

# Staff Report City of Manhattan Beach

TO:

Honorable Mayor Ward and Members of the City Council

THROUGH: Richard Thompson, Interim City Manager

FROM:

Laurie B. Jester, Acting Director of Community Development

Angelica Ochoa, Assistant Planner

Jim Arndt, Public Works Director

Richard Gill, Parks and Recreation Director & J.

DATE:

January 19, 2010

**SUBJECT:** Consideration of Proposed Use of Community Development Block Grant (CDBG)

Funds Received by the City of Manhattan Beach and the Allocation of Funds for the

2010-2011 Fiscal Year.

#### **RECOMMENDATION:**

Staff recommends that the City Council: **CONDUCT** the Public Hearing; **ADOPT** the attached Resolution No. 6240 (Version 1) Public Agencies (Exhibit A); **AUTHORIZE** the City Manager to execute the draft Agreement (Exhibit C) with a Participating City, and **CONSIDER** an allocation of general funds.

#### FISCAL IMPLICATION:

If the City Council approves the exchange, then the City will sell approximately \$145,000 in CDBG funds for between 60 - 65 cents on the dollar with General Funds. If the City Council approves the City projects, CDBG funds will be used for identified projects. However, none of these funds will be available for support of non-profit agencies traditionally funded by these exchanged CDBG funds.

#### **BACKGROUND:**

The City receives CDBG funding every year as a participating City through the Los Angeles County Community Development Commission (LACDC). The City's CDBG estimated allocation for FY 2010-2011 is approximately \$145,000. The LACDC informs cities what the CDBG allotment will be for the new fiscal year once the President signs the budget and the U.S. Department of Housing and Urban Development (HUD) calculates the national CDBG funding allocation for entitlement jurisdictions. The LACDC advises cities to use last fiscal year's CDBG allocation in preparation for determining next fiscal year's CDBG allocation. CDBG funds have declined over the years and it is anticipated that they will continue to decline an average of 5% annually. The Federal government has been, and is anticipated to continue, reviewing ways to restructure the program and possibly reduce funding even further.

Agenda Item #:	
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The City has historically chosen to exchange their CDBG allocations to fund local public service agencies which meet the intent of the CDBG guidelines. Federal (HUD) regulations currently allow only 15% of CDBG funds to be allocated to public service programs. Due to the limited amount of funding the City receives, Capital Improvement Projects (CIP), Low Income, and other types of qualifying CDBG projects can be very difficult to program because of CDBG regulations.

#### **DISCUSSION:**

Last year the City Council approved Resolution No. 6173, authorizing the exchange of the City's entire CDBG allocation with the City of Hawaiian Gardens at a rate of 60 cents of general fund money for every one dollar of CDBG funds. If the City approves the exchange, staff will negotiate the exchange rate for the upcoming 2010-2011 fiscal year at a rate that is anticipated to be between 60 and 65 cents, with a participating city. Staff has discussed the possibility of exchanging funds with the City of Hawaiian Gardens and the City of La Mirada. According to the LACDC, the rate of exchange varies among cities due to the amount of funding needed for a project and the number of projects the exchanging city has programmed in their budget.

Every year staff reviews the possibility of using CDBG funds for City projects rather than exchanging the funds. Staff met with the Departments of Public Works/Engineering, and Parks and Recreation to discuss CDBG guidelines to determine whether any projects quality for CDBG funding. Each department identified a project that according to the LACDC (Exhibit D), are eligible CDBG projects.

The following options describe the use of CDBG funds that the City Council may chose to approve for the fiscal year 2010-2011 CDBG allocation.

#### **Options for use of CDBG funds**

## a) Public Agencies - Resolution No. 6240 (Version 1)

The City has historically funded the attached public agencies that provide services to the residents of Manhattan Beach through the exchange of CDBG funds for general fund money. Program descriptions of each public service agency are attached (Exhibit E). The proposed allocations (Exhibit F) are distributed in a manner that covers the costs of the Beach Cities Health District Care Management for Manhattan Beach Seniors contract and distributes the remaining funds to the other agencies based on the same percentages Council has deemed appropriate in the past. However, the City Council may decide to continue to fund the public agencies with general fund money independent of CDBG funds, at a separate rate. Resolution No. 6240 (Version 1) is attached as Exhibit A to approve this option, as recommended by staff.

## b) City Projects – Resolution No. 6240 (Version 2)

The Departments of Parks and Recreation and Public Works have identified projects that would be eligible for CDBG funds. In communication with the LACDC, the construction of disabled access ramps proposed from the Public Works Department and the Senior Lunch Program proposed from the Parks and Recreation Department are eligible projects since both projects will benefit the disabled and seniors.

Agenda Ite	m #:_
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The Senior Lunch Program, Lunch Bunch, from the Parks and Recreation Department would provide a nutritionally balanced, hot meal, twice weekly for area seniors, ages 55 and older. A \$2.50 donation per person, at the time of reservation, will be requested per meal. However, any donation money would need to be paid back to the County and it would not provide an increase in the funding. The program will be located at the Joslyn Community Center, and participation is anticipated to be 30 seniors per day. CDBG funds will be spent on staffing to meet County program guidelines. The staffing duties include ongoing training for Food Safe Certification, kitchen oversight, food delivery coordination and oversight and monitoring of health and safety requirements. Allocated for this program would be 16 hours per week for one staff member and eight hours a week for the other, for an approximate total cost per year of \$13,752.

Currently, the Senior Lunch Program is offered once a week and costs approximately \$6,900 annually, supported mostly with general fund money and a donation from participants. By funding the program with CDBG funds, it would pay the entire cost of the program. Since Federal regulations require CDBG funding to comply with a 15% cap on expenditures for public service programs, such as the proposed Senior Lunch Program, Council has determined in the past that using the limited amount of CDBG funds for these types of projects was not cost effective, and would take valuable money away from the City's local public service agencies. For this reason, the City Council has chosen in the past to exchange the City's CDBG funds to maximize its allocation.

Public Works proposes to use CDBG funds to construct disabled access ramps. There are over 200 locations Citywide that require disabled access ramps and related concrete work. Locations include Rosecrans Avenue, Redondo Avenue, Liberty Village tract, and Ocean Avenue, to name a few. Priorities include beach access, main pedestrian thoroughfares and heavily used school routes. At an estimated cost of \$3,000 each, there exists in excess of \$500,000 of unfunded access ramps in the City. Given an increased legal sensitivity to disabled access, this project would strengthen the City's commitment to providing more comprehensive access.

Should the City Council approve these projects to be funded with CDBG funds, Exhibit G identifies the breakdown of each City project and the funds needed. The Senior Lunch Program has a 15% maximum allowed use of CDBG funds, so that program cannot exceed \$21,000 in costs due to CDBG Regulations. There is no maximum allowed use of CDBG funds for the disabled access ramps, or other construction type of projects. Resolution No. 6240 (Version 2) is attached as Exhibit B to approve this option.

Projects and programs funded directly through the CDBG program must meet certain mandated objectives, such as: (1) activities benefiting low and moderate income persons; (2) activities which aid in the prevention or elimination of blight; (3) activities that meet urgent community development needs; and (4) additional criteria. These regulations also include meeting the Federal prevailing wage laws and income guidelines, extensive documentation and other requirements that could potentially increase the construction, project management and administrative costs of the program up to 50%.

Since the amount of CDBG funding received is based on population, the City of Manhattan Beach receives a small amount compared to larger cities. Cities with larger population receive a higher amount of CDBG funds and have larger or multiple projects. For this reason, larger cities,

Agenda Item #:	 	
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particularly those with low income census tracts, are able to use their funds more efficiently for a variety of qualifying projects by exchanging their CDBG funds with non-restricted general fund money.

#### c) Not Fund Public Agencies

Another option would be to not fund the public agencies, and use the exchanged general fund monies for other uses. Since the use of the monies are not restricted after they are exchanged they could be allocated as the Council deems appropriate through the budget process. Due to budget issues, the Council may choose to hold the proceeds in the General Fund and consider the funding of the public agencies during the budget process.

#### **CONCLUSION:**

Staff is recommending that the Council provide direction on the allocation of CDBG funds for fiscal year 2010-2011 and approve attached Resolution Number 6240 (Version 1) to fund the public agencies through the CDBG exchange process. The public hearing for this project was properly noticed in the Beach Reporter dated December 17, 2009 and the public agencies were all individually notified and encouraged to attend.

Attachments: Exhibit A - Draft Resolution No. 6240 (Version 1)

Exhibit B – Draft Resolution No. 6240 (Version 2) Exhibit C – Proposed CDBG Draft Agreement

Exhibit D - Email from CDC Re: CDBG Project Eligibility

Exhibit E - Public Service Agency Descriptions Exhibit F - Distribution of Public Agencies Funding

Exhibit G - CDBG Project Breakdown

c: Raymond White, LA County Community Development Commission Public Service Agencies (9)

#### RESOLUTION NO. 6240 (Version 1)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING AN AGREEMENT BETWEEN THE CITY OF MANHATTAN BEACH AND A PARTICIPATING CITY REGARDING THE EXCHANGE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE FISCAL YEAR 2010-2011

The City Council of the City of Manhattan Beach conducted a public hearing, pursuant to applicable law, on January 19, 2010 to consider the allocation of CDBG funds for Fiscal Year 2010-2011; and

The City has historically (prior to 1997-1998 fiscal year) allocated 100% of its CDBG funds to regional public service agencies pursuant to a public service waiver from the Los Angeles County Community Development Commission (CDC); and

On April 17, 2008 the City of Manhattan Beach renewed a three-year Cooperation Agreement with the County of Los Angeles concerning CDBG funds from July 1, 2009 through June 30, 2012; and

The use of CDBG funds is strictly limited by law; and

The City Council on January 19, 2010 authorized the City Manager to sell the City's entire CDBG allocation; and

The City Manager is authorized to cooperate with a participating city to be identified in the exchange of CDBG funds; and

The City Manager is authorized to amend the attached agreement as necessary to complete the exchange of funds on behalf of the City of Manhattan Beach based on the final adopted agreement from a participating city; and

The City of Manhattan has the entire CDBG allocation of approximately \$145,388 available to purchase and exchange with a participating city at a rate between 60 and 65 cents; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS.

<u>SECTION 1</u>. The attached CDBG Exchange of Funds Worksheet and draft agreement between the City of Manhattan Beach and a participating city and the findings stated therein, is hereby approved, and the City Manager is authorized and directed to execute the final adopted agreement with a participating city on behalf of the City of Manhattan Beach,

SECTION 2. Pursuant to Government Code Section 65907 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by arry person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.



SECTION 3. This resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

<u>SECTION 4.</u> The City Clerk shall certify to the adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 19th day of January, 2010.

Ayes: Noes: Absent: Abstain:	
	Mayor, City of Manhattan Beach, California
ATTEST:	
City Clerk	
PPROVED AS TO FOSM	vi:)

#### **RESOLUTION NO. 6240 (VERSION 2)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE CONSTRUCTION OF HANDICAP ACCESS RAMPS AT DIFFERENT LOCATIONS AND A SENIOR LUNCH PROGRAM FOR THE FISCAL YEAR 2010-2011

The City Council of the City of Manhattan Beach conducted a public hearing, pursuant to applicable law, on January 19, 2010 to consider the use of CDBG funds for Fiscal Year 2010-2011; and

The City has historically (prior to 1997-1998 fiscal year) allocated 100% of its CDBG funds to regional public service agencies pursuant to a public service waiver from the Los Angeles County Community Development Commission (CDC); and

The use of CDBG funds is strictly limited by law; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS,

<u>SECTION 1</u>. The City Council hereby authorizes the use of unexpended CDBG funds totaling approximately \$145,000, specifically \$116,748 for the construction of handicap access ramps at various locations, \$13,752 for the Senior Lunch Program, and \$14,500 for administrative fees for the Fiscal Year 2010-2011.

<u>SECTION 2</u>. The Council authorizes staff to adjust the program budget as necessary to take into account the final CDBG allocation from the U.S. Department of Housing and Urban Development (HUD) and any amounts remaining unspent at the close of the fiscal year.

SECTION 3. Pursuant to Government Code Section 65907 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

<u>SECTION 4</u>. This resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

<u>SECTION 5</u>. The City Clerk shall certify to the adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.



# PASSED, APPROVED and ADOPTED this 19<sup>th</sup> day of January 2010.

Ayes: Noes: Absent: Abstain:	
	Mayor, City of Manhattan Beach, California
ATTEST:	
City Clerk	

APPROVED AS TO FORM:

#### **AGREEMENT**

This Agreement is made on this 19<sup>th</sup> day of January 2010, by and between a participating city a municipal corporation, and the City of Manhattan Beach, a municipal corporation.

#### **RECITALS**

- A. The City of Manhattan Beach will execute a three-year cooperation agreement with the County of Los Angeles concerning Community Development Block Grant (CDBG) Funds for Fiscal Years 2009-2010, 2010-2011 and 2011-2012;
- B. The City of Manhattan Beach will execute a three-year reimbursable agreement with the County of Los Angeles concerning Community Development Block Grant Funds (CDBG) for Fiscal Years 2009-2010, 2010-2011, and 2011-2012;
- C. The City of Manhattan Beach will receive CDBG Funds which can be made available to a participating city during fiscal year 2010-2011. In exchange for the assignment by a participating city of the amount of its general funds indicated in Section 1 below, the City of Manhattan Beach is willing to assign unexpended CDBG funds to a participating city.
- D. The two cities will enter into an agreement under which a participating city would exchange its general funds for approximately \$145,000 of the City of Manhattan Beach's unexpended entitlement of CDBG Funds for Fiscal Year 2010-2011.

NOW, THEREFORE, the Cities agree as follows:

- 1. **EXCHANGE.** The City of Manhattan Beach agrees to assign approximately one hundred forty five thousand, (\$145,000) of its unexpended CDBG allocation to a participating city. In return a participating city agrees to assign its general funds to the City of Manhattan Beach. The exchange rate will be between 60 and 65 cents.
- 2. CONSIDERATION. The City of Manhattan Beach shall assign the agreed upon CDBG Funds in one lump sum payment. A participating city shall assign the agreed upon general funds to the City of Manhattan Beach in one lump sum payment. A participating city lump sum payment shall be due and payable 30 days after the Community Development Commission of the County of Los Angeles notifies the participating city in writing and on its letterhead that the funds have been transferred to the participating city unallocated funds account.
- 3. **BEST EFFORTS.** The City of Manhattan Beach shall use its best efforts to obtain any consent required of any other governmental or administrative agency to effectuate the assignment of approximately \$145,000 of its CDBG funds to the participating city no later than 30 days after both cities have executed the agreement and any required documents. The City of Manhattan Beach and the participating

- city shall agree to execute any and all additional documents which such agencies may request in connection with the assignment and receipt of grant.
- 4. **TERM.** The Agreement is effective on the date above written and for such time as is necessary for both parties to complete their mutual obligations under this Agreement.
- 5. **TERMINATION.** Termination of this Agreement may be made by either party so long as written notice of intent to terminate is given to the other party at least five (5) days prior to the termination.
- 6. **NOTICE.** Notices shall be given pursuant to this Agreement by personal service on the party to be notified, or by written notice upon such party deposited in the custody of the United States Postal Service addressed as follows:

PARTICIPATING CITY ADDRESS

CITY OF MANHATTAN BEACH Richard Thompson, Interim City Manager 1400 Highland Avenue Manhattan Beach, CA 90266

7. **GOVERNING LAW.** This Agreement shall be governed by the laws of the State of California.

IN WITNESS WHEREOF, the parties January 2010.	s have executed this Agreement the 19 <sup>th</sup> day o
Participating City:	CITY OF MANHATTAN BEACH:
City Administrator	Richard Thompson, Interim City Manager
ATTEST:	ATTEST:
, City Clerk	APPROVED AS TO FORM:  By  City Attorney

#### **Angelica Ochoa**

From: Sent:

Randy Mabson [Randy.Mabson@lacdc.org]

To:

Thursday, January 07, 2010 4:17 PM

To: Subject: Angelica Ochoa RE: CDBG Projects

Angelica,

The Senior Lunch Program is an eligible project for CDBG funds. However, I want to advise you that the \$2.50 donation may be classified as Program Income by our financial team. If that is the case, the donation money will need to be returned to CDBG. CDBG will then add that money to the City of Manhattan Beach's CDBG allocation, to be used again towards a CDBG eligible program. Let me know if you have any questions.

The curb cut project is also an eligible project for CDBG funds, based on making the curbs ADA compliant.

Randy M. Mabson

Program Manager - CDBG Division

L.A. County Community Development Commission

2 Coral Circle Monterey Park, CA 91755

Phone (323) 890-7117

----Original Message----

From: Angelica Ochoa [mailto:aochoa@citymb.info]

Sent: Thursday, January 07, 2010 3:59 PM

To: Randy Mabson

Subject: CDBG Projects

Hi Randy,

Can you please send me an email approving these two projects as eligible projects for CDBG funding?

Also, I left you a message. Please call me when you get a chance.

Thanks.

Angelica Ochoa (310) 802-5517 aochoa@citymb.info



# **PROJECT DESCRIPTIONS**

#### CARE MANAGEMENT FOR MANHATTAN BEACH SENIORS

The Care Management for Manhattan Beach Seniors Program provides care management assistance in obtaining services to seniors of the City of Manhattan Beach which help to promote and maintain their optimum level of functioning. The goal of this program is to keep seniors in the least restrictive environment possible, so as to reduce inappropriate institutionalization. The target age group for this program is those persons 85 years plus, who are at the most risks for physical, mental and/ or functional impairment.

#### 1736 FAMILY CRISIS CENTER

The 1736 Family Crisis Center is a non-profit agency providing residents of Manhattan Beach with a variety of counseling services and shelter services to resolve problems associated with child abuse, spousal abuse, and homelessness. Specifically, the Center offers five shelters for battered women and their children; one 24-hour Emergency Adolescent Shelter; 24-hour hotline services; walk-in services; out-patient services; support group counseling and intervention for families and individuals; crisis referral and advocacy; the Mentor Program; assertiveness training; and, community outreach services.

#### SOUTH BAY FAMILY HEALTHCARE CENTER

The South Bay Free Clinic provides preventive and emergency dental care to low and moderate residents of Manhattan Beach. Specific services include cleanings, X-rays, fluoride treatments, full examinations, fillings, extractions, limited orthodontics and periodontal services, as well as referrals in cases where the needs of the patient are beyond the scope of the clinic.

#### SOUTH BAY CENTER FOR COUNSELING

South Bay Center for Counseling provides mental health care for low and moderate income household residents of Manhattan Beach through three counseling programs. The Parents and Children Together Program nurtures children traumatized by abuse, loss, neglect, or behavioral/emotional difficulties. The Counseling Services program provides low cost therapy to families, groups, and individuals. The Beach Cities Health District's Children's Program provides comprehensive screening and referrals to pregnant women and families with hospitalized children.

# SOUTH BAY CHILDREN'S HEALTH CENTER (formerly South Bay Youth Project)

The South Bay Children's Health Center identifies and provides counseling to "at risk" youths who are from low and moderate income households and who are residents of Manhattan Beach. Through its In Class Students Assistance Program, this project targets



local high school youths who encounter problems associated with parental neglect, truancy, substance abuse, or involvement with criminal activity.

#### THE SALVATION ARMY-SENIOR MEALS

The Salvation Army Senior Meals project provides groceries on a bimonthly basis to senior citizen residents of Manhattan Beach. The groceries are provided in order to nutritionally enhance and supplement their diets and are distributed through the Salvation Army's "Operation Sunshine" brown bag program.

#### **PROJECT TOUCH**

Project Touch provides tutoring, counseling, social, and therapeutic services to at-risk youth in the South Bay. The goal of Project Touch is to provide a supportive environment in which teens and pre-teens can strengthen their self-understanding, build self esteem, and develop positive attitudes and lifestyles before behavior becomes a problem. Project Touch also provides counseling, social, and therapeutic services at Mira Costa High School for "at risk" youths who are making the transition to a regular school environment. This part of the program provides once-weekly Alternative Classroom Education (A.C.E.) groups for 9<sup>th</sup> and 10<sup>th</sup> grade students, and individual counseling as needed.

#### THE WELLNESS COMMUNITY SOUTH BAY CITIES

The Wellness Community South Bay Cities provides free psychological, emotional and social support for cancer patients and their loved ones. The core of the program consists of 15 ongoing weekly support groups and specialized monthly networking groups for specific types of cancer offered in a homelike setting, 6 days a week with all groups led by professionally licensed psychotherapists. This program provides an alternative to these types of services provided in the marketplace, which are expensive, a great benefit to those already dealing with the costs of cancer treatment.

#### SOUTH BAY ADULT CARE CENTER INC.

The South Bay Adult Care Center currently operates an Adult Day Care Center in Redondo Beach. The purpose of the center is to enrich the lives of adults suffering from Alzheimer's, Parkinson's, stroke, frailty, loneliness, etc. The center is designed to maintain psychological functioning levels as much as possible, as well as provide respite to family members. The center currently functions with limited hours and wishes to expand these hours as much as possible.

Public Service Agency	Percentage of Total Allocation	Estimated Allocation FY 2010-2011	Requested Funding
Care Management for Manhattan Beach Seniors	NA	37,315.00	37,315.00
1736 Family Crisis Center	34%	16,754.02	55,000.00
South Bay Family Healthcare Center	25%	12,635.33	25,000.00
South Bay Center for Counseling	21%	10,471.26	20,810.00
South Bay Children's * Health Center (formerly South Bay Youth Project)	7%	3,699.85	4,928.00
The Salvation Army- Operation Sunshine	5%	2,443.29	6,000.00
Project Touch	4%	1,745.21	4,912.00
Wellness Community	2%	977.32	1,800.00
South Bay Adult Care Center	2%	977.32	3,000.00
Totals	100%	87,018.60	· · · · · · · · · · · · · · · · · · ·

<sup>\*</sup>Additional \$18,800 allocated from General Fund (approved by City Council on 5/22/07). Received every fiscal year through the budget process.



# **CDBG Project Breakdown**

Consultant Fees	\$14,500 (Administrative Fees - 10% max)
Senior Lunches (Parks & Recreation)	13,752 (Public Service -15% max, not to exceed \$21,000)
ADA Ramps/Curb Cuts (Public Works)	116,748 (Capital Improvement - Balance Remaining)
TOTAL CDBG Allocation FY 2010-2011 approx.	\$145,000

