



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

Tuesday, April 07, 2009 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET

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PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR  
TO THE MEETING WITH A COPY TO THE CITY CLERK

### 7:30 PM – CONVENE REGULAR MEETING

**CALL TO ORDER** – Downstairs Conference Center

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL** Councilmembers John Hamon Nick Gilman, Ed Steinbeck, Fred Strong, and Mayor Duane Picanco,

### PUBLIC COMMENTS

- Community Development Director the Gateway Design Standard Award.
- Public Works Director Doug Monn introduced Contract Water Conservation Manager Keith Larson
- Richard Flores of the U.S. Census Bureau requested a liaison from the City of Paso Robles to assist with the 2010 Census
- Alex Alexiev of the "Agri Coalition" on the San Luis Obispo County Smart Growth Plan requests a deferral on the plan.
- Ron Walters President of "Better Atascadero" on the San Luis Obispo County Smart Growth Plan requests a deferral on the plan.
- Scottie Hayes on water conservation.

### PRESENTATIONS

#### 1. Recognition of Outstanding Performance

L. Solomon, Chief of Police

Mayor Picanco and Chief Solomon recognized the following Police Department personnel for their accomplishments and proclamations; recognition of D.A.R.E. Officer of the Year Jon Tatro; Mothers Against Drunk Driving (M.A.D.D.) Drunk Driving Enforcement 2008 Officer Tod Rehner; Proclamation Sexual Assault Recovery & Prevention (SARP) Month April 2009; National Public Safety Telecommunicator's Week – April 12, 2009 through April 18, 2009.

## CONSENT CALENDAR

Mayor Picanco called for public comments on Consent Calendar items. Speaking from the public was Kathy Barnett on Item #7 to congratulate City Staff their decision to defer pay increases. Mayor Duane Picanco pulled Item #5 to bring back to the April 21, 2009 Meeting. There were no further comments from the public, either written or oral, and the public discussion was closed.

2. Approve City Council Minutes of March 11, 2009  
Approve City Council Minutes of March 17, 2009  
D. Fansler, City Clerk
  
3. Approve Warrant Register: Nos. 83120—83248 (03/13/09), Nos. 83249 – 83396 (03/23/09) and 83397 – 83533 (03/27/09)  
J. Throop, Administrative Services Director
  
4. Receive and file Advisory Body Committee minutes as follows:  
Library Board of Trustees meeting of February 12, 2009  
Senior Citizen Advisory Committee meeting of November 10, 2008  
Youth Commission meeting of January 7, 2009  
Parks and Recreation Advisory Committee meeting of October 14, 2008  
Parks and Recreation Advisory Committee meeting of January 13, 2009  
Parks and Recreation Advisory Committee meeting of February 10, 2009
  
6. Proclamation designating April 8, 2009 as National Walk at Work Day.  
D. Picanco, Mayor
  
7. Adopt Resolution No. 09-037 accepting the employee's groups' offer to defer scheduled April 1, 2009 wage increases, and authorize the City Manager to executive individual Supplemental Memorandums of Understanding with the P.O.A., S.E.I.U., and the I.A.F.F.  
M. Williamson, Assistant City Manager
  
8. Adopt Resolution No. 09-038 Initiating Proceedings for the Annual Levy for the Maintenance of Landscape & Lighting District Facilities, Adopt Resolution No. 09-039 Initiating Proceedings for the Annual Levy for the Maintenance of Drainage District Facilities, Adopt Resolution No. 09-040 adopting the Draft Preliminary Landscape and Lighting District Engineer's Level Report as presented making it available to the public for review and comment, Adopt Resolution 09-041 adopting the Draft Preliminary Drainage District Engineer's Report as presented making it available to the public for review and comment, Adopt Resolution No. 09-042 declaring the Intent to Levy for Maintenance of the landscape and Lighting District Facilities and cause a Notice to be Published for a Public Hearing to be scheduled May 5, 2009 and Adopt Resolution 09-043 declaring the Intent to Levy for Maintenance of the Drainage Maintenance District Facilities and cause a notice to be published for a Public Hearing to be scheduled May 5, 2009.  
D. Monn, Public Works Director

- 9.** Adopt Resolution 09-044, allocating the funds resulting from a sale of land at the City Landfill to budget account number 100-310-5224-167 to cover the cost of installing a groundwater monitoring well and developing a Landfill Master Plan.  
D. Monn, Public Works Director
- 10.** Adopt Resolution 09-045 authorizing a Purchase Order to Pacific Waste Services in the amount not to exceed \$37,305 for placement of a monitoring well and authorize the use of funds resulting from the sale of right-of-way along the frontage of the landfill for widening of Highway 46 East.  
D. Monn, Public Works Director
- 11.** Read, by title only, and adopt Ordinance No. 955 N.S. first ready March 17, 2009, Amending Title 21, Zoning, of the Municipal Code Rezoning Property to Parks and Open Space with an Airport Overlay for Property Located at the Northern End of Golden Hill Road, (APNS 025-431-037, 038 and 039) Applicant – Paso 160 LLC – PR Motorcoach Zoning Map Amendment 09-001.  
R. Whisenand, Community Development Director
- 12.** Adopt Resolution 09-046 providing financial assurance that the City is adequately funding its' landfill closure/post closure/ correction action costs.  
J. Throop, Administrative Services Director
- 13.** Adopt Resolution 09-047 approving a Professional Engineering Services Agreement with Tartaglia Engineering for services incident to the Airport Taxiway 'A' extension project.  
M. Williamson, Assistant City Manager

Consent Calendar Items Nos. 2–4 and 6-13 were approved on a single motion by Councilmember Strong, seconded by Councilmember Hamon, with Councilmember Hamon abstaining on Warrant Register Item No. 83454.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco  
 NOES:  
 ABSTAIN:  
 ABSENT:

## DISCUSSION

### 14. Water Rates

J. App, City Manager

For the City Council to consider water rate adoption alternatives in light of a referendum petition challenging Ordinance No. 953 N.S. which adopted new water rates.

Mayor Picanco opened the public hearing. Speaking from the public was John Borst, Pasqual Padilla, Karen Reed, Scott Howenstine, Dale Gustin, Carl Hanson, Kathy Barnett, Jerry Green, Tom Rusch, Greg Rachunok, and Tim Bryant. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Steinbeck, seconded by Councilmember Gilman, moved to Adopt Resolution No. 09-048 Certifying the Petition for Referendum Seeking the Repeal of Ordinance No. 953 N.S. Adjusting Water User Fees as Adopted by the City Council on February 3, 2009, and Calling a Special Election for the Purpose of Submitting a Referendum to the Voters to Ratify or Reject to the City Council's Adoption of Ordinance 953 N.S., and direct staff to prepare election options for Council action.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

### 15. Summer 2009 Staffing Needs for Implementing Mandatory Water Conservation

D. Monn, Public Works Director

For City Council to consider appropriating funds to hire temporary staff to distribute information regarding mandatory water conservation this summer. Contract Water Conservation Manager Keith Larson presented the staff report.

Mayor Picanco opened the public hearing. Speaking from the public was Dale Gustin, Tom Hardwick, John Borst, Karen Reed, Carl Hanson, Tom Rusch, Jim Irving and Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Steinbeck, moved to Adopt Resolution No. 09-049 approving expenditure of funds to fill 15 to 20 temporary water conservation Staff Assistant positions.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, and Strong

NOES: Picanco

ABSTAIN:

ABSENT:

**16. Olsen/Beechwood Specific Plan: Beechwood Option**

R. Whisenand, Community Development Director

Receive a presentation by Tom Erskine, Mike Harrod and Jay Huebner to modify the development concept for the Beechwood portion of the Olsen Ranch/Beechwood (OBSP) Specific Plan.

Community Development Director Ron Whisenand presented the City Staff Report. The first presentation made by the Beechwood Property Owners was made by Mike Harrod. The second presentation was made by Bill Crumb and Bill Greene of Studio 81.

Mayor Picanco opened the public hearing. Speaking from the public was Joe Koontz, Jeff Wagoner and Eddie Price. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Hamon, moved to hear and receive the owner's presentation and the City Staff's report.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

**ADVISORY BODY COMMUNICATION**

**17. Advisory Body Interviews**

A. Robb, Library and Recreation Services Director

For the City Council to set dates for interviews of candidates to fill vacancies on four Advisory Bodies before June 30, 2009;

Mayor Picanco opened the public hearing. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Steinbeck, moved to set Thursday, May 7, 2009 at 7:00 p.m. to interview applicants and make 21 appointment for four Library and Recreation advisory bodies.

Motion passed by unanimous consent.

**COUNCIL COMMENTS (Including oral reports on conferences attended)**

- Mayor Picanco inquired about a possible response to recent published letters.
- Councilmember Strong introduced the American Recovery and Reinvestment Act of 2009 – City Funding Book from the League of California Cities.

**ADJOURNMENT:**

Councilmember Steinbeck, seconded by Councilmember Gilman, moved to moved to adjourn the City Council Meeting at 12:00 a.m.

Motion passed by unanimous voice vote.

Submitted:

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Cathy M. David, Deputy City Clerk  
Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT  
PART OF THE RECORDS UNTIL APPROVED BY THE CITY  
COUNCIL AT A FUTURE REGULAR MEETING.**

**ITEM 14**

**WATER RATES**

**PUBLIC COMMENTS  
JOHN BORST**

LAW OFFICES OF  
HUSKINSON, BROWN, HEIDENREICH & CARLIN, LLP

865 MANHATTAN BEACH BOULEVARD, SUITE 200  
MANHATTAN BEACH, CA 90266-5119

ROBERT R. HUSKINSON  
{ 1935 - 2007 }

))))

DAVID W.T. BROWN  
PAUL E. HEIDENREICH  
BRIAN C. CARLIN

TELEPHONE (310) 545-5459  
FAX (310) 546-1019  
huskinsonbrown@att.net

April 7, 2009

**Regarding City of Paso Robles  
Unconstitutional Taxation**

RE: Our Clients: John E. Borst, Brooke G. Mayo, William Taylor and Teresa St. Clair.

Issue: The Imposition of Illegal Water and Sewer Fees: Violation of Proposition 218.

I represent John E. Borst, Brooke G. Mayo, William Taylor and Teresa St. Clair in a lawsuit concerning the City's water and sewer fee increases that were imposed beginning in 2002. We filed a Government Claim with the City that was essentially ignored and have filed suit to require the City and the City Counsel to comply with the State law and the State Constitution. The laws of the California allow for class actions (1) to stop illegal taxes and fees and (2) to obtain restitution of illegally collected moneys. In the future we intend to seek a Court Order to have the case proceed as a class action for all persons and businesses who paid these unconstitutional water and sewer fees.

The City has, at least since 2002, assessed and collected "charges" for water and sewer services without compliance with Proposition 218 (State Constitution Article XIII C and D). The City has claimed that these charges were increased to pay for the future expansion and renovation of these services. The facts are not in material dispute and many of the legal issues that we raise were litigated and resolved by the State Supreme Court in the case of Bighorn-Desert View Water Agency v. Verjil (2006) 39 Cal.4th 205 and in Pajaro Valley Water Management Agency v. Amrhein (2007) 150 Cal.App.4th 1364.

***This lawsuit is about responsibility and respect***; the City and the City's elected officials' responsibility and duty to comply with the laws of the state and to respect the citizens' who they represent and whose business they are duty bound to perform in full compliance with the laws of the land.

It is believed and understood that, in part, the City will try to contend that these charges and the collection of the money to pay for the future expansion of water services is a *necessity* and that this claimed necessity essentially justifies the collection of these funds, whether Proposition 218 was satisfied or not. It is further believed that the City will contend that because these charges and fee increases are included in water and sewer bills that they are not "taxes" which require voter approval. Neither claim authorizes the illegal collection of these charges or a violation of Proposition 218.



The City of Paso Robles does not have unlimited power to increase taxes or fees. In fact, Local governments have **no inherent power to tax.** (*County of Mariposa v. Merced Irr. Dist.* (1948) 32 Cal.2d 467, 474.) "On the contrary, municipal corporations possess with respect to taxation only such power as has been granted to them by the constitution or statutes." *Santa Clara Local Transit Authority v. Guardino* (1995) 11 Cal.4th 220. By failing to comply with Proposition 218 **prior** to increasing the water and sewer fees, the City of Paso Robles exceeded its legal authority and is, therefore, engaged in illegal taxation.

We know that the City is aware of its Prop 218 obligations because it has cited Prop 218 numerous times concerning proposed future conduct as well as concerning prior actions. However, it continues to misrepresent and to misconstrue these obligations, and fails to comply with the applicable provisions.

The water and sewer fee increases, as a source of funding for a specific future project, represent a "special tax" which must be approved by two-thirds of the voters before the charges can be imposed. *Importantly, Proposition 218 does not allow the City to correct retroactively its prior violations of Proposition 218 or to try to render any previously collected charges "legal".*

The recent statements by the City about its intended course of action imply a continuing misreading of the State Constitution and an apparent intention, once again, to continue down the path of unconstitutional charges. The plaintiffs and I want any future conduct and charges by the City concerning the water and sewer fees to meet ALL of the requirements of the law. Therefore, it must be understood that (1) a future vote cannot render legal the last 7 years of illegal taxation and (2) any election concerning these charges must comply with the Election Code and, to allow for lawful, **future** water and sewer charges, must be approved by 2/3s of the voters and not a simple majority.

Any measure which is drafted to try to correct retroactively prior illegal charges would violate Proposition 218. The citizens are entitled to restitution of previously collected illegal fees regardless of the outcome of any future election.

As one final point, the California Supreme Court in Howard Jarvis Taxpayers Association v. City of La Habra (2001) 25 Cal.4th 809 addressed some similar issues including a City's contention that once it starts collecting taxes, even if they violated Prop 62 [which is a predecessor to Prop 218 and contains essentially identical terms], they cannot be stopped by the Courts. The Court provided:

In its discussion of *Ponderosa Homes*, the City appears to contend that Proposition 62 can be violated *only* at the time a tax ordinance is first enacted because, in the City's view, all Proposition 62 prohibits is "imposition" of a tax without voter approval, and imposition is limited to the time of initial enactment. **Both premises are faulty.** Government Code section 53727, subdivision (b), which governs taxes imposed prior to the measure's passage, provides that no such tax "shall continue to be imposed" without a vote within two years of the measure's effective

date, and that a taxing jurisdiction that fails to obtain a majority vote "shall cease to impose such tax on and after November 15, 1988." Clearly, in this provision, "imposition" is not limited to the time of initial enactment, and nothing in Proposition 62 suggests that it was used in a more restricted sense in Government Code section 53723, the prohibitory provision at issue here. . . . Clearly the intent of Proposition 62's enactors was not merely to preclude enactment of a tax ordinance without voter approval, but to preclude continued imposition or collection of such a tax as well.

...

Finally, an amicus curiae group of California cities and counties contends that plaintiffs' theory of continuous accrual, applied to tax measures, would unacceptably impair the security and reliability of municipal revenue sources and interfere with budgetary planning. Plaintiffs, in turn, acknowledge the public policy favoring security of municipal finance, but observe that the policy "is not a trump card that somehow requires the courts to countenance *ultra vires* or illegal tax practices." We agree. The local governments' suggestion, 14 years after the passage of Proposition 62 and five years after *Guardino*'s resolution of the constitutional questions (*Guardino, supra*, 11 Cal.4th 220), that their budgetary planning processes will be disrupted if Proposition 62's requirements are enforced, ***is not well taken. Cities and counties must eventually obey the state laws governing their taxing authority and cannot continue indefinitely to collect unauthorized taxes.***

Simply stated, we believe that prompt, fair resolution of these issues is important for the citizens of Paso Robles and for the City itself. We look forward to resolving these issues promptly and in compliance with the State's Constitution.

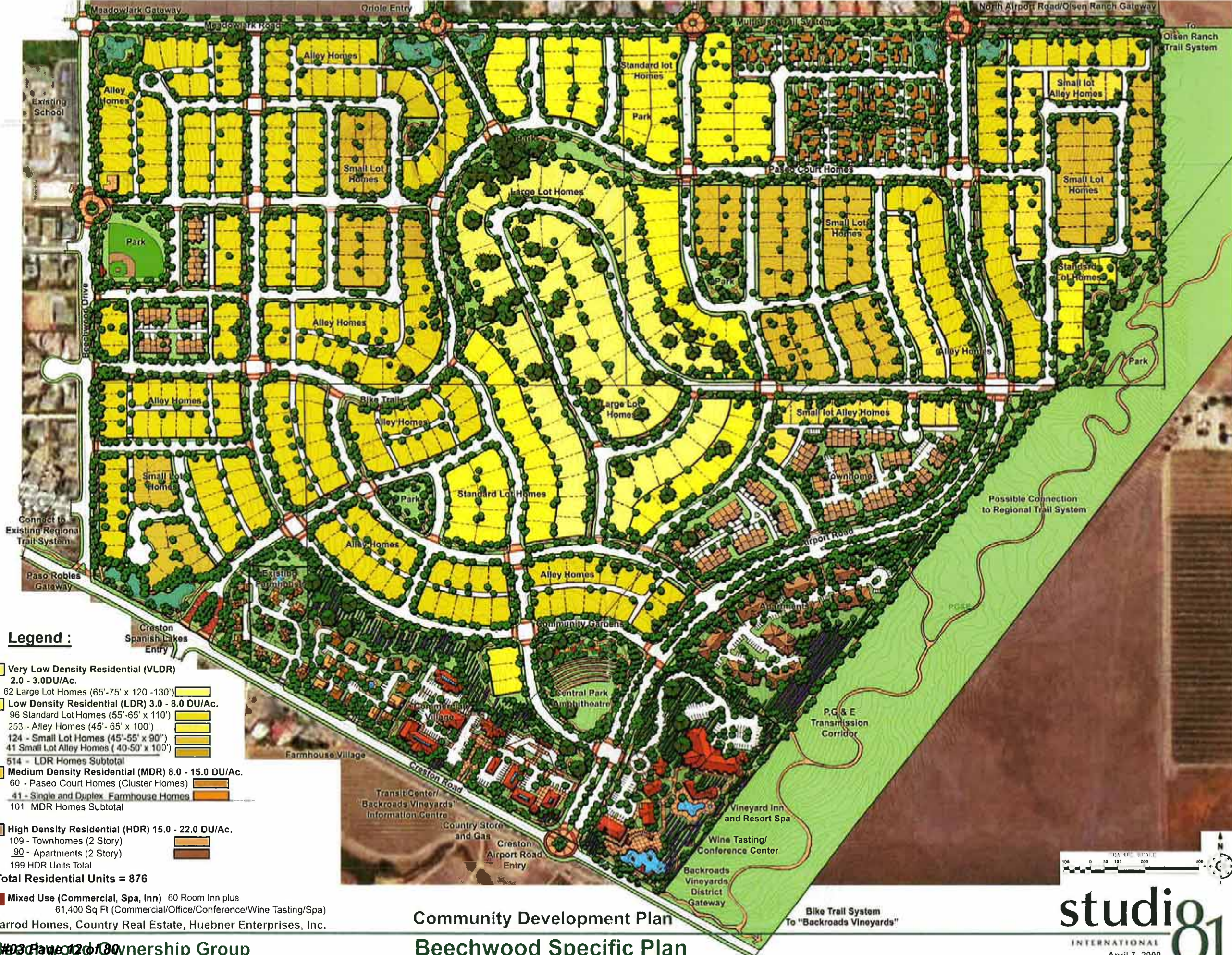
Huskinson, Brown, Heidenreich & Carlin LLP

Paul E. Heidenreich  
Counsel for Claimants John E. Borst, Brooke  
G. Mayo, William Taylor and Teresa St. Clair

**ITEM 16**

**OLSEN/BEECHWOOD SPECIFIC PLAN;  
BEECHWOOD OPTION**

**STUDIO 81**



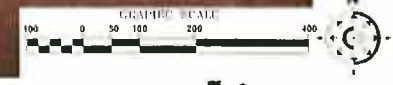
**Legend :**

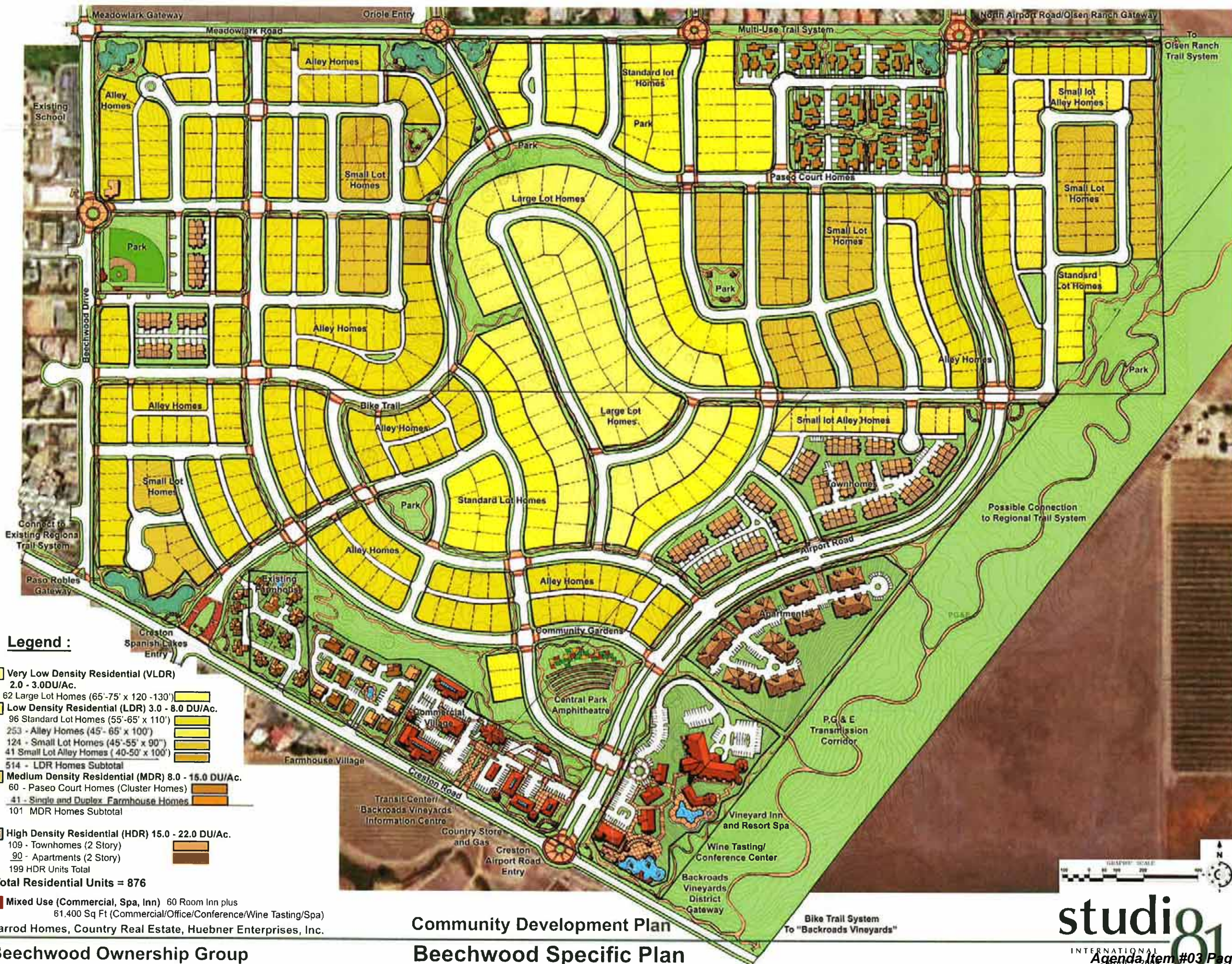
- Very Low Density Residential (VLDR)**  
 2.0 - 3.0 DU/Ac.  
 62 Large Lot Homes (65'-75' x 120' - 130')
- Low Density Residential (LDR) 3.0 - 8.0 DU/Ac.**  
 96 Standard Lot Homes (55'-65' x 110')  
 253 - Alley Homes (45'- 65' x 100')  
 124 - Small Lot Homes (45'-55' x 90')  
 41 Small Lot Alley Homes ( 40-50' x 100')
- 514 - LDR Homes Subtotal**  
**Medium Density Residential (MDR) 8.0 - 15.0 DU/Ac.**  
 60 - Paseo Court Homes (Cluster Homes)  
 41 - Single and Duplex Farmhouse Homes
- 101 MDR Homes Subtotal**  
**High Density Residential (HDR) 15.0 - 22.0 DU/Ac.**  
 109 - Townhomes (2 Story)  
 90 - Apartments (2 Story)
- 199 HDR Units Total**

**Total Residential Units = 876**

- Mixed Use (Commercial, Spa, Inn)** 60 Room Inn plus  
 61,400 Sq Ft (Commercial/Office/Conference/Wine Tasting/Spa)  
 Harrod Homes, Country Real Estate, Huebner Enterprises, Inc.

**Community Development Plan  
Beechwood Specific Plan**





**Legend :**

- Very Low Density Residential (VLDR) 2.0 - 3.0 DU/Ac.**  
 62 Large Lot Homes (65'-75' x 120' - 130')
- Low Density Residential (LDR) 3.0 - 8.0 DU/Ac.**  
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 Harrod Homes, Country Real Estate, Huebner Enterprises, Inc.

**Beechwood Ownership Group**

**Community Development Plan  
Beechwood Specific Plan**



**studio 01**  
INTERNATIONAL  
Agenda Item #03 Page 13 of 80

**COUNCIL COMMENTS**

**MAYOR PRO TEM FRED STRONG**

**AMERICAN RECOVERY AND REINVESTMENT ACT  
OF 2009  
LEAGUE OF CALIFORNIA CITIES**

# **American Recovery and Reinvestment Act of 2009**

## **City Funding Book**



*Version 6 (March 30, 2009)*

*Compiled by:  
The League of California Cities*



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## **Preface**

On February 17, 2009 President Barack Obama signed into law the American Recovery and Reinvestment Act (ARRA) of 2009. The stated purpose of the ARRA is:

- (1) To preserve and create jobs and promote economic recovery.*
- (2) To assist those most impacted by the recession.*
- (3) To provide investments needed to increase economic efficiency by spurring technological advances in science and health.*
- (4) To invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits.*
- (5) To stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.*

The ARRA funds investments in many programs, including health care, energy, infrastructure, education, and public safety. The total cost of the package is \$787 billion, and consists of nearly \$355 billion for upgrades to transportation, infrastructure, construction, health care programs, education and housing assistance, and energy efficiency projects, \$144 billion in state and local fiscal relief, and \$288 billion in personal and business tax credits.

Unprecedented accountability and transparency requirements are also included in the ARRA. To meet these requirements, the government has set up a website ([www.recovery.gov](http://www.recovery.gov)) that will list each recipient of funds and project details. A list of all economic recovery websites for each federal executive agency is also available on this site.

California cities have expressed great interest in the ARRA, and the funding it offers. The League of California Cities has compiled this “City Funding Book” to assist cities in their pursuit for funding. There will be regular updates made available on the League’s website at [www.cacities.org](http://www.cacities.org) as more information becomes available.

## **General Provisions**

- Prohibited Uses: No funds can be used for zoo's, aquariums, golf courses, swimming pools, or casinos.
- Buy American Provisions prevail, but can be waived by the heads of federal agencies.
- Federal prevailing wage policy applies.
- Compliance with the National Environmental Policy Act is required.

## **Accountability and Transparency Provisions**

- Grant recipients (Mayor, Governor, General Manager) must certify that infrastructure investments have received the full review and vetting required by law and that the recipient accepts responsibility as an appropriate use of taxpayers dollars. Certification posted on [www.recovery.gov](http://www.recovery.gov) and the local website.
- Quarterly reports on the infrastructure investments made, including the purpose, cost, rationale and contact for concerns, detailed information on subcontracts. This information will be posted on [www.recovery.gov](http://www.recovery.gov).
- Recipients must register with the Central Contractor Registration administered by the Office of Management and Budget. Cities can register at [www.grants.gov](http://www.grants.gov).
- Any federal agency Inspector General can review concerns raised by the public with findings posted on a website.
- New federal agency established to coordinate and conduct oversight of covered funds to prevent fraud, waste and abuse. Will also advise the President on the implementation of the recovery.
- Federal agencies can adjust administrative costs allowed to assist state and local governments with the cost of recovery record keeping and reporting.
- State and local whistleblowers are protected.

## **Things Cities Should Know**

### **How To Read This Book:**

This book is organized by federal agency. Each page begins with the title of a particular program. Each page is organized into the following sections:

- Total Funding Available: This is the total funding of the program. It is important to note that not all funding will be accessible to cities.
- Overview: This is a brief overview of the program.
- Special Factors: This section contains new or modified program requirements and provisions.
- How to Access Funding: This is the section that will explain how cities can receive funding. *This section will most frequently be revised updated versions of this book.*
- Contact Information: Who to contact with questions
- League Staff Contact: The staff person who compiled the information and/or the lead staff person for that issue area.

### **Registration Information for Federal Government Grants:**

The federal government uses a central website for all discretionary grant applications, known as FedConnect. While this website does not always have all the details on every grant, cities will be required to register on this website for funding. Cities can pre-register with FedConnect now. Potential applicants need to obtain a DUNS (Data Universal Numbering System) number. A DUNS number is a unique number that identifies an organization and helps track the distribution of grant money. The web link for submitting applications through FedConnect is:

[https://www.fedconnect.net/FedConnect/PublicPages/FedConnect\\_Ready\\_Set\\_Go.pdf](https://www.fedconnect.net/FedConnect/PublicPages/FedConnect_Ready_Set_Go.pdf)

Before submitting an application through FedConnect each organization must complete the following steps:

- Step 1: Request a DUNS Number at <http://fedgov.dnb.com/webform/displayHomePage.do>
- Step 2: Register with the Central Contractor Registry (CCR) at <http://www.ccr.gov/>.
- Step 3: E-Business Point of Contact must register in FedConnect at <https://www.fedconnect.net/FedConnect/>.

**Please allow 21 days to complete the registration process.**

### **How Can I Tell If A Section Has Been Updated?**

In updated versions of the book, new or modified information will be highlighted in yellow. In addition, each page will indicate the date on which it was updated.

## **Frequently Asked Questions** **on the ARRA and City Funding Book**

**Who should my city contact if we have specific questions on a program included in the City Funding Book?**

Although the League will continue to update the City Funding Book as new information becomes available, it is best for city officials to contact the federal or state agency with specific questions once grant/program application guidelines are released.

**Where do I find additional information on federal stimulus funding not found in the League's City Funding Book?**

While the City Funding Book contains general information on ARRA funds, specific grant and program information can be obtained by directly contacting the agency or department issuing the funds.

**How do I know if my city's project is eligible for ARRA funds?**

To determine if your city's project qualifies for ARRA funds review the grant application. If the information is not there, contact the agency or department directly.

**What are the key Web sites I should be monitoring regularly for ARRA information?**

[www.recovery.gov](http://www.recovery.gov)

[www.grants.gov](http://www.grants.gov)

[www.recovery.ca.gov](http://www.recovery.ca.gov)

[www.cacities.org/federalstimulus](http://www.cacities.org/federalstimulus)

**My shovel ready project doesn't exactly fit the ARRA grant guidelines, what is the next step to try to get funding for my project?**

Your best bet in this situation is to contact the agency or department issuing the funds directly and find out if there are other programs or non-ARRA funds that may apply to the project.

**Are projects funded through ARRA exempt from CEQA or NEPA?**

No.

**Can cities apply jointly for ARRA funds?**

Each program is different so it is important to check the grant application guidelines for information.

**Can League staff tell me if my city's project will qualify for ARRA funding?**

League staff does not have the authority to determine whether specific projects qualify, therefore cities are encouraged to contact the responsible regional, state, or federal agency directly. League staff has indicated who the responsible agency is for each program in the City Funding Book.

**Can the League assist my city in writing a grant application?**

The League does not have grant writers on staff, and does not maintain a list of grant writers. Contact cities in your area for references for freelance grant writers or visit the League Partners Web site <http://www.cacities.org/leaguepartners> for a list of Partners that offer grant writing services.

**Will there be a second round of federal stimulus funding?**

There are no current plans to issue a second stimulus package. However, the League will continue to monitor federal actions and provide updates on additional funding should it become available.

**Will there be additional funding for the new programs implemented in ARRA, for example the Energy Efficiency and Conservation Block Grant (EECBG) program?**

It is likely that new programs in the ARRA that prove to be successful will continue in future years. The League will continue to monitor programs impacting cities, and will lobby for additional funding as appropriate. For example, the League is already lobbying for full funding (\$10 billion) of the EECBG funding over the next few years.

**What are the reporting requirements for projects once funded?**

The federal government is still working on reporting requirements. Federal agencies and departments will release reporting guidelines as they are finalized for each program. However, City officials should be prepared for the requirements to evolve over time, even after the initial guidelines are announced.

## **Community Development Block Grant**

**Total Funding Available:** \$1.0 Billion

**Overview:** CDBG funds may be used to provide affordable housing, services, and jobs for the most vulnerable in our communities. Generally, appropriations are allocated to states and local jurisdictions. Entitlement communities are comprised of central cities of metropolitan statistical areas; metropolitan cities with populations of at least 50,000; and qualified urban counties with a population of 200,000 or more (excluding the populations of entitlement cities). States distribute CDBG funds to non-entitlement localities not qualified as entitlement communities.

HUD determines the amount of each grant by using a formula comprised of several measures of community need, including the extent of poverty, population, housing overcrowding, age of housing, and population growth lag in relationship to other metropolitan areas.

Not less than 70 percent of CDBG funds must be used for activities that benefit low- and moderate-income persons. In addition, each activity must meet one of the following objectives: benefit low- and moderate-income persons, prevention or elimination of slums or blight, or address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

**Special Factors:** Funds will remain available September 30, 2009. Recipients must give priority to contracts based on bids within 120 days from the date the funds are made available to the recipient. Funds must supplement other funding sources, not supplant. The HUD Secretary will establish requirements to expedite use of funds.

**How to Access Funding:** Funds will be distributed under the same CDBG formula used in 2008. See 42 U.S.C. § 5301 et seq.)

**Federal Contact:** Department of Housing and Urban Development  
Community Development Block Grant Program  
<http://www.hud.gov/offices/cpd/communitydevelopment/programs/>

**State Contact:** Department of Housing and Community Development  
Community Development Block Grant Program  
<http://www.hcd.ca.gov/fa/cdbg/PlanTech.html>

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*



## **Neighborhood Stabilization Program**

**Total Funding Available:** \$2.0 billion

**Overview:** The Neighborhood Stabilization Program provides emergency assistance to state and local governments to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities. The Neighborhood Stabilization Program (NSP) provides grants to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.

The \$2 billion in new funding may be used for the same purposes as provided in the Housing and Economic Recovery Act of 2008 (with some changes), but the funding formula will be competitive, unlike the federal process from HR 3221.

**Special Factors:** Secretary will ensure grants are made in areas of greatest number and percentages of foreclosures and can meet spending deadlines below. Additional consideration will be given for grantee capacity to execute projects, leveraging potential, concentration of investment to achieve neighborhood stabilization, and other factors at the discretion of the Secretary.

Secretary will obligate all funding within one year. Eligible entities are states, local governments, nonprofit entities, or consortia of nonprofit entities; nonprofits may submit proposals in partnership with for-profit entities. Secretary can establish minimum grant size. Grantees must expend at least 50 percent of funds within 2 years, and all of the funds within 3 years.

There are several other rules that apply to leasing and rights of subsequent property owners after they take interest in a formally foreclosed property.

**How to Access Funding:** Secretary will publish criteria within 75 days after enactment. All applications due within 150 days of enactment. No ARRA money will thus be available until at least 75 days after HUD issues its guidelines. (Any NSP funding issued before that time, such as \$731 million approved by the Secretary of HUD on March 19, is funding that was authorized under federal legislation adopted in 2008.)

**Federal Contact:** Department of Housing and Urban Development  
Neighborhood Stabilization Program  
[www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/](http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/)

**State Contact:** Department of Housing and Community Development  
Neighborhood Stabilization Program  
[www.hcd.ca.gov/fa/nsp/](http://www.hcd.ca.gov/fa/nsp/)

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

## **HOME Investment Partnerships**

**Total Funding Available:** \$2.25 Billion

**Overview:** HOME provides formula grants to States and localities that communities use-often in partnership with local nonprofit groups-to fund a wide range of activities that build, buy, and rehabilitate affordable housing for rent. This grant provides an additional amount for capital investments in low-income housing tax credit projects.

**Special Factors:** Funds remain available to HUD until September 30, 2009. Housing credit agencies must commit at least 25 percent of funds within one year of enactment, 75 percent in two years, all funding in three years. Secretary may recapture funds if timelines are not met.

Priority is to be given to projects that are expected to be completed within 3 years of enactment. In addition, projects that were awarded low income housing tax credits under section 42(h) of the Internal Revenue Code in FY 2008, 2009, and 2010 are specifically eligible.

Allocating agencies must award funds competitively pursuant to their QAP to owners of projects who have received or receive simultaneously an LIHTC award. Projects that were awarded allocation in FY2007, FY2008 or FY2009 are also eligible for funding.

**How to Access Funding:** Funding to state housing credit agencies per formula based on percentage of HOME funds apportioned to the state. State agencies then distribute competitively to project owners per a qualified allocation plan to owners who receive low income tax credits.

**Federal Contact:** Department of Housing and Urban Development  
Home Investment Partnership Program  
[www.hud.gov/offices/cpd/affordablehousing/programs/home/](http://www.hud.gov/offices/cpd/affordablehousing/programs/home/)

**State Contact:** Department of Housing and Community Development  
<http://www.hcd.ca.gov/fa/fesg/>

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*

## **Public Housing Capital Fund**

**Total Funding Available:** \$4.0 Billion (\$3.0 Billion per formula; \$1 Billion competitive)

**Overview:** \$3.0 billion to public housing authorities per formula for the Public Housing Capital Fund for capital improvements related to public housing. Money will become available to public housing agencies within 30 days of signing the bill.

In addition, there is another \$1 billion for public housing authorities in competitive grants to public housing authorities for priority capital improvements and rehabilitation. Funding remains available until September 30, 2009.

**Special Factors:** Grantees must obligate all funding in one year; then spend 60 percent of funds within 2 years and 100 percent of the funds in 3 years. Secretary can recapture funds if timelines are not met. Funds must be used to supplement, not supplant, other funding sources. Priority is given to projects that can award contracts in 120 days.

In the competitive grant program, priority is given to rehabilitation of vacant rental units, projects within 5 year capital improvement plans, and capital projects that can be awarded in 120 days from receipt of funding.

### **How to Access Funding:**

- \$3.0 billion to be distributed to public housing authorities under the same formula used in 2008, except that the Secretary may determine not to allocate funding to “troubled” or to agencies that elect not to accept funding.
- \$1.0 billion competitive will likely be available through application process to be created by HUD
- On March 18, HUD published information and procedures for processing grants and procedures under this section  
<http://www.hud.gov/offices/pih/publications/notices/09/pih2009-12.pdf>. See also, this additional clarification, published by HUD:  
<http://www.hud.gov/offices/pih/programs/ph/capfund/ocir/clareml.pdf>

**Federal Contact:** Department of Housing and Urban Development  
Office of Capitol Improvements, Public and Indian Housing  
[www.hud.gov/offices/pih/programs/ph/capfund/index.cfm](http://www.hud.gov/offices/pih/programs/ph/capfund/index.cfm)

**State Contact:** Not available or unknown at this time

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 3/30/09*

## **Homelessness Prevention**

**Total Funding Available:** \$1.5 billion

**Overview:** For homelessness prevention and rapid re-housing activities. Specifically, the funds must be used for short term or medium term rental assistance, housing relocations, and stabilization services (including housing search, mediation, outreach to property owners, credit repair, security or utility deposits, utility payments, rental assistance for a final month at location, moving cost assistance, and case management) for homelessness prevention or re-housing to recently homeless.

**Special Factors:** Recipients must spend 50 percent of funding within 2 years, and all funding within 3 years. Secretary may establish minimum grant size. Secretary must recapture unspent funds.

Grantees must collect data on the use of the funds awarded and persons served with this assistance in the HUD Homeless Management Information System or comparable database. Up to 5 percent may be used for administrative costs.

**How to Access Funding:** Per the Emergency Shelter Grant program to grantees under formula authorized by Section 413 of the McKinney-Vento Homeless Assistance Act. On March 19, HUD published information on allocations, allocation procedures and requirements to access funds (FR-5307-N-01). This can be accessed at <http://www.hud.gov/recovery/hrp-notice.pdf>. Application forms are available at <http://www.hudhre.info/index.cfm?do=viewHPRP>.

**Federal Contact:** Department of Housing and Urban Development  
Emergency Shelter Grant Program  
<http://www.hud.gov/offices/cpd/homeless/programs/esg/>

**State Website:** Department of Housing and Community Development  
Federal Emergency Shelter Grant Program  
<http://www.hcd.ca.gov/fa/fesg/>

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 3/30/09*

## **Assisted Housing Stability and Energy and Green Retrofit Programs**

**Total Funding Available:** \$2.25 billion

**Overview:** \$2 billion for project based rental assistance (e.g., “Section 8”) for a 12-month period. In addition, \$250 million for grants or loans for energy retrofit and green investments in such assisted housing.

**Special Factors:** Funds must be expended in two years. Projects funded with grants or loans must comply with federal prevailing wage laws (cited in the bill as subchapter IV of chapter 31 of title 40, United States Code).

- Secretary may establish terms to ensure the maintenance and preservation of the property, the continued operation and maintenance of energy efficiency technologies, and timely expenditure of funds. Secretary may also provide incentives to owners to undertake energy or green retrofits as part of such grants or loans, including fees to cover investment oversight and implementation, or to encourage job creation for low-income or very low-income individuals.

Secretary may share in a portion of future property utility savings. Property owner must commit to an additional period of affordability not less than 15 years. Secretary may establish other provisions in implementing the program.

**How to Access Funding:** Housing assistance per formula, Energy and Green Retrofit per competitive grants and loans under process to be developed by HUD secretary.

**Federal Contact:** Department of Housing and Urban Development  
Office of Housing Choice Vouchers  
[www.hud.gov/offices/pih/programs/hcv/](http://www.hud.gov/offices/pih/programs/hcv/)

Office of Affordable Housing Preservation  
[www.hud.gov/offices/hsg/omhar/](http://www.hud.gov/offices/hsg/omhar/)

**State Contact:** Not applicable or unknown at this time

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*

### **Economic Development Administration**

**Total Funding Available:** \$150 million

**Overview:** The funding provision specifically refers to leveraging private investment, stimulating employment, and increasing incomes in economically distressed communities. Generally, the Economic Development Administration (within the Department of Commerce) assists state and local interests design and implement strategies to adjust or bring about change in distressed economic areas. Program focuses on areas that have experienced or are under threat of serious structural damage to the underlying economic base. Aids the long-range economic development of areas with severe unemployment and low family income problems; aids in the development of public facilities and private enterprises to help create new, permanent jobs.

**Special Factors:** \$50 million set aside for Economic Adjustment Assistance with priority given to areas suffering sudden severe dislocation and job loss due to corporate restructuring. Additional \$50 million set may be transferred to federally authorized regional economic development commissions.

**How to Access Funding:** Unknown at this time.

**Federal Contact:** Department of Commerce  
Economic Development Administration  
[www.eda.gov](http://www.eda.gov)

**State Contact:** Not applicable or unknown at this time

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*

## **Community Development Financial Institutions**

**Total Funding Available:** \$100 million

**Overview:** According to the website of the Community Development Financial Institutions Fund, Community Development Financial Institutions (CDFIs) and Community Development Entities (CDEs) provide capital, credit and financial services in economically distressed communities. These community-based lenders are used to responsibly deploy resources to support homeowners and businesses.

The legislation appropriates an additional \$100 million, of which \$90 million will apply to the CDFI Program, \$8 million to the Native Initiatives, and \$2 million to administrative expenses.

**Special Factors:** Secretary of Treasury to submit detailed expenditure plan 60 days after enactment.

**How to Access Funding:** Not yet determined (subject to discretionary plan).

**Federal Contact:** Department of the Treasury  
Community Development Financial Institutions Fund  
<http://www.cdfifund.gov/>

**State Contact:** Not applicable or unknown at this time

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*

## **Lead Paint Removal**

**Total Funding Available:** \$100 million

**Overview:** Competitive grants to local governments and nonprofit organizations for lead paint removal related to older and low income housing.

**Special Factors:** Funds to be awarded first to qualified applicants that had applied under the Lead Hazard Reduction Program Notices of Funding Availability for fiscal year 2008 but were not awarded due to funding limitations.

Remaining funds will be added to the Lead Hazard program announced in the 2009 NOFA. Each 2009 applicant shall demonstrate capacity to carry out the proposed use of the funds.

Funding available until September 20, 2011. Recipients must spend 50 percent of funds in 2 years and all funds in three years. Secretary may recapture funds if timelines are missed.

**How to Access Funding:** See 2009 Notice of Funding Availability, Lead Hazard Reduction Program

**Federal Contact:** Department of Housing and Urban Development  
Lead Hazard Reduction Program  
[www.hud.gov/offices/lead/lbp/lhc.cfm](http://www.hud.gov/offices/lead/lbp/lhc.cfm)

**State Contact:** Not applicable or unknown at this time

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*



**Corporation for National and Community Service**

**Total Funding Available:** \$200 million

**Overview:** According to its website, the Corporation for National and Community Service is the nation's largest grant maker supporting service and volunteering. Specifically, among other programs, it supports Senior Corps, AmeriCorps, and Learn and Serve America programs

**Special Factors:** Non federal share waiver discretionary. \$89 million is set aside for existing AmeriCorps grantees and an additional \$40 million is set aside for the National Service Trust.

**How to Access Funding:** Unknown at this time.

**Federal Contact:** Corporation for National and Community Service  
[www.nationalservice.org](http://www.nationalservice.org)

**State Contact:** Not applicable or unknown at this time

**League Staff Contact:** Bill Higgins, [higginsb@cacities.org](mailto:higginsb@cacities.org), (916) 658-8250

*Last update: 2/18/09*

### **Transit Capital Assistance**

**\*\*Note: Competitive Grant Proposals DUE May 22, 2009\*\***

**Total Funding Available:** \$6.9 billion

**Overview:** Transit Capital Assistance may be used for bus, rail, and related capital assistance. The funds are broken down in the following manner:

- \$100 million set aside for discretionary grants for transit capital.
- \$5.40 billion apportioned to states using the 5307 program distribution formula (CA Share: \$968 million).
- \$677 million apportioned to states using the 5311 program distribution formula (CA Share: \$34 million).
- \$675 million apportioned to states using the Growing States distribution formula.
- \$16.9 million or 2 percent of the 5311 distribution is set aside for Indian Reservation Roads.
- Balance of funds reserved for FTA Administration.

**Special Factors:**

- No matching funds required.
- Priority is to be given to projects in economically distressed areas.
- Priority is to be given to projects that can be completed within three (3) years.
- Funds cannot supplant existing funding, and states must certify within 30 days of apportionment that existing funding is maintained.
- Fifty percent of funding to states (excludes suballocation to Metropolitan Planning Organizations (MPOs)) must be obligated within 120 after apportionment Any funds not obligated within 120 days will be withdrawn and reapportioned to other states that are able to obligate the funds.
- All funds must be obligated within one (1) year of apportionment. Any funds not obligated within one (1) year will be withdrawn and reapportioned to other states that are able to obligate the funds. The Secretary of the Federal Highway Administration can grant an extension of one (1) year if a state is experiencing “extreme conditions” that create an “unworkable bidding environment”.
- Periodic reports to the Federal Transit Administration that include information on spending and job creation will be required.

**How to Access Funding:** Funds will be distributed to existing transit recipients 21 days after enactment of the legislation. Fifty percent of funding must be obligated within 180 after apportionment, and all other funds must be obligated within one (1) year of apportionment. Any funds not obligated within these time periods will be withdrawn and redistributed under the Competitive Surface Transportation Program. The Federal Transit Administration (FTA) has released guidance and preliminary that can be found at [http://www.fta.dot.gov/index\\_9118.html](http://www.fta.dot.gov/index_9118.html).

The FTA has posted preliminary apportionments for the formula grants at [http://www.fta.dot.gov/index\\_9118.html](http://www.fta.dot.gov/index_9118.html). FTA is not publishing decisions or requirements related to the three discretionary programs identified in the ARRA at this time. These formula apportionment tables will be published in final form when the Federal Register publishes FTA's Notice containing the tables as well as application instructions for our grantees.

The FTA has released grant application requirements for the new competitive grant program, the Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) program. Information can be found at <http://edocket.access.gpo.gov/2009/E9-6420.htm>. Grant proposals must be sent to [FTA-TIGGER@dot.gov](mailto:FTA-TIGGER@dot.gov) no later than **May, 22, 2009**.

As TIGGER is a new grant program, the FTA is also accepting comments on the application requirements. Information on where to send comments can also be found at the above website.

**Federal Contact:** Federal Transit Administration  
Regional Office: (415) 744-3133  
The Office of Program Management: (202) 366-4020  
[www.fta.dot.gov/funding/grants/grants\\_financing\\_3561.html](http://www.fta.dot.gov/funding/grants/grants_financing_3561.html)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/03/09*

## New Starts

**Total Funding Available:** \$750 million (CA Share: \$66 million)

**Overview:** The New Starts program is the federal government's primary financial resource for supporting locally-planned, implemented, and operated transit "guideway" capital investments. Projects include commuter rail, light rail, heavy rail, bus rapid transit, streetcars, and ferries.

Project criteria include:

- **Mobility Improvements:** measured by travel time benefits per project passenger mile, low-income households served, and employment near stations.
- **Environmental Benefits:** measured by change in regional pollutant emissions, change in regional energy consumption, and EPA air quality designation.
- **Cost Effectiveness:** measured as the cost per hour of travel time saved.
- **Operating Efficiencies:** measured by system operating cost per passenger mile.
- **Transit Supportive Land Use & Future Patterns:** measured by existing land use, transit supportive plans and policies and performance, and impacts of policies.
- **Other:** includes a number of optional factors, including the projected economic impact of project, economic development, and the reliability of forecasts.

### **Special Factors:**

- Funds are available until September 30, 2010.
- Periodic reports to the Federal Transit Administration that include information on spending and job creation will be required.
- Priority is given to projects that are currently in construction or are able to obligate funds within 150 days of enactment.
- Funds cannot be commingled with any prior year funds.
- The current match ratio is used. This is a sliding scale that rates the local financial commitment for consideration during the application and award process. It is not a set amount.

**How to Access Funding:** Grants will be made at the Secretary's discretion. Application guidelines will be available on the New Starts website (see below). The Federal Transit Administration has released guidance that can be found at [http://www.fta.dot.gov/index\\_9118.html](http://www.fta.dot.gov/index_9118.html).

**Federal Contact:** Federal Transit Administration  
[http://www.fta.dot.gov/planning/planning\\_environment\\_5221.html](http://www.fta.dot.gov/planning/planning_environment_5221.html)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 2/18/09*

**Rail Modernization (Fixed Guideway Infrastructure Investment)**

**Total Funding Available:** \$750 million (CA Share: \$66 million)

**Overview:** Grants for fixed guideway modernization projects. A fixed guideway refers to any transit service that uses exclusive or controlled rights-of-way or rails, entirely or in part. The term includes heavy rail, commuter rail, light rail, trolleybus, aerial tramway, inclined plane, cable car, automated guideway transit, ferryboats, that portion of motor bus service operated on exclusive or controlled rights-of-way, and high-occupancy-vehicle (HOV) lanes.

Eligible recipients for capital investment funds are public bodies and agencies (transit authorities and other state and local public bodies and agencies thereof including states, municipalities, other political subdivisions of states; public agencies and instrumentalities of one or more states; and certain public corporations, boards, and commissions established under state law.

**Special Factors:**

- No matching funds required.
- Fifty percent of funding must be obligated with 180 after apportionment, and all other funds must be obligated within one (1) year of apportionment. Any funds not obligated within these time periods will be withdrawn and reapportioned to other areas that are able to obligate the funds.
- Periodic reports to the Federal Transit Administration that include information on spending and job creation will be required.

**How to Access Funding:** Funds are allocated by a statutory formula to urbanized areas with rail systems that have been in operation for at least seven years. The Federal Transit Administration has released guidance that can be found at [http://www.fta.dot.gov/index\\_9118.html](http://www.fta.dot.gov/index_9118.html).

**Federal Contact:** Federal Transit Association  
Regional Office: (415) 744-3133  
The Office of Program Management: (202) 366-4020  
[www.fta.dot.gov/funding/grants/grants\\_financing\\_3558.html](http://www.fta.dot.gov/funding/grants/grants_financing_3558.html)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 2/18/09*

## **Highway Infrastructure**

**Total Funding Available:** \$27.5 billion

**Overview:** The highway infrastructure funding will be apportioned to states using existing formulas (50% STP State distribution formula and 50% according to the FFY 2008 Obligation Limitation) with 30% of the funds within each state being suballocated under the population formulas of the STP program (to Metropolitan Planning Organizations (MPOs)). Funds can be used for any project eligible under the surface transportation program, passenger and freight rail, and port infrastructure. Funds cannot be used for Advance Construction.

### **Special Factors:**

- No matching funds required.
- Priority is to be given to projects in economically distressed areas.
- Priority is to be given to projects that can be completed within three (3) years.
- Funds cannot supplant existing funding, and states must certify within 30 days of apportionment that existing funding is maintained.
- Fifty percent of funding to states (excludes suballocation to MPOs) must be obligated within 120 days after apportionment. Any funds not obligated within 120 days will be withdrawn and reapportioned to other states that are able to obligate the funds.
- All funds must be obligated within one (1) year of apportionment. Any funds not obligated within one (1) year will be withdrawn and reapportioned to other states that are able to obligate the funds. The Secretary of the Federal Highway Administration can grant an extension of one (1) year if a state is experiencing “extreme conditions” that create an “unworkable bidding environment”.
- Periodic reports to the Federal Transit Administration that include information on spending and job creation will be required.

**How to Access Funding:** Funds will be apportioned within 21 days after enactment of the legislation to the state and MPOs. MPOs have been compiling lists of eligible projects, and it will be up to the Boards to allocate the funding. Cities should immediately contact their MPO to determine if their project is eligible and work with Board members to secure necessary funding. The Federal Highway Administration has released spending guidance that can be accessed at <http://www.fhwa.dot.gov/economicrecovery/index.htm>.

The Federal Highway Administration has posted **estimated** apportionment tables: <http://www.fhwa.dot.gov/economicrecovery/estapportionment.htm>. Note: These tables provide the estimated distribution of American Recovery and Reinvestment Act of 2009 (ARRA) funds, and estimates of the funds that would be subject to redistribution. This information is preliminary until the FHWA issues the official apportionment notice (02/20/09).

On Thursday, March 26, the California Legislature passed AB x3 20 (Bass), which, among other things, requires a minimum of 40% of fund allocated to MPOs to be passed down to cities and counties.

**Federal Contact:** Federal Highway Administration  
<http://www.fhwa.dot.gov/economicrecovery/index.htm>

**State Contact:** Cities should contact their local Metropolitan Planning Organization.

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

## **Competitive Surface Transportation Program**

**Total Funding Available:** \$1.5 billion

**Overview:** This program includes competitive grants to state and local governments and transit agencies for surface transportation projects which will have a significant impact on the nation, a metropolitan area, or region. Funding can be used for any eligible program under the Surface Transportation Program including highway, transit, freight and passenger rail, and port infrastructure projects. Grants will range from \$20 million to \$300 million, with some waivers for smaller cities.

**Special Factors:**

- No matching funds required.
- Priority is to be given to projects for which the federal share is needed to complete the project funding.
- Priority given to projects that can be completed within three (3) years.
- Periodic reports to the Federal Transit Administration that include information on spending and job creation will be required.

**How to Access Funding:** The Secretary of the Federal Highway Administration will release the criteria for the funding no later than May 18, 2009. Applications will be available within 180 days after release of the criteria, and projects will be selected no later than February 17, 2010. The Federal Highway Administration has released spending guidance that can be accessed at <http://www.fhwa.dot.gov/economicrecovery/index.htm>.

**Federal Contact:** Federal Highway Administration  
<http://www.fhwa.dot.gov/economicrecovery/index.htm>

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 2/18/09*



## **Airport Improvement Program**

**Total Funding Available:** \$1.1 billion

**Overview:** The Airport Improvement Program (AIP) provides grants to public agencies---and, in some cases, to private owners and entities---for the planning and development of public-use airports that are included in the National Plan of Integrated Airport Systems (NPIAS).

**Special Factors:**

- No matching funds required.
- Priority is to be given to projects that will be completed within two (2) years.
- Funds cannot supplant existing funding.
- Fifty percent of funding must be obligated with 120 after apportionment. All other funds must be obligated within one (1) year of apportionment.
- Periodic reports to the Federal Aviation Administration that include information on spending and job creation will be required.

**How to Access Funding:** Grants will be awarded at the Secretary's discretion. AIP funds are typically first apportioned into major entitlement categories such as primary, cargo, and general aviation. Remaining funds are distributed to a discretionary fund. Set-aside projects (airport noise and the Military Airport Program) receive first attention from this discretionary distribution. The remaining funds are true discretionary funds that are distributed according to a national prioritization formula. The FAA has released a stakeholder guidance document. It can be found at [www.faa.gov/airports\\_airtraffic/airports/aip/media/FY09\\_aip\\_arra\\_guidance.pdf](http://www.faa.gov/airports_airtraffic/airports/aip/media/FY09_aip_arra_guidance.pdf).

**Federal Contact:** Federal Aviation Administration  
Southern California: (310) 725-3644  
Northern California: (650) 876-2778  
<http://www.faa.gov/recovery/>

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/9/09*

## **High Speed Rail Corridors and Intercity Rail Passenger Service**

**Total Funding Available:** \$8.0 billion

**Overview:** Grants to improve the speed and capacity of intercity passenger rail service and high speed rail corridors. This is a new program that was approved in the Passenger Rail Investment and Improvement Act of 2008.

**Special Factors:**

- No matching funds required.
- Priority to projects that support development of intercity high speed rail service.
- Periodic reports to the Federal Transit Administration that include information on spending and job creation will be required.

**How to Access Funding:** The Secretary of the Federal Railroad Administration will release a strategic plan for use of the funds no later than April 18, 2009. The Department of Transportation will release guidance to applicants on grant terms, conditions, and procedures no later than June 17, 2009. There will be separate instructions for high speed rail, intercity rail, and congestion grants.

**Federal Contact:** Federal Railroad Administration  
<http://www.fra.dot.gov/us/content/199>

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 2/18/09*

**COPS (Community Oriented Policing Services)**

**\*\*Note: Grant Applications DUE April 14, 2009\*\***

**Total Funding Available:** \$1 billion

**Overview:** Grants used to hire and train community policing professionals, acquire and deploy cutting-edge crime-fighting technologies, and develop and test innovative policing strategies. COPS Office funding provides training and technical assistance to advance community policing at all levels of law enforcement, from line officers to law enforcement executives, as well as others in the criminal justice field. Because community policing is inclusive, COPS Office training also reaches state and local government leaders and the citizens they serve. Funds cover the actual cost of an officer for three (3) years.

There are two types of federal grants. **Sponsored/Targeted Grants** consist of Methamphetamine, Safe Schools Initiative and Technology programs.

**Discretionary/Non-Targeted Grants** consist of Cops In Schools, Homeland Security Overtime Program, MORE, Interoperability, Secure Our Schools, Tribal and Universal Hiring programs.

It is estimated that these grants will fund 5,500 local police officers through the COPS Hiring Recovery Program.

**Special Factors:**

Traditionally, the program provides 75 percent of a new hire or rehire's salary for the first three years, with a salary cap of \$75,000 for these new officers. However, the ARRA waives both the salary cap and local match for FYs 09 & 10. Further, the COPS office has indicated that they will allow local government to use the funds to retain police officers that they otherwise would not be able to keep on salary.

**How to Access Funding:** Grant applications are available at [www.cops.usdoj.gov](http://www.cops.usdoj.gov), and are due April 14, 2009. Guidance from the department and a general overview of the program and what it funds can be found at <http://cops.usdoj.gov/Default.asp?Item=2108>. Application procedures can be found at <http://cops.usdoj.gov/Default.asp?Item=2110>.

A questionnaire to determine if a city is eligible for funding can be found at <http://cops.usdoj.gov/chrp/eligibilityanony.aspx>. (Please note: Cities that contract for policing services are not eligible to receive direct funding. The authority with the primary responsibility must apply.)

**Federal Contact:** US Department of Justice, COPS Office  
[www.cops.usdoj.gov](http://www.cops.usdoj.gov)  
(800) 421-6770

Program Specialist - Sponsored/Targeted: Lakita Reid  
Phone: 202.514.1658

Program Specialist - Discretionary/Non-Targeted: Jamie Atwood  
Phone: 202.616.9554

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/09/09*

### **Byrne JAG – Formula**

**\*\*Note: Grant Applications DUE May 18, 2009\*\***

**Total Funding Available:** \$2 billion

**Overview:** The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system. The procedure for allocating JAG funds is a formula based on population and crime statistics, in combination with a minimum allocation to ensure that each state and territory receives an appropriate share. Funds are distributed 60/40 between state and local recipients. These funds are extremely flexible and can be utilized to pay for programs, equipment, and even some salaries-prevention programs, drug enforcement programs, and buying equipment to support law enforcement are all permitted.

In addition to direct grants from the federal government, cities are sometimes eligible to receive funds from the state allocation. In some instances, a city that is not eligible for the federal grant will be eligible for the state funds.

#### **How to Access Funding:**

**Federal:** The Office of Justice Programs has released the application for this program. The application can be found at [www.ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryLocal.pdf](http://www.ojp.usdoj.gov/BJA/recoveryJAG/JAGrecoveryLocal.pdf). **The application deadline is 8:00pm Eastern Time on May 18, 2009.**

If you are not sure if you are eligible to apply, click here:

<http://www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryallocations.html>. Please note that some jurisdictions are required to file joint applications. If a city is required to do so, you will be listed with other jurisdictions in grey.

Important information for helping eligible local governments apply can be found here:

<http://www.ojp.usdoj.gov/BJA/recoveryJAG/recoveryjag.html>

To read the White House Fact Sheet on Byrne funding and uses, click here:

[http://www.whitehouse.gov/the\\_press\\_office/FACT-SHEET-Investing-in-Public-Safety/](http://www.whitehouse.gov/the_press_office/FACT-SHEET-Investing-in-Public-Safety/)

**State:** JAG funds allocated to the state are distributed through a RFA/RFP process through the California Emergency Management Agency (formerly the Office of Emergency Services). Grant applications are typically released in April, but CalEMA may release the information early due to this legislation. Until the website for CalEMA is complete, grant applications will be available at [www.oes.ca.gov](http://www.oes.ca.gov).

**Federal Contact:** United States Office of Justice Programs  
[www.ojp.usdoj.gov/BJA/recoveryact.html](http://www.ojp.usdoj.gov/BJA/recoveryact.html)  
[www.usdoj.gov/recovery](http://www.usdoj.gov/recovery)  
email: [jagrecovery@usdoj.gov](mailto:jagrecovery@usdoj.gov)

phone: (866) 268-0079

**State Contact:** California Emergency Management Agency (OES)  
Gwen Durling, Drug Enforcement Section  
Public Safety Branch  
(916) 324-9166 phone  
(916) 324-9179 fax  
Gwen.durling@oes.ca.gov  
[www.oes.ca.gov](http://www.oes.ca.gov)

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/09/09*

**Byrne JAG - Competitive**

**\*\*Note: Grant Applications DUE April 27, 2009\*\***

**Total Funding Available:** \$225 million

**Overview:** Competitive grants to units of State, local, and tribal government, and to national, regional, and local non-profit organizations to prevent crime, improve the administration of justice, provide services to victims of crime, support critical nurturing and mentoring of at-risk children and youth, and for other similar activities.

Eligible applicants include national, state, regional, or local public and private entities, including for-profit (commercial) and nonprofit organizations, faith-based and community organizations, institutions of higher education, and tribal jurisdictions.

According to the grants notice, funding will support job creation and retention in support of evidence-based and data-driven programs in order to:

- prevent and reduce violent crime,
- provide neighborhood-based probation and parole officers,
- reduce mortgage fraud and crime related to vacant properties,
- hire civilian support personnel in law enforcement (training staff, analysts, dispatchers, etc.),
- enhance forensic and crime scene investigations,
- improve resources and services for victims of crime
- support problem-solving courts, and
- fund national training and technical assistance partnerships.

**How to Access Funding:** Applications are now available at <http://www.ojp.usdoj.gov/BJA/recovery/RecoveryByrne.pdf>. Applications for funding should be submitted through the on-line OJP Grants Management System (GMS) at <https://grants.ojp.usdoj.gov>.

**Federal Contact:** United States Office of Justice Programs  
[www.ojp.usdoj.gov/BJA/recoveryact.html](http://www.ojp.usdoj.gov/BJA/recoveryact.html)  
[www.ojp.usdoj.gov/recovery/](http://www.ojp.usdoj.gov/recovery/)  
email: [jagrecovery@usdoj.gov](mailto:jagrecovery@usdoj.gov)  
phone: (866) 268-0079

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/09/09*

**Internet Crimes Against Children**

**\*\*Note: Grant Applications DUE April 8, 2009\*\***

**Total Funding Available:** \$50 million

**Overview:** Competitive grants through the Office of Justice Programs to coordinate state and local responses to preventing, apprehending, and prosecuting online predators. According to the grants website, the Internet Crimes Against Children (ICAC) Task Force Program seeks to maintain and expand state and regional ICAC task forces to address technology-facilitated child exploitation. These task forces work collaboratively as a national network of law enforcement and prosecutorial agencies that prevent, interdict, and investigate Internet crimes against children. The program provides funding for existing task forces to develop multijurisdictional, multiagency responses to such offenses by providing funding and other support to state and local law enforcement agencies as a means to help them acquire the necessary knowledge, personnel, and equipment. This program provides funding to states and localities for salaries and employment costs of law enforcement officers, prosecutors, forensic analysts, and other related professionals.

**Special Factors:** Only those state and local Law Enforcement and Prosecutorial Agencies who are already receiving ICAC funding from OJJDP are eligible to apply.

**How to Access Funding:** You can now apply for this funding at <https://grants.ojp.usdoj.gov/>. Additional information can be found at [www.grants.gov](http://www.grants.gov). The Funding Opportunity Number is OJJDP-2009-2099.

**Federal Contact:** [www.ojp.usdoj.gov](http://www.ojp.usdoj.gov)  
[www.usdoj.gov/recovery](http://www.usdoj.gov/recovery)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/16/09*



### **Violence Against Women**

**\*\*Note: Grant Applications for STOP grants DUE March 18, 2009\*\***

**\*\*Note: Grant Applications for Transitional Housing DUE April 8, 2009\*\***

**\*\*Note: Grant Applications for State Rape Crisis Recovery Act DUE April 22, 2009\*\***

**\*\*Note: Grant Applications for State Violence Against Women Vertical Prosecution Program DUE April 10, 2009\*\***

**Total Funding Available:** \$175 million for STOP grants (CA share: \$13.3 million)  
\$50 million for transitional housing

#### **Overview:**

**STOP (Services • Training • Officers • Prosecutors) grants:** Formula grants awarded to states and territories to develop and strengthen the criminal justice system's response to violence against women and to support and enhance services for victims. Each state and territory must allocate 25 percent of the grant funds for law enforcement, 25 percent for prosecution, 5 percent for courts, and 30 percent for victim services.

**Transitional Housing:** Discretionary grant program that provides transitional housing, short-term housing assistance, and related support services for individuals who are homeless or in need of transitional housing or other housing assistance as a result of fleeing a situation of domestic violence, dating violence, sexual assault, or stalking, and for whom emergency shelter services or other crisis intervention services are unavailable or insufficient. Eligible applicants are states, units of local government, Indian tribal governments, and other organizations that have a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

#### **Special Factors:**

- Information regarding matching fund requirements for STOP can be found at [www.ovw.usdoj.gov/docs/match\\_requirement.pdf](http://www.ovw.usdoj.gov/docs/match_requirement.pdf).

#### **How to Access Funding:**

**STOP grants:** Applications are now available at <http://www.ovw.usdoj.gov/docs/recovery-stop-program.pdf>. **The application deadline is March 18, 2009.**

**Transitional Housing:** Grant applications are available at <http://www.ovw.usdoj.gov/docs/recovery-transitional-housing-asst.pdf>. The application deadline is April 8, 2009. The OVW held several pre-application conference calls, and followed up with a document with additional information which can be accessed at <http://www.ovw.usdoj.gov/docs/pre-app-call-info.pdf>.

**State grants:** The state has released applications for two grants funded through STOP, the Rape Crisis Recovery Act and the Violence Against Women Vertical Prosecution Program. The Rape Crisis Recovery Act application can be found at <http://www.oes.ca.gov/WebPage/oeswebsite.nsf/LEVSPortal?OpenForm>, and is due April 22, 2009. The Violence Against Women Vertical Prosecution Program application can be found at <http://www.oes.ca.gov/WebPage/oeswebsite.nsf/LEVSRFPPortal?OpenForm> and is due April 10, 2009.

**Federal Contact:** <http://www.ovw.usdoj.gov/recovery>

**State Contact (STOP):** Ellie Jones, Chief Victim Services Branch  
Governors Office of Emergency Services  
Law Enforcement & Victim Service Division.  
tel: 916-445-8315  
email: [Ellie.Jones@oes.ca.gov](mailto:Ellie.Jones@oes.ca.gov)

**State Contact (Housing):** TBD

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/30/09*

### **Assistance to Firefighters Grants**

**Total Funding Available:** \$210 million

**Overview:** The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical services organizations. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards.

Assistance to Firefighters Grants funding from the ARRA can be used to modify, upgrade, or construct non-Federal fire stations.

**Special Factors:**

- The maximum grant amount is \$15 million.
- No matching funds are required.
- Extensive “Buy America” provisions can be waived by the Secretary.

**How to Access Funding:** The Grant Programs Directorate of the Federal Emergency Management Agency administers the grants in cooperation with the U.S. Fire Administration. Funds will be distributed at the discretion of the Secretary of Homeland Security. Regulations will be adopted and released by the Secretary. More information on these grants is expected to be release around April 2, 2009.

**Federal Contact:** Federal Emergency Management Agency  
[www.firegrantsupport.com/afg/](http://www.firegrantsupport.com/afg/)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

## **Public Transportation Security Assistance**

**Total Funding Available:** \$150 million

**Overview:** Provides grant funding to the nation’s key high-threat urban areas to enhance security measures for their critical transit infrastructure including bus, ferry and rail systems.

**Special Factors:**

- Extensive “Buy America” provisions can be waived by the Secretary.

**How to Access Funding:** Funds will be distributed at the discretion of the Secretary of Homeland Security. Regulations will be adopted and released by the Secretary. More information on these grants is expected to be release around April 2, 2009.

**Federal Contact:** Federal Emergency Management Agency  
[www.fema.gov/government/grant/tsgp/index.shtm](http://www.fema.gov/government/grant/tsgp/index.shtm)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 2/18/09*

## **Emergency Food and Shelter**

**Total Funding Available:** \$100 million

**Overview:** Supplements the work of local social service organizations within the United States, both private and governmental, to supplement and expand ongoing efforts to provide shelter, food and supportive services. (Private-Nonprofit community and government organizations)

**Special Factors:**

- Extensive “Buy America” provisions can be waived by the Secretary.

**How to Access Funding:** Funds are administered through the Emergency Food and Shelter National Board, which uses a formula to determine the eligibility of a civil jurisdiction. There is no national application process.

For fiscal year 2009 funding, jurisdictions qualify for funding if they meet one of the following criteria:

- Number of unemployed: 13,000+ with a 4.3% rate of unemployment
- Number of unemployed: 300-12,999 with a 6.3% rate of unemployment
- Number of unemployed: 300 or more with an 11.0% rate of poverty

Award amounts are determined by dividing the available funds by the number of unemployed persons within each jurisdiction that qualifies. Jurisdictions that do not qualify under the formula may receive funds through the state set-aside process. Jurisdictions that do qualify under the formula may receive additional funding through the state set-aside process.

More information on these grants is expected to be release around April 2, 2009.

**Federal Contact:** Federal Emergency Management Agency  
<http://www.fema.gov/government/grant/efs.shtm>  
FEMA Call Center  
(866) 927-5646  
[ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov)

Emergency Food and Shelter National Board Program  
[www.efsp.unitedway.org/](http://www.efsp.unitedway.org/)  
Phone: (703) 706-9660, Fax: (703) 706-9677

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

*Last update: 3/09/09*

## **Clean Water and Drinking Water Grants and Loans**

**\*\*NOTE: Deadline for applications is May 1, 2009\*\***

**Total Funding Available:** \$ 6 billion; \$4 billion for CWSRF, \$2 billion for SDWSRF

### **Overview:**

#### **Clean Water State Revolving Fund (CWSRF)**

The federal Act provides a significant amount of funding for clean water grants and loans through the State's existing CWSRF. The California CWSRF is expected to receive approximately \$283 million to fund "shovel ready" projects that will create jobs.

The purpose of the CWSRF program is to implement the federal Clean Water Act and various State laws by providing financial assistance for the construction of facilities or implementation of measures necessary to address water quality problems and to prevent pollution of the waters of the State.

Eligible uses for the funds include construction of publicly-owned wastewater treatment facilities, local sewers, sewer interceptors, water recycling facilities, as well as, expanded use projects such as implementation of nonpoint source (NPS) projects or programs, development and implementation of estuary Comprehensive Conservation and Management Plans, and storm water treatment.

The deadline to get projects on the CWSRF Project Priority List (in order to apply for funding) is MARCH 24, 2009.

#### **Safe Drinking Water State Revolving Fund (SDWSRF)**

The SDWSRF provides low interest loans/grants to assist public water systems in achieving or maintaining compliance with the federal Safe Drinking Water Act (SDWA). Projects must be from a public water system, must be needed to comply with the SDWA, and must be on the program's project priority list.

Eligible uses include water treatment facilities, replacement of aging infrastructure, planning studies, consolidation of water systems, and source water protection. Ineligible uses include dams or rehab of dams, O&M costs, projects mainly for fire protection

Universal Pre-applications **for the SDWSRF ONLY are DUE FEBRUARY 27<sup>th</sup>, 2009.** A link to the program, frequently asked questions and links can be found below.

For more information on the SDWSRF loans and grants, please visit:

<http://www.cdph.ca.gov/services/funding/Documents/EconomicRecoveryFundsInformationAttachment.pdf>

### **Special Factors:**

**For Clean Water Revolving Funds:**

- Not less than 20% of funds shall go for green infrastructure, water or energy efficiency improvements or other environmentally innovative activities (provided these types of applications are received).

**For Both Clean Water and Drinking Water Revolving Funds:**

- The federal Administrator is directed to reallocate Revolving Fund monies where projects are not under contract or construction within 12 months of the date of enactment
- Directs priority funding to projects on State priority lists that are ready to proceed to construction within 12 months of enactment
- Prohibits the use of both Revolving Funds for the purchase of land easements and to prohibit other set asides under section 1452 (k) of the Safe Drinking Water Act that do not directly create jobs.
- States are directed to use “not less than 50 percent” of the funds for principal forgiveness, negative interest loans or grants.

**How to Access Funding:** Both funds will be run through the state revolving fund programs, for which websites are listed below.

On March 2nd, USEPA released guidance for stimulus funding, which will be used by State Revolving Funds to put together plans that will control how water infrastructure funding will be distributed to agencies at the local level.

Those guidelines can be found at: [http://www.epa.gov/water/eparecovery/docs/2009-03-02\\_Final\\_ARRA\\_SRF\\_Guidance.pdf](http://www.epa.gov/water/eparecovery/docs/2009-03-02_Final_ARRA_SRF_Guidance.pdf)

**Clean Water State Revolving Funds:**

Application for these funds is a two-step process. First, submit the project to the PPL by applying through the CWSRF’s online Financial Assistance Application Submittal Tool (FAAST) (<https://faast.waterboards.ca.gov/>). Second, complete the hard copy Financial Assistance Application (FAA). It is available online at [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/docs/forms/application.doc](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/forms/application.doc).

There is no deadline for the FAA, but applicants will not be considered for funding unless both steps are completed.

The CWSRF program has released a new fact sheet on the program and how ARRA funds will be used. This fact sheet is available on the League’s Web site at: [http://www.cacities.org/resource\\_files/27864.arra\\_cwsrf\\_factsheet.pdf](http://www.cacities.org/resource_files/27864.arra_cwsrf_factsheet.pdf)

Cities interested in applying for these funds can find the CWSRF applications and program information at:

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/econ\\_recovery\\_info.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/econ_recovery_info.shtml)

**Questions may be emailed to:** [cleanwaterSRF@waterboards.ca.gov](mailto:cleanwaterSRF@waterboards.ca.gov) or CWSRF staff can be reached at: 916-327-9978

**Safe Drinking Water State Revolving Funds:**

<http://www.cdph.ca.gov/CERTLIC/DRINKINGWATER/Pages/DWPfunding.aspx>

**Pre-Applications for SDWSRF funds are DUE FEBRUARY 27, 2009. This deadline only applies to SDWSRF funds.**

**Website for SDWSRF universal pre application:**

<http://www.cdph.ca.gov/certlic/drinkingwater/pages/UniversalPreApplication.aspx>

**League Staff Contact: Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)-658-8252**

*Last update: 3/30/09*



## **Brownfields**

### **Applications DUE for JOB TRAINING GRANTS APRIL 20, 2009**

**Total Funding Available:** \$100 million

**Overview:** Funding for competitive grants for brownfield sites. Funds from the federal Act will likely be used to fund ongoing grants through the USEPA Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants program.

Eligible uses for the funds are likely to be site assessment, clean-up grants, and revolving loans and job training.

**How to Access Funding:** Competitive grants will likely go through the USEPA Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants program.

**EPA Brownfields Job Training Grants (\$5 million)** - To provide environmental job training projects that will facilitate job creation in the assessment, remediation, or preparation of brownfields sites for sustainable reuse. The closing date for receipt of applications is April 20, 2009.

Eligible governmental entities include a general purpose local unit of government; a land clearance authority or other quasi-governmental entity that operates under the supervision and control of, or as an agent of, a general purpose unit of government; a governmental entity created by a state legislature; a regional council or group of general purpose units of local government; a redevelopment agency that is chartered or otherwise sanctioned by a state.

*General Program Information:* <http://www.epa.gov/brownfields/eparecovery/index.htm>

*Guidance:* [http://www.epa.gov/brownfields/grant\\_guidelines/final\\_arra\\_jt\\_guidelines.pdf](http://www.epa.gov/brownfields/grant_guidelines/final_arra_jt_guidelines.pdf)

**Federal Contact:** <http://www.epa.gov/brownfields/pilot.htm>

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-8252

## **Hazardous Substance Superfund**

**Total Funding Available:** \$600 million

**Overview:** The federal superfund remedial program provides funds for the long-term clean-up of abandoned hazardous toxic waste sites.

**Special Factors:** Federal stimulus funding through this program is discretionary by US EPA. Funds are expected to go through the California Department of Toxic Substances Control superfund clean-up program.

### **How to Access Funding:**

**State Contact:** <http://www.dtsc.ca.gov/SiteCleanup/>

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916) 658-8252

*Last update: 3/2/09*

### **Army Corps of Engineers**

**Total Funding Available:** \$2.0 billion for construction, \$2.075 billion for operations and maintenance; and \$25 million for studies

**Overview:**

Eligible uses of funds are likely for water-related environmental infrastructure assistance (including flood related projects) for existing projects.

Projects need to be completed within one year. In addition, a quarterly report by the Secretary of the Army to Congress beginning 45 days after enactment will be required.

**How to Access Funding:** Funding will be discretionary by the federal Department of Defense, Army Corps of Engineers. First priority for all funds will go to existing projects.

**Federal Contact:** <http://www.usace.army.mil/Pages/Default.aspx>

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-8252

*Last update: 3/2/09*

**Clean Diesel Reduction Program**  
**NEW FUNDING APPLICATION DATES and DETAILS BELOW.**

**Total Funding Available:** \$300 million

**Overview:**

The ARRA provides \$300 million in funding for grants and loans through the National Clean Diesel Campaign to help regional, state and local governments, tribal agencies, and non-profit organizations with projects that reduce diesel emissions. Eligible applicants include: U.S. regional, state, local, tribal or port agencies with jurisdiction over transportation or air quality; nonprofit organizations or institutions that represent or provide pollution reduction or educational services to persons or organizations that operate diesel fleets; entities whose principle purpose is the promotion of transportation or air quality. The funding opportunities are divided into four programs:

- The Recovery Act Funding for the National Clean Diesel Funding Assistance Program will receive approximately \$156 million. This funding will be awarded directly through US EPA on a competitive basis to support diesel emission reduction programs. See new funding details below. **Applications for this program are DUE APRIL 28<sup>th</sup>, 2009**
- The Recovery Act Funding for the State Clean Diesel Grant Program will receive approximately \$88 million. This funding will be available to support clean diesel grant and loan programs administered by states and the District of Columbia.

Program funds for the State Clean Diesel Grant Program will be available through the California Air Resources Board or Local Air Districts. At this time it is not entirely clear how these funds will be distributed. This page will be updated when further information is available.

- The Recovery Act Funding for the Smart Way Clean Diesel Finance Program will receive approximately \$30 million. This funding, directly through the USEPA will support the creation of national, state or local innovative clean diesel financing programs. See new funding details below. **Applications for this program are DUE April 28<sup>th</sup>, 2009**
- The Recovery Act Funding for the National Clean Diesel Emerging Technology Program will receive approximately \$20 million. This funding directly through the USEPA will support the use, development and commercialization of emerging technologies that reduce emissions from diesel engines. See new funding details below. **Applications for this program are DUE May 5<sup>th</sup>, 2009**
- The final 2 percent – or \$6 million – has been set aside for administrative costs.

**Special Factors:**

All National Diesel Emission Reduction Program activities (including all four programs outlined above) must reduce diesel emissions. According to the Energy Policy Act of 2005, priority projects are those that accomplish the following:

- Maximize public health benefits
- Are the most cost effective
- Serve areas with highest population density; that are in poor air quality areas, including:
  - non-attainment and maintenance areas, Federal Class 1 areas
  - areas with toxic pollutant concerns
  - areas that receive a disproportionate quantity of air pollution from diesel fleets including truck stops, ports, rail yards, terminals and distribution centers
  - areas that use a community-based multi-stakeholder collaborative process to reduce toxic emissions
- Maximize the useful life of any certified engine configuration, verified technology, or emerging technology
- Conserve diesel fuel
- Use diesel fuel with a sulfur content of less than or equal to 15 ppm (for nonroad engines)

**How to Access Funding:**

**National Clean Diesel Funding Assistance Program (\$156 million)** - Funding will be awarded on a competitive basis to support the implementation of verified and certified diesel emission reduction technologies. **The closing date for receipt of applications is April 28, 2009.** EPA regional offices are hosting a series of conference calls to answer questions – check the website below for dates and times.

*General Program Information (including conference call information):*

<http://epa.gov/otaq/eparecovery/>

*Guidance:* <http://epa.gov/otaq/eparecovery/documents/recovery-act-national-clean-diesel-rfa.pdf>

**Clean Diesel Emerging Technologies Program (\$20 million)** - To support projects that reduce diesel emissions and maximize job creation and preservation through the creation of national, state or local innovative financial program(s). **The closing date for receipt of applications is May 5, 2009.**

*General Program Information:* <http://epa.gov/otaq/eparecovery/progmerge.htm>

*Guidance:* <http://epa.gov/otaq/eparecovery/documents/recovery-act-emerging-technology-rfa.pdf>

**SmartWay Clean Diesel Finance Program (\$30 million)** - A competitive grant program that will support the creation of national, state or local innovative clean diesel financial programs. **The closing date for receipt of applications is April 28, 2009.**

*General Program Information:* <http://epa.gov/otaq/eparecovery/progfinance.htm>

*Guidance:* <http://epa.gov/otaq/eparecovery/documents/recovery-act-smartway-finance-clean-diesel-rfa.pdf>

**Federal Contact:** <http://www.epa.gov/otaq/eparecovery/index.htm>

Competitive announcements for Recovery Act funding will also be listed at the Federal web site, [www.recovery.gov](http://www.recovery.gov), as they become available.

**State Contact:** For the State Clean Diesel Grant Program ONLY, when details become available about ARRA funding distribution, this section will be updated.

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-825

*Last update: 3/24/09*

## **Bureau of Reclamation**

**Total Funding Available:** \$ 1 billion

### **Overview:**

The ARRA provides \$1 billion to the **Bureau of Reclamation**, which provides water supplies and produces hydropower in the West. Funds are specifically identified in the ARRA to fund water reuse projects and construct rural water projects that will provide clean, reliable drinking water to rural areas and ensure adequate water supplies to western localities. Funds are also expected to be used to promote water conservation, improve energy efficiency, address aging water infrastructure, and meet endangered species requirements through improvements such as fish screens and fish passage projects.

Eligible applicants for the funds include state agencies, municipalities and water agencies.

### **Special Factors:**

- Funding shall be used for elements of projects, programs or activities that can be competed within these funding amounts and not create budgetary obligations in future fiscal years.
- Not less than \$126 million to be spent on water reclamation and reuse projects authorized in the Reclamation Wastewater and Groundwater Study and Facilities Act of 1992.
- \$50 million may be transferred to the Department of Interior for programs, projects and activities authorized by the Central Utah Project Completion Act
- \$50 million may be spent on programs, projects and activities authorized by the California Bay-Delta Restoration Act (CALFED)
- Not less than \$60 million shall be spent on rural water projects, primarily on water intake and treatment facilities
- Not less than \$10 million to be spent on Bureau-wide inspection of canals program in urbanized areas
- Costs of extraordinary maintenance and replacement activities shall be repaid pursuant to existing authority, except:
- The Secretary shall determine the length of repayment period (not to exceed 50 years)
- Repayment shall include interest

- Interest rates will be set by the Secretary of Treasury according to additional specifications in the Act
- Expired funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on such projects and on subsequent claims
- The Secretary of Interior is granted unlimited reprogramming authority

**How to Access Funding:** Funding will go out through the Bureau of Reclamation through competitive grants and cooperative agreements (funding apportioned by formula). The Bureau of Reclamation will be posting competitive grant information on the website listed below as well as on [www.grants.gov](http://www.grants.gov)

**Federal Contact:** <http://www.doi.gov/recovery/index.html#implementing>

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org) (916) 658-8252

*Last update: 3/2/09*



## **Clean Cities Diesel Reduction Program**

**Total Funding Available:** \$300 million

### **Overview:**

The ARRA supports \$300 million to support the Department of Energy's Clean Cities clean diesel program.

Eligible entities include states, local governments and metropolitan transportation authorities in partnership with designated Clean Cities Coalition. \$300 million is available for the Alternative Fuel and Advanced Technology Vehicles Pilot Grant Program, which is a competitive grant program promoting the use of more efficient vehicles. Funding is to be used for cost-shared projects that expand the use of alternative fueled vehicles and advanced technology vehicles. The installation or acquisition of infrastructure necessary to directly support an alternative fueled vehicle or advanced technology vehicle is also eligible. Operation and maintenance of vehicles, infrastructure and other associated equipment acquired through the program are also allowable within specified limits.

For more information on the Clean Cities Program visit:  
[www1.eere.energy.gov/cleancities/](http://www1.eere.energy.gov/cleancities/)

**The deadline to apply for this funding is May 29, 2009.**

### **How to Access Funding:**

The link to the application and details for this program can be found at: [https://e-center.doe.gov/iips/faopor.nsf/UNID/F1BEFA84084808598625756800695728/\\$file/Clean\\_Cities\\_FY09\\_FOA\\_Modification\\_003..pdf](https://e-center.doe.gov/iips/faopor.nsf/UNID/F1BEFA84084808598625756800695728/$file/Clean_Cities_FY09_FOA_Modification_003..pdf)

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-8252

*Last update: 3/6/09*

## **US EPA RESOURCE DOCUMENTS FOR CITIES ON ARRA CLEAN ENERGY FUNDING**

Under the ARRA, cities will receive substantial funding to implement clean energy efficiency initiatives in their jurisdictions. EPA has released the following documents focused on assisting cities and other local governments in maximizing the benefits of ARRA funding:

1) *American Recovery and Reinvestment Act of 2009: State and Local Guide to U.S. EPA Climate and Energy Program Resources*

This guide has been designed to help state and local governments see which EPA programs could be leveraged to expand or develop clean energy initiatives in their locality. It includes synopses of 14 EPA climate and energy partnership programs. Each program description includes: basic information and contact details, potential target audiences, highlights of ready-to-go tools and resources, and possible actions a state or local government could take.

[www.epa.gov/cleanenergy/documents/slb\\_guide\\_to\\_program\\_resources.pdf](http://www.epa.gov/cleanenergy/documents/slb_guide_to_program_resources.pdf)

2) *American Recovery and Reinvestment Act of 2009: A Guide to Renewable Energy and Energy Efficiency Opportunities for Local and Tribal Governments:*

This 16 page guide provides an overview of funding sources in ARRA that local governments can use to implement clean energy programs and EPA resources that can support clean energy efforts. The guide covers funding and resources for energy, energy in water treatment, schools, affordable housing, transportation, and green jobs.

[www.epa.gov/cleanenergy/documents/local\\_guide\\_to\\_arra.pdf](http://www.epa.gov/cleanenergy/documents/local_guide_to_arra.pdf)

3) *Webcast: Using EPA Resources to Maximize Clean Energy in Economic Recovery Spending*

This webcast was recorded March 5, 2009 and featured a crosswalk of available funds and EPA resources, including an overview of the Energy Efficiency and Conservation Block Grants, an overview of clean energy opportunities in the state water revolving funds, and a Q&A session with EPA staff. The recording, presentations, transcript and a 16-page guide of funding opportunities and resources are available.

[www.epa.gov/cleanenergy/energy-programs/state-and-local/webcast.html](http://www.epa.gov/cleanenergy/energy-programs/state-and-local/webcast.html)

4) *Rapid Deployment Energy Efficiency (RDEE) Toolkit* (in development)

The toolkit will provide detailed program design and implementation guides for 5 to 10 broadly applicable energy efficiency programs that have extensive, proven field experience with documentation on program design, program cost, and results. The RDEE toolkit is being developed through a joint effort of the U.S. EPA and the U.S. Department of Energy, building upon technical information provided by the Leadership Group of the National Action Plan on Energy Efficiency.

[http://epa.gov/cleanenergy/energy-resources/ee\\_toolkit.html](http://epa.gov/cleanenergy/energy-resources/ee_toolkit.html)

5) *ENERGY STAR Webcasts*

U.S. EPA's ENERGY STAR team offers a series of web trainings that can help you leverage ENERGY STAR tools to get the most out of your stimulus funding. Visit [www.energystar.gov/index.cfm?c=business.bus\\_internet\\_presentations](http://www.energystar.gov/index.cfm?c=business.bus_internet_presentations) to view upcoming or pre-recorded trainings.

Energy Star Webcast Example: Maximize Stimulus Funding with Performance Contracting and ENERGY STAR. This practical session provides you with the knowledge you need to understand the benefits and nuances of performance contracting and how to leverage ENERGY STAR tools in your contract to get the most out of stimulus funding.

As additional information becomes available, EPA will update materials on the State and Local Clean Energy website. Please keep an eye on the “what’s new” section of: <http://www.epa.gov/cleanenergy/energy-programs/state-and-local/index.html> for the latest information and new resources.

**Energy Efficiency and Conservation Block Grants****\*\*Deadline for Large City Applications for Block Grants is June 25, 2009 8 p.m.\*\*****Total Funding Available:** \$3.2 billion

**Overview:** The Energy Independence and Security Act (EISA; Pub. L. No. 110-140), signed into law on December 19, 2007, created the Energy Efficiency and Conservation Block Grant (EECBG) Program. The Program as established by EISA is for federal grants to units of local government, Indian tribes, and states to reduce energy use and fossil fuel emissions, and for improvements in energy efficiency. The Office of Energy Efficiency and Renewable Energy (EERE) of the US Department of Energy will likely administer the EECBG Program.

Title V, Subtitle E of EISA describes the purpose for creating the EECBG Program:

*(b) PURPOSE.—The purpose of the program shall be to assist eligible entities in implementing strategies—*

*(1) to reduce fossil fuel emissions created as a result of activities within the jurisdictions of eligible entities in a manner that—*

*(A) is environmentally sustainable; and*

*(B) to the maximum extent practicable, maximizes benefits for local and regional communities;*

*(2) to reduce the total energy use of the eligible entities; and*

*(3) to improve energy efficiency in—*

*(A) the transportation sector;*

*(B) the building sector; and*

*(C) other appropriate sectors.*

Of the \$3.2 billion appropriated by the federal Act, \$2.8 billion will go out through a formula set by federal law and another \$400 million will go out in competitive energy grants.

**Cities with a population of over 35,000 will apply for funds directly through the federal Department of Energy (DOE); Cities with populations of under 35,000 will get their funding through the California Energy Commission**

**Eligible uses of Energy Efficiency and Conservation Block Grants:**

Under the federal guidelines for the EECBG program released on March 26th, EECBG funds can be used community wide, not only for government owned facilities and infrastructure. A list of eligible activities for use of program funds is provided in Section 544, Title V, Subtitle E of the Energy Independence and Security Act (EISA). Additional details on eligible activities are in the DOE's Funding Opportunity Announcement. The following activities are eligible:

- Development of an energy efficiency and conservation strategy and technical consultant services to assist in the development of such a strategy;
- Residential and commercial building energy audits;
- Financial incentive programs and mechanisms for energy efficiency improvements such as energy savings performance contracting, on-bill financing, and revolving loan funds;
- Grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits;
- Energy efficiency and conservation programs for buildings and facilities;
- Development and implementation of transportation programs to conserve energy;
- Building Codes and Inspections to promote building energy efficiency;
- Energy distribution technologies that significantly increase energy efficiency, including distributed resources, combined heat and power, and district heating and cooling systems;
- Material conservation programs including source reduction, recycling, and recycled content procurement programs that lead to increases in energy efficiency;
- Reduction and capture of methane and greenhouse gases generated by landfills or similar waste-related sources;
- Energy efficient traffic signals and street lighting;
- Renewable energy technologies on government buildings; and
- Any other appropriate activity that meets the purposes of the program and is approved by DOE.

**In addition, for cities under 35,000 population getting funds through the California Energy Commission, AB 2176 (2008) states that:** (c) It is the intent of the Legislature to strive to maximize the opportunity to allocate funds toward the most cost-effective energy efficiency projects. The legislation further directs the Energy Commission to prioritize projects based on their cost-effective energy efficiency.

**How to Access Funding for Energy Efficiency and Conservation Block Grants:**

**Cities over 35,000 population or top 10 in state population:**

Federal guidelines for the EECBG program were released on March 26, 2009 by the DOE. Large cities (population over 35,000) **have until June 25, 2009 to submit their application for funding.**

The formal application is available online at:

[http://www.cacities.org/resource\\_files/27861.EECBG\\_DE-FOA-00000131.pdf](http://www.cacities.org/resource_files/27861.EECBG_DE-FOA-00000131.pdf).

The breakdown of expected large city allocations is also available at:

[http://www.cacities.org/resource\\_files/27860.AttachmentAEECBGProgramAllocations.pdf](http://www.cacities.org/resource_files/27860.AttachmentAEECBGProgramAllocations.pdf).

**Criteria for Large City Formula**

The formula for large cities is based in general on determining allocations to cities and counties with two weighted factors: resident and daytime (commuter) population. The resident population factor receives a weight of approximately 70 percent and the daytime population factor receives a weight of approximately 30 percent. This accounts for the energy use of these populations.

**Application Process**

There is a three-step registration process required to do business with the federal government. Please allow 21 days to complete the registration process. This information is also listed on page 3 of the League's City Funding Book.

Step 1: Request a DUNS Number at:

<http://fedgov.dnb.com/webform/displayHomePage.do>

Step 2: Register with the Central Contractor Registry (CCR) at: <http://www.ccr.gov/>

Step 3: E-Business Point of Contact must register in FedConnect at:

<https://www.fedconnect.net/FedConnect/>

The Funding Opportunity Announcement has complete application instructions. It can be obtained from FedConnect by searching under Reference Number DE-FOA-0000013. Applications must be submitted through FedConnect. If you have problems, email [support@fedconnect.net](mailto:support@fedconnect.net)

FedConnect is an online marketplace where federal agencies post opportunities and make awards via the Web. More information about FedConnect is available online.:

[https://www.fedconnect.net/FedConnect/PublicPages/FedConnect\\_Ready\\_Set\\_Go.pdf](https://www.fedconnect.net/FedConnect/PublicPages/FedConnect_Ready_Set_Go.pdf)

DOE's first priority is to award the formula grants. Details on applying for competitive grants will soon be provided in a Funding Opportunity Announcement. Applications can be submitted now through FedConnect.

The DOE's project management team will review each application to ensure that the grantee has developed a strategy for use of funds with activities eligible under the program, and that the proposed budgets are acceptable.

#### **How to Prioritize Activities for Fund Use**

Energy efficiency, conservation, and renewable energy programs and projects are building blocks for increased economic vitality, energy security, and environmental quality. EECBG program funds will have maximum impact if invested in ways that create and/or retain jobs and stimulate the economy in the short term while laying the foundation for a long-term and sustainable clean energy economy. DOE encourages grantees to prioritize programs and projects that:

- Leverage other public and private resources;
- Enhance workforce development;
- Persist beyond the funding period; and
- Promote energy market transformation such as revolving loans, low-cost loans, energy savings performance contracting, advanced building codes, building and home retrofit incentives and policies, and transportation programs and policies.

#### **Measurement of Success**

Grantees will be required to report regularly to the DOE on five metrics:

1. Jobs created and/or retained
2. Energy savings on a per dollar invested basis
3. Renewable energy capacity installed
4. Greenhouse gas emissions reduced
5. Funds leveraged

#### **Additional Funding Information**

Based on funding levels, formula grants will be released in stages:

1. Local governments will be required to submit a proposed energy efficiency and conservation strategy either with the application or within 120 days after the effective date of the award.
2. Entities are required to obligate/commit all funds within 18 months from the effective date of the award. In the event funds are not obligated/committed within 18 months, DOE reserves the right to de-obligate the funds and cancel the award.
3. ARRA gives preference to activities that can be started and completed expeditiously, including a goal of using at least 50 percent of the funds made available by it for activities that can be initiated not later than June 17.

**Federal Contact:**

DOE website: EERE’s Weatherization and Intergovernmental Program

<http://www.eere.energy.gov/wip>

EERE Information Center via phone, e-mail or website:

Phone: 1-877-EERE-INFO (1-877-337-3463) (Toll-free)  
Hours of operation – 9 am - 7 pm EST, Mon – Fri

E-Mail: [eereic@ee.doe.gov](mailto:eereic@ee.doe.gov)

Website: <http://www.eere.energy.gov/informationcenter/>

In addition, it may be helpful to subscribe to EERE’s Progress Alerts:

<http://www.eere.energy.gov/news/subscribe.cfm>

**Cities under 35,000 population (and counties under 200,000 population):**

The California Energy Commission (CEC) is awaiting guidelines from DOE for completing the planning that DOE requires. The CEC now has 60 days (until May 25) to turn in their application for the EECBG funding going to states (and then on to small cities). Once that funding has been released to the CEC, then information will be passed on to small cities about how to apply and receive EECBG funding for small cities.

The Commission will hold workshops, and conduct outreach. Interested cities should sign up for the “Small Cities” listserver, to be kept up to date on program development. The listservers are available through the Commission’s website at: <http://www.energy.ca.gov/listservers/index.html>. *On that site, if you scroll down the page you should see a section on the right side entitled “efficiency lists”. Check the box that reads “small city-energy efficiency”.*

The California Energy Commission has also set up a federal stimulus specific website that will contain all information on state energy funding, including energy efficiency and conservation block grants at: [www.energy.ca.gov/recovery](http://www.energy.ca.gov/recovery)

**State Contact: Please send any questions to:** [pubprog@energy.state.ca.us](mailto:pubprog@energy.state.ca.us)

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-8252

*Last update: 3/30/09*



## **Weatherization Assistance**

**Total Funding Available:** \$5 billion

**Overview:**

*Last update: 3/2/09*

Provides funding towards low-income weatherization programs through the federal Department of Energy.

Under the federal Department of Energy weatherization program, weatherization services are cost-effective energy efficiency measures for existing residential and multifamily housing with low-income residents. It includes a wide variety of energy efficiency measures that encompass the building envelope, its heating and cooling systems, its electrical system, and electricity consuming appliances.

**Special Factors:** Funds will be distributed to states through existing federal weatherization program formulas.

**How to Access Funding:**

Low income residents in California can apply for weatherization funding through the State Department of Community Services and Development.

**Federal Contact:**

<http://www.eere.energy.gov/wip>

**State Contact:**

The California Energy Commission has also set up a federal stimulus specific website that will contain all information on state energy stimulus funding, including weatherization at: [www.energy.ca.gov/recovery](http://www.energy.ca.gov/recovery)

<http://www.csd.ca.gov/Programs/Weatherization%20Assistance%20Program.aspx>

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916) 658-8252

*Last update: 3/2/09*

### **Electricity Delivery and Energy Reliability**

**Total Funding Available:** \$4.5 billion: \$100 million for worker training, \$80 million for resource and transmission needs assessment; and remaining funds to implement smart grid program.

**Overview:** Funding for research and development, pilot projects and matching funds for the Smart Grid Investment Program to modernize the electric grid, enhance security and reliability of energy infrastructure, and facilitate recovery from disruptions to the energy supply.

\$100 million of the funds must be used for worker training.

**How to Access Funding:** Funding will be discretionary by the federal Department of Energy (DOE).

**Federal Contact:** [www.doe.gov](http://www.doe.gov)

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-8252

*Last update: 2/18/09*

**Energy Efficiency and Renewable Energy Research, Development,  
Demonstration & Deployment**

**Total Funding Available:** \$2.5 billion

**Overview:**

- \$800 million for projects related to biomass
- \$400 million for geothermal activities and projects
- \$1.3 billion for base program activities, such as research and demonstrations into additional renewable technologies

**How to Access Funding:** Funding will be discretionary by the federal Department of Energy (DOE).

**Federal Contact:** [www.doe.gov](http://www.doe.gov)

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916) 658-8252

*Last update: 2/18/09*

## **Broadband Technology Opportunities Program**

**Total Funding Available:** \$4.7 billion

**Overview:** The Technology Opportunities Program (TOP) promotes the widespread availability and use of digital network technologies in the public and non-profit sectors through grants for model projects demonstrating innovative uses of network technologies. Grants were last funded in 2004, and were awarded to state, local and tribal governments, health care providers, schools, libraries, police departments, and community-based non-profit organizations.

The Broadband Technology Opportunities Program includes competitive grants for broadband deployment in unserved and underserved areas. The program also includes:

- \$200 million for competitive grants to expand public computer center capacity at community colleges and public libraries.
- \$250 million for competitive grants to encourage adoption of broadband.
- \$350 million to establish the State Broadband Data and Development Grant program.

### **Special Factors:**

**How to Access Funding:** Application details will be announced by the National Telecommunications and Information Administration (NTIA) following a series of public hearings. The NTIA is now holding public hearings on this program. If you would like to submit public comment, please go to [www.ntia.doc.gov/broadbandgrants](http://www.ntia.doc.gov/broadbandgrants). This time of public information gathering will be followed by a rulemaking process, and then the grant applications will be released. Applications are expected to be released near the end of April, with the first grants being awarded this summer.

**Federal Contact:** Department of Commerce  
National Telecommunications and Information Administration  
[www.ntia.doc.gov/otiahome/top/index.html](http://www.ntia.doc.gov/otiahome/top/index.html)

**State Contact:** N/A

**League Staff Contact:** Jennifer Whiting, [jwhiting@cacities.org](mailto:jwhiting@cacities.org), (916) 658-8249

## **Consolidated Omnibus Budget Reconciliation Act (COBRA)**

**Total Funding Available:** \$21.4 billion

**Overview:** ARRA of 2009 includes changes to the health benefit provisions of Consolidated Omnibus Budget Reconciliation Act of 1985, commonly referred to as COBRA. Under the new law, the federal government will subsidize 65 percent of COBRA premiums for eligible employees (up to nine months) who lose their jobs involuntarily between September 1, 2008, and December 31, 2009. Employers, including cities and towns, will be required to pay 65 percent of the COBRA premium (the other 35 percent is paid by the employee) but will be entitled to a credit for that payment.

### **Special Factors:**

- Employers who are subject to state or federal COBRA must provide premium subsidies of no less than 65 percent of regular COBRA premium to “Assistance Eligible Individuals” beginning March 1, 2009.
- Employers must provide notice of the available subsidy to all eligible individuals within 60 days from February 17, 2009.
- Eligible individuals will have 60 days from the date of the notice to elect the subsidy or 90 days if the employer also offers additional plan choices.
- Individuals not eligible for assistance include “High income individuals.” High income for the purposes of the new provisions means any tax payer with a modified adjusted gross income of \$145,000 in the year in which he/she took the subsidy (\$290,000 for individuals married filing jointly). The subsidy recapture tax begins to phase in for a single taxpayer with a modified adjusted gross income of \$125,000 (\$250,000, for individuals married filing jointly).
- If an individual is denied coverage, under the new provisions, the Department of Labor (DOL) must provide a 15 day complaint review process. The DOL is expected to publish guidelines soon.

The IRS has made information available that covers a range of issues that pertains to both employers and employees and can be found at [www.irs.gov](http://www.irs.gov).

- For an extensive set of questions and answers for employers on the COBRA subsidy, the circumstances under which employees are eligible to receive this special COBRA benefit, and the ways in which employers receive a tax credit for paying 65 percent of the employees COBRA premium please visit:  
<http://www.irs.gov/newsroom/article/0,,id=204708,00.html>

The Department of Labor has also issued several documents that help explain how the new COBRA benefit should be implemented. You can find these documents at <http://www.dol.gov/ebsa/cobra.html>.

Included are:

1. COBRA Premium Reduction Fact Sheet (<http://www.dol.gov/ebsa/newsroom/fsCOBRAPremiumReduction.html>);
2. Job Loss Poster (8½" x 11") (<http://www.dol.gov/ebsa/pdf/joblossposter2.pdf>);
3. Job Loss Poster (11" x 17") (<http://www.dol.gov/ebsa/pdf/joblossposter1.pdf>); and,
4. Flyers for Employers and Employees:  
<http://www.dol.gov/ebsa/pdf/cobrastimulusflyer1.pdf>  
<http://www.dol.gov/ebsa/pdf/cobrastimulusflyer2.pdf>

**How to Access Funding:** Employers may claim tax credit against periodic deposits for wage withholdings and FICA payroll taxes for the portion of COBRA premium not paid by the individual. If the employer's claims for COBRA subsidy payments exceed the amount of the wage withholdings or FICA payroll taxes reported by the employer, Treasury is directed to reimburse the employer directly for the excess amount.

- Instructions on how to complete Form 941 to receive the COBRA credit can be found at: <http://www.irs.gov/pub/irs-pdf/i941.pdf>
- A PDF version of the new Form 941 can be found at: <http://www.irs.gov/pub/irs-pdf/f941.pdf>
- New resources available, including an archived webinar, on: <http://www.dol.gov/ebsa/cobra.html>

**Federal Contact:** IRS, [www.irs.gov](http://www.irs.gov), 1-800-234-2942 (federal stimulus hotline).

**State Contact:** If you continue to have questions about implementing this benefit you should contact your Department of Labor regional office.

Department of Labor regional office contact information can be found at: <http://www.doleta.gov/regions/regoffices/>.

**League Staff Contact:** Natasha Karl, [nkarl@cacities.org](mailto:nkarl@cacities.org), (916) 658-8254

**National Endowment for the Arts**

**\*\*Note: Grant Applications DUE April 2, 2009\*\***

**Total Funding Available:** Individual grants are between \$25,000 and \$250,000

**Overview:** The ARRA provides funding for arts projects and activities that preserve jobs in the nonprofit arts sector threatened by declines in philanthropic and other support during the current economic downturn. Funds will be distributed directly through the National Endowment for the Arts (NEA). Funding is available through one-time grants to eligible nonprofit organizations including arts organization, local arts agencies, statewide assemblies of local arts agencies; arts service organizations, state or local governments. Grants will be made to either organizations for their own job preservation projects, or to designated local arts agencies eligible to subgrant funds.

Projects eligible for these funds are limited to:

- Salary support, full or partial, for one or more positions that are critical to an organization’s artistic mission and that are in jeopardy or have been eliminated as a result of the current economic climate

And/or

- Fees for previously engaged artists and/or contractual personnel to maintain or expand the period during which such persons would be engaged.

**Special Factors:**

- All applicants for these grants must be previous NEA award recipients from the past four years.
- Organizations, including Cities, are limited to receiving NEA funds through only one source—from the NEA directly, or directly through an entity eligible to subgrant NEA funds including a state arts agency, a regional arts organization of state arts agencies, or a designated local arts agency that is eligible to subgrant or regrant funds.
- Under the NEA ARRA guidelines, funds for subgranting or regranting will be provided only to local arts agencies that are designated to operate on behalf of their local governments or are operating units of city or county governments. These designated local arts agencies generally are arts councils, departments of cultural affairs, or arts commissions.
- The NEA’s support of a project may start on or after July 1, 2009. Generally, a grant period of up to one year is allowed.
- No pre-award costs are allowable in the Project Budget. Project costs that are incurred before July 1, 2009, will be removed from the Project Budget.

**How to Access Funding:**

Applications for these grants are due no later than **11:59 p.m., Eastern Time, on April 2, 2009.**

Interested applicants should download the full announcement and application at the website listed below.

**Federal Contact:** <http://www.arts.gov/grants/apply/recovery/index.html>

**League Staff Contact:** Kyra Ross, [kross@cacities.org](mailto:kross@cacities.org), (916)658-8252

*Last update: 3/3/09*