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**Public  
Facilities  
and Services**

## **Public Facilities and Services**

Public facility and service projects are governed by the same rules and regulations as housing and economic development projects, including Davis Bacon (facilities only), URA, Environmental Review, procurement, etc.

### **Public Facilities**

In addition to the laws and regulations related to the general administration of grants, public facilities grants may have special requirements which you must address. There are basically two types of public facility projects: public infrastructure, such as sewer and water systems, and community centers that provide services for low and moderate income persons.

Sewer and water systems must meet all applicable permit requirements including those of the Vermont Agency of Natural Resources. All required permits must be secured prior to undertaking your public facilities projects. Furthermore, you may have to secure rights of way and easements in order to accomplish your project. You will have taken steps on all of these issues when you developed your grant proposal, but they must be resolved before making any commitment to construction.

A unique feature of public facilities grants is that almost invariably the facility will be in public ownership when the grant is completed. This is true for the majority of projects involving sidewalks, roads, sewer and water systems, and other public infrastructure. Public ownership refers not only to municipalities. In some instances a non-profit corporation may be the owner. Community centers are either owned by the municipality, or by a non-profit on behalf of the municipality. There are some cases where public or non-profit control of the facility is through a long-term lease agreement instead of title. In these cases, it is important that the legal agreements include adequate provisions to protect the public interest, and the Grant Agreement may contain a Special Condition which require its review and approval by VCDP staff.

As in all other VCDP grants, public facilities projects must meet a national objective. For some projects, where benefit is "area wide" or for a "limited clientele," documentation was either established in the grant application or will need to be documented upon completion of the facility when its services are provided. For projects where the public facility supports a housing or an economic development activity, documentation is developed as outlined in Chapters 9 and 10.

Grant funds may be used by the grantee for acquisition, construction, reconstruction, rehabilitation, or installation of improvements such as the following:

- Shelters for the homeless
- Water and sewer facilities

**Two Types Of  
Public Facility  
Projects**

**All Necessary  
Permits Must  
Be Secured**

**Protection Of  
Public Interest In  
A Public Facility**

**Must Meet  
National  
Objective**

- Flood and drainage improvements
- Community, senior, and/or health centers
- Parking, streets, curbs, gutters, and sidewalks

VCDP grant funds cannot be used for the following public facilities activities:

- Costs of purchasing construction equipment
- Assisting buildings used for the conduct of general government
- Costs of operating or maintaining public facilities/improvements
- Construction of public housing under certain proscribed circumstances
- Costs of furnishings and other personal property except for fire fighting equipment
- Costs of assisting in building or rehabilitation of libraries

### **Public Services**

Municipalities may apply for up to 15% of the total VCDP grant funds available to be awarded in a fiscal year for public services programs. The public service must be a new service, or there must be a quantifiable increase in the level of a public service already in place. VCDP funds can also be expended on a public service which has lost federal funding. In each case, the public service must meet a national objective. Generally, public service programs will be in support of housing, economic development, or the health, safety, or welfare of the Grantee's citizens.

The management of public service projects is no different from that of any other type of VCDP grant.

Public services that are eligible for funding include but are not limited to:

- Child care
- Health care
- Job training
- Microbusiness Counseling
- Education programs

**Ineligible  
Public Facilities  
Activities**

**A Public Service  
Must Be A New  
Service**

- Public safety services
- Fair housing counseling
- Services for senior citizens
- Services for homeless persons
- Drug abuse counseling and treatment
- Energy conservation counseling and testing

Public services also include the cost of operating and maintaining that portion of a facility in which the service is located.

### **Documenting Benefit**

There are two methods of documenting benefit for public facility and public service projects:

**Area-wide Basis** - Often the method used for infrastructure projects unless the infrastructure is in support of housing and/or jobs. If your infrastructure benefits households or new or retained jobs, you should refer to the appropriate section(s) in Chapters 9 and 10.

Basically, there are two ways of meeting Area-wide benefit:

- *Census area* - supported by US Census data
- *Survey* - supported by unit-by-unit survey of the households in the area prior to application submission, and updated after installation of the improvements is complete.

**Limited Clientele Basis** - Generally the method used for centers and public service projects. Basically there are three ways of meeting benefit on a limited clientele basis:

- *Presumed types of persons* - where persons of a group or class of persons are generally presumed to be 100% LMI such as persons who are homeless, illiterate, abused, disabled or elderly. Documentation usually consists of a mission statement saying the facility or service is for the unique benefit of one or more of these groups and a log is maintained where the clients' names and dates of attendance are recorded.

**Meeting  
Area-Wide  
Benefit**

- *Restrictive eligibility requirements* - where a person's participation in a program is subject to their providing income data to the service provider, e.g., Head Start, Social Security Income (SSI), Medicaid, etc., which documents that they are eligible to receive the benefits of the programming offered, and that income level is at or below that of low and moderate income level.
- *Survey* - If the clientele or program does not fall into the above two groups, then an income survey must be done for all persons served.

As with housing and economic development projects, *all beneficiaries* are counted, even when the number exceeds the projections of the Grant Agreement. The Grantee must ensure that all clients be counted and that the project provides the same ratio of assistance to LMI persons as obligated in the Grant Agreement. For example, if the Grant Agreement commits the Grantee to provide a benefit to 100 persons, 51% of whom will be LMI, and the facility serves 200 persons, then 102 persons must be LMI.

When documenting low to moderate-income persons through a survey, family (not household) income is measured. The only exception is for infrastructure projects in support of housing.

### **When To Count Beneficiaries More Than Once—and When Not To**

If your facility offers several programs, there is a likelihood that a person may use more than one of these services. This person can be counted as a beneficiary for each program that she or he accesses. However, for each program or service, a beneficiary can be counted only once, regardless of how many times she or he attends during the grant period.

For example, if your facility offers three programs -- a senior center, a meals program, and a health clinic -- and a person utilizes each of these services, that person can be counted three times. If that person uses the senior center twenty times, eats thirty meals and attends four clinics during the grant period, she or he is still counted only three times.

**The Same  
Individual May  
Be Served By  
Multiple  
Programs**