year, administration, audit and fair housing costs along with adequate funding for the Homeowner Rehabilitation Loan Program, the Neighborhood Program and Appleton Housing Authority will be subtracted from the annual entitlement award amount (see Section IV E, F, and G) to determine the adjusted award. The adjusted award will first be available to City of Appleton Departments/Programs/component units that wish to undertake projects. After the City allocation process is complete, any remaining funds may be allocated to community partner and public services applicants.

Comment [RS7]: Funding for all these activities and programs are approved through the City Budget process.

Comment [RS8]: Separating out the applicants proposing public service activities is not necessary. All references to public service applicants will be deleted.

II. City Allocation Process

Each year in fall, the CEDC will allocate adequate funding will be allocated through the City Budget process to the following: Housing Homeowner Rehabilitation Loan Program, Neighborhood Services Program, Administration Costs and Appleton Housing Authority. Then, other City of Appleton Departments will have the opportunity to submit an application for CDBG funding plans for activities. The plan application will include a plethora of information relating to goals, outputs, budget/financing, detailed activity descriptions, capacity and performance. CEDC staff, per HUD rules and regulations, will perform an administrative review of each plan to ensure that:

Comment [RS9]: Funding for administration, fair housing, the Homeowner Loan Program, Neighborhood Program and Appleton Housing Authority is approved through the City Budget process.

1. Proposed activities are included within the listing of eligible activities (24 CFR 570.201)
2. Proposed activities do not fall within a category of explicitly ineligible activities (24 CFR 570.207)
3. Proposed activities will meet one of the national objectives of the program (24 CFR 570.200)
4. Proposed activities will address priority needs as identified in the Consolidated Plan

Upon completion of the administrative review, the plans will be presented to the CEDC. CEDC will also review the submitted plans to ensure the proposed activities meet the four standards listed above and allocate adequate funds for each plan. CEDC's recommendation will then be presented to the Common



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Council for approval.

KJ. **Community Partner and Public Services Subrecipient Allocation Process**

The community partner ~~and public services~~ application process will begin after allocations for City ~~applications plans~~ have been approved, and end with recommended allocations being announced ~~after Council approval in January~~. Applications will be made available for approximately one month and should be submitted to the CEDD. All applications must be received by the announced deadline; no exceptions will be made. CEDD staff will perform an administrative review of each proposal, per HUD rules and regulations, to ensure the four standards listed under letter E. above, will be met if proposed activities are funded.

Comment [RS10]: Specifying a month is not necessary.

Upon completion of the administrative review, the proposals will be presented to the CDBG Advisory Board which will review and make funding recommendations for each proposal. This Board will consist of the following members:

1. Mayor
2. Common Council President
3. Chairperson of the Community and Economic Development Committee or committee designee
4. Chairperson of the Appleton Redevelopment Authority or committee designee
5. Representative from an Experienced Outside Funding Agency – on a rotating basis ~~as approved by the Community and Economic Development Committee~~ (i.e. United Way, Community Foundations, JJ Keller Foundation, U.S. Oil Basic Needs Partnership)
6. Citizen member from the City Plan Commission
7. ~~Citizen member from the Board of Health~~

Comment [RS11]: CEDD staff meets and decides upon an appropriate agency from which to ask a representative to participate.

Comment [RS12]: A Board of Health member has been asked each of the last three years and there has not been anyone available to participate.

CEDD staff will ~~supply the Board with applications and all appropriate guidelines along with facilitate meetings with this Board to offer guidance on evaluation and analysis of CDBG-funded activities. Board members will be presented with an overview of the federal CDBG Program, a summary of each proposal, and an explanation of the proposal score sheet. Board members are asked to allocate funding among the applicants and return their allocations to After the meeting, score sheets and comments will be collected by CEDD staff who will compile all results and present allocation recommendations at a Board meeting during which allocation amounts will be finalized. A second meeting of the Board will be held to finalize funding recommendations based on cumulative results, community needs and funding availability.~~ In completing their funding recommendation, the Board will utilize an estimated CDBG entitlement award dollar amount, which will be calculated based on past awards and any available information on HUD's future funding strategies. Funding recommendations from this Board will be presented as an Action Item to the CEDC. CEDC's recommendation will then be presented to the Common Council for ~~final~~ approval. ~~Common Council approved recommended CDBG allocations will be announced in January.~~

Comment [RS13]: After the first year using the two meeting process, staff decided that it was more efficient and easier to hold one meeting during which allocations were discussed and decided upon.

LK. **Estimated vs. Actual Entitlement Award**

~~Each year, the CEDC will decide how to deal with the~~ If there is a differential between the estimated award and the actual award, the CDBG Advisory Board will be consulted and their recommendations will be presented ~~during the application process and the actual award as announced by HUD to CEDC and Council for approval.~~

Comment [RS14]: The CDBG Advisory Board is most familiar with the applicants, therefore a recommendation from them in regard to funding to CEDC would be appropriate.

ML. **Subrecipient Agreement/Letter of Understanding/Training Session**

Community partner ~~and public services~~ subrecipients of CDBG funds must enter into a subrecipient agreement with the City of Appleton. This subrecipient agreement serves as a formal contract addressing



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the various policies outlined in this document, in addition to contract amount/term, reimbursement requests, accomplishment quarterly reporting, monitoring, financial management guidelines, conflict of interest, and additional federal standards, including lead-based paint regulations and the Davis Bacon Act. Furthermore, each City Program receiving CDBG funds must sign a Letter of Understanding (LOU) indicating an understanding of the items above. To ensure all parties understand the requirements of their agreement or LOU, a mandatory training session will be held with new subrecipients before funds are released. Technical assistance from staff will be available to all subrecipients throughout the program year.

Comment [RS15]: The reason for this change is discussed in the comment regarding letter "O" on the following page.

Comment [RS16]: Since many of the subrecipients of CDBG funds are agencies that have experience with grant funding and have received CDBG funds in the past, mandatory training for all subrecipients is not necessary. Training for subrecipients that have never received CDBG funds is a good idea and should be required.

NM. Statement of Work

All subrecipients and City Programs shall submit a concise Statement of Work that illustrates an implementation plan for their CDBG activity. This Statement, which will be attached to the subrecipient agreement/LOU includes: national objective claimed, activity descriptions, intended beneficiaries (number and type), detailed budget and location(s) of program-related activity.

ON. Report Submissions

All subrecipients and City Programs are required to submit a report of their accomplishments with each payment request during the program year when applicable Quarterly Activity Reports by the 15th of the month following the end of a quarter, as well as an Annual Activity Report by April 15th, which is a comprehensive report covering the agreed upon objectives, activities and expenditures for the entire contract period, by April 15. If said reports are not attached to payment requests when required, received by the requested date, future payments will be withheld until the report is submitted. Furthermore, the reports will be placed on the agenda of the first CEDC meeting immediately following each report due date for committee members' review and comment. In the instance that reports are not being submitted in a timely manner, a subrecipient or City Program may be called to address the CEDC on reasoning behind the tardiness.

Comment [RS17]: All subrecipients do not have accomplishments every quarter. Some use their award in one lump sum which is why reporting accomplishments along with a payment request makes the most sense. Also, some activities are paid for through several payment requests, so requiring a report with every payment request is not essential.

PQ. Change of Use

If a subrecipient or City Program wishes to utilize funds for an activity not identified on their original application in their agreement, they are required to submit a detailed letter to the CEDD explaining the reasoning for and amount of the proposed change and a public comment period may be held per the Citizen Participation Plan. Changes involving either an amount greater than 15 percent of the original award for that activity or plans to utilize funds under a different activity category will not be considered without CEDC approval.

Comment [RS18]: Requirements regarding change of use are addressed in the Citizen Participation Plan.

QP. Displacement/Relocation

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will avoid funding CDBG projects that involve permanent residential displacement or business relocation unless displacement/relocation prove to be the only means available to correct a public health/safety hazard or other critical condition.

RQ. Procurement

The City of Appleton Procurement Policy applies to all CDBG activities, including both City Programs and subrecipients that involve the purchase of equipment, materials, supplies and/or services. A copy of this policy will be distributed to all subrecipients.

SR. Audits

The City of Appleton must ensure that all subrecipients and City Programs maintain accurate records of their CDBG funds expended. Thus, a All subrecipients and City Programs are required to complete submit



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one copy of their audited financial statement~~an outside fiscal audit prior to receiving their award immediately following the end of their fiscal year during which CDBG funds are received,~~ unless an alternate arrangement has been made with the City of Appleton Finance Department. CDBG applications may include audit costs as a reimbursable expense.

Comment [RS19]: City programs are included in the City's overall audit so do not need to be mentioned here. The language was changed to match the language used in the subrecipient agreement

TS. **Disputes**

Any dispute concerning a question of fact arising under a subrecipient program or City Program shall be resolved by CEDD staff, who shall relay his/her decision in writing to the subrecipient or City Program, in addition to furnishing a copy to the Mayor and the CEDC. The decision of CEDD staff shall be final and conclusive unless the subrecipient or City Program furnishes a written appeal to the CEDC within ten days of the date of receipt of such copy. The decision of the CEDC in such appeals shall be final and conclusive unless appealed to a court of competent jurisdiction within 30 days of receipt of the CEDC's decision.

UT. **Unspent Grant Funds**

Any uncommitted CDBG funds remaining at the end of the program year will be reprogrammed for use in the subsequent program year. ~~In order to demonstrate that funds are committed, all subrecipients and City Programs must present documentation to demonstrate that funds are indeed contracted for a specific project. If funds are not under contract, but designated for a specific project, The subrecipient shall submit a carryover request, including both substantial documentation of plans for expending funds and a timeline for the expenditure, should be submitted to CEDD staff for consideration by April 15. If the carryover request is approved, monthly progress reports on spend down must be filed with CEDD staff, who will present them as information items to the CEDC. If any unspent grant funds not under contract remaining after June-September 30, will be recouped by the City and reprogrammed for use in the subsequent program year CEDD staff will meet with the subrecipient to determine if further action needs to be taken to expedite the expenditure of funds.~~

Comment [RS20]: Carryover of funds has become more commonplace over the past few years mostly due to the fact that HUD has not released the funds to the City until three to six months into the CDBG Program Year. This has caused a delay in the use of the funds by the subrecipients. The changes to this section will allow more flexibility to both the subrecipients and the City when the carryover of funds is necessary, but still holds the subrecipient responsible for the timely expenditure of funds.

VU. **Termination**

If the subrecipient or City Program fails to fulfill, in timely and proper manner, its obligations under the Statement of Work, or if they violate any stipulations contained within the subrecipient agreement/LOU, the City has the right to terminate funding of their program. Written notice will be delivered at least 30 days before the termination.

WV. **Examination of Records/Monitoring**

The subrecipient and City Program shall maintain records (including books, documentation and other evidence) pertaining to the costs of carrying out their activity to the extent of detail that will adequately reflect net costs, direct and indirect labor, materials, equipment, supplies/services, and other expenses. Authorized representatives of the City or HUD shall have access to subrecipient and City Program records at reasonable times of the business day for inspection, audit or reproduction. Subrecipients and City Programs must make these records available throughout the program year and four years after it expires. Furthermore, CEDD staff may schedule monitoring visits with the subrecipient to evaluate the progress/performance of the program and provide technical assistance.

XW. **Financial Management Systems**

Subrecipients and City Programs must employ financial management systems that are capable of generating regular financial status reports indicating the dollar amount allocated (including budget revisions), amount obligated, and amount expended for each activity. The system must permit the comparison of actual expenditures and revenues against budgeted amounts. The City must be able to isolate/trace every CDBG dollar received.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



YX. Payment Requests

Community partner ~~and public services~~ subrecipients ~~and City Programs~~ will submit ~~written~~ requests for payment with attached supporting documentation to the CEDD. Payment requests shall be allowed on a reimbursement basis (i.e. only after expenditures have been incurred) and shall be reviewed to ensure the expenditures are in conformity with the use of funds as described in the Statement of Work. If source documentation is deemed inadequate by Staff, all payments will be withheld until all required documents have been submitted. Payment requests received and approved will be processed and a check issued in accordance with the City of Appleton Finance Department weekly pay cycle. All payment requests must contain an original signature. ~~Requests can be emailed, but must be scanned with the original signature. City Programs shall request payment via the departmental approval process. The request will then be further approved by CEDD staff to ensure that reimbursements reflect the original activity for which funds were awarded.~~

Comment [RS21]: Payment requests from City Programs have been and will continue to be treated the same as requests from subrecipients.

ZY. Program Income

Any program income (as defined under applicable federal regulations) gained from any activity of the subrecipient may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds subject to all applicable requirements governing the use of CDBG funds. Anticipated program income must be documented and described in the subrecipient or City Program proposal/application. Furthermore, any and all program income received must be reported to the City of Appleton's Community and Economic Development and Finance Departments, unless otherwise specified in this contract.

AAZ. CDBG Activity Promotion

All subrecipients and City Programs are required to participate in promotion of the City of Appleton CDBG Program. Expectations will be outlined by staff at the beginning of the program year and may include, but are not limited to:

- Inclusion of the Appleton/CDBG logo in materials/at project sites
- Mentorship of a subrecipient new to the CDBG Program
- Participation in a CDBG Open House to showcase grant activities

V. APPLICATION/PROPOSAL EVALUATION CRITERIA

A. General

In order to receive CDBG funding, subrecipient and City Programs must meet a priority need, as identified in the Five-Year Consolidated Plan. Additional preference, however, will be given to CDBG applicant activities that meet one or more of the following criteria:

- (1). Seek a one-time use of CDBG funding
- (2). Benefit residents of LMI census tracts (population at least 46.7 percent LMI)
- (3). Will result in additional housing units being placed on the tax roll
- (4). Demonstrate secured complementary sources of funding (i.e. leverage) and/or strong efforts to solicit and secure complementary funding.
- (5). Serve special needs populations, including, but not limited to:
 - a. Elderly/frail elderly
 - b. Persons with disabilities (developmental and physical)
 - c. Persons with HIV/AIDS and their families
 - d. Persons seeking solutions to alcohol and drug addiction



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



B. Public Services (subject to 15 percent cap)

Preference will be given to Public Service CDBG applicants whose activities meet one or more of the following criteria:

- (1). Program service costs – one time use
- (2). Administrative expenses – one time use
- (3). Program service costs – continual use
- (4). Administrative expenses – continual use



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



Community Development Block Grant (CDBG) Policy
Adopted 9/8/2008, Amended 5/24/2010, 10/3/2012, 12/19/2012

I. PURPOSE

To outline the following aspects of the local Community Development Block Grant (CDBG) Program: a) elements to which the City of Appleton must adhere in order to comply with federal regulations; b) locally-established guidelines; and c) priorities for subrecipient and City Program activity.

II. POLICY

The federal CDBG program was established with the passage of the Housing and Community Development Act of 1974. CDBG funds are distributed to eligible governmental units in two forms:

- (1). Entitlement grants directly to cities and counties, and;
- (2). State grants, which involve annual competitions for non-entitlement communities.

Since 1975, the City of Appleton has received CDBG funds as an entitlement community. The amount of CDBG funds received each year varies based on the appropriation approved by the U.S. Congress and the number of governmental units eligible to participate. While the federal fiscal year operates from October 1 to September 30, the City selected April 1 to March 31 as its CDBG fiscal year. This selection was made as the federal government generally does not release the aforementioned funds until springtime. Federal oversight lies within the U.S. Department of Housing & Urban Development (HUD).

III. FEDERAL REGULATIONS

The citation reference from Title 24 Part 570 – Community Development Block Grants can be found in parentheses next to each heading below. Please view that section for more information on the respective item.

A. Federal Eligibility (24 CFR 570.201)

CDBG funds may be used for the following basic eligible activities:

- | | |
|-------------------------------------|--|
| (1). Acquisition | (11). Housing Services |
| (2). Disposition | (12). Privately-Owned Utilities |
| (3). Public Facilities/Improvements | (13). Homeownership Assistance |
| (4). Clearance/Remediation | (14). Economic Development Assistance |
| (5). Public Services | (15). Technical Assistance |
| (6). Interim Assistance | (16). Institutions of Higher Education |
| (7). Payment of Non-Federal Share | (17). Rehabilitation/Preservation (24 CFR 570.202) |
| (8). Urban Renewal Completion | (18). Planning (24 CFR 570.205) |
| (9). Relocation | (19). Administration (24 CFR 570.206) |
| (10). Loss of Rental Income | |

B. Ineligible Activities (24 CFR 570.207)

The following activities may not be assisted with CDBG funds:

- (1). Buildings (or portions thereof) for the General Conduct of Government
- (2). General Government Expenses
- (3). Political Activities

The following activities are not eligible for CDBG funding, but may be allowed under certain circumstances:

- | | |
|-------------------------------------|-------------------------------|
| (1). Purchase of Equipment | (3). New Housing Construction |
| (2). Operating/Maintenance Expenses | (4). Income Payments |



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



C. Special Economic Development Projects (24 CFR 570.203)

CDBG funds may be used for special economic development activities in addition to other activities.

Special economic development activities include:

- (1). Acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements
- (2). Assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is appropriate to carry out an economic development project
- (3). Economic development services, including, but not limited to, outreach efforts; screening of applicants; reviewing/underwriting applications; preparation of all necessary agreements; management of activities; and the screening, referral, and placement of applicants for employment

D. National Objectives (24 CFR 570.208)

In order to qualify for funding, activities must meet one of three CDBG national objectives:

- (1). Low & Moderate Income (LMI) Benefit
 - a. Area Benefit: activities available for the benefit of all the residents in a particular area, where at least 51 percent of those residents are LMI persons.
 - b. Limited Clientele: activities benefiting a specific group (i.e. abused children, elderly persons, battered spouses), at least 51 percent of whom are LMI persons.
 - c. Housing: activities carried out for the purpose of providing or improving permanent residential structures that, upon completion, will be occupied by LMI households.
 - d. Job Creation/Retention: activities designed to create or retain permanent jobs where at least 51 percent of the jobs involve the employment of LMI persons.
- (2). Slum & Blight Removal
 - a. Area Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination that are located in a designated area of distress, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
 - b. Spot Basis: activities undertaken to eliminate specific conditions of blight, physical decay, or environmental contamination at specific sites not located in designated blighted areas, including acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, or rehabilitation. Rehabilitation must eliminate conditions that are detrimental to public health/safety; acquisition and relocation must be precursors to other activities that eliminate blight.
- (3). Urgent Need
 - a. Activities designed to alleviate existing conditions of recent origin (18 months) that pose serious threats to the health and welfare of the community; this objective may only be used if the community cannot finance necessary activities with other sources.

Comment [RS1]: The City of Appleton is no longer an exception community according to HUD's most recent update to LMI census tracts.



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



E. Categorical Limits

- (1). At least 70 percent of CDBG funds utilized during three consecutive program years, as specified by the grantee, must be expended for LMI benefit; the costs of planning and program administration are excluded from this calculation. (24 CFR 570.200(a)(3))
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the total entitlement grant for that program year, plus 15 percent of the program income received during the preceding program year. (24 CFR 570.201(e)(1))
- (3). The amount of CDBG funds obligated for planning and administration activities in each program year may not exceed 20 percent of the total entitlement grant for that program year plus the program income received during that program year. (24 CFR 570.200(g))

F. Program Income (24 CFR 570.426)

The City may reuse any revenue generated from projects undertaken with CDBG funding towards other eligible activities within the entitlement community. Furthermore, any program income earned by a subrecipient or City Program may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds and thus subject to all applicable federal and local requirements.

G. Fair Housing (24 CFR 570.601)

The Secretary of HUD requires that:

- (1). Grantees must administer all activities related to housing and community development in a manner to affirmatively further the policies of the Fair Housing Act. (Public Law 90-284)
- (2). Entitlement communities shall conduct an Analysis of Impediments to Fair Housing Choice every five years, take action to overcome the effects of the identified impediments and maintain records reflecting the analysis and related actions taken.

Comment [RS2]: The language was changed to more accurately reflect Federal requirements.

H. Environmental Review Procedures (24 CFR 570.604)

The environmental review procedures outlined in 24 CFR part 58 must be completed for each CDBG subrecipient and City Program activity, as applicable.

I. Faith-Based Activities (24 CFR 570.200)

Religious or faith-based organizations are eligible to participate in the CDBG program. Local government representatives and CDBG program administrators shall not discriminate against an organization on the basis of its religious affiliation.

J. Submission Requirements (24 CFR 570.302)

CDBG entitlement communities must submit the following documents:

- (1). Action Plan → annually
- (2). Consolidated Annual Performance and Evaluation Report (CAPER) → annually
- (3). Consolidated Plan → every three to five years, as chosen by the entitlement community

Creation of these documents must follow HUD requirements for content and citizen participation (see the City of Appleton CDBG Citizen Participation Plan).

K. Location of Activities (24 CFR 570.309)

CDBG funds may be awarded to an activity outside the jurisdiction of the entitlement community only if it can be determined that the activity directly benefits the entitlement community's residents. Documentation of these benefits must be provided before CDBG funds are awarded for the activity.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



L. Conflict of Interest (24 CFR 570.611)

No persons affiliated with the entitlement community (including subrecipients and City Programs) who exercise or have exercised any responsibilities with respect to CDBG programming, or who are in a position to participate in a decision-making process, may obtain a financial interest or benefit from a CDBG-assisted activity (including subcontracts), either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

IV. LOCAL PROGRAM GUIDELINES

A. Program Oversight

The Community and Economic Development Committee (CEDC) – composed of five aldermen appointed by the Mayor – serves as the jurisdiction for Common Council oversight of the CDBG Program. Local financial oversight lies with the City of Appleton Finance Department. Local administrative/programmatic oversight lies with the City of Appleton Community and Economic Development Department (CEDD).

B. Consolidated Plan Submission

The City of Appleton has elected to submit a Consolidated Plan to HUD every five years. The Citizen Participation Plan provides for and encourages citizens to participate in the development of the Consolidated Plan, which will begin approximately one year before the required submittal date.

C. Definitions

- Subrecipient – an entity charged with implementation of one or more activities funded with Appleton CDBG dollars
 - community partner subrecipient – local agencies awarded CDBG-funding to implement an eligible activity via a competitive application process
 - public services subrecipient – local agencies awarded CDBG-funding to implement an eligible public service activity via a competitive application process
- Adjusted award – the amount of CDBG funds available to City Programs and subrecipients after administration, fair housing, and audit allocations are deducted

D. Local Categorical Limits

The following limits expand upon federal categorical limits associated with the CDBG program:

- (1). At least 70 percent of CDBG funds utilized over three program years must be expended for LMI benefit; this excludes planning/CDBG administration activities.
- (2). The amount of CDBG funds obligated for public service activities in each program year may not exceed 15 percent of the adjusted award for that year.
- (3). The amount of CDBG funds obligated for planning/CDBG administration activities in each program year may not exceed 20 percent of the total entitlement grant for that year.
- (4). Any single award will not be less than \$10,000.

Comment [RS3]: HUD allows this measurement to be made over a one, two or three year period. We propose to change this in PY 2016 to make the measurement over a three year period.

E. Audit Requirements

Section 2 Part 200 of the Code of Federal Regulations and the State Single Audit Guidelines require major state programs and federal programs to complete a single audit. The necessary amount for fulfilling these requirements will be identified by the Finance Department and the City's independent auditors. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

Comment [RS4]: As of December 26, 2014, Federal guidance on administrative requirements, cost principles and audit requirements used by Federal financial assistance programs can be found in 2 CFR 200. Specific dollar amounts are deleted so policy won't have to be changed when guidelines are changed.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



F. Fair Housing Services

In keeping with the spirit of federal fair housing requirements, an annual allocation for fair housing services will be approved. This activity will be reported as an administrative expense, which claims no benefit. The City of Appleton will utilize the award to contract with an independent entity qualified to provide residents with a variety of fair housing services. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

G. Program Administration

HUD requires entitlement communities to provide for efficient and adequate administration of CDBG programming. Administration costs may only include: salary/fringe, necessary training/travel, supplies and telephone/postage, in addition to fair housing services and audit costs. The necessary amount for fulfilling this requirement will be identified by the Community and Economic Development and Finance Departments. This amount will be deducted from the estimated amount available for the program year and not included in the estimates of the adjusted award.

Comment [RS5]: A detailed description of administration costs are found in the City's budget.

H. Annual Allocation of CDBG Funding

The City of Appleton's Program Year begins April 1 and concludes March 31 of the following year. Each program year, administration, audit and fair housing costs, along with adequate funding for the Homeowner Rehabilitation Loan Program, the Neighborhood Program and Appleton Housing Authority will be subtracted from the annual entitlement award amount to determine the adjusted award. The adjusted award will first be available to City of Appleton Departments/Programs/component units that wish to undertake projects. After the City allocation process is complete, any remaining funds may be allocated to community partner applicants.

Comment [RS6]: Funding for all these activities and programs are approved through the City Budget process.

I. City Allocation Process

Each year adequate funding will be allocated through the City Budget process to the following: Homeowner Rehabilitation Loan Program, Neighborhood Program, Administration Costs and Appleton Housing Authority. Then, other City of Appleton Departments will have the opportunity to submit an application for CDBG funding. The application will include information relating to goals, outputs, budget/financing, detailed activity descriptions, capacity and performance. CEDD staff, per HUD rules and regulations, will perform an administrative review of each plan to ensure that:

Comment [RS7]: Separating out the applicants proposing public service activities is not necessary. All references to public service applicants will be deleted.

1. Proposed activities are included within the listing of eligible activities (24 CFR 570.201)
2. Proposed activities do not fall within a category of explicitly ineligible activities (24 CFR 570.207)
3. Proposed activities will meet one of the national objectives of the program (24 CFR 570.200)
4. Proposed activities will address priority needs as identified in the Consolidated Plan

Comment [RS8]: Funding for administration, fair housing, the Homeowner Loan Program, Neighborhood Program and Appleton Housing Authority is approved through the City Budget process.

Upon completion of the administrative review, the plans will be presented to the CEDC. CEDC will also review the submitted plans to ensure the proposed activities meet the four standards listed above and allocate adequate funds for each plan. CEDC's recommendation will then be presented to the Common Council for approval.

J. Community Partner Subrecipient Allocation Process

The community partner application process will begin after allocations for City applications have been approved, and end with recommended allocations being announced after Council approval. Applications will be made available for approximately one month and should be submitted to the CEDD. All applications must be received by the announced deadline; no exceptions will be made. CEDD staff will perform an administrative review of each proposal, per HUD rules and regulations, to ensure the four

Comment [RS9]: Specifying a month is not necessary.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



standards listed under letter E. above, will be met if proposed activities are funded.

Upon completion of the administrative review, the proposals will be presented to the CDBG Advisory Board which will review and make funding recommendations for each proposal. This Board will consist of the following members:

1. Mayor
2. Common Council President
3. Chairperson of the Community and Economic Development Committee or committee designee
4. Chairperson of the Appleton Redevelopment Authority or committee designee
5. Representative from an Experienced Outside Funding Agency – on a rotating basis (i.e. United Way, Community Foundation, JJ Keller Foundation, U.S. Oil Basic Needs Partnership)
6. Citizen member from the City Plan Commission

Comment [RS10]: CEDD staff meets and decides upon an appropriate agency from which to ask a representative to participate.

CEDD staff will supply the Board with applications and all appropriate guidelines along with a summary of each proposal, and an explanation of the proposal score sheet. Board members are asked to allocate funding among the applicants and return their allocations to CEDD staff who will compile all results and present allocation recommendations at a Board meeting during which allocation amounts will be finalized. In completing their funding recommendation, the Board will utilize an estimated CDBG entitlement award dollar amount, which will be calculated based on past awards and any available information on HUD's future funding strategies. Funding recommendations from this Board will be presented as an Action Item to the CEDC. CEDC's recommendation will then be presented to the Common Council for final approval.

Comment [RS11]: After the first year using the two meeting process, staff decided that it was more efficient and easier to hold one meeting during which allocations were discussed and decided upon.

K. Estimated vs. Actual Entitlement Award

If there is a differential between the estimated award and the actual award, the CDBG Advisory Board will be consulted and their recommendations will be presented to CEDC and Council for approval.

Comment [RS12]: The CDBG Advisory Board is most familiar with the applicants, therefore a recommendation from them in regard to funding to CEDC would be appropriate.

L. Subrecipient Agreement/Letter of Understanding/Training Session

Community partner subrecipients of CDBG funds must enter into a subrecipient agreement with the City of Appleton. This subrecipient agreement serves as a formal contract addressing the various policies outlined in this document, in addition to contract amount/term, reimbursement requests, accomplishment reporting, monitoring, financial management guidelines, conflict of interest, and additional federal standards, including lead-based paint regulations and the Davis Bacon Act. Furthermore, each City Program receiving CDBG funds must sign a Letter of Understanding (LOU) indicating an understanding of the items above. To ensure all parties understand the requirements of their agreement or LOU, a mandatory training session will be held with new subrecipients before funds are released. Technical assistance from staff will be available to all subrecipients throughout the program year.

Comment [RS13]: The reason for this change is discussed in the comment regarding letter "O" on the following page.

M. Statement of Work

All subrecipients and City Programs shall submit a concise Statement of Work that illustrates an implementation plan for their CDBG activity. This Statement, which will be attached to the subrecipient agreement/LOU includes: national objective claimed, activity descriptions, intended beneficiaries (number and type), detailed budget and location(s) of program-related activity.

Comment [RS14]: Since many of the subrecipients of CDBG funds are agencies that have experience with grant funding and have received CDBG funds in the past, mandatory training for all subrecipients is not necessary. Training for subrecipients that have never received CDBG funds is a good idea and should be required.

N. Report Submissions

All subrecipients and City Programs are required to submit a report of their accomplishments with each payment request during the program year when applicable, as well as an Annual Report by April 15th, which is a comprehensive report covering the agreed upon objectives, activities and expenditures for the entire



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



contract period. If said reports are not attached to payment requests when required, payments will be withheld until the report is submitted.

O. Change of Use

If a subrecipient or City Program wishes to utilize funds for an activity not identified on their original application, they are required to submit a detailed letter to the CEDD explaining the reasoning for and amount of the proposed change and a public comment period may be held per the Citizen Participation Plan.

Comment [RS15]: Requirements regarding change of use are addressed in the Citizen Participation Plan.

P. Displacement/Relocation

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will avoid funding CDBG projects that involve permanent residential displacement or business relocation unless displacement/relocation prove to be the only means available to correct a public health/safety hazard or other critical condition.

Q. Procurement

The City of Appleton Procurement Policy applies to all CDBG activities, including both City Programs and subrecipients that involve the purchase of equipment, materials, supplies and/or services. A copy of this policy will be distributed to all subrecipients.

R. Audits

All subrecipients are required to submit one copy of their audited financial statement immediately following the end of their fiscal year during which CDBG funds are received, unless an alternate arrangement has been made with the City of Appleton Finance Department. CDBG applications may include audit costs as a reimbursable expense.

Comment [RS16]: City programs are included in the City's overall audit so do not need to be mentioned here. The language was changed to match the language used in the subrecipient agreement.

S. Disputes

Any dispute concerning a question of fact arising under a subrecipient program or City Program shall be resolved by CEDD staff, who shall relay his/her decision in writing to the subrecipient or City Program, in addition to furnishing a copy to the Mayor and the CEDC. The decision of CEDD staff shall be final and conclusive unless the subrecipient or City Program furnishes a written appeal to the CEDC within ten days of the date of receipt of such copy. The decision of the CEDC in such appeals shall be final and conclusive unless appealed to a court of competent jurisdiction within 30 days of receipt of the CEDC's decision.

T. Unspent Grant Funds

Any uncommitted CDBG funds remaining at the end of the program year will be reprogrammed for use in the subsequent program year. The subrecipient shall submit a carryover request, including both documentation of plans for expending funds and a timeline for the expenditure, to CEDD staff by April 15. If any unspent grant funds remain after September 30, CEDD staff will meet with the subrecipient to determine if further action needs to be taken to expedite the expenditure of funds.

Comment [RS17]: Carryover of funds has become more commonplace over the past few years mostly due to the fact that HUD has not released the funds to the City until three to six months into the CDBG Program Year. This has caused a delay in the use of the funds by the subrecipients. The changes to this section will allow more flexibility to both the subrecipients and the City when the carryover of funds is necessary, but still holds the subrecipient responsible for the timely expenditure of funds.

U. Termination

If the subrecipient or City Program fails to fulfill, in timely and proper manner, its obligations under the Statement of Work, or if they violate any stipulations contained within the subrecipient agreement/LOU, the City has the right to terminate funding of their program. Written notice will be delivered at least 30 days before the termination.



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



V. Examination of Records/Monitoring

The subrecipient and City Program shall maintain records (including books, documentation and other evidence) pertaining to the costs of carrying out their activity to the extent of detail that will adequately reflect net costs, direct and indirect labor, materials, equipment, supplies/services, and other expenses. Authorized representatives of the City or HUD shall have access to subrecipient and City Program records at reasonable times of the business day for inspection, audit or reproduction. Subrecipients and City Programs must make these records available throughout the program year and four years after it expires. Furthermore, CEDD staff may schedule monitoring visits with the subrecipient to evaluate the progress/performance of the program and provide technical assistance.

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Comment [RS18]: Payment requests from City Programs have been and will continue to be treated the same as requests from subrecipients.

Y. Program Income

Any program income (as defined under applicable federal regulations) gained from any activity of the subrecipient may be retained by the subrecipient or City Program provided the income is treated as additional CDBG funds subject to all applicable requirements governing the use of CDBG funds. Anticipated program income must be documented and described in the subrecipient or City Program proposal/application. Furthermore, any and all program income received must be reported to the City of Appleton's Community and Economic Development and Finance Departments, unless otherwise specified in this contract.

Z. CDBG Activity Promotion

All subrecipients and City Programs are required to participate in promotion of the City of Appleton CDBG Program. Expectations will be outlined by staff at the beginning of the program year and may include, but are not limited to:

- Inclusion of the Appleton/CDBG logo in materials/at project sites
- Mentorship of a subrecipient new to the CDBG Program
- Participation in a CDBG Open House to showcase grant activities

V. APPLICATION/PROPOSAL EVALUATION CRITERIA

A. General

In order to receive CDBG funding, subrecipient and City Programs must meet a priority need, as identified



City of Appleton
COMMUNITY DEVELOPMENT BLOCK GRANT



in the Five-Year Consolidated Plan. Additional preference, however, will be given to CDBG applicant activities that meet one or more of the following criteria:

- (1). Seek a one-time use of CDBG funding
- (2). Benefit residents of LMI census tracts (population at least 46.7 percent LMI)
- (3). Will result in additional housing units being placed on the tax roll
- (4). Demonstrate secured complementary sources of funding (i.e. leverage) and/or strong efforts to solicit and secure complementary funding.
- (5). Serve special needs populations, including, but not limited to:
 - a. Elderly/frail elderly
 - b. Persons with disabilities (developmental and physical)
 - c. Persons with HIV/AIDS and their families
 - d. Persons seeking solutions to alcohol and drug addiction

B. Public Services (subject to 15 percent cap)

Preference will be given to Public Service CDBG applicants whose activities meet one or more of the following criteria:

- (1). Program service costs – one time use
- (2). Administrative expenses – one time use
- (3). Program service costs – continual use
- (4). Administrative expenses – continual use



MEMORANDUM

“...meeting community needs...enhancing quality of life.”

TO: Community & Economic Development Committee (CEDC)
FROM: Monica Klaeser, Deputy Director
DATE: June 17, 2015
RE: Approval of next phase for Southpoint Commerce Park (final phase for TIF District #6): Vantage Drive construction from Lakeland Drive to Eisenhower Drive

Southpoint Commerce Park is located on the southeast side of the City and is bound by Plank Road, Eisenhower Drive and Midway Road. It provides continued growth opportunities for Appleton's business and industrial markets, especially with the Northeast Business Park having only four City lots available for sale. In total, Southpoint Commerce Park (Southpoint) offers up to 359 acres among lots of varying sizes to support growth of industry for many years to come.

The creation and development of Southpoint has been supported with Tax Increment Financing District #6 (TIF #6) and the Industrial Park Land Fund (IPLF). Approximately half of Southpoint is located in TIF #6 therefore both funding sources (TIF #6 and IPLF) are used to support improvements. See attached map for Southpoint layout as well as the boundary of TIF #6.

As noted in the 2015 Budget Southpoint Commerce Park CIP, the first half of the Park [Southpoint] will be developed using the Tax Incremental District #6 (TIF #6) created in 2000. Eligible expenditures may be made in TIF #6 until February 14, 2018. The maximum life of TIF #6 is February 14, 2023.

The expenditure period deadline of February 2018 leaves the City with only two remaining construction seasons (2016 and 2017) to make improvements using TIF #6. From 2018 – 2023 the TIF will only be taking in revenues based on the increment generated in TIF #6. TIF #6 has a base value of \$12,141,600 (as amended) and, as of 2015, has a total assessed value of \$101,520,300, which provides an increment of \$89,378,700.

Staff has reviewed the 5-year Capital Improvement Program and the phasing schedule planned for Southpoint, in addition to the lot inventory and industrial needs. Appleton has ample inventory of small to mid-sized lots to meet the needs of businesses and industries. The ability to maintain numerous large lots for flexibility in meeting business and industry needs is a priority. Based on this analysis and looking at our financial timelines, Staff reviewed the next phase for Southpoint with the Mayor and an interdepartmental team to establish priorities for 2016 and 2017 construction.

Staff is recommending, with approval of the Mayor, to extend only Vantage Drive from Lakeland Drive to Eisenhower Drive as the next phase for Southpoint and the final phase that would be paid for by TIF #6. This would include utility infrastructure work in 2016 and paving work in 2017.

By maintaining the land south of Vantage Drive and west of Eisenhower Drive in a larger parcel that is ready to build with adjacent infrastructure, in addition to our ample supply of small to mid-sized lots, we position the City to respond quickly to meet industry needs. See the attached map for details.

The priorities for concrete construction/reconstruction are also highlighted on the attached map and will be incorporated in the 2016 budget and corresponding 5-year CIP Plan subject to funding availability and budget approval.

Subsequent phases of Southpoint will be monitored by staff and reviewed with CEDC and Council when and if demand changes to warrant additional investment. A potential scenario could include the creation of a new TIF District to cover the expansion of infrastructure in Southpoint upon the closure of TIF #6. The ability to overlay a new TIF District that would absorb a portion of the current TIF #6 could be considered if/when a significant development project would be available to the City to warrant investment prior to the closure of TIF #6. These are hypothetical scenarios that staff will continue to monitor over time to provide the most appropriate recommendation to CEDC and Council.

I will also be presenting an overview of Appleton's TIF Districts at our June 24, 2015 CEDC meeting for additional background material on all of Appleton's current TIF Districts.

Staff Recommendation:

The installation of infrastructure and paving of Vantage Drive from Lakeland Drive to Eisenhower Drive as the next phase (and final phase for TIF District #6) in Southpoint Commerce Park **BE APPROVED**.

Southpoint Commerce Park Appleton, Wisconsin

Calumet Street (County Highway KK)

Lorna Lane

Eisenhower Drive

Coop Road

State Highway 41
Destination Drive (Private)

Retail Center

Plank Road

Endeavor Drive

Vantage Drive

Mills Drive

Midway Road

to Lake Park

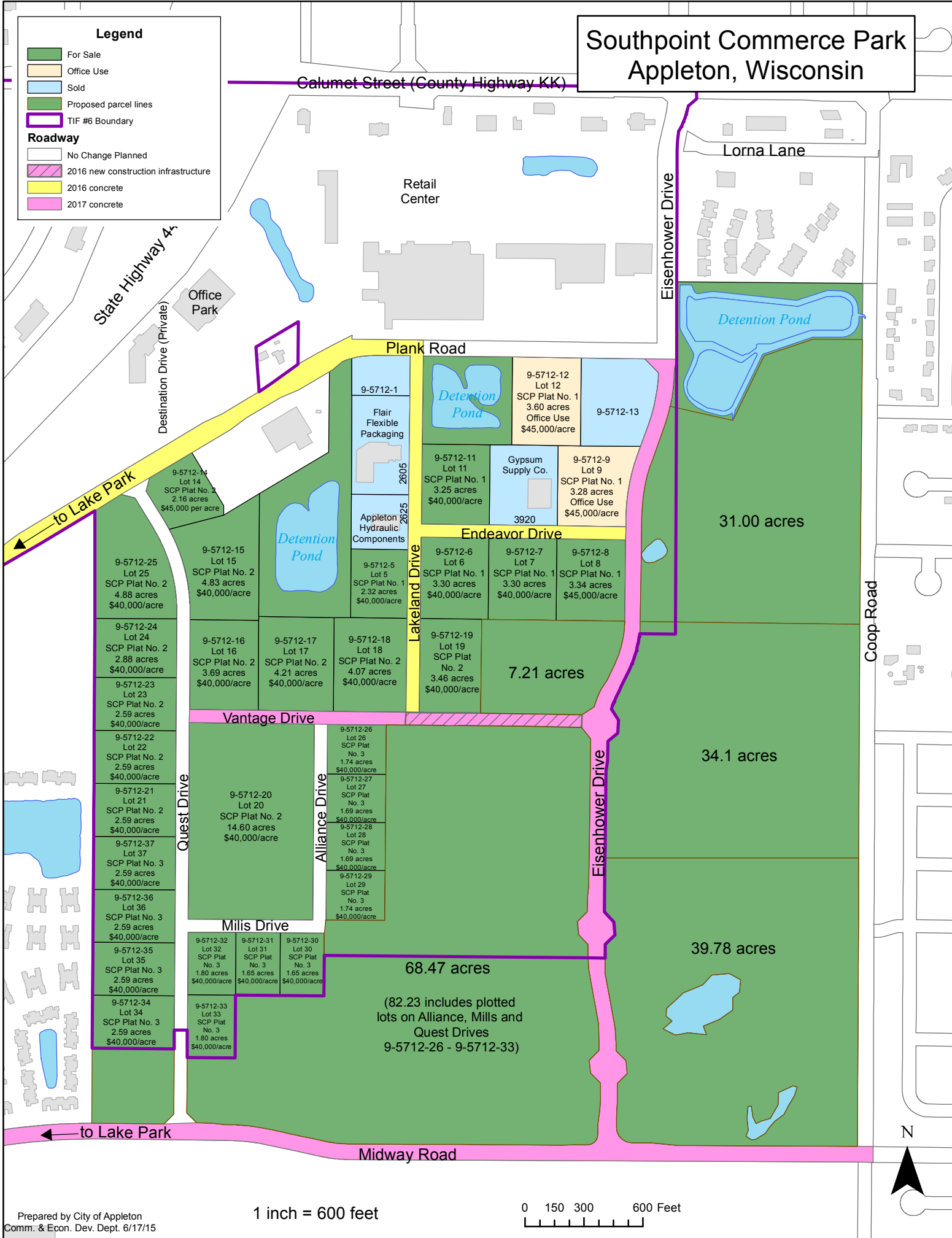
to Lake Park

Legend

- For Sale
- Office Use
- Sold
- Proposed parcel lines
- TIF #6 Boundary

Roadway

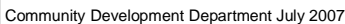
- No Change Planned
- 2016 new construction infrastructure
- 2016 concrete
- 2017 concrete



Southpoint Commerce Park

Appleton, Wisconsin

For Sale Optioned Sold Trees Ponds Future Layout City Limits Industrial Park Boundary





MEMORANDUM

“...meeting community needs...enhancing quality of life.”

TO: Community and Economic Development Committee
FROM: Roxy Schmidt, Community Development Specialist
DATE: July 8, 2015
RE: Amendments to Citizen Participation Plan for Community Development Block Grant (CDBG) Program

Staff is proposing amendments to the City’s Citizen Participation Plan (CPP) for the CDBG Program so that all HUD’s requirements for citizen participation are addressed. The amendments are based upon requirements listed in the Code of Federal Regulations, Title 24, Part 91 along with guidance provided by HUD in their training manual “Basically CDBG for Entitlements”.

The City’s current CPP (along with 24 CFR 91) calls for a public comment period on substantial amendments to the CPP. The public comment period will be thirty days and after the comment period ends, the CPP will be presented to CEDC for approval.

Staff wanted to share this information with CEDC members before the public comment period starts since amendments to the CPP are infrequent and the proposed amendment is substantial.

There are two documents attached. One document shows the text to be deleted and added. The other document shows only the proposed new text.

If you have any questions, please contact me at 832-6469 or roxann.schmidt@appleton.org. Thank you!



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



Citizen Participation Plan **Amended 3/20/2013**

I. PURPOSE

~~Because of its dedication to participatory government, t~~As a requirement of the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program, the City of Appleton has developed and adopted this Citizen Participation Plan (CPP) relating to the ~~Community Development Block Grant (CDBG)~~ Program in compliance with section 104(a)(3) of the Housing and Community Development Act of 1974 and Title 24 of the Code of Federal Regulations, Subtitle A, Part 91. The CPP provides for and encourages citizen participation in the development of any consolidated plan, any substantial amendment to the consolidated plan and the performance report.

II. POLICY

~~As a requirement of the U.S. Department of Housing & Urban Development's CDBG Program, this CPP was developed to provide citizens with information and knowledge of opportunities to become involved with and comment upon Appleton's CDBG program.~~

III. COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE (CEDC) OVERSIGHT

~~The City of Appleton's Department of Finance will provide financial oversight while the Community and Economic Development Department will provide planning and administrative oversight of CDBG-funded activities. Policy oversight will be the responsibility of the CEDC, which is composed of five alderpersons. Bi-monthly CEDC meetings offer opportunities for citizens to learn about current community development topics on a regular basis.~~

IV. PUBLIC HEARINGS/COMMENT PERIOD

~~Three~~Two public hearings will be held each year to provide opportunities for public participation at ~~various~~ different stages of the CDBG program year. ~~All three~~The hearings will be held in conjunction with regular meetings of the Community and Economic Development Committee (CEDC). Specifically, these hearings include:

(1) The *Community Development Needs Hearing* corresponds with the CDBG subrecipient application timeframe. Citizens are asked to identify housing and community development needs ~~and programs~~. The CEDC then utilizes the discussion in formulating CDBG funding recommendations for the next year

~~(2) The Annual Action Plan (AAP) Hearing corresponds with draft publication of the CDBG AAP, which outlines the proposed activities for the subsequent program year, which begins April 1. Citizens are asked to view the AAP on the City of Appleton CDBG web page or at City Hall before providing comments at this hearing.~~

~~(3) The Consolidated Annual Performance & Evaluation Report (CAPER) Hearing corresponds with the draft publication of the CDBG CAPER draft, which summarizes the activities undertaken during the previous program year. Citizens are asked to view the CAPER draft on the City of Appleton CDBG web page or view a paper copy at City Hall in the Community and Economic Development Department (100 N. Appleton Street) before providing comments at this hearing.~~

A 15-day public comment period will be held to receive comments on the CAPER draft before it is submitted to HUD. All comments or views of citizens received in writing or at public hearings shall be considered in the preparation of the CAPER. A summary of these comments or views shall be attached to the CAPER for submittal to HUD.

V. PUBLIC COMMENT PERIODS

~~Two 30-day public comment periods are held each year to seek public input, including:~~



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



(1). ~~AAP Comment Period.~~ This period marks completion of the AAP DRAFT. Citizens are encouraged to review the AAP which will be available on the City of Appleton CDBG web page and at City Hall, and provide comments, which will be included in the final submission.

(2). ~~CAPER Comment Period.~~ This period marks completion of the CAPER DRAFT. Citizens are encouraged to review the CAPER which will be available on the City of Appleton CDBG web page and at City Hall, and provide comments, which will be included in the final submission.

Notice of the comment periods will be published in the local newspaper (the *Appleton Post Crescent*), on the City of Appleton CDBG web page and posted in a public area at City Hall two weeks prior to the start of the comment period.

VIII. CONSOLIDATED PLAN PUBLIC HEARING/COMMENT PERIOD

Citizens are encouraged to participate in both a formal public hearing before the CEDC and 30-45 day public comment period that occur as part of the development, and before the adoption, of each ~~Five~~ Year ~~Consolidated~~ Plan for CDBG funding, in addition to other opportunities for public participation related to identifying long-term housing and community development-related strategies. Information made available will include the amount of assistance the City expects to receive, the range of activities that may be undertaken and the estimated amount that will benefit persons of low- and moderate-income. At least one public hearing will be held before the Consolidated Plan DRAFT is published for comment. The Five Year Consolidated Plan DRAFT draft will be available for review on the City of Appleton CDBG web page and at City Hall in the Community and Economic Development Department (100 N. Appleton Street). A summary describing the contents and purpose of the consolidated plan along with a list of where the consolidated plan draft may be viewed will be published to allow for reasonable opportunity to examine the contents of the proposed plan. All comments or views of citizens received in writing or at public hearings shall be considered in the preparation of the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the final consolidated plan.

VII. AS-NEEDED PUBLIC HEARINGS/COMMENT PERIODS SUBSTANTIAL AMENDMENTS

A Special public hearings/comment periods will be held administered in conjunction with the CEDC when substantial amendments to the five year consolidated plan, Citizen Participation Plan or changes in use or distribution of CDBG funds-related activity are proposed/requested. Substantial amendments may include, but are not limited to; those involving:

- (1). plans to utilize funds for a priority need or goal not specified in the current consolidated plan
- (2). plans to change the use of a subrecipient's entire allocation not included in the subrecipient's current agreement; i.e. change in eligible activity, purpose, scope, location or beneficiary
- (3). plans to change the method of distribution of funds to subrecipients
- (4). A dollar amount greater than 15 percent of the original subrecipient award
- (2). Plans to utilize funds under a different activity category than originally awarded
- (3). Occurrence of a natural disaster where "urgent need" funding might apply
- (4). Announcement of new/additional grant funding sources available
- (5). The Consolidated Plan or Citizen Participation Plan
- (6). Other unforeseen circumstances relating to CDBG activity

A 30 day public comment period will be provided before any substantial amendment to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds is adopted approved by CEDC and Council or implemented. Notice of the public comment period will be published in the local newspaper (the *Appleton Post Crescent*), on the City of Appleton CDBG web page and posted in a public area at City Hall two weeks prior to the start of the comment period. All comments will be accepted and considered in preparing the amendment. All comments or views of citizens received in writing shall be considered in the preparation of the substantial amendments to the consolidated plan, Citizen Participation Plan or change in use or distribution of



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



CDBG funds. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the substantial amendment to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds.

VIII. PUBLICIZING OPPORTUNITIES FOR CITIZEN PARTICIPATION

Notices announcing public hearings and comment periods are published both on the City of Appleton CDBG web page and in the local newspaper (the *Appleton Post Crescent*), and posted in a public area in City Hall approximately two weeks in advance of the hearing or start of the comment period. Meeting schedules are printed and posted in a public area at City Hall weekly. The public will have access to a printed copy of the AAP and the CAPER in the Community and Economic Development Department (100 N. Appleton Street, Appleton, Wisconsin 54911) and on the City of Appleton CDBG web page.

VIX. ACCESSIBILITY

All Appleton residents, namely especially persons of low- and moderate- income, residents of low- and moderate-income neighborhoods, persons with disabilities, persons with limited English-speaking ability and persons of racial minority, are encouraged to contribute input regarding CDBG-funded activities. No person shall be excluded from participation in the City of Appleton CDBG programs on the grounds of race, color, national origin, gender, sexual orientation, gender identity, gender expression, age, religious creed or disability. To encourage equal access in participation for persons with disabilities, all CDBG-related hearings and meetings are held at accessible sites. Furthermore, materials will be provided in accessible formats – including translation into other languages if necessary – at City Hall in the Community and Economic Development Department and on the City of Appleton CDBG web page. A translator may be requested if a significant number of non-English speaking residents are expected to participate. In addition, if a citizen is unable to attend a public hearing due to scheduling conflicts, the citizen will be asked to provide a written comment that will then be shared with the CEDC and Common Council. The adopted Consolidated-consolidated Planplan, Citizen Participation Plan, substantial amendments and final approved CAPER, will be available on the City of Appleton CDBG web page at all times and the public will have access to a printed copy at City Hall in the Community and Economic Development Department. Reasonable and timely access to information and records relating to the consolidated plan and use of assistance under the CDBG Program during the preceding five years will be provided to citizens, public agencies and other interested parties.

XVII. OBJECTIONS TO CDBG DOCUMENTS

Citizens may provide critical input regarding the City of Appleton's AAP, CAPER, Five-Year cConsolidated pPlan, proposed sSubstantial aAmendments, or any other CDBG-related matter at any time. Critical input must include identification of unmet requirements and relevant supporting data and will be considered on the following grounds:

- (1) Stated needs and objectives are inconsistent with available and reliable data
- (2) Stated projects are inappropriate for meeting needs and approved objectives
- (3) Consolidated plan elements do not comply with federal regulations for the CDBG Program

This critical input must be submitted in written form to: CDBG Program, C/O Community and Economic Development Department, 100 N. Appleton Street, Appleton, WI 54911. Upon receipt, the Community and Economic Development Department will present the letter stating critical input to the CEDC and the Common Council. All said written forms of critical input shall receive a written response within 15 days after the Common Council meeting at which the matter was considered.

XVIII. TECHNICAL ASSISTANCE

Where appropriate, City staff shall provide technical assistance to organizations that serve low- and moderate-income persons in developing their CDBG subrecipient applications. In addition, the Finance Department and/or Community and Economic Development Department shall provide interested parties with access to CDBG records upon request. Furthermore, all citizens and/or local agency representatives are encouraged to contact City



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



CDBG staff with questions about both program guidelines ~~inquiries~~ and general community development needs in the City of Appleton.

IXH. ANTI-DISPLACEMENT

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will generally avoid funding CDBG projects that involve permanent residential or business displacement. In cases where displacement is absolutely necessary, relocation benefits will be paid in accord with the Uniform Relocation Act, other applicable federal regulations, and Chapter 32 of the Wisconsin State Statutes.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



Citizen Participation Plan **Amended 3/20/2013**

I. PURPOSE

As a requirement of the U.S. Department of Housing and Urban Development's Community Development Block Grant (CDBG) Program, the City of Appleton has developed and adopted this Citizen Participation Plan (CPP) relating to the CDBG Program in compliance with section 104(a)(3) of the Housing and Community Development Act of 1974 and Title 24 of the Code of Federal Regulations, Subtitle A, Part 91. The CPP provides for and encourages citizen participation in the development of any consolidated plan, any substantial amendment to the consolidated plan and the performance report.

II. PUBLIC HEARINGS/COMMENT PERIOD

Two public hearings will be held each year to provide opportunities for public participation at different stages of the CDBG program year. The hearings will be held in conjunction with regular meetings of the Community and Economic Development Committee (CEDC). Specifically, these hearings include:

- (1) The *Community Development Needs Hearing* corresponds with the CDBG subrecipient application timeframe. Citizens are asked to identify housing and community development needs.
- (2) The *Consolidated Annual Performance & Evaluation Report (CAPER) Hearing* corresponds with the publication of the CDBG CAPER draft, which summarizes the activities undertaken during the previous program year. Citizens are asked to view the CAPER draft on the City of Appleton CDBG web page or view a paper copy at City Hall in the Community and Economic Development Department (100 N. Appleton Street) before providing comments at this hearing.

A 15-day public comment period will be held to receive comments on the CAPER draft before it is submitted to HUD. All comments or views of citizens received in writing or at public hearings shall be considered in the preparation of the CAPER. A summary of these comments or views shall be attached to the CAPER for submittal to HUD.

III. CONSOLIDATED PLAN PUBLIC HEARING/COMMENT PERIOD

Citizens are encouraged to participate in both a formal public hearing before the CEDC and 30 day public comment period that occur as part of the development, and before the adoption, of each five year consolidated plan for CDBG funding, in addition to other opportunities for public participation related to identifying long-term housing and community development-related strategies. Information made available will include the amount of assistance the City expects to receive, the range of activities that may be undertaken and the estimated amount that will benefit persons of low- and moderate-income. The five year consolidated plan draft will be available for review on the City of Appleton CDBG web page and at City Hall in the Community and Economic Development Department (100 N. Appleton Street). A summary describing the contents and purpose of the consolidated plan along with a list of where the consolidated plan draft may be viewed will be published to allow for reasonable opportunity to examine the contents of the proposed plan. All comments or views of citizens received in writing or at public hearings shall be considered in the preparation of the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the final consolidated plan.

IV. SUBSTANTIAL AMENDMENTS

A public comment period will be held when substantial amendments to the five year consolidated plan, Citizen Participation Plan or changes in use or distribution of CDBG funds are proposed/requested. Substantial amendments may include those involving:

- (1). plans to utilize funds for a priority need or goal not specified in the current consolidated plan
- (2). plans to change the use of a subrecipient's entire allocation not included in the subrecipient's current agreement; i.e. change in eligible activity, purpose, scope, location or beneficiary



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



- (3). plans to change the method of distribution of funds to subrecipients

A 30 day public comment period will be provided before any substantial amendment to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds is approved by CEDC and Council or implemented. Notice of the public comment period will be published in the local newspaper (the *Appleton Post Crescent*), on the City of Appleton CDBG web page and posted in a public area at City Hall two weeks prior to the start of the comment period. All comments or views of citizens received in writing shall be considered in the preparation of the substantial amendments to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the substantial amendment to the consolidated plan, Citizen Participation Plan or change in use or distribution of CDBG funds.

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All Appleton residents, especially persons of low- and moderate-income, residents of low- and moderate-income neighborhoods, persons with disabilities, persons with limited English-speaking ability and persons of racial minority, are encouraged to contribute input regarding CDBG-funded activities. No person shall be excluded from participation in the City of Appleton CDBG programs on the grounds of race, color, national origin, gender, sexual orientation, gender identity, gender expression, age, religious creed or disability. To encourage equal access in participation for persons with disabilities, all CDBG-related hearings and meetings are held at accessible sites. Furthermore, materials will be provided in accessible formats – including translation into other languages if necessary – at City Hall in the Community and Economic Development Department and on the City of Appleton CDBG web page. A translator may be requested if a significant number of non-English speaking residents are expected to participate. In addition, if a citizen is unable to attend a public hearing due to scheduling conflicts, the citizen will be asked to provide a written comment that will then be shared with the CEDC and Common Council. The adopted consolidated plan, Citizen Participation Plan, substantial amendments and final approved CAPER, will be available on the City of Appleton CDBG web page at all times and the public will have access to a printed copy at City Hall in the Community and Economic Development Department. Reasonable and timely access to information and records relating to the consolidated plan and use of assistance under the CDBG Program during the preceding five years will be provided to citizens, public agencies and other interested parties.

VII. OBJECTIONS TO CDBG DOCUMENTS

Citizens may provide critical input regarding the City of Appleton's CAPER, five-year consolidated plan, proposed substantial amendments at any time. Critical input must include identification of unmet requirements and relevant supporting data and will be considered on the following grounds:

- (1) Stated needs and objectives are inconsistent with available and reliable data
- (2) Stated projects are inappropriate for meeting needs and approved objectives
- (3) Consolidated plan elements do not comply with federal regulations for the CDBG Program

This critical input must be submitted in written form to: CDBG Program, C/O Community and Economic Development Department, 100 N. Appleton Street, Appleton, WI 54911. Upon receipt, the Community and Economic Development Department will present the letter stating critical input to the CEDC and the Common Council. All said written forms of critical input shall receive a written response within 15 days after the Common Council meeting at which the matter was considered.



City of Appleton COMMUNITY DEVELOPMENT BLOCK GRANT



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Where appropriate, City staff shall provide technical assistance to organizations that serve low- and moderate-income persons in developing their CDBG subrecipient applications. Furthermore, all citizens and/or local agency representatives are encouraged to contact City CDBG staff with questions about both program guidelines and general community development needs in the City of Appleton.

IX. ANTI-DISPLACEMENT

Due to the potential liability for long-term assistance and burdens placed on affected tenants, the City of Appleton will generally avoid funding CDBG projects that involve permanent residential or business displacement. In cases where displacement is absolutely necessary, relocation benefits will be paid in accord with the Uniform Relocation Act, other applicable federal regulations, and Chapter 32 of the Wisconsin State Statutes.