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| **For DLG Use Only** |  | **SAI Number** |  |  |
| **22-** |  |  |  |  |

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| --- | --- |
| **Planning Activity** | **AMOUNT REQUESTED** |

**APPLICANT**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Legal Applicant | | Authorized Representative | | | E-mail Address | | | | |
| Street or P. O. Box | | | City | | | County | | State  KY | ZIP Code + 4 | |
| Telephone Number | Fax Number | | | Unique Entity ID | | | Tax ID Number | | | |

**PARTNER CHECK BOX IF A FAITH BASED ORGANIZATION**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Partner Name | Point of Contact | | Email Address | | | | |
| Street or P. O. Box | | City | | County | State  KY | | ZIP Code + 4 |
| Telephone Number | Fax Number | | Unique Entity ID | | | Tax ID Number | |

**PREPARER**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Name | | Telephone Number | | FAX Number | | |
| Organization | E-mail Address | | | | Certified Administrator  Yes  No | |
| Street or P. O. Box | City | | County | | State  KY | ZIP Code + 4 |

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| --- | --- | --- | --- |
| State House District | State Senate District | Congressional District | Area Development District |

#### Introduction

###### These forms are designed to obtain pertinent information, not lengthy narrative. Forms provided must be used and completed according to instructions. Instructions are given on the respective forms. Answer all questions--if a particular question is not pertinent to your planning activity , insert N/A. Please type or print all information. No additional pages will be allowed unless noted on form. Attach and number all exhibits to correspond with the appropriate section. Retyped forms will be accepted; however, the same format must be followed and pages must be numbered.

Referenced documents available on the DLG Disaster Recovery [webpage](https://kydlgweb.ky.gov/Articles/16_articleView.cfm?NewsID=843):

* Resilience Planning Program Policy

###### The following materials shall constitute a complete application.

Threshold

Application submitted on time; Date and Time\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Application is signed and complete

Applicant is an eligible city, township, county, or federally recognized tribal government

Planning activity benefits HUD and/or State MID areas; Area\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Evidence of compliance with the Public Notice requirement

Scored Items:

Planning activity that includes:

* Describe the planning activity
* How does the planning activity relate to disaster-related impacts or How does the planning activity meet HUD’s definition of mitigation and reduces hazard risk to critical structures, facilities, systems, and people
* What are the Risk Reduction benefits and Resilience Effectiveness of the planning activity
* How does the planning activity promote ancillary benefits (economic, environmental, social)
* How the design accommodates climate change projections and future conditions
* Describe the feasibility of the planning activity including implementation measures and subrecipient and/or partner capacity
* Describe the applicant’s ability to lead, organize and implement the planning activity
* How does the planning activity leverage federal, State, and local partnerships and funding sources
* What types of community engagement were conducted to get public input on the planning activity
* Demonstrate that the planning activity is cost-reasonable and cost effective

Budget

Cost Summary

non-supplanting of funds

Public Hearing and Housing and Community Needs Assessment

Title VI

Statement of Assurances

Documents to Attach:

Authorizing Resolution adopted by the community’s governing body

Cost Summary

Duplication of Benefits and Non-Supplanting Funds Certificate

Public Hearing and Housing and Community Needs Assessment

Documentation supporting Commitment of Other Funds

###### NOTE: Partial submissions will NOT be accepted!

**1. Describe the planning activity**

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**2. How does the planning activity benefit low- and moderate- income persons?**

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**3. How does the planning activity respond to disaster-related impacts or how the project meets HUD’s definition of mitigation and reduces hazard risk to people and property. What current or future risk is the planning activity responding to? Where is this cited within the KY Action Plan Mitigation Needs Assessment??**

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**4. Describe the feasibility of the planning activity Subrecipient capacity to complete the planning process**

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**5. How does the planning activity benefit the public, especially vulnerable populations,**  
 **and protected classes?**

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**6. How does the planning activity provide ancillary Benefits (Environmental, Social, and Economic)?**

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**7. How does the planning activity design accommodate climate change projections and future conditions?**

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**8. How does the planning activity leverage federal, State, and local partnerships and funding sources?**

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**9. Describe community engagement activities related to the planning activity.**

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**10. Describe how planning activity and its budget demonstrate cost-effectiveness and cost-reasonableness.**

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**FINANCING**

Include **all** funding amounts and sources. Please complete all appropriate columns and indicate the status of funds as “Approved”, “Applied For”, or “Committed”.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Source** | **Amount** | **Project %** | **Type** | **Rate** | **Term** | **Status of Funds** |
| CDBG-DR |  |  |  |  |  |  |
| CDBG-DR Admin/Planning |  |  |  |  |  |  |
| **Subtotal CDBG-DR** |  |  |  |  |  |  |
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| Other Funds Subtotal |  |  |  |  |  |  |
| **Total** |  |  |  |  |  |  |
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**APPLICATION CERTIFICATION**

To the best of my knowledge and belief, information in this Form is true and correct. I also agree to comply with requirements of 24 CFR Part 570.

I also certify, to my knowledge and belief that the information provided in the Planning Resiliency Application form is **identical** to the planning proposal provided via electronic submission to the Kentucky Department of Local Government and the eClearinghouse, and this information is true, accurate and complete.

I am aware that the planning proposal may be removed from further consideration should it be determined that there are significant discrepancies in the information provided, and/or false, inaccurate or incomplete information has been given.

Title

Signature, Applicant Authorized Representative

     

Date

Name Typed

*If multi-jurisdictional application, joint applicant must also certify below.*

Signature, Chief Executive Officer

Title

Name Typed

Date

Replace this page with the completed Cost Summary Form for this application

**Cost Summary Form (found on the DLG Disaster Recovery Website)**

1. Enter the amount of CDBG-DR funds requested for each activity identified in the "CDBG-DR Funds" column.

2. Total all project costs (CDBG-DR, Other Funds, and Total Costs) and **Check for mathematical errors.**

**Insert the detailed engineers cost estimate behind the Cost Summary Form**

Replace this page with the completed Planning Duplication of Benefits Form and Non-Supplanting Funds Certification for this application

**Duplication of Benefits for Infrastructure Projects**

Applicants must submit two forms with their application for Duplication of Benefits (DOB) compliance:

1. Infrastructure Duplication of Benefits Form

2. Non-Supplanting Funds Certification

Both forms are available in the forms section of Chapter 10 of the CDBG-DR Subrecipient Manual

**Requirement:**

Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act prohibits any person, business, or other entity from receiving duplicative financial assistance for the same disaster recovery purpose from multiple sources of federal and other support (42 United States Code [U.S.C.] 5155(a) and (c)). Duplication occurs when a beneficiary receives assistance from multiple sources for a cumulative amount that exceeds the total need for a particular disaster recovery purpose. The amount of the duplication is the amount of assistance provided in excess of need.

Per CDBG-DR regulations, the program’s subrecipients are required to disclose all other benefits (e.g., cash, in- kind, grants, loans) received, or which will be received for the proposed project to ensure that federal funds do not duplicate funds received from other sources. The prohibition includes using funds to supplant city or county funding already budgeted for the project. Typical sources of duplicated benefits for infrastructure can include, but are not limited to, the following:

* Federal Emergency Management Agency (FEMA) Public Assistance
* FEMA Hazard Mitigation Grant Program
* FEMA National Flood Insurance Program
* FEMA Increased Cost of Compliance Benefits
* U.S. Army Corps of Engineers
* Commercial insurance
* Insurance and personal property replacement
* Forced mortgage payoffs
* Philanthropic cash assistance
* Some subsidized loans

A complete description of Duplication of Benefits can be found in the Subrecipient Manual, Chapter 10: Duplication of Benefits.

Subrecipients also can not supplant CDBG-DR funds for municipal funding that has already been budgeted to a project.

* 1. **Public Notice Requirement**

1. Date of publication of notice of CDBG-DR information to the public
2. Dates accepting public feedback       -
3. Please list the channels used to publish the information.

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1. Please attach PDF of Public Notice to application.
   1. **Public Hearing Requirement**
2. Date of advertisement
3. Date of hearing
4. Dates accepting public feedback       -
5. Please list the channels used to publish the meeting notice.

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1. Please attach the following to the application:

* Public Notice of Meeting
* Meeting sign-in sheet
* Meeting minutes, including lists of signatures from attendees, agendas, and handouts
* Comments received and responses issued

1. Describe the other methods used to solicit participation of low- and moderate-income persons, such as posting notices at public buildings, radio ads, etc...

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**INSTRUCTIONS**

This form is used to define your community’s overall housing and community development needs. All questions in each category must be answered even if your project is not designed to specifically address that category. All questions must be answered in respect to the entire jurisdiction of the applicant(s), not just the project area.

1. **ECONOMIC DEVELOPMENT**
2. Describe the overall economic development needs.

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Source/Rationale

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1. Describe the overall economic development needs specific to LMI residents.

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Source/Rationale

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1. Describe the community’s goals (methods for meeting needs) projected for three years.

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1. Describe the relationship of the proposed project to the stated economic development goals.

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1. **HOUSING**
2. Describe the overall housing needs.

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Source/Rationale

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1. Describe the overall housing needs specific to LMI residents.

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Source/Rationale

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1. Describe the community’s goals (methods for meeting needs) projected for three years.

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1. Describe the relationship of the proposed project to the stated housing goals.

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1. **PUBLIC FACILITIES**
2. Describe the overall public facilities needs.

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Source/Rationale

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1. Describe the overall public facilities needs specific to LMI residents.

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Source/Rationale

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| --- |
|  |

1. Describe the community’s goals (methods for meeting needs) projected for three years.

|  |
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1. Describe the relationship of the proposed project to the stated public facilities goals.

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Form Approved

OMB No.2506-0043

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| --- |
| U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  INSTRUCTIONS FOR COMPLIANCE WITH TITLE VI  OF THE CIVIL RIGHTS ACT OF 1964  Title VI of the Civil Rights Act of 1964 states  “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”  Section 1.4(b) (2) (i) of the regulations of the Department of Housing and Urban Development issued pursuant to Title VI requires that:  “A recipient, in determining the types of housing, accommodations, facilities, services, financial aid, or other benefits which will be provided under any such program or activity, or the class of persons to whom, or the situations in which, such housing, accommodations, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of persons to be afforded an opportunity to participate in any such program or activity, may not, directly or through contractual or other arrangements, utilize criteria or other methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity as respect to persons of a particular race, color, or national origin.”  As evidence of compliance with the above, the applicant shall provide the information as requested in a, b, c, and/or d below, as appropriate, to supplement the data relative to the locations of concentration of minority groups and proposed activities shown on the map submitted as part of the application. Additional pages should be used, if necessary. If there are no minorities in the community, check here  and disregard questions a through d. |
| 1. IDENTIFY THE MINORITY GROUP(S) POPULATION OR PORTION THEREOF, RESIDING IN THE APPLICANT’S JURISDICTION THAT WILL NOT BE SERVICED BY ONE OR MORE OF THE PROPOSED ACTIVITIES   HUD-7089(6-78)  Page 1 of 2 pages |

|  |
| --- |
| 1. EXPLAIN WHETHER THE MINORITY GROUP POPULATION, OR PORTION THEREOF, NOT SERVICED BY THE PROPOSED ACTIVITY (IES) ALREADY RECEIVES SUCH SERVICE. IF SO, DEFINE THE EXTENT OF EACH OF THESE EXISTING SERVICES AND INDICATE WHETHER THEY ARE EQUAL TO, GREATER THAN OR LESS THAN THE PROPOSED ACTIVITY(IES) RELATIVE TO THE LEVEL AND QUALITY OF SERVICES TO BE PROVIDED. |
| 1. IF THE MINORITY GROUP POPULATION, OR PORTION THEREOF, DOES NOT RECEIVE SUCH SERVICE(S) NOW AND WILL NOT RECEIVE THE BENEFIT OF THE PROPOSED ACTIVITY(IES), INDICATE THE APPROPRIATE TIME SUCH SERVICE(S) WILL BE PROVIDED TO SUCH RESIDENTS. |
| 1. IN THE EVENT NO FUTURE SERVICE(S) IS PLANNED FOR THE MINORITY GROUP POPULATION OR PORTION THEREOF, PROVIDE A STATEMENT OF THE REASONS WHY. |
| The phrase “minority group” as used herein, refers to Black, not of Hispanic Origin; Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture regardless of race); Asian or Pacific Islander; American Indian or Alaska Native.  HUD-7089(6-78)  Page 2 of 2 pages  Signature, Applicant Authorized Representative |

**Statement of Assurances**

The applicant hereby assures and certifies that:

(a) It possesses legal authority to apply for the grant, and to execute the proposed program, shall abide by all federal and state laws, executive orders, and regulations, including, but not limited to, those items listed in this section.

(b) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the applicant's chief executive officer to act in connection with the application and to provide such additional information as may be required.

(c) It has complied with all the requirements of Executive Order 12372 and that either:

(1) Any comments and recommendations made by or through clearinghouses are attached and have been considered prior to submission of the application; or

(2) The required procedures have been followed and no comments or recommendations have been received prior to submission of the application.

(d) It will facilitate citizen participation.

(1) Providing adequate notices for one or more public hearings, specifically to persons of low and moderate income;

(2) Holding one or more hearings at times and locations convenient to potential beneficiaries, convenient to the handicapped, and meeting needs of non-English speaking residents;

(3) Providing citizens information concerning the amount of funds available for proposed community development activities and the range of those activities;

(4) Providing citizens with information concerning the estimated amount of funds that will benefit persons of low and moderate income;

(5) Furnishing citizens with the plans made to minimize the displacement of persons and to assist persons actually displaced as a result of grant activities;

(6) Providing citizens with reasonable notice of substantial changes proposed in the use of grant funds and providing opportunity for public comment;

(7) Providing citizens with reasonable access to records regarding the past use of CDBG-DR funds received; and

(e) It will comply with the regulations, policies, guidelines and requirements of OMB Super Circular and the "Common Rule," 24 CFR, Part 85 as they relate to the application, acceptance, and use of Federal funds under this document.

(f) It will comply with:

(1) Section 110 of the Housing and Community Development Act of 1974, as amended, 24 CFR 570.603, and State regulations regarding the administration and enforcement of labor standards;

(2) The provisions of the Davis-Bacon Act (40 U.S.C. S 276a-5) with respect to prevailing wage rates;

(3) Contract Work Hours and Safety Standards Act of 1962, 40 U.S.C. 327 et. seq., requiring that mechanics and laborers (including watchmen and guards) employed on federally assisted contracts be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty in a work-week;

(4) Federal Fair Labor Standards Act, 29 U.S.C.S 102/et. seq., requiring that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed work-week;

(5) Anti-Kickback (Copeland) Act of 1934, 18 U.S.C.S 874 and 40 U.S.C.S 276c, which outlaws and prescribes penalties for "kickbacks" of wages in federally financed or assisted construction activities; and

(6) KRS 337, with respect to Kentucky Prevailing Wage Rates and labor standards.

(g) It will comply with all requirements imposed by the State concerning special requirements of law, program requirements, and other administrative requirements.

(h) It will comply with:

Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and the regulations issued pursuant thereto (24 CFR Part 1), which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits;

(i) It will to the greatest extent practicable under State law, comply with Sections 301 and 302 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended with the final rule published February 3, 2005, and will comply with Sections 303 and 304 of Title III, and HUD implementing instructions at 24 CFR Part 42.

(j) It will:

1. Comply with Title II (Uniform Relocation Assistance) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and HUD implementing regulations at 24 CFR Part 42 and 24 CFR 570.606;

(2) Provide relocation payments and offer relocation assistance as described in the Uniform Relocation Assistance Act of 1970, as amended, to all persons displaced as a result of acquisition of real property for an activity assisted under the Community Development Block Grant program. Such payments and assistance shall be provided in a fair and consistent and equitable manner that insures that the relocation process does not result in different or separate treatment of such persons on account of race, color, religion, national origin, sex, or source of income; and

(3) Provide for reasonable benefits to any person involuntarily and permanently displaced as a result of the use of grant funds to acquire or substantially rehabilitate property.

(k) It will comply with the provisions of the Hatch Act that limits the political activity of employees.

(l) It will give the State, HUD and the Comptroller General, through any authorized representatives, access to and the right to examine all records, books, papers, or documents related to the grant.

(m) Its chief executive officer or other officer of applicant approved by the State:

1. Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. S 4321 et. seq.) and other provisions of Federal law, as specified in 24 CFR Part 58, which furthers the purposes of NEPA, insofar as the provisions of such Federal law apply to the Kentucky Community Development Block Grant Program; and

(2) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such an official.

(n) It will comply with:

(1) The National Environmental Policy Act of 1969 (42 U.S.C. S 4321 et. seq.) and 24 CFR Part 58, and in connection with its performance of environmental assessments under the National Environmental Policy Act of 1969, comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 468), Executive Order 11593, and the Preservation of Archeological and Historical Data Act of 1974 (16 U.S.C. 469a-1, et. seq.) by:

1. Consulting with the State Historic Preservation Officer to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the proposed activity; and

(b) Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.

1. Executive Order 11988, Floodplain Management;

(3) Executive Order 11990, Protection of Wetlands;

(4) Section 202(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106) as it relates to the mandatory purchase of flood insurance for identified special flood hazard areas;

(5) The Endangered Species Act of 1973, as amended;

* 1. The Fish and Wildlife Coordination Act of 1958, as amended;

(7) The Wild and Scenic Rivers Act of 1968, as amended;

(8) The Safe Drinking Water Act of 1974, as amended;

(9) The Clean Air Act of 1970, as amended;

1. The Federal Water Pollution Control Act of 1972, as amended;

(11) The Clean Water Act of 1977; and

(12) The Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976.

(o) It will comply with 24 CFR Part 570.489(j) concerning the change of use of real property purchased  
 or improved in whole or in part with CDBG-DR funds.

(p) It will comply with all provisions of Title I of the Housing and Community Development Act of 1974, as amended, as well as with all other applicable State and Federal laws which have not been cited previously.

(q) It will use funds solely for necessary expenses related to disaster relief, long-term recovery, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.)

(r) It will comply with Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, generally prohibits any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster for which such person, business concern, or other entity has received financial assistance under any other program or from insurance or any other source. To comply with Section 312, applicant shall ensure that any additional funds received after DLG has conducted a duplication of benefits process are reported to DLG to update the duplication of benefits documentation.

(s) It has in effect and is following a residential antidisplacement and relocation assistance plan (RARAP) in connection with any activity assisted with CDBG–DR grant funds that fulfills the requirements of Section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.

The applicant hereby certifies that it will comply with the above stated assurances.

Signature, Authorized Representative

Name (typed or printed)

Title

Date