

## **City of Eudora Modified Public Meeting Procedure**

The City of Eudora will hold a special City Commission meeting on Thursday, May 21, 2020 at City Hall beginning at 6:00 PM. Due to the concerns of spread of the COVID-19, some City Commissioners will participate remotely. To meet the spirit and intent of the Kansas Open Meetings Act (KOMA), anyone can listen to the meeting live via a conference call. This access can be gained as follows:

Dial-in number (US): (701) 802-5407

Access code: 7548666#

If anyone wishes to make a public comment as part of the public hearing, they may do so by sending or e-mailing their comment(s) to City Clerk Pam Schmeck by 12:00 PM on Thursday, May 20, 2020.

Public hearing comments can also be mailed to the City Clerk at P.O. Box 650, Eudora, Kansas 66025. They can also be submitted via the utility bill drop box on the east side of City Hall, or e-mailed to [pschmeck@cityofeudoraks.gov](mailto:pschmeck@cityofeudoraks.gov). The public hearing comments will be read by the City Clerk during the public hearing portion of the meeting. All public comments must include the name and address of the person submitting the comment.

Members of the City Commission, presenters, or staff will identify themselves when speaking so that everyone will know who is speaking at the time.

**EUDORA CITY COMMISSION  
MEETING AGENDA  
May 21, 2020  
Eudora City Office  
4 East 7<sup>th</sup> Street Eudora, Kansas  
6:00 P.M.**

**Mayor: Tim Reazin**

**Vice Mayor: Ruth Hughs**

**City Commissioners: Jolene Born, Roberta Lehmann & Tim Bruce**

- I. CALL TO ORDER      Roll Call      Pledge of Allegiance**
- II. CHANGES OR ADDITIONS TO AGENDA – Approve agenda**
- III. CONSENT ITEMS:  
    A. None**
- IV. PUBLIC HEARING:  
    A. City of Eudora’s CDBG-CV Program Grant Application**

**PUBLIC COMMENTS:** Please email your comments to [pschmeck@cityofeudoraks.gov](mailto:pschmeck@cityofeudoraks.gov) to be read. Public comments are limited to 5 minutes per speaker.

- V. BUSINESS ITEMS:  
    A. Consider executing certain documentation related to Community Development Block Grant (CDBG-CV) Plan**
  - i. Resolution 2020-05 certifying legal authority and authorization to apply for the CDBG-CV from the Kansas Department of Commerce**
  - ii. Consider Statement of Assurances and Certifications**
  - iii. Consider Applicant/Recipient Disclosure/Update Report**
  - iv. Consider Residential Anti-displacement and Relocation Assistance Plan under Section 104(D) of the Housing and Community Development Act of 1974, as amended**
- VI. Mayor & City Commission comments**
- VII. City Manager & staff comments**
- VIII. WORK SESSION:  
    A. None**
- IX. EXECUTIVE SESSION:  
    A. None**
- X. Adjournment**

*As a courtesy, please silence all cell phones while the City Commission meeting is in session.*

## **Agenda Statement**

**Date:** Thursday, May 21, 2020  
**To:** City Commission  
**From:** Barack Matite, City Manager  
**Re:** Public Hearing: CDBG-CV Economic Development Application

### **Background**

To mitigate the impact of the COVID-19 pandemic, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act.<sup>1</sup> Under the Act, the State of Kansas received about \$9 million dollars for CDBG-CV Program. Funds for this program will be available for non-entitlement Cities and Counties, and will be distributed on a first-come, first-served basis until all the funds are exhausted.

### **CDBG-CV Program**

Community Development Block Grant (CDBG) funds are an important tool that support various initiatives, programs, and projects in small communities. With the passage of the CARES Act, additional CDBG resources are being made available through the CDBG-CV program. The CDBG-CV program provides communities with economic development grant funding to help their local businesses retain jobs for low-to-moderate income employees.<sup>2</sup>

A flyer that provides an overview of this program is attached. As with other CDBG grant programs, only “general purpose units of government” in the State of Kansas are eligible to apply for the CDBG-CV funding. The maximum amount that can be allocate to any city or county that applies for the grant is \$300,000. Cities and Counties will then determine how to allocate the funds awarded to them.

### **Public Hearing**

As part of the grant submission process, a public hearing must be held informing the public of the City's intent to apply for the CDBG-CV economic development grant. A public hearing notice was published on May 15, 2020.

At the meeting, Mayor Reazin should plan to open the public hearing and allow the public to submit their comments. The City Clerk will also read the written comments submitted to her. Following the conclusion of the public comments, Mayor Reazin will close the hearing.

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<sup>1</sup> <https://www.congress.gov/116/bills/s3548/BILLS-116s3548is.pdf>

<sup>2</sup> <https://www.kansascommerce.gov/programs-services/community-development/community-development-block-grant-program/cdbg-cv/>

**Staff Comments/Recommendations**

Attached to this agenda statement is the Public Hearing Notice that was published in the paper. The notice summarizes the program and the City's intent to apply for the CDBG-CV economic development grant program.

Both written and oral comments will be recorded and become part of the grant application as Eudora CDBG Citizen Participation Plan. Following the public hearing, the City Commission will be asked to consider for approval, documents related to the CDBG-CV Economic Development grant application.

**Budget Impact**– None.

**City Manager Approval** – Received.

**Recommended Commission Action:**

*Suggested Motion: N/A*

## **Agenda Statement**

**Date:** Thursday, May 21, 2020  
**To:** City Commission  
**From:** Barack Matite, City Manager  
**Re:** CDBG-CV Economic Development Grant Application

### **Background**

Following the closure of the public hearing, the City Commission must consider and approve certain documents for the City to complete and submit the CDBG-CV Economic Development grant application.

The respective documents are included with this agenda statement for your review and consideration. They include:

- a. Resolution 2020-05 certifying the City's legal authority and authorization to apply for the CDBG-CV grant from the Kansas Department of Commerce.
- b. Certification of the Statement of Assurances and Certifications
- c. Approval and certification of the Residential Anti-displacement and Relocation Assistance Plan
- d. Certification of the Applicant/Recipient Disclosure/Update Report

Brett Waggoner of Governmental Assistance Services, the grant writer currently working with the City on the 714 Main St. CDBG grant application, plans to be in attendance at the meeting should the Commission have any questions about the CDBG-CV program or the referenced documents.

Staff has consulted and will have ongoing discussion with the Chamber Executive Board about how to best allocate the funds to the businesses. Staff is also working on creating a page on the City's website that will have information about this program and how business owners can apply.

**Budget Impact**– None. If awarded, a grant administrator is required to administer the grant. Staff issued an RFP and will recommend an administrator for your consideration. The grant administration fee is paid for using the CDBG-CV funds.

**City Manager Approval** – Received.

### **Recommended Commission Action**

*Suggested Motions:*

- a.* I move to approve Resolution 2020-05 certifying legal authority and authorization of the City of Eudora to apply for the CDBG-CV Economic Development Grant program from the Kansas Department of Commerce and authorizing Mayor Reazin to execute and submit such an application.
- b.* I move that the Mayor execute the Statement of Assurances and Certifications relating to the activities involved in the application for the CDBG-CV Economic Development grant.
- c.* I move that Mayor Reazin certify that the Residential Anti-displacement and Relocation Assistance Plan relating to the CDBG-CV Economic Development grant program is officially adopted and execute such document stating the same.
- d.* I move that the Mayor certify the Applicant/Recipient Disclosure/Update Report which identifies parties with a financial interest in the CDBG-CV Economic Development grant program and execute such document stating the same.



# CDBG-CV OVERVIEW



# CDBG-CV OVERVIEW

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## **ALL REGULAR CDBG PROGRAM REQUIREMENTS APPLY UNLESS OTHERWISE STATED IN THESE GUIDELINES.**

The State of Kansas, Community Development Block Grant – CV (CDBG-CV) program has been awarded \$9,029,815 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Awards will be made for issues triggered by the COVID-19 virus and when no other funds are available.

### **ELIGIBLE APPLICANTS**

The CARES Act funds will be available for a City or County in the State of Kansas, which are defined as “general purpose units of government.” The entitlement Cities and Counties ineligible include Kansas City, Wichita, Topeka, Lawrence, Leavenworth, Manhattan, Overland Park and all of Johnson County.

### **APPLICATION SUBMISSION REQUIREMENTS**

Applications will be submitted online on a first come, first served basis until money is exhausted.

### **FUNDING AMOUNT**

Maximum funding per county or city is \$300,000 for Economic Development grants and \$100,000 for meal programs.

### **REIMBURSABLES**

Cost can be reimbursed from March 1, 2020 or used for future expenses.

### **PROCEDURAL CHANGES**

Procedural changes with CARES Act funds include, the processing of the grantee’s Grant Agreements, Request for Release of Funds and Certification (HUD-7015.15), and Grant Close-out agreements. Based on HUD guidance from April 13, 2020, the grantee can use electronic signatures, scans or fax. These amendments would only be applied to awarded CARES Act funds. All other CDBG requirements apply.

### **OTHER REQUIREMENTS**

The other requirements of the CDBG-CV are not fully described in this application. However, they still apply and include: National Objective Requirements, Pre-selection of Professional Services, Administrative Requirements for the Program, Citizen Participation Requirements (Public Hearings), Applicable Laws and Regulations - Federal Laws and Regulations, State Law Requirements, State Laws which may be available or applicable, Grant Definition, and Environmental Review Process. Details of these requirements can be found in the 2019 CDBG General Application Guidelines.

### **APPLICATION RATING CRITERIA**

Applications will be awarded on a first come-first serve basis until funds are all distributed. Should any document be missing, incorrect or otherwise have deficiencies we will contact the applicant for corrections. Due to the first come-first serve nature of these grants the date received will start once all items are submitted correct-y.

### **THRESHOLD REQUIREMENTS**

There are no threshold requirements.

### **ELIGIBLE ACTIVITIES FOR CDBG-CV**

1. Micro-Grant funds to Cities or Counties
  - a. The use of funds is for businesses to purchase needed inventory to reopen. This is considered working capital making the environmental level of review as Categorically Excluded not Subject to (CENST).

- b. All awards are distributed as grants
  - c. The National Objective is Job Retention and over 51 percent of employees must meet LMI
  - d. Inventory purchases for 60 days after allowed to reopen to regular services
  - e. \$25,000 maximum per job retained for businesses under 5 FTE employees, including owner, for a maximum grant of \$30,000 per company
  - f. For profit businesses only
2. Economic Development
- a. For businesses to purchase needed inventory to reopen. This is considered working capital making the environmental level of review as CENST.
  - b. All awards are distributed as grants
  - c. The National Objective is Job Retention and over 51 percent of employees must meet LMI
  - d. Inventory purchases for 60 days after allowed to reopen to regular services
  - e. \$35,000 maximum per job retained for businesses with 6-50 FTE employees for a maximum grant of \$50,000 per company
  - f. For profit businesses only
- NOTE: Larger companies should look at CDBG Economic Development funds*
3. Support for Meals on Wheels, replenishment of Food Banks and Food Pantries, or aid to lunch programs for kids to provide extra support through this stay home order. This is a Public Service activity and the City must meet LMI.

### **STATE COMPLIANCE CRITERIA**

The following administrative and financial guidelines apply to the Kansas Small Cities CDBG-CV program:

1. Timeliness: Grantees will have a signed contract with the state within 30 days of award announcement. Project implementation will be initiated within 60 days of the award announcement. All projects must be scheduled to be completed within 12 months of the project award date. If you have CDBG Local Revolving Loan Funds, you will have 90 days from award to reduce your balance to under \$10,000 or lose the new business grant money.
2. Administration Allowance: For the purpose of budgeting, applicants may not propose more than \$15,000 or 10 percent, whichever is less. CDBG-CV will not replace any existing employee's salaries for administration.  
 NOTE: No city or county employee, elected or employed, can separately contract with the grantee to perform any portion of the grant either through an outside firm or directly.  
 Commerce will release 25 percent administration funds after receipt of the grantee's signed state grant agreement, 50 percent after first drawdown of funds, 75 percent after 50 percent has been drawn and 90 percent administrative costs prior to receipt of close-out paperwork and clearance of monitoring findings. For grantees providing administration funds out of local monies, a five percent retainage will be held on the total grant monies until the final paperwork is received and all monitoring findings are cleared.
3. Professional Assistance: The use of professional services is governed by the provision of OMB Circular A-87 and applicable state, federal and local laws. The selection of services must be done according to CDBG procurement regulations if grant funds will be used for payment. Written agreements shall be

executed between the parties detailing the responsibilities, standards and fees.

4. **Environmental Impact:** All CDBG-CV projects are subject to the Federal Environmental Regulations.
5. **CDBG-CV Policy when Applicant Discovers Error after Award Announcement:**
  - a. In the CDBG-CV application process, unless the State has made a calculation or procedural error, there is no provision to correct applicant error after grant award announcements. The State would be in violation of its own Program Requirements if any application were reconsidered.
  - b. In all cases, it is the applicant's responsibility to proofread and double-check the accuracy of the information submitted in the application.
  - c. The mayor/county commission chairman (chief elected official) accepts the responsibility that the information in the application is correct by signing the grant application submitted.
6. **Kansas Small Cities CDBG-CV Administrative Procedure for Request for Information:**
  - a. **Kansas Open Records Law**
    - (1) All requests for information from the Small Cities (CDBG-R) program will be subject to the Kansas Open Records Law (K.S.A. 1983 Supp. 45-206 et. seq.). The Kansas law requires that all records of a public agency be open to inspection. Kansas Small Cities (CDBG-CV) applications are, as defined by K.S.A. 1983 Supp. 45-207, public records and as such are open for inspection, except as otherwise provided by the Act. All requests must be specifically made in writing.
    - (2) Copies of file information will not be made due to cost of copying, staff time and constraints.
    - (3) File information, such as grant applications, may be reviewed in the office during normal working hours.
    - (4) File information, such as grant applications, may be obtained for private off-site photocopying by use of a "sign out" sheet during normal working hours. Master copy applications may not be "signed out" and must be reviewed only in the office.
    - (5) Consensus rating information will be made available under the above procedures. Individual staff notes are not a part of the body of "public information" and, therefore, will not be made available [K.S.A. 45-211(a)(20)].

### **TECHNICAL ASSISTANCE**

Communities can request technical assistance from Debbie Beck at [debbie.beck@ks.gov](mailto:debbie.beck@ks.gov) or Linda Hunsicker at [linda.hunsicker@ks.gov](mailto:linda.hunsicker@ks.gov).

# APPLICATION CHECKLIST FOR CDBG – CV ACT APPLICATION

- \_\_\_\_\_ Applications must be submitted in the following order:
- \_\_\_\_\_ Application Summary
- \_\_\_\_\_ Community Needs Form
- \_\_\_\_\_ Project Budget Form
- \_\_\_\_\_ CDBG-CV Narrative
- \_\_\_\_\_ Resolution of Governing Body to File Application
- \_\_\_\_\_ Statement of Assurances and Certification
- \_\_\_\_\_ Disclosure Report
- \_\_\_\_\_ Anti-displacement Plan
- \_\_\_\_\_ Affidavit of Public Hearing Notice
- \_\_\_\_\_ Copy of Survey Instrument, if applicable
- \_\_\_\_\_ Copy of Survey Tabulation, if applicable w/description of variance, if applicable
- \_\_\_\_\_ Survey Methodology
- \_\_\_\_\_ Letter of approved survey if completed 2019 or before
- \_\_\_\_\_ Determination of Level of Review - For Meal Programs, ONLY (Business grants will submit when that business is funded)

NOTE: Do not include letters of support in the application.



1000 SW Jackson St., Suite 100  
Topeka, Kansas 66612-1354  
[kansascommerce.gov](http://kansascommerce.gov)

## **CDBG-CV Frequently Asked Questions**

### **GENERAL QUESTIONS & PROGRAM ELIGIBILITY**

#### **Who is eligible to apply?**

Non-entitlement cities and counties in the state of Kansas, which are defined as “general purpose units of government,” are eligible to apply for CDBG-CV funding.

#### **Are entitlement cities or counties eligible?**

No. Entitlement communities include Kansas City, Wichita, Topeka, Lawrence, Leavenworth, Manhattan, Overland Park and all cities within Johnson County. They are not eligible to apply for state of Kansas CDBG funds since they get funds directly from HUD.

#### **Could a county apply on behalf of multiple small cities? For example, several of our Counties have several small cities that may only have 1 to 5 businesses and it might be easier to have the County Economic Development person put together a joint application and administer the funds on their behalf.**

Yes. A county can apply on behalf of multiple cities / the entire county. However, if one of those cities also obtains funds independently of the county, the county funds cannot be used in that city. This is possible without an inter-local agreement.

#### **What is the anticipated time frame for city/county applications to be processed and money dispersed?**

The Department of Commerce will notify the community as quickly as possible if they have been awarded CDBG-CV funds, with the goal of notification within 15 days of application submission/completion.

#### **How quickly will businesses have access to funds?**

If the business is awarded funds from its city and/or county, funds will have to be drawn from the Department of Commerce. Once the draw request is submitted to Commerce, the city and/or county will have funds in 10-14 days.

#### **Do you anticipate the application being easy enough for communities to handle, or would the applications be better handled by contract grant administrator?**

That depends on the capacity of the city or county.

#### **Matching funds are not required, but will matching funds increase a community's score when these are rated?**

There is no scoring. Awards are granted on a first-come, first-served basis.

#### **Does a city need to know exactly which businesses are applying before submitting their application, or can that be determined after funding is awarded?**

You don't have to know exactly what businesses will apply and benefit from funding, but you should be prepared to provide some basic, high-level information on recipients in your application.

**If there is a city that has a split school district between two towns that wanted to utilize the grant dollars to do a summer food program and BOTH cities are LMI, who would apply and would a local agreement be sufficient ,or would each town have to do their own?** The applicant would be the city and/or county where the physical building is located. The population served would need to be described in the Project Narrative.

**Can businesses apply for CDBG-CV funds through the Department of Commerce?**

No. Only non-entitlement Kansas cities and counties can apply for CDBG-CV funding through the Department of Commerce.

Businesses must make their applications for funding directly with the city or county where they are located.

**How will cities and/or counties distribute Economic Development grants to businesses?**

Each city and/or county determines how to allocate the funds awarded to them on a local level. The amount of funds able to be granted to businesses is dependent on the number of jobs retained per business.

For businesses with 1-5 employees, up to \$25,000 per FTE can be awarded, with a maximum funding of \$30,000 per company.

For businesses with 6-50 employees, up to \$35,000 per FTE can be awarded, with a maximum funding of \$50,000 per company.

**Can an applicant apply for an Economic Development grant and a Meal Program grant?**

Yes, so long as the community is LMI and the business receiving those funds proves national objective by retained LMI jobs.

**When applying for Meal Program grants, is the amount you apply for tied to a maximum per person (\$2K) in the community?**

There is no per-person maximum for Meal Program grants; only a maximum total award of \$100,000.

**Can meal programs be funded as Urgent Need?** According to our HUD field office, no, meal programs cannot be funded as Urgent Need.

## **BUSINESS AND/OR PROJECT ELIGIBILITY**

**How do I know if my city or county has CDBG-CV funds available for businesses?**

Cities and counties are responsible for notifying businesses if/when they receive CDBG-CV grant funding. If you have questions about whether or not your city and/or county has CDBG-CV grant funds available, you should contact your city clerk or county clerk offices directly.

**What types of businesses are eligible to receive CDBG-CV funding from their city and/or county?**

Businesses and organizations that suffered losses due to COVID-19, and who have not received funding from other resources, are eligible to receive CDBG-CV funding from their city and/or county. Businesses must have been in existence as of March 1, 2020.

**Do agricultural businesses (farming, ranching, dairy, etc.) impacted by the coronavirus pandemic qualify for the CDBG-CV opportunity?**

So long as the business meets the national objective of jobs being retained, agricultural businesses are eligible for CDBG-CV funding.

**A farmer's cooperative has several branch locations in multiple cities and multiple counties. Does each location stand on its own, or is funding available only under the whole cooperative in whatever city or county it is located?**

Grants are awarded by location.

**Are home-based businesses eligible for CDBG-CV funding from their city and/or county?**

Yes. Home-based businesses are eligible to receive funding.

**If a business participated in the Paycheck Protection Program (PPP), are they eligible to receive CDBG-CV funds?**

Yes, but the CDBG-CV funds may not be used for employee salaries.

**If a business participated in the Economic Injury Disaster Loan program (EIDL), are they eligible to receive CDBG-CV funds?**

Yes, so long as it is not a duplication of benefits.

**Is the purchase and installation of hand sanitizer stations or physical dividers/barriers in a business eligible?**

Yes. These items are considered working capital.

**Are the Economic Development grants eligible for paying off existing debt from other sources including local revolving loan funds?**

No.

**Generally, a church or school isn't eligible for CDBG funds. If either has a food program or pantry, would they qualify?**

Yes. Churches and schools with food programs and pantries are eligible to apply through their city and/or county.

**Is refilling a low or empty food pantry eligible under Meal Programs?**

Yes. Replenishing a food pantry is an eligible CDBG-CV project.

**Can a community create a new food pantry with the CDBG-CV funds?**

Yes. Communities can create new food pantries with the funding.

**Would the purchase of freezers be eligible for a food pantry?**

No.

**For Meal Program grants, must the funding be used directly for food cost, or could it be used to rent for a building for an emergency food pantry during COVID-19 period?**

Both are acceptable expenses/uses.

**A local 501(c)3 runs the Meals on Wheels program, and they were not able to hold their major fundraiser because of the COVID-19 pandemic. Would they be able to apply?**

Yes. They would be an eligible recipient of CDBG-CV funds. The city and/or county would have to apply for those funds.

## **REQUIREMENTS & PREREQUISITES**

**Can public meetings be conducted virtually?**

Yes. Public meetings may be conducted virtually using a video streaming service. A link to the website where the public meeting will be shown must be placed prominently on the grantee's website. Lastly, the newspaper advertisement must still run the required number of days prior to the meeting, and the web address to the grantee's website or the web address where the public meeting will be streamed must be included.

**What year of LMI survey will be eligible?**

Surveys conducted since the 2012 application rounds are eligible to use.

**The 2019 applications guidelines states, “Each prospective applicant must hold one (1) legal public hearing a minimum of 15 days prior to application due date for any application submitted for CDBG funding. Does this apply to CDBG-CV?”**

No. Because there is no deadline for CDBG-CV applications, you only need to publish a minimum of five full days before the hearing (starting one day after publication date and not counting the date of the hearing, i.e., a total of seven days)

**Will the environmental review be per “project” or will it have to be per individual business?**

Micro Grants and Economic Development projects are granted to each business receiving funds, but as working capital it’s categorically excluded not subject to (CENST). The Meals Program falls under Exempt §58.34(4).

**Can we conduct formal bid openings virtually?**

Yes. Like public meetings, the video streaming service must provide closed caption functionality and be able to collect and respond to comments and questions from the public. A link to website where the bid opening will be shown must be placed prominently on the grantee's website. Lastly, the newspaper advertisement must still run the required number days prior to the bid opening and web address to the grantee's website or the web address where public meeting will be streamed must be included.

**PROJECT BUDGET FORM:**

<i>Activity</i>	<i>CDBG-CV Funds</i>	<i>Other Funds</i>	<i>Total Cost</i>	<i>Source of Other Funds</i>
1. Micro Grant (MG)	\$145,000.00		\$145,000.00	
a.) _____				
<b>Total, MG</b>	<b>\$145,000.00</b>		<b>\$145,000.00</b>	
2. Economic Development (ED)	\$140,000.00		\$140,000.00	
a.) _____				
<b>Total, ED Activities</b>	<b>\$140,000.00</b>		<b>\$140,000.00</b>	
3. Support for Meal Programs				
a.) _____				
b.) _____				
c.) _____				
d.) _____				
e.) _____				
<b>Total, Support for Meals Program</b>				
4. Administration	\$15,000.00		\$15,000.00	
a.) <u>Administrative Actions</u>				
b.) <u>Legal**</u>				
c.) <u>Audit</u>				
<b>Total, Administration</b>	<b>\$15,000.00</b>		<b>\$15,000.00</b>	
5. <b>Total, All Activities</b>	<b>\$300,000.00</b>		<b>\$300,000.00</b>	

\*Other professional services, please explain:

None

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\*\*Provide explanations of need of these expenses:

N/A

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THE CITY OF EUDORA, KANSAS  
RESOLUTION NO. 2020-05  
RESOLUTION CERTIFYING LEGAL AUTHORITY AND AUTHORIZATION  
TO APPLY FOR THE CDBG-CV  
FROM THE KANSAS DEPARTMENT OF COMMERCE

WHEREAS, The City of Eudora, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City of Eudora, Kansas, intends to submit an application for assistance from CARES Act under the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City of Eudora, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the CARES Act under the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR/COMMISSIONER of Eudora, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

As Chief Elected Official of the City of Eudora, I hereby certify that I have knowledge of all activities in the above-referenced application.

THE APPLICANT hereby dedicates \$ \_\_\_\_\_ in matching funds toward this project

APPROVED BY THE GOVERNING BODY OF THE CITY OF EUDORA, KANSAS, this 21<sup>st</sup> day of May, 2020.

APPROVED \_\_\_\_\_  
Tim Reazin, Mayor

ATTEST \_\_\_\_\_  
Pam Schmeck, City Clerk (SEAL)

THE CITY OF EUDORA, KANSAS

## STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

1. It possesses legal authority to make a grant submission and to execute a community development and housing program.
2. Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
3. Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
4. It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.
5. Its chief executive officer or other officer of the grantee approved by Commerce:
  - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
  - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
6. The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):
  - (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1;
  - (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
  - (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
  - (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
  - (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
  - (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;

- (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
  - (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
  - (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
  - (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended;
  - (k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.
  - (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
  - (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;
  - (n) The regulations, policies, guidelines and requirements of 2 CFR Part 200 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
  - (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
7. The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
  8. It will comply with the provisions of the Hatch Act that limits the political activity of employee;
  9. It will comply with the provisions of 24-CFR-200.
  10. It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;
  11. It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
  12. The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.

13. It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG Funding.
14. It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.
15. It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

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

\_\_\_\_\_  
Signature, Chief Elected Official

\_\_\_\_\_  
Tim Reazin  
Tim Reazin

\_\_\_\_\_  
Mayor  
Title

\_\_\_\_\_  
05/21/2020  
Date

To Whom It May Concern:

As Chief Elected Official of the City/County of Eudora, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

\_\_\_\_\_  
Tim Reazin, Mayor

ATTEST:

\_\_\_\_\_  
Pam Schmeck, City Clerk

# Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing and Urban Development

OMB Approval No. 2510-0011 (exp. 11/30/2018)

**Instructions.** (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

## Applicant/Recipient Information

Indicate whether this is an Initial Report  or an Update Report

1. Applicant/Recipient Name, Address, and Phone (include area code):

City of Eudora, KS  
4 E Seventh Street  
Eudora, KS 66425  
(785) 364-2891

2. Social Security Number or Employer ID Number:

48-6033319

3. HUD Program Name

Kansas Department of Commerce for Small Cities CDBG Program

4. Amount of HUD Assistance Requested/Received

\$300,000.00

5. State the name and location (street address, City and State) of the project or activity:

4 E Seventh Street Eudora, KS 66425

## Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).

Yes  No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9

Yes  No.

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

## Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

## Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)
TBD		Administration	\$15,000/5%

(Note: Use Additional pages if necessary.)

## Certification

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:

Date: (mm/dd/yyyy)

05/21/2020

X

[CLICK HERE FOR FORM FILL PDF](#) [CDBG Disclosure Report](#)

**\*\* SEE GENERAL APPLICATION REQUIREMENTS FOR DISCLOSURE REPORT REQUIREMENTS \*\***

(Minimum required by all applicants for funding – must be submitted with application)

**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN  
UNDER SECTION 104(D) OF THE  
HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED**

The jurisdiction will replace all occupied and vacant occupiable low- and 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 funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

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, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A 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- and moderate-income 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 Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and 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 jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (N/A) will be demolished with grant funds (should contain proposed demolitions):

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction of Eudora, KS on the 21st day of May, 2020.

5/21/2020

Date

\_\_\_\_\_  
Signature - Chief Elected Official

(Published in the Lawrence Daily Journal-World on 15th of May, 2020)

## **Public Hearing Notice CDBG CV Economic Development Application**

The City of Eudora, KS will hold a public hearing on Thursday, May 21, 2020, at 6:00 pm in the Eudora City Hall at 4 E. 7th Street, Eudora, KS 66025 for the purpose of considering an application to be submitted to the Kansas Department of Commerce for Small Cities Community Development Block Grant funds under the CV Economic Development category.

A specific project application to be discussed is Economic Development Grants for small businesses located within the Eudora city limits in the amount of \$300,000.00. The proposed project will consist of funds for working capital, inventory, wages, utilities, rent and other eligible expenses.

The estimated project cost is \$300,000.00, with the grant request for \$300,000.00 of the project cost. Other project proposals introduced at the hearing will be considered. Oral and written comments will be recorded and become a part of Eudora's CDBG Citizen Participation Plan.

Reasonable accommodations will be made available to persons with disabilities. Requests should be submitted to the Eudora City Clerk by May 20, 2020.

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