

73C-23.0041 Application Process.

(1) Applicant Notice Requirements.

(a) The Applicant shall provide public notice of all public hearings in accordance with subsection 73C-23.0031(27), F.A.C. All public hearings must be conducted by a member of the Applicant’s governing body or the Applicant’s duly authorized representative at a time and place convenient to potential beneficiaries.

(b) The Applicant shall hold at least one public hearing before drafting the application. The notice of public hearing shall include:

- (I) The date, time, and address of the hearing;
- (II) The federal fiscal year for which an application is being considered;
- (III) The range of activities for which CDBG funding may be used; and
- (IV) The amount for which the community can apply.

(c) The Applicant shall hold at least one public hearing after the Application has been drafted. The public hearing on the draft application must be conducted before the application cycle closes. The Applicant must include an opportunity for public comment at this hearing, and must document the comments received. The notice of public hearing shall include:

- (I) A summary of the draft application to include:
 - 1. The federal fiscal year for which an application is being considered;
 - 2. A description of the activities that will be undertaken with CDBG funding;
 - 3. A budget that lists the specific CDBG dollar amounts that will be allocated for each activity;
 - 4. The National Objective that will be met by each activity, except administration and engineering; and,
 - 5. For Neighborhood Revitalization, Commercial Revitalization and Economic Development projects, the locations of the proposed activities, including street names or road numbers (e.g., County Road 50).
- (II) The website or physical location where a copy of the draft application can be obtained.
- (III) Information describing where written comments may be submitted and the deadline for submission.
- (IV) The date, time, and address of the hearing.

(2) Funding Ceilings.

(a) Population calculations for county government applications may be based only on populations in the unincorporated areas of the county.

(b) Limits on the amount of funds that may be requested per application are established as set forth below, using the most current U.S. Census of Population data:

LMI Population Funding Ceiling	
1 – 499	\$600,000
500 – 1,249	\$650,000
1,250 – 3,999	\$700,000
4,000 +	\$750,000

(c) The maximum amount that may be requested for an Economic Development subgrant is \$1,500,000. The funding limit calculation must be based on the number of jobs to be created or retained by the participating parties, multiplied by \$34,999 for each full time equivalent job to be created or retained.

(3) Application Cycle and Submission.

(a) The Department will announce an Application Cycle for a federal award by publishing a NOFA in the Florida Administrative Register thirty days before the Application Cycle begins.

(b) Each Applicant must use the Department’s Application form SC-60 to apply for any CDBG funds. No other form of application will be accepted.

(c) Applications for Neighborhood Revitalization, Housing Rehabilitation, and Commercial Revitalization must be received by the Department by 5:00 p.m. (Eastern Time) on the last day of the Application Cycle. Late Applications will not be accepted.

(d) Applications for Economic Development must be received by the Department by 5:00 p.m. (Eastern Time) on the last day of the Application Cycle. Late applications will not be accepted, unless initial application requests do not meet or exceed the funds available for Economic Development.

(e) Applications may only be amended or supplemented during the Completeness Period. Applications which are incomplete or inaccurate after the Completeness Period will be denied.

(f) By the application deadline, one copy of Part 2 and Part 3 from the Small Cities CDBG Application for Funding shall be sent to the Regional Planning Council that serves the Applicant. If the Department's review of the application determines that Parts 2 and 3 were not submitted to the Regional Planning Council by the application deadline, the applicant will be directed to submit Parts 2 and 3 to the Regional Planning Council and to provide documentation confirming that the action has been undertaken no later than the end of the Completeness Period.

(g) The application must include affirmations from all jurisdictions in which activities will take place that the proposed activities are not inconsistent with the applicable elements of the adopted local comprehensive plan.

(4) Application Review.

(a) Prior to reviewing the Applications, the Department will publish a listing of all Applications received during the application cycle on its website. The listing will include the Applicants' self-scores.

(b) The Department will review for completeness and accuracy. Based on the contents of the Application, the Department will verify the self-score of the Applicant, and will adjust or correct the self-score if the contents of the Application demonstrate that the self-score was calculated in error, or if the application failed to account for eligibility of special designation and/or grant history.

(c) Applications must demonstrate that the proposed activities meet the national objectives criteria for compliance as set forth in 24 CFR 570.483 and the public benefit standards set forth in 24 CFR 570.482(f).

(d) Eligibility documentation shall include third party documentation of household income and source(s) regardless of the value of the direct benefit and may not be established earlier than one year before the work is performed.

(5) Application Scoring.

(a) Applications are scored for the program category in which funds are sought. Applicants in each program category will receive funding based on the Applicant's scores, with the highest scores receiving funding until all funds are awarded.

(b) If two or more applications receive the same final score, the application addressing the highest State priority goal as reflected by the goal points for application activities shall receive first consideration. If a tie still exists, then the Applicant with the highest CWNS shall receive first consideration.

(c) If the Applicant seeks points for leveraged funds in its Application, then the Applicant must provide documentation that leveraged funds were committed to the project prior to the application deadline, and the Applicant must certify that leveraged funds will be expended after the site visit and before submission of the administrative closeout.

(d) If the Applicant is awarded Readiness to Proceed Points in its Application then CDBG subgrant funds for engineering costs shall not include preliminary engineering and shall not exceed \$10,000 plus the percentage in the fee schedule as set forth in form SC-60 (Table IA, Table IIA), or a prorated amount of both tables for projects involving activities included in both tables.

(e) The maximum score possible in each category is 1,000 points. These points shall be divided among three program factors as specified below.

1. Community-wide needs: 250 points;
2. Program impact: 660 points; and
3. Outstanding performance in equal opportunity employment and fair housing: 90 points.

(f) Community-Wide Need Scores (CWNS) for All Categories. The Department shall calculate the CWNS from the most recent and uniformly available Federal and State data for all jurisdictions eligible to apply. Current decennial U.S. Census data shall be used unless otherwise noted.

(g) The Department may partially fund the highest scoring non-funded Applicant if insufficient funds are available to fully fund the Applicant's request provided that all of the beneficiaries in the application can be served. If additional funds become available after a partial funding is awarded, the Applicant can request a modification to fully fund the project.

(6) Completeness Period Review.

(a) After the Department reviews and scores the Applications, the Department will notify the Applicants which potentially may receive funding. The notification will include any conditions which must be met to cure Application issues and complete the Application during the Completeness Period, as well as actions including required policy updates.

(b) Receipt of funding is contingent upon the Applicant successfully addressing the issues and providing the documentation set forth in the notification. This excludes policy updates which can be incorporated as special condition(s) to the subgrant agreement and cured during the contract period. If the Applicant does not satisfy the Department's application-related issues set forth in the notification, the application will be rescored as appropriate; and if the application does not comply with program requirements the Applicant shall not receive funding.

Rulemaking Authority 290.044, 290.046, 290.047, 290.048 FS. Law Implemented 290.044, 290.046, 290.047, 290.0475 FS. History—New 5-23-06, Amended 2-26-07, 6-6-10, Formerly 9B-43.0041, Amended 4-21-15, 3-1-16, 5-27-18.