AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Community Development Block Grant Program; Business Loan Funds

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: BOCC for Gunnison County, Delta County, Hinsdale County, Montrose County, San Miguel County & Ouray

Term Begins: 7/1/2014 **Term Ends:** **Grant Contract #:**

Summary:
Region 10 League for Economic Assistance and Planning, Inc. has partnered with its six county governments – Montrose, Delta, Gunnison, Hinsdale, San Miguel, and Ouray Counties – to administer the Community Development Block Grant (CDBG) program. Region 10 is reapplying for additional funding, which is due to end in September 2014. This grant will help continue administering the Business Loan Fund (BLF) to be used by these six counties.

Fiscal Impact: Applying for CDBG funding in the amount of $300,000

Submitted by: Blucero **Submitter's Email Address:** blucero@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:

No budget implications for Gunnison County.

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 7/1/2014

County Attorney Review: (●) Required ( ) Not Required

Comments:

Please note that the Citizen Participation Plan has explicit requirements for Gunnison County to provide notice and a publiic hearing. These requirements are not objectionable but must be adhered to. db 6/30/14

Reviewed by: GUNCOUNTY1\dBaumgarten Discharge Date: 6/30/2014 Certificate of Insurance Required

Yes ( ) No (●)

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 7/1/2014

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted:

Agenda Date: 7/15/2014 Follow Up Agenda Date:

Revised April 2013

Leveraging Resources for Stronger Communities

June 30, 2014

To the Board of County Commissioners:

Region 10 League for Economic Assistance and Planning, Inc. has partnered with its six county governments – Montrose, Delta, Gunnison, Hinsdale, San Miguel, and Ouray Counties – to administer the Community Development Block Grant (CDBG) program. Region 10 is reapplying for additional funding, which is due to end in September 2014. This grant will help continue administering the Business Loan Fund (BLF) to be used by these six counties. The application being considered would request $252,000 for assistance to businesses and $48,000 for project administration, for a total of $300,000 requested. Region 10 is requesting to enter into an intergovernmental agreement with Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel County (with Montrose County acting as the Lead County). Region 10 has managed a similar contract since 2009.

The BLF targets businesses proposing to move into local opportunity markets, export a value-added product, or bring new revenue from outside the region. The BLF will consider assistance to any type of business where jobs will be created or retained. Categories and priorities are as follows: 1) expansion of existing business, 2) retention of existing business employment, and 3) start up or new-to-the-region businesses. The BLF program provides low interest loans to existing and new businesses in six Western Slope counties that specifically target low and middle income persons.

Region 10 requests that Gunnison County continue their support of the BLF and CDBG programs by signing the following:

- Citizen Participation Plan
- Residential Anti-displacement and Relocation Assistance Plan
- Intergovernmental Agreement
- A resolution that "prohibits the use of excessive force by law enforcement agencies within its jurisdiction against an individual engaged in nonviolent civil rights demonstrations"

I have attached all of the supporting documents listed. If you have any questions or concerns, please feel free to contact me at (970) 249-2436 or jay@region10.net.

Sincerely,

Jay Stooksberry
Regional Development Coordinator

Delta County
City of Delta
Town of Cedaredge
Town of Crawford
Town of Hotchkiss
Town of Paonia

Gunnison County
City of Gunnison
Town of Mt. Crested Butte
Town of Crested Butte

Hinsdale County
Town of Lake City

Montrose County
City of Montrose
Town of Naturita
Town of Olathe

Ouray County
City of Ouray
Town of Ridgway

San Miguel County
Town of Telluride
Town of Mtn. Village
Town of Norwood

Region 10 League for Economic Assistance and Planning, Inc.
300 N Cascade Avenue Suite 1, Montrose, CO 81401 · Ph: (970) 249-2436 · Fax: (970) 249-2488
www.region10.net · e-mail: info@region10.net

INTERGOVERNMENTAL AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT BUSINESS LOAN FUNDS

THIS AGREEMENT, made this 1st day of July, 2014, by and among the following:

1. Delta County Board of Commissioners
2. Gunnison County Board of Commissioners
3. Hinsdale County Board of Commissioners
4. Montrose County Board of Commissioners
5. Ouray County Board of Commissioners
6. San Miguel County Board of Commissioners

WHEREAS, the parties to this Agreement have the authority pursuant to Article XIV, Section 18 of the Colorado Constitution and Section 29-1-201, et. seq., Colorado Revised Statutes, to enter into intergovernmental agreements for the purpose of providing any service or performing any function which they can perform individually.

WHEREAS, the parties to this Agreement desire to cooperate in developing and carrying out a Community Development Block Grant (CDBG) project, the purpose of which is to fund a CDBG Business Loan Fund Program.

NOW THEREFORE, the parties hereby mutually agree as follows:

1. *Designation of Lead Party*: Montrose County shall act as the lead party in developing and carrying out said proposed CDBG project.

2. *Responsibilities of Lead Party*: In its capacity as Lead Party, Montrose County shall be the lead jurisdiction in making application to the State Department of Local Affairs (State) for CDBG funds and shall be the grantee of the State for such funds, if awarded. As the grantee of the State, it shall be fully and solely responsible to the other parties to this Agreement for compliance with all financial management, environmental review, labor standards, civil rights, recordkeeping, reporting and other requirements of the CDBG program contained in the Applicant Statement of Assurances and Certifications, and in the grant contract with the state, except those specified in Paragraph 3 hereinafter.

3. *Responsibilities of All Parties*: Each party to this Agreement shall be **individually** responsible for compliance with the following requirements of the CDBG program:

a) adopting a required Citizen Participation Plan, and providing to its citizens information and opportunities to comment as required by the State in developing an application and in substantially changing project activities;
b) identifying its community development and housing needs, including the needs of low and moderate income persons, and the activities to be undertaken to meet such needs;
c) adopting a required Anti-displacement and Relocation Assistance Plan which calls for replacement of demolished or converted low/moderate income housing units and provision of necessary relocation assistance; and
d) taking actions to affirmatively further fair housing.

Furthermore, each party shall provide documentation to Montrose County demonstrating its compliance with the requirements specified in the Paragraph 3 and Montrose County shall retain such documentation and other required records and documents for the period of time specified by the State.

4. *Contracting*: Montrose County shall contract with or, with other eligible individuals or entities to carry out all ordinary daily operations and any portion of the responsibilities assumed by Montrose

County under this Agreement and its grant contract with the State.

5. *Term of Agreement*: This Agreement shall remain in full force and effect for so long as the parties to this Agreement are pursuing CDBG funding for said proposed project or, if awarded, carrying out such project activities. Any party to this Agreement may, however, terminate its participation in this Agreement six months after providing written notice of such termination to the other parties of this Agreement. This Agreement may be terminated at any time by agreement of all parties to this Agreement unless a grant contract is in effect with the State. In this case, the State must approve such termination and arrangements for completing the project.

6. *Modification and Changes*: The terms of this Agreement may be modified or changed at any time by agreement of all parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

BOARD OF COUNTY COMMISSIONERS
DELTA COUNTY

Signature, Chair/Chief Elected Official

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Signature, Chair/Chief Elected Official

BOARD OF COUNTY COMMISSIONERS
HINSDALE COUNTY

Signature, Chair/Chief Elected Official

BOARD OF COUNTY COMMISSIONERS
MONTROSE COUNTY

Signature, Chair/Chief Elected Official

BOARD OF COUNTY COMMISSIONERS
OURAY COUNTY

Signature, Chair/Chief Elected Official

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY

Signature, Chair/Chief Elected Official

GUNNISON COUNTY
CITIZEN PARTICIPATION PLAN
FOR COMMUNITY DEVELOPMENT BLOCK GRANT
BUSINESS LOAN FUNDS

Pursuant to Section 104(a)(3) of the Housing and Community Development Act of 1974, as amended, this Citizen Participation Plan is hereby adopted to ensure that the citizens of Gunnison County, particularly persons of low and moderate income residing in slum and blight areas and in areas in which CDBG funds are proposed to be used, are provided the opportunity and encouraged to participate in the planning and implementation of CDBG-funded activities.

PUBLIC HEARING
Public hearings will be the primary means of obtaining citizen views and responding to proposals and questions related to community development and housing needs, proposed CDBG activities and past CDBG performance.

Prior to submitting a CDBG application to the State, Region 10 League for Economic Assistance and Planning, on behalf of the participating counties, will conduct at least one public hearing in the lead county (Montrose County) to identify community development and housing needs, including the needs of low and moderate income persons, as well as other needs in the community that might be addressed through the CDBG program, and to review proposed CDBG activities and the past performance in carrying out its CDBG responsibilities.

A formal public notice will be published in a newspaper of general circulation in the jurisdiction's area at least five (5) days prior to the public hearings. In the case of a multi-jurisdictional application, all directly participating jurisdictions are required to publish a notice pertaining to the public hearing in at least one newspaper of general circulation in each jurisdiction and each participating jurisdiction is required to hold at least one public hearing. A public notice will also be posted in Gunnison County and in other places frequented by the public, especially low and moderate income persons and persons benefitting from or affected by proposed CDBG activities. As circumstances warrant and as Gunnison County determines necessary or appropriate, participation may additionally be specifically solicited from persons of low and moderate income, those benefitting from or affected by CDBG activities and/or representatives of such persons. Hearings will be held at times and locations convenient to potential and actual beneficiaries, and with accommodation for the handicapped. In the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate, arrangements will be made to have an interpreter present.

PUBLIC INFORMATION AND RECORDS
Information and records regarding the proposed and past use of CDBG funds will be available at Region 10 League for Economic Assistance and Planning, located at 300 N. Cascade Ave., Suite Montrose, CO 81401 during regular office hours. The public will be so informed by public notice. Special communication aids can be made available to persons upon request.

TECHNICAL ASSISTANCE
Gunnison County will provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing CDBG proposals. The level and type of assistance appropriate will be determined by Gunnison County based on its ability to provide or arrange for such assistance, the cost of providing such assistance and other relevant factors.

WRITTEN COMMENTS AND RESPONSES
Gunnison County will respond to written complaints and grievances in writing in a timely manner. When practicable, such written responses shall be made within fifteen (15) working days.

NOTE: CITIZEN ADVISORY COMMITTEES ARE NOT REQUIRED. IF ONE IS PROPOSED, HOWEVER, THE COMMITTEES' ROLE AND COMPOSITION SHOULD BE INCLUDED IN THIS CP PLAN.

SIGNATURE PAGE
GUNNISON COUNTY
CITIZEN PARTICIPATION PLAN
FOR COMMUNITY DEVELOPMENT BLOCK GRANT
BUSINESS LOAN FUNDS

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

_____

Signature, Chair/Chief Elected Official

GUNNISON COUNTY
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN
FOR COMMUNITY DEVELOPMENT BLOCK GRANT
BUSINESS LOAN FUNDS

Gunnison County will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG funds, as required by Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), and implementing regulations at 24 CFR 570.496a.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, Gunnison County will make public and submit to the State the following information in writing:

1. Description of the proposed assisted activity;

2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate dwelling units as a direct result of the assisted activity;

3. A time schedule for the commencement and completion of the demolition or conversion;

4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;

5. The source of funding and a time schedule for the provision of replacement dwelling units; and

6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

Gunnison County will provide relocation assistance, as described in 570.496a(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the Gunnison County will take the steps indicated below to minimize the displacement of persons from their homes:*

*** The following are examples of steps to minimize displacement. The first two are required. The others are optional. Only check those which are appropriate for the project and local circumstances. Add other steps as necessary or appropriate.**

_X_ Consider all practical alternatives to any proposed project which may result in residential displacement. Alternatives to be considered include other sites for the proposed facilities/project. Also to be considered are the costs and benefits, both financial and nonfinancial, of each alternative.

_X_ Provide counseling and referral services to assist displaces to find alternative housing in the community.

___ Work with area landlords and real estate brokers to locate vacancies for households facing displacement.

___ Stage rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, working with empty buildings or groups of empty units first so they can be rehabilitated first and tenants moved in before rehab on occupied units or buildings is begun.

___ Establish temporary relocation facilities in order to house families whose displacement will be of short duration, so they can move back to their neighborhoods after rehabilitation or new construction.

____ Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent their placing undue financial burden on long-established owners or on tenants of multi-family buildings.

____ Develop displacement watch systems in cooperation with neighborhood organizations to continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

_____

Signature, Chair/Chief Elected Official

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2009-40

A RESOLUTION CONCERNING EXCESSIVE FORCE

WHEREAS, Region 10 League for Economic Assistance and Planning, Inc. through Montrose County, State of Colorado, has made application for a Community Development Block Grant (CDBG) funds from the State of Colorado for communities including Gunnison County; and

WHEREAS, in accordance with Section 519 of Public Law 101-144, the HUD Appropriations Act requires certain statements of assurance and certifications;

NOW THEREFORE, BE IT RESOLVED that pursuant to Region 10 through Gunnison County being granted CDBG funds by the State; the Board of County Commissioners of Gunnison County, Colorado with support from the Gunnison County Sheriff hereby adopts a statement of policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual(s) engaged in non-violent civil rights demonstrations.

INTRODUCED by Commissioner Starr, seconded by Commissioner Channell, and adopted this 15th day of September, 2009.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

By _____
Paula Swenson, Chairperson

By _____
Jim Starr, Vice Chairperson

By _____
Hap Channell, Commissioner

ATTEST:

_____
Deputy County Clerk

GUNNISON COUNTY SEAL COLORADO