



U.S. Department of Housing and Urban Development
Community Planning and Development

Special Attention of:

All Secretary's Representatives
All State/Area Coordinators
All CPD Division Directors

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SUBJECT: Instructions for Urban County Qualification for Participation in the Community Development Block Grant (CDBG) Program for Fiscal Years (FYs) 2009-2011

INTRODUCTION

This Notice establishes requirements, procedures and deadlines to be followed in the urban county qualification process for FYs 2009-2011. Information concerning specific considerations and responsibilities for urban counties is also provided. HUD Field Offices and urban counties are expected to adhere to the deadlines in this Notice.

This Notice provides guidance for counties wishing to qualify or requalify for entitlement status as urban counties, as well as for existing urban counties that wish to include previously nonparticipating communities. **Please send copies of this Notice to all presently qualified urban counties, to each county that can qualify for the first time or requalify for FYs 2009-2011, and to each state administering the State CDBG program which includes a potentially eligible urban county. If you are notified of one or more new potential urban counties, each should be provided a copy of this Notice.** This Notice includes five attachments which contain listings of: Attachment A, all currently qualified urban counties; Attachment B, counties that can potentially qualify for the first time or requalify this qualification period; Attachment C, counties scheduled to qualify or requalify in FY 2010 for FY 2011-2012; Attachment D, counties scheduled to qualify or requalify in FY 2011 for FY 2012-2014; and Attachment E, currently qualified urban counties that can add nonparticipating units of government for the remaining one or two years of their qualification period. Additions to Attachment B may be provided separately.

The schedule for qualifying urban counties is coordinated with qualifying HOME consortia in order to be able to operate both the CDBG and HOME programs using the same urban county configurations. The CDBG urban county qualification process for the FY 2009-2011 qualification period will start April 25, 2008, and run through September 8, 2008. This will provide HUD sufficient time before the September 30 deadline for FY 2009 funding under the HOME Program to notify counties that they qualify as urban counties under the CDBG Program. Urban county worksheets will be accessible via CPD's Grants Management Process (GMP) system. The CPD Systems Development and Evaluation Division will provide guidance on completing, submitting and verifying urban county qualification data in GMP.

Requirements are being added to the urban county qualification process concerning notification and submission of documents to HUD Headquarters. Jurisdictions that are qualifying as an urban county for the first time must submit all required documents outlined in Section IV to the Entitlement Communities Division in HUD Headquarters in addition to their local HUD offices (see Section IV for details). In addition, if new jurisdictions are seeking to qualify as urban counties because they contain metropolitan cities willing to relinquish their entitlement status, the Entitlement Communities Division in HUD Headquarters should be notified as soon as possible, but no later than two weeks after the jurisdictions notify the Field Office of their intent to qualify as an urban county (see Section VIII for details).

Section IX has been changed to further clarify the actions required by HUD Field Office Counsel to complete Determinations of Essential Powers for new and requalifying urban counties.

Questions from Field Offices related to this Notice should be directed to the Entitlement Communities Division at (202) 708-1577 or to the Systems Development and Evaluation Division at (202) 708-0790. Requests for deadline extensions should be directed to the Entitlement Communities Division. The TTY number for both divisions is (202) 708-2565. These are not toll-free numbers.

The information collection requirements contained in this notice have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2506-0170, which expires 12/31/2008. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

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COMMUNITY DEVELOPMENT BLOCK GRANT
URBAN COUNTY QUALIFICATION
Fiscal Years 2009-2011

In accordance with 24 CFR 570.307(a) of the Community Development Block Grant (CDBG) regulations, the information below explains HUD's process for qualifying and requalifying urban counties for purposes of the CDBG program.

I. GENERAL REQUIREMENTS

A. Threshold

In order to be entitled to receive Community Development Block Grant (CDBG) funds as an urban county, the county must qualify as an urban county under one of the following thresholds:

1. Have a total combined population of 200,000 or more (excluding metropolitan cities) from the unincorporated areas and participating incorporated areas; or
2. Have a total combined population of at least 100,000 but less than 200,000 from the unincorporated areas and participating incorporated areas, provided that, in the aggregate, those areas include the majority of persons of low and moderate income that reside in the county (outside of any metropolitan cities). Under this provision the county itself must still have a potential combined population of 200,000 (excluding metropolitan cities); or
3. Meet specific requirements of Sec. 102(a)(6)(C) or (D) of Title I of the Housing and Community Development Act of 1974, as amended.

HUD must make a review to determine that an urban county possesses essential community development and housing assistance powers in any unincorporated areas that are not units of general local government (UGLGs). HUD must also review all of the UGLGs within the county to determine those, if any, in which the county lacks such powers. The county must enter into cooperation agreements with any such units of local government that are to become part of the urban county. Such agreements would bind a UGLG to cooperate in the use of its powers in carrying out essential activities in accordance with the urban county's program. See Section IX for additional information on Determinations of Essential Powers.

B. Consolidated Plan Requirements

In order to receive an Entitlement Grant in FY 2009, an urban county must have an approved Consolidated Plan (pursuant to 24 CFR 570.302 and Part 91). This includes urban counties newly qualifying during this qualification period; urban counties that continue to include the same communities previously included in the urban county; and those urban counties that are amending their urban county configurations to add communities that chose not to participate previously. Where an urban county enters into

a joint agreement with a metropolitan city for CDBG purposes, a Consolidated Plan is submitted by the urban county to cover both governmental entities.

Pursuant to 24 CFR Part 91, submission of a jurisdiction's Consolidated Plan may occur no earlier than November 15, and no later than August 16, of the Program Year for which CDBG, HOME, Emergency Shelter Grants (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) funds are appropriated to cover the Federal fiscal period of October 1, 2008, through September 30, 2009. **An urban county's failure to submit its Consolidated Plan by August 16, 2008, will automatically result in a loss of CDBG funds for the 2008 program year [24 CFR 570.304(c)(1)].** The Consolidated Plan must meet all requirements of 24 CFR Part 91, including all required certifications.

C. Consolidated Plan Requirements Where the Urban County is in a HOME Consortium

Where units of general local government form a "consortium" to receive HOME funding, the consortium submits the Consolidated Plan for the entire geographic area encompassed by the consortium (24 CFR 91.400). Therefore, if an urban county is a member of a HOME consortium, the consortium submits the Consolidated Plan, and the urban county, like all other CDBG entitlement grantees in the consortium, is only required to submit its own non-housing Community Development plan (24 CFR 91.215(f)), an Action Plan (24 CFR 91.220) and the required Certifications (24 CFR 91.225(a) and (b); 91.425 (a) and (b)), as part of the consortium's Consolidated Plan. If an urban county has a CDBG joint agreement with a metropolitan city, they must form a HOME consortium to become one entity for HOME purposes (24 CFR 92.101(b)).

D. Synchronization of Urban County and HOME Qualification Periods

The CDBG urban county's and HOME consortium's qualification periods are for three successive years. If a member urban county's CDBG three-year cycle is not the same as the HOME consortium's, the consortium may elect a shorter qualification period than three years to get in sync with the urban county's CDBG three-year qualification cycle, as permitted in 24 CFR 92.101(e).

II. QUALIFICATION SCHEDULE

The following schedule will govern the procedure for urban county qualification for the three-year qualification cycle of FYs 2009-2011. Unless noted otherwise, deadlines may only be extended by prior written authorization from Headquarters. Deadlines in paragraphs D, E, G, and I may be extended by the Field Office as specified below. However, no extension may be granted by the Field Office if it would have the effect of extending a subsequent deadline that the Field Office is not authorized to extend.

- A. By April 25, 2008, the HUD Field Office shall notify counties that may seek to qualify or requalify as an urban county of HUD's Determination of Essential Powers (see Section IX) as certified by the Field Office Counsel (see Attachment B, Counties Scheduled to Qualify or Requalify in 2008 for the 2009-2011 Qualification Period).
- B. By April 25, 2008, counties must notify split places of their options for exclusion from or

participation in the urban county (see Attachment B and Section III, paragraph D, for an explanation of split places).

- C. By April 25, 2008, counties must notify each included unit of general local government, where the county is authorized to undertake essential community development and housing assistance activities without the consent of the governing body of the locality, of its right to elect to be excluded from the urban county, and the date by which it must make such election (see Attachment B and paragraph E, below). Included units of government must also be notified that they are not eligible to apply for grants under the State CDBG program while they are part of the urban county, and that, in becoming a part of the urban county, they automatically participate in the HOME program if the urban county receives HOME funding. Moreover, while they may only receive a formula allocation under the HOME Program as part of the urban county, this does not preclude the urban county or a unit of government participating with the urban county from applying for HOME funds from the State, if the State allows.

A county that is already qualified as an urban county in FY 2009 (see Attachment E, Counties Qualified through 2010 or 2011 that Contain Nonparticipating Communities) may elect to notify nonparticipating units of government that they now have an opportunity to join the urban county for the remainder of the urban county's qualification period (see paragraph H, below).

- D. By April 25, 2008, any county which has executed cooperation agreements with no specified end date is required to notify affected participating units of government in writing that the agreement will automatically be renewed unless the unit of government notifies the county in writing by May 23, 2008, (see paragraph F, below) of its intent to terminate the agreement at the end of the current qualification period (see Attachment B). Any extension of this deadline must be authorized in writing by the Field Office. An extension of more than seven days requires the Field Office to notify Headquarters by telephone.
- E. By May 23, 2008, any included unit of general local government, where the county does not need the consent of its governing body to undertake essential community development and housing assistance activities, that elects to be excluded from an urban county must notify the county and their HUD Field Office, in writing, that it elects to be excluded. Any extension of this deadline must be authorized in writing by the Field Office. An extension of more than seven days requires notification of Headquarters by telephone.
- F. By May 23, 2008, any unit of government that has entered into a cooperation agreement with no specified end date with the county and elects not to continue participating with the county during the FY 2009-2011 qualification period must notify the county and their HUD Field Office in writing that it is terminating the agreement at the end of the current period. The county may allow additional time provided any such extension does not interfere with the county's ability to meet the deadline in paragraph J, below.
- G. By May 23, 2008, any unit of general local government that meets "metropolitan city" status for the first time and wishes to defer such status and remain part of the county, or to accept such status and become a joint recipient with the urban county, must notify the

county and the HUD Field Office in writing that it elects to defer its metropolitan city status or to accept its status and join with the urban county in a joint agreement. Any metropolitan city that had deferred its status previously or had accepted its status and entered into a joint agreement with the urban county, and wishes to maintain the same relationship with the county for this next qualification period, must notify the county and the HUD Field Office in writing by this date. A potential metropolitan city that chooses to accept its entitlement status, but chooses not to enter into a joint agreement with the urban county, or a current metropolitan city that chooses not to maintain a joint agreement with the urban county, must also notify the urban county and the HUD Field Office by this date. Any extension of this deadline must be authorized in writing by the Field Office. An extension of more than seven days requires the Field Office to notify Headquarters by telephone.

- H. By May 23, 2008, any unit of general local government that is not currently participating in an urban county and chooses to participate for the remaining second or third year of the county's qualification period must notify the county and the HUD Field Office in writing that it elects to be included. The county may allow additional time provided any such extension does not interfere with the county's ability to meet the deadline in paragraph J, below.
- I. By June 27, 2008, HUD Field Offices must notify CPD's Systems Development and Evaluation Division via e-mail whether a potential new metropolitan city elects to defer or accept its status (as discussed in paragraph G, above).
- J. By July 7, 2008, any county seeking to qualify as an urban county (see Attachment B) or to include any previously nonparticipating units of general local government into its configuration (see Attachment E) must submit to the appropriate HUD Field Office all qualification documentation described in Section IV, Documents to be Submitted to HUD by County. Any extension of this deadline must be authorized in writing by the Field Office and should not interfere with the Field Office's ability to meet the deadline in paragraph K. Headquarters must be notified by telephone if an extension of more than seven days is needed.
- K. By July 25, 2008, Field Office Counsel should complete the reviews of all cooperation agreements and related authorizations and certify that each cooperating agreement meets the requirements of Section V, Cooperation Agreements. Any delay in completion of the review must not interfere with the Field Office's ability to meet the deadline in paragraph M. Headquarters should be notified by telephone of any delay in the Field Counsel's review. **Note: If a county is using renewable agreements and has submitted a legal opinion that the terms and conditions of the agreement continue to be authorized (see Section IV, paragraph E), review of such opinion by Field Office Counsel is optional.**
- L. During mid to late June, Headquarters will post the urban county worksheets for each qualifying and requalifying urban county (listed on Attachment B) on the CPD Grants Management Process (GMP) system. **All information on included units of government must be completed via GMP.** Specific instructions for completing these electronic worksheets will be provided by the CPD Systems Development and Evaluation Division at

the time they are posted on GMP.

- M. By August 8, 2008, Field Offices shall update and complete the form electronically for each qualifying or requalifying county. The revised worksheet must be sent to the appropriate county for verification of data (either via FAX, email, or regular mail). The Systems Development and Evaluation Division will have access to the completed worksheets in GMP. Field Offices shall also concurrently make available to the Systems Development and Evaluation Division (and each affected urban county) a memorandum that identifies any urban county already qualified for FY 2009 that is adding any new units of government, together with the names of the newly included units of government (see Attachment E). THIS DEADLINE MAY NOT BE EXTENDED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM HEADQUARTERS.
- N. By September 4, 2008 (or soon thereafter), Headquarters will complete its review of the urban county status worksheets and memoranda for those urban counties adding new units of government. The Field Offices will have access to the updated worksheets and, where necessary, an indication of any apparent discrepancies, problems or questions – all noted in GMP. The Field Office is to verify the data (on the website at <http://hudatwork.hud.gov/po/d/field/participation/index.cfm>) and notify the Systems Development and Evaluation Division within seven days if any problems exist. If there are no problems, Field Offices will notify each county seeking to qualify as an urban county of its urban county status for FY 2009-2011 by September 19, 2008.

III. QUALIFICATION ACTIONS TO BE TAKEN BY COUNTY

The following actions are to be taken by the urban county:

A. Cooperation Agreements/Amendments

Urban counties that must enter into cooperation agreements or amendments, as appropriate, with the units of general local government located in whole or in part within the county, must submit to HUD executed cooperation agreements, together with evidence of authorization by the governing bodies of both parties (county and UGLG) executed by the proper officials in sufficient time to meet the deadline for submission indicated in the schedule (see Section V, Cooperation Agreements, paragraph A). Cooperation agreements must meet the standards in Section V of this Notice.

B. Notification of Opportunity to be Excluded

Units of general local government in which counties have authority to carry out essential community development and housing activities without the consent of the local governing body are automatically included in the urban county unless they elect to be excluded at the time of qualification or requalification. Any county that has such units of general local government must notify each such unit that it may elect to be excluded from the urban county. The unit of government must be notified:

1. That if it chooses to remain with the urban county, it is ineligible to apply for

grants under the State CDBG program while it is part of the urban county;

2. That if it chooses to remain with the urban county, it is also a participant in the HOME program if the urban county receives HOME funding and may only receive a formula allocation under the HOME Program as a part of the urban county, although this does not preclude the urban county or a unit of government within the urban county from applying to the State for HOME funds, if the State allows; and
3. That if it chooses to be excluded from the urban county, it must notify both the county and the HUD Field Office of its election to be excluded by the date specified in Section II, Qualification Schedule, paragraph E.

Such election to be excluded will be effective for the entire three-year period for which the urban county qualifies, unless the excluded unit specifically elects to be included in a subsequent year for the remainder of the urban county's three-year qualification period.

Where urban counties do not have the authority to carry out essential community development and housing activities without the consent of the unit(s) of general local government located therein, urban counties are required to have executed cooperation agreements with these units of government.

C. Notification of Opportunity to be Included

If a currently qualified urban county has one or more nonparticipating units of general local government (see Attachment E), the county may notify, in writing, any such unit of local government during the second or third year of the qualification period that the local government has the opportunity to be included for the remaining period of urban county qualification. This written notification must include the deadline for such election, and must state that the unit of general local government must notify the county and the HUD Field Office, in writing, of its official decision to be included. If cooperation agreements are necessary, the unit electing to be included in the county for the remainder of the qualification period must also execute, with the county, a cooperation agreement meeting the standards in Section V, Cooperation Agreements. The agreement must be received by the HUD Field Office by the date specified in Section II, Qualification Schedule, paragraph J.

D. Notification of Split Places

Counties seeking qualification as urban counties and having units of general local government with any population located only partly within the county must notify these units of their rights by the date provided in Section II, Qualification Schedule, paragraph B. Specifically, the county must provide the following notifications:

1. Where a split place is partly located within only one urban county, one of the following rules applies:

- a. If it is a split place in which the county has essential powers, the entire area of the split place will be included in the urban county for the urban county qualification period unless the split place has opted out; or
 - b. If the split place can only be included in the county upon the execution of a cooperation agreement, the entire area of the split place will be included in the urban county for the urban county qualification period upon execution of such an agreement.
2. Where the split place is partially located within two or more urban counties, the split place may elect one of the following:
- a. to be excluded from all urban counties;
 - b. to be entirely included in one urban county and excluded from all other such counties; or
 - c. to participate as a part of more than one of the urban counties in which it is partially located provided that a single portion of the split place cannot be included in more than one entitled urban county at a time, and all parts of the split place are included in one of the urban counties.

E. Notification of Opportunity to Terminate Agreement

Urban counties that have agreements that will be automatically renewed at the end of the current qualification period unless action is taken by the unit of government to terminate the agreement, must, by the date provided in Section II, Qualification Schedule, paragraph D, notify such units that they can terminate the agreement and not participate during the 2009-2011 qualification period.

IV. DOCUMENTS TO BE SUBMITTED TO HUD

Any county seeking to qualify as an urban county for FY 2009-2011 or that wishes to exercise its option to include units of government that are not currently in the urban county's CDBG program must submit the following to the responsible HUD Field Office:

- A. A copy of the letter that notified applicable units of general local government (and a list of applicable units of government) of their right to decide to be excluded from the urban county along with a copy of letters submitted to the county from any such units of general local government requesting exclusion (see Section III, Qualification Actions to Be Taken by County, paragraph B). This does not apply to an already qualified urban county adding communities.
- B. A copy of the letter from any unit of general local government joining an already qualified county that officially notifies the county of its election to be included (see Section III, paragraph C).
- C. Where applicable, a copy of the letter from:

1. Any city that may newly qualify as a metropolitan city but that seeks to defer that status, or
2. Any city currently deferring metropolitan city status that seeks to continue to defer such status.

(See Section II, Qualification Schedule, paragraph G.)

- D. For a county that has cooperation agreements in effect that provide for automatic renewal, a copy of the letter sent by the county that notified affected units of government that the agreement will be renewed unless the county is notified by the unit of government to terminate the agreement, and a copy of any such letter from any unit(s) of government requesting termination (see Section III, paragraph E).
- E. Where applicable, copies of fully executed cooperation agreements or amended agreements between the county and its included units of general local government, including any cooperation agreements from applicable units of general local government covered under Section III, Qualification Actions to be Taken by County, paragraph C, and the opinions of county counsel and governing body authorizations required in Section V, Cooperation Agreements, paragraphs B and C.

For a county that has cooperation agreements in effect that provide for automatic renewal of the urban county qualification period as provided under Section V, Cooperation Agreements, paragraph E, at the time of such automatic renewal, the documents to be submitted are: (1) a legal opinion from the county's counsel that the terms and provisions continue to be authorized under state and local law and that the agreement continues to provide full legal authority for the county; (2) copies of any executed amendments to automatically renewed cooperation agreement (if any); and, (3) if locally required, governing body authorizations.

- F. Any joint request(s) for inclusion of a metropolitan city as a part of the urban county as permitted by Section VIII, paragraph A, Metropolitan City/Urban County Joint Recipients, along with a copy of the required cooperation agreement(s). If either the urban county or the metropolitan city fall under the "exception criteria" at 24 CFR 570.208(a)(1)(ii) for activities that benefit low- and moderate-income residents of an area, the urban county must notify, in writing, the metropolitan city of the potential effects of such joint agreements on such activities. See Section VIII, paragraph A, for further clarification.

All jurisdictions seeking to qualify as an urban county for the first time must ensure that all documents outlined in this Section that are submitted to the HUD Field Offices are also submitted to the Entitlement Communities Division in HUD Headquarters for review. The original documents should be submitted to the HUD Field Office and the copies to HUD Headquarters.

V. COOPERATION AGREEMENTS

All cooperation agreements must meet the following standards in order to be found acceptable:

- A. The governing body of the county and the governing body of the cooperating unit of general local government shall authorize the agreement and the chief executive officer of each unit of general local government shall execute the agreement.
- B. The agreement must contain, or be accompanied by, a legal opinion from the county's counsel that the terms and provisions of the agreement are fully authorized under State and local law and that the agreement provides full legal authority for the county. Where the county does not have such authority, the legal opinion must state that the participating jurisdiction has the authority to undertake, or assist in undertaking, essential community renewal and lower income housing assistance activities. A mere certification by the county's counsel that the agreement is approved as to form is insufficient and unacceptable.
- C. The agreement must state that the agreement covers the CDBG Entitlement program and, where applicable, the HOME Investment Partnership Program (i.e., where the urban county receives funding under the HOME program as an urban county or as a member of a HOME consortium).
- D. The agreement must state that, by executing the CDBG cooperation agreement, the included unit of general local government understands that it:
 - 1. May not apply for grants from appropriations under the State CDBG Program for fiscal years during the period in which it participates in the urban county's CDBG program; and
 - 2. May receive a formula allocation under the HOME Program only through the urban county. Thus, even if the urban county does not receive a HOME formula allocation, the participating unit of local government cannot form a HOME consortium with other local governments. (Note: This does not preclude the urban county or a unit of government participating with the urban county from applying to the State for HOME funds, if the state allows. An existing renewable agreement need not be amended to add this Note. It is included here only for purposes of clarification.)
- E. The agreement must specify the three years covered by the urban county qualification period (e.g., Federal FYs 2009-2011), for which the urban county is to qualify to receive CDBG entitlement funding or, where applicable, specify the remaining one or two years of an existing urban county's qualification period. At the option of the county, the agreement may provide that it will automatically be renewed for participation in successive three-year qualification periods, unless the county or the participating unit of general local government provides written notice it elects not to participate in a new qualification period. A copy of that notice must be sent to the HUD Field Office.

Where such agreements are used, the agreement must state that, by the date specified

in HUD's urban county qualification notice for the next qualification period, the urban county will notify the participating unit of general local government in writing of its right not to participate. A copy of the county's notification to the jurisdiction must be sent to the HUD Field Office by the date specified in the urban county qualification schedule in Section II.

Cooperation agreements with automatic renewal provisions must include a stipulation that requires each party to adopt any amendment to the agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and to submit such amendment to HUD as provided in the urban county qualification notice (see Section IV, Documents to be Submitted to HUD, paragraph E), and that such failure to comply will void the automatic renewal for such qualification period.

- F. The agreement must provide that it remains in effect until the CDBG (and HOME, where applicable) funds and program income received (with respect to activities carried out during the three-year qualification period, and any successive qualification periods under agreements that provide for automatic renewals) are expended and the funded activities completed, and that the county and participating unit of general local government cannot terminate or withdraw from the cooperation agreement while it remains in effect.

The agreement must expressly state that the county and the cooperating unit of general local government agree to "cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities." If the county does not have such powers, the agreement must expressly state that the cooperating unit of general local government agrees to "undertake, or assist in undertaking, community renewal and lower-income housing assistance activities." As an alternative to this wording, the cooperation agreement may reference State legislation authorizing such activities, but only with the approval of the specific alternative wording by HUD Field Counsel.

The agreement must contain a provision obligating the county and the cooperating unit of general local government to take all actions necessary to assure compliance with the urban county's certification required by section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws. The agreements shall also contain a provision prohibiting urban county funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification. This provision is required because noncompliance by a unit of general local government included in an urban county may constitute noncompliance by the grantee (i.e., the county) that can, in turn, provide cause for funding sanctions or other remedial actions by the Department.

- I. The agreement must expressly state "that the cooperating unit of general local government has adopted and is enforcing:
 - 1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
 - 2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions."
- J. The agreement may not contain a provision for veto or other restriction that would allow any party to the agreement to obstruct the implementation of the approved Consolidated Plan during the period covered by the agreement. The county has final responsibility for selecting CDBG (and HOME, where applicable) activities and submitting the Consolidated Plan to HUD, although if the county is a member of a HOME consortium, the consortium submits the Plan developed by the county (see Section I, General Requirements, paragraph C).
- K. The agreement must contain language specifying that, pursuant to 24 CFR 570.501(b), the unit of local government is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as described in 24 CFR 570.503 (see Section VIII, Special Considerations, paragraph B).
- L. A county may also include in the cooperation agreement any provisions authorized by State and local laws that legally obligate the cooperating units to undertake the necessary actions, as determined by the county, to carry out a community development program and the approved Consolidated Plan and/or meet other requirements of the CDBG (and HOME, where applicable) program and other applicable laws.

VI. PERIOD OF QUALIFICATION

A. General

Any county that qualifies as an urban county will be entitled to receive funds as an urban county for three consecutive fiscal years regardless of changes in its population or boundary or population changes in any communities contained within the urban county during that period, provided funds are appropriated by Congress. However, during the period of qualification, no included unit of general local government may withdraw from the urban county unless the urban county does not receive a grant for any year during such period.

The urban county's grant amount is calculated annually and will reflect the addition of any new units of general local government during the second and third years of the period of qualification.

Any unincorporated portion of the county that incorporates during the urban county

qualification period will remain part of the urban county through the end of the three-year period.

Any unit of general local government that is part of an urban county will continue to be included in the urban county for that county's qualification period, even if it meets the criteria to be considered a "metropolitan city" during that period. Such an included unit of general local government cannot become eligible for a separate entitlement grant as a metropolitan city while participating as a part of an urban county (see Section VIII, paragraph E).

B. Retaining Urban County Classification

Any county classified as an urban county in FY 1999 may, at the option of the county, remain classified as an urban county.

Any county that has been classified as an urban county after FY 1999 and is so classified for at least two years will retain its classification as an urban county, unless the urban county qualified under section 102(a)(6)(A) of Title I of the Housing and Community Development Act of 1974, as amended, and fails to requalify under that section due to the election of a currently participating non-entitlement community to opt out or not to renew a cooperation agreement (for reasons other than becoming an eligible metropolitan city).

VII. URBAN COUNTY PROGRAM RESPONSIBILITIES

The county, as the CDBG grant recipient, either for the urban county or a joint recipient (see Section VIII, paragraph A, Metropolitan City/Urban County Joint Recipients) has full responsibility for the execution of the community development program, for following its Consolidated Plan, and for meeting the requirements of other applicable laws (e.g., National Environmental Policy Act, Uniform Relocation Act, Fair Housing Act, Title VI of the Civil Rights Act of 1964, Sec. 504 of the Rehabilitation Act of 1973, Sec. 109 of Title I of the Housing and Community Development Act of 1974, the Americans with Disabilities Act of 1990, and for affirmatively furthering fair housing). The county's responsibility must include these functions even where, as a matter of administrative convenience or State law, the county permits the participating units of general local government to carry out essential community development and housing assistance activities. The county will be held accountable for the accomplishment of the community development program, for following its Consolidated Plan, and for ensuring that actions necessary for such accomplishment are taken by cooperating units of general local government.

VIII. SPECIAL CONSIDERATIONS

A. Metropolitan City/Urban County Joint Recipients

Any urban county and any metropolitan city located in whole or in part within that county can ask HUD to approve the inclusion of the metropolitan city as a part of

the urban county for purposes of planning and implementing a joint community development and housing assistance program. HUD will consider approving a joint request only if it is signed by the chief executive officers of both entities and is submitted at the time the county is seeking its qualification as an urban county. A joint request will be deemed approved unless HUD notifies the city and the county otherwise within 30 days following submission of the joint request and an executed cooperation agreement meeting the requirements specified under Section V, Cooperation Agreements. An urban county may be joined by more than one metropolitan city, but a metropolitan city located in more than one urban county may be a joint recipient with only one urban county at a time.

Upon urban county qualification and HUD approval of the joint request and cooperation agreement, the metropolitan city becomes a part of the urban county for purposes of program planning and implementation for the entire period of the urban county qualification, and for the CDBG program, will be treated by HUD as any other unit of general local government that is a part of the urban county. When a metropolitan city joins an urban county in this manner, the grant amount is the sum of the amounts authorized for the individual metropolitan city and urban county. The urban county becomes the grant recipient.

While a metropolitan city in a joint agreement with the urban county is treated the same as any other unit of general local government that is part of the urban county for purposes of the CDBG program, this is not true under the HOME program. If the metropolitan city does not qualify to receive a separate allocation of HOME funds, to be considered for HOME funding as part of the urban county, it must form a HOME consortium with the urban county. If the metropolitan city qualifies to receive a separate allocation of HOME funds, it has three options: (1) it may form a HOME consortium with the county, in which case it will be included as part of the county when the HOME funds for the county are calculated; (2) it may elect to continue to receive its separate

HOME allocation but subgrant it to the county to administer; or (3) the metropolitan city may administer its HOME program on its own.

Counties and metropolitan cities considering a joint request should be aware that significant effects could occur where either the urban county or the metropolitan city would otherwise fall under the "exception rule" criteria for activities that benefit low- and moderate-income residents on an area basis [see 24 CFR 570.208(a)(1)(ii)]. Joint agreements result in a modification to an urban county's configuration, and a change in the mix of census block groups in an urban county is likely to change the relative ranking of specific block groups by quartile, thus affecting the minimum concentration of low- and moderate-income persons under the "exception rule." HUD will make a rank-ordering computer run available to counties and metropolitan cities considering joint participation to assist them in determining the possible effects of inclusion and how such an agreement may impact their respective programs.

B. Subrecipient Agreements

The execution of cooperation agreements meeting the requirements of Section V, Cooperation Agreements, herein between an urban county and its participating units of local government does not in itself satisfy the requirement for a written subrecipient agreement required by the regulations at 24 CFR 570.503. Where a participating unit of general local government carries out an eligible activity funded by the urban county, the urban county is responsible, prior to disbursing any CDBG funds for any such activity or project, for executing a written subrecipient agreement with the unit of government containing the minimum requirements found at 24 CFR 570.503. The subrecipient agreement must remain in effect during any period that the unit of local government has control over CDBG funds, including program income.

C. Ineligibility for State CDBG Program

An urban county's included units of general local government are ineligible to apply for grants from appropriations under the State CDBG Program for fiscal years during the period in which they are participating in the Entitlement CDBG program with the urban county.

D. Eligibility for a HOME Consortium

When included units of local government become part of an urban county for the CDBG Program, they are part of the urban county for the HOME Program and may receive a formula allocation under the HOME Program only as part of the urban county. Thus, even if the urban county does not receive a HOME formula allocation, the participating unit of local government cannot form a HOME consortium with other local governments. However, this does not preclude the urban county or a unit of government within an urban county from applying to the State for HOME funds, if the State allows.

E. Counties with Potential Metropolitan Cities

If a county includes one or more communities that believe their population meets the statutory threshold to enable them to receive CDBG entitlement funds as a metropolitan city directly, HUD has identified two options a county may use to address such situations:

1. The county and community can negotiate a schedule that will provide the community additional time to receive notification from HUD of its eligibility as a potential new metropolitan city and, if the community does not reach metropolitan city status (or becomes eligible and elects to defer its status), execute a cooperation agreement and still meet the deadlines identified in this Notice; or
2. If a county believes delaying the execution of a cooperation agreement until HUD provides such notification will prohibit it from meeting the submission deadlines in this Notice, the county may want to include a clause in the agreement that provides that the agreement will be voided if the community is advised by HUD, prior to the completion of the requalification process for FY 2009-2011, that it is eligible to

become a metropolitan city and the community elects to take its entitlement status. If such a clause is used, it must state that if the agreement is not voided on the basis of the community's eligibility as a metropolitan city prior to July 7, 2008 (or a later date if approved in writing by HUD), the community must remain a part of the county for the entire three-year period of the county's qualification.

Option 1 is preferred. Option 2 is available if a county wishes to use it, although there is concern that a community may believe that the use of a clause that may void the agreement will enable it to "opt out" later in the three-year period of qualification if it reaches the population during that time to be a metropolitan city. Therefore, any such clause must be clear that it applies only for a limited period of time.

There are jurisdictions that may potentially qualify as urban counties for the first time because they contain one or more metropolitan cities that may consider relinquishing their status as entitlement grantees. If a county has a metropolitan city or cities that are willing to relinquish its/their status as entitlement grantee(s) and the county wants to begin the process of qualifying as an urban county, the Entitlement Communities Division in HUD Headquarters should be notified as soon as possible, but no later than two weeks after the county notifies the Field Office of its intent to qualify as an urban county. A list of these counties are provided as Attachment F.

IX. DETERMINATIONS OF ESSENTIAL POWERS

- A. For new urban counties, HUD Field Office Counsel must initially determine whether each county within its jurisdiction that is eligible to qualify as an urban county has powers to carry out essential community renewal and lower-income housing assistance activities. For requalifying urban counties, the Field Office Counsel may rely on its previous determination(s) unless there is evidence to the contrary. In assessing such evidence, Field Office counsel may consider information provided by the county and its included units of general local government as well as other relevant information obtained from independent sources.

In making the required determinations, Field Office Counsel must consider both the county's authority and, where applicable, the authority of its designated agency or agencies. Field Office Counsel shall make such determinations as identified below and concur in notifications to the county(ies) about these issues.

- B. For new and requalifying counties, the notification by the Field Office required under Section II, paragraph A, must include the following determinations:
1. Whether the county is authorized to undertake essential community development and housing assistance activities in its unincorporated areas, if any, which are not units of general local government. For these purposes, the term "essential community development and housing assistance activities" means community renewal and lower-income housing assistance activities. Activities that may be accepted as essential community development and housing assistance activities might include, but are not limited to: (1) acquisition of property for disposition for private reuse, especially for low- and moderate-income housing; (2) direct rehabilitation of or financial assistance to

housing; (3) low rent housing activities; (4) disposition of land to private developers for appropriate redevelopment; and (5) condemnation of property for low-income housing. (Note: The phrase “specifically urban renewal and publicly assisted housing”, although in 24 CFR 570.307(c), is not included in this Notice because it does not appear in the text of the Housing and Community Development Act of 1974, as amended (the Act). Although not in the Act, the House Committee Report accompanying the CDBG legislation made specific reference to the term “renewal” and indicates that Congress intended eligible urban counties to be able to carry out all aspects of the urban renewal program (which was subsequently consolidated by the CDBG program);

2. In which of the county’s units of general local government the county is authorized to undertake essential community development and housing assistance activities without the consent of the governing body of the locality. The population of these units of local government will be counted towards qualification of the urban county unless they specifically elect to be excluded from the county for purposes of the CDBG program and so notify both the county and HUD in writing by May 23, 2008 (see Section II, paragraph E); and,
3. In which of the county’s units of general local government the county is either (a) not authorized to undertake essential community development and housing assistance activities or (b) may do so only with the consent of the governing body of the locality. The population of these units of local government will only be counted if they have signed cooperation agreements with the county that meet the standards set forth in Section V of this Notice.

Attachments

ATTACHMENT A

ALL CURRENTLY QUALIFIED URBAN COUNTIES

NEW ENGLAND FIELD OFFICES

MAINE

CUMBERLAND COUNTY

NEW YORK/NEW JERSEY FIELD OFFICES

NEW JERSEY
NEW JERSEY

ATLANTIC COUNTY
BERGEN COUNTY
BURLINGTON COUNTY
CAMDEN COUNTY
ESSEX COUNTY
GLOUCESTER COUNTY
HUDSON COUNTY
MIDDLESEX COUNTY
MONMOUTH COUNTY
MORRIS COUNTY
OCEAN COUNTY
PASSAIC COUNTY
SOMERSET COUNTY
UNION COUNTY

NEW YORK
NEW YORK

DUTCHESS COUNTY
ERIE COUNTY
MONROE COUNTY
NASSAU COUNTY
ONONDAGA COUNTY
ORANGE COUNTY
ROCKLAND COUNTY
SUFFOLK COUNTY
NEW CASTLE COUNTY
WESTCHESTER COUNTY

MID-ATLANTIC FIELD OFFICES

DELAWARE

NEW CASTLE COUNTY

MARYLAND
MARYLAND
MARYLAND
MARYLAND
MARYLAND
MARYLAND
PENNSYLVANIA

ANNE ARUNDEL COUNTY
BALTIMORE COUNTY
HARFORD COUNTY
HOWARD COUNTY
MONTGOMERY COUNTY
PRINCE GEORGES COUNTY
ALLEGHENY COUNTY

GEORGIA
GEORGIA
GEORGIA
GEORGIA

COBB COUNTY
DE KALB COUNTY
FULTON COUNTY
GWINNETT COUNTY

NORTH CAROLINA
NORTH CAROLINA

CUMBERLAND COUNTY
WAKE COUNTY

SOUTH CAROLINA
SOUTH CAROLINA
SOUTH CAROLINA
SOUTH CAROLINA
SOUTH CAROLINA
SOUTH CAROLINA

CHARLESTON COUNTY
GREENVILLE COUNTY
HORRY COUNTY
LEXINGTON COUNTY
RICHLAND COUNTY
SPARTANBURG COUNTY

TENNESSEE
TENNESSEE

KNOX COUNTY
SHELBY COUNTY

MIDWEST FIELD OFFICES

ILLINOIS
ILLINOIS
ILLINOIS
ILLINOIS
ILLINOIS
ILLINOIS
ILLINOIS
ILLINOIS

COOK COUNTY
DU PAGE COUNTY
KANE COUNTY
LAKE COUNTY
MADISON COUNTY
MCHENRY COUNTY
ST CLAIR COUNTY
WILL COUNTY

INDIANA
INDIANA

HAMILTON COUNTY
LAKE COUNTY

MICHIGAN
MICHIGAN
MICHIGAN
MICHIGAN
MICHIGAN
MICHIGAN

GENESEE COUNTY
KENT COUNTY
MACOMB COUNTY
OAKLAND COUNTY
WASHTENAW COUNTY
WAYNE COUNTY

MINNESOTA
MINNESOTA
MINNESOTA
MINNESOTA
MINNESOTA
MINNESOTA

ANOKA COUNTY
DAKOTA COUNTY
HENNEPIN COUNTY
RAMSEY COUNTY
ST LOUIS COUNTY
WASHINGTON COUNTY

OHIO
OHIO

BUTLER COUNTY
CUYAHOGA COUNTY

OHIO
OHIO
OHIO
OHIO
OHIO
OHIO

FRANKLIN COUNTY
HAMILTON COUNTY
LAKE COUNTY
MONTGOMERY COUNTY
STARK COUNTY
SUMMIT COUNTY

WISCONSIN
WISCONSIN
WISCONSIN

DANE COUNTY
MILWAUKEE COUNTY
WAUKESHA COUNTY

SOUTHWEST FIELD OFFICES

LOUISIANA
LOUISIANA

JEFFERSON PARISH
ST. TAMMANY PARISH

OKLAHOMA

TULSA COUNTY

TEXAS
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS

BEXAR COUNTY
BRAZORIA COUNTY
DALLAS COUNTY
FORT BEND COUNTY
HARRIS COUNTY
HIDALGO COUNTY
MONTGOMERY COUNTY
TARRANT COUNTY
TRAVIS COUNTY
WILLIAMSON COUNTY

GREAT PLAINS FIELD OFFICES

KANSAS

JOHNSON COUNTY

MISSOURI
MISSOURI

JEFFERSON COUNTY
ST LOUIS COUNTY

ROCKY MOUNTAIN FIELD OFFICES

COLORADO
COLORADO
COLORADO
COLORADO

ADAMS COUNTY
ARAPAHOE COUNTY
DOUGLAS COUNTY
JEFFERSON COUNTY

UTAH

SALT LAKE COUNTY

PACIFIC/HAWAII FIELD OFFICES

ARIZONA

MARICOPA COUNTY

ATTACHMENT B

COUNTIES SCHEDULED TO QUALIFY OR REQUALIFY IN 2008 FOR FYS 2009-2011

NEW YORK/NEW JERSEY FIELD OFFICES

NEW JERSEY
NEW YORK
NEW YORK

BERGEN COUNTY
BURLINGTON COUNTY
CAMDEN COUNTY
ESSEX COUNTY
HUDSON COUNTY
MIDDLESEX COUNTY
MONMOUTH COUNTY
MORRIS COUNTY
UNION COUNTY
ERIE COUNTY
MONROE COUNTY
NASSAU COUNTY
ONONDAGA COUNTY
ORANGE COUNTY
ROCKLAND COUNTY
SUFFOLK COUNTY
WESTCHESTER COUNTY

MID-ATLANTIC FIELD OFFICES

DELAWARE
MARYLAND
MARYLAND
MARYLAND
MARYLAND

MARYLAND
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA
PENNSYLVANIA

PENNSYLVANIA
PENNSYLVANIA
VIRGINIA
VIRGINIA

NEW CASTLE COUNTY
ANNE ARUNDEL COUNTY
BALTIMORE COUNTY
HARFORD COUNTY
MONTGOMERY COUNTY
PRINCE GEORGES
COUNTY
ALLEGHENY COUNTY
BEAVER COUNTY
BERKS COUNTY
BUCKS COUNTY
CHESTER COUNTY
DELAWARE COUNTY
LANCASTER COUNTY
LUZERNE COUNTY
MONTGOMERY COUNTY
WASHINGTON COUNTY
WESTMORELAND
COUNTY
YORK COUNTY
ARLINGTON COUNTY
FAIRFAX COUNTY

LOUISIANA
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS

DALLAS COUNTY
HARRIS COUNTY
HIDALGO COUNTY
TARRANT COUNTY
TRAVIS COUNTY

GREAT PLAINS FIELD OFFICES

MISSOURI

ST LOUIS COUNTY

ROCKY MOUNTAINS FIELD OFFICE

COLORADO
UTAH

JEFFERSON COUNTY
SALT LAKE COUNTY

PACIFIC/HAWAII FIELD OFFICES

ARIZONA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA

CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
CALIFORNIA
NEVADA

MARICOPA COUNTY
ALAMEDA COUNTY
CONTRA COSTA COUNTY
FRESNO COUNTY
KERN COUNTY
LOS ANGELES COUNTY
MARIN COUNTY
ORANGE COUNTY
RIVERSIDE COUNTY
SACRAMENTO COUNTY
SAN BERNARDINO
COUNTY
SAN DIEGO COUNTY
SAN JOAQUIN COUNTY
SAN LUIS OBISPO COUNTY
SAN MATEO COUNTY
SANTA CLARA COUNTY
SONOMA COUNTY
CLARK COUNTY

NORTHWEST/ALASKA FIELD OFFICES

OREGON
OREGON
WASHINGTON
WASHINGTON
WASHINGTON
WASHINGTON
WASHINGTON

CLACKAMAS COUNTY
WASHINGTON COUNTY
CLARK COUNTY
KING COUNTY
PIERCE COUNTY
SNOHOMISH COUNTY
SPOKANE COUNTY

ATTACHMENT C

COUNTIES SCHEDULED TO QUALIFY OR REQUALIFY IN 2009 FOR FYS 2010-2012

NEW ENGLAND FIELD OFFICES

MAINE
NEW JERSEY

CUMBERLAND COUNTY
ATLANTIC COUNTY

NEW YORK/NEW JERSEY FIELD OFFICES

NEW YORK

DUTCHESS COUNTY

MID-ATLANTIC FIELD OFFICES

PENNSYLVANIA
PENNSYLVANIA
VIRGINIA
VIRGINIA
VIRGINIA

LEHIGH COUNTY
NORTHAMPTON COUNTY
CHESTERFIELD COUNTY
LOUDOUN COUNTY
PRINCE WILLIAM COUNTY

SOUTHEAST/CARIBBEAN FIELD OFFICES

FLORIDA
FLORIDA
FLORIDA

FLORIDA
FLORIDA
GEORGIA
GEORGIA
NORTH CAROLINA
NORTH CAROLINA
SOUTH CAROLINA
TENNESSEE

BREVARD COUNTY
COLLIER COUNTY
JACKSONVILLE-DUVAL
COUNTY
PASCO COUNTY
SEMINOLE COUNTY
CLAYTON COUNTY
GWINNETT COUNTY
CUMBERLAND COUNTY
WAKE COUNTY
SPARTANBURG COUNTY
SHELBY COUNTY

MIDWEST FIELD OFFICES

ILLINOIS
ILLINOIS
INDIANA
INDIANA
MINNESOTA
MINNESOTA

KANE COUNTY
MCHENRY COUNTY
HAMILTON COUNTY
LAKE COUNTY
RAMSEY COUNTY
WASHINGTON COUNTY

SOUTHWEST FIELD OFFICES

TEXAS
TEXAS
TEXAS
TEXAS
TEXAS

BEXAR COUNTY
BRAZORIA COUNTY
FORT BEND COUNTY
MONTGOMERY COUNTY
WILLIAMSON COUNTY

GREAT PLAINS FIELD OFFICES

KANSAS
MISSOURI

JOHNSON COUNTY
JEFFERSON COUNTY

ROCKY MOUNTAIN FIELD OFFICES

COLORADO
COLORADO
COLORADO

ADAMS COUNTY
ARAPAHOE COUNTY
DOUGLAS COUNTY

PACIFIC/HAWAII FIELD OFFICES

CALIFORNIA
CALIFORNIA

SANTA BARBARA COUNTY
VENTURA COUNTY

NORTHWEST/ALASKA FIELD OFFICES

OREGON

MULTNOMAH COUNTY

ATTACHMENT D

COUNTIES SCHEDULED TO QUALIFY OR REQUALIFY IN 2010 FOR FY 2011-2013

NEW YORK/NEW JERSEY FIELD OFFICES

NEW JERSEY
NEW JERSEY
NEW JERSEY
NEW JERSEY

GLOUCESTER COUNTY
OCEAN COUNTY
PASSAIC COUNTY
SOMERSET COUNTY

MID-ATLANTIC FIELD OFFICES

MARYLAND
PENNSYLVANIA
PENNSYLVANIA
VIRGINIA

HOWARD COUNTY
CUMBERLAND COUNTY
DAUPHIN COUNTY
HENRICO COUNTY

SOUTHEAST/CARIBBEAN FIELD OFFICES

ALABAMA
FLORIDA
FLORIDA
FLORIDA
FLORIDA
SOUTH CAROLINA
SOUTH CAROLINA

MOBILE COUNTY
LEE COUNTY
MANATEE COUNTY
MARION COUNTY
SARASOTA COUNTY
HORRY COUNTY
RICHLAND COUNTY

MIDWEST FIELD OFFICES

MINNESOTA
MINNESOTA
MINNESOTA
OHIO
WISCONSIN
WISCONSIN

ANOKA COUNTY
DAKOTA COUNTY
ST LOUIS COUNTY
BUTLER COUNTY
DANE COUNTY
WAUKESHA COUNTY

SOUTHWEST FIELD OFFICES

LOUISIANA
OKLAHOMA

ST. TAMMANY PARISH
TULSA COUNTY

PACIFIC/HAWAII FIELD OFFICES

ARIZONA
CALIFORNIA

PIMA COUNTY
STANISLAUS COUNTY

NORTHWEST/ALASKA FIELD OFFICES

WASHINGTON

KITSAP COUNTY

ATTACHMENT E

COUNTIES QUALIFIED THROUGH 2009 OR 2010 THAT CONTAIN
NON-PARTICIPATING COMMUNITIES

NEW ENGLAND FIELD OFFICES

MAINE

CUMBERLAND COUNTY

NEW YORK/NEW JERSEY FIELD OFFICES

NEW JERSEY

ATLANTIC COUNTY

NEW JERSEY

OCEAN COUNTY

NEW JERSEY

PASSAIC COUNTY

NEW YORK

DUTCHESS COUNTY

MID-ATLANTIC FIELD OFFICES

PENNSYLVANIA

DAUPHIN COUNTY

PENNSYLVANIA

LEHIGH COUNTY

SOUTHEAST/CARIBBEAN FIELD OFFICES

ALABAMA

MOBILE COUNTY

FLORIDA

PASCO COUNTY

FLORIDA

BREVARD COUNTY

FLORIDA

COLLIER COUNTY

FLORIDA

JACKSONVILLE-DUVAL COUNTY

FLORIDA

MANATEE COUNTY

FLORIDA

MARION COUNTY

FLORIDA

SARASOTA COUNTY

GEORGIA

GWINNETT COUNTY

GEORGIA

CLAYTON COUNTY

NORTH CAROLINA

WAKE COUNTY

SOUTH CAROLINA

HORRY COUNTY

SOUTH CAROLINA

RICHLAND COUNTY

SOUTH CAROLINA

SPARTANBURG COUNTY

MIDWEST FIELD OFFICES

ILLINOIS

KANE COUNTY

INDIANA

HAMILTON COUNTY

MINNESOTA

DAKOTA COUNTY

MINNESOTA

RAMSEY COUNTY

MINNESOTA

WASHINGTON COUNTY

OHIO

BUTLER COUNTY

WISCONSIN
WISCONSIN

DANE COUNTY
WAUKESHA COUNTY

SOUTHWEST FIELD OFFICES

LOUISIANA
TEXAS
TEXAS
TEXAS
TEXAS
TEXAS

ST. TAMMANY PARISH
BEXAR COUNTY
BRAZORIA COUNTY
FORT BEND COUNTY
MONTGOMERY COUNTY
WILLIAMSON COUNTY

GREAT PLAINS FIELD OFFICES

KANSAS

JOHNSON COUNTY

ROCKY MOUNTAIN FIELD OFFICES

COLORADO
COLORADO

ARAPAHOE COUNTY
DOUGLAS COUNTY

PACIFIC/HAWAII FIELD OFFICES

CALIFORNIA
CALIFORNIA

SANTA BARBARA COUNTY
STANISLAUS COUNTY

NORTHWEST FIELD OFFICES

OREGON

MULTNOMAH COUNTY

ATTACHMENT F

LIST OF COUNTIES THAT MAY QUALIFY AS URBAN COUNTIES
IF METROPOLITAN CITIES RELINQUISH THEIR STATUS

STATE	COUNTY	ENTITLEMENT	POP_2006
AL	Madison County		304307
AL		Huntsville city (pt.)	167593
AL	Montgomery County		223571
AL		Montgomery city	201998
AZ	Yavapai County		208014
AZ		Peoria city (pt.)	329
AZ		Prescott city	41528
AR	Pulaski County		367319
AR		Jacksonville city	30506
AR		Little Rock city	184422
AR		North Little Rock city	58896
CA	Butte County		215881
CA		Chico city	73316
CA		Paradise town	26389
CA	Merced County		245658
CA		Merced city	76313
CA	Placer County		326242
CA		Rocklin city	50131
CA		Roseville city	107158
CA	Santa Cruz County		249705
CA		Santa Cruz city	54778
CA		Watsonville city	48709
CA	Solano County		411680
CA		Fairfield city	104897
CA		Vacaville city	92691
CA		Vallejo city	116844
CO	Boulder County		282304
CO		Boulder city	91481
CO		Longmont city (pt.)	82216
CO	Larimer County		276253
CO		Fort Collins city	129467
CO		Loveland city	61122
CO	Weld County		236857
CO		Greeley city	89046
CO		Longmont city (pt.)	430
FL	Alachua County		227120
FL		Gainesville city	108655
FL	Leon County		245625
FL		Tallahassee city	159012
FL	Osceola County		244045
FL		Kissimmee city	60894
FL	St. Lucie County		252724
FL		Fort Pierce city	39365
STATE	COUNTY	ENTITLEMENT	POP_2006

GA	Chatham County		241411
GA		Savannah city	127889
ID	Ada County		359035
ID		Boise City city	198638
ID		Meridian city	59832
IL	Winnebago County		295635
IL		Rockford city	155138
IN	Allen County		347316
IN		Fort Wayne city	248637
IN	St. Joseph County		266678
IN		Mishawaka city	48912
IN		South Bend city	104905
IA	Linn County		201853
IA		Cedar Rapids city	124417
IA	Polk County		408888
IA		Des Moines city (pt.)	193741
IA		West Des Moines city (pt.)	48350
KS	Sedgwick County		470895
KS		Wichita city	357698
LA	Caddo Parish		253118
LA		Shreveport city (pt.)	199379
ME	York County		202232
ME		Biddeford city	21898
MD	Frederick County		222938
MD		Frederick city	58882
MA	Barnstable County		224816
MA		Barnstable Town city	47380
MA		Yarmouth town	24354
MA	Hampden County		460520
MA		Chicopee city	54428
MA		Holyoke city	39765
MA		Springfield city	151176
MA		Westfield city	40460
MA	Suffolk County		687610
MA		Boston city	590763
MI	Ingham County		276898
MI		East Lansing city (pt.)	45252
MI		Lansing city (pt.)	109472
MI	Kalamazoo County		240720
MI		Kalamazoo city	72161
MI		Portage city	45236
MI	Saginaw County		206300
MI		Saginaw city	57523
MS	Hinds County		249012
MS		Jackson city (pt.)	175997
MO	Clay County		206957
MO		Independence city (pt.)	6
MO		Kansas City city (pt.)	94045
STATE	COUNTY	ENTITLEMENT	POP_2006
MO		Springfield city (pt.)	150790
MO	Jackson County		664078

MO		Blue Springs city	53885
MO		Kansas City city (pt.)	314523
MO		Lee's Summit city (pt.)	80468
MO	St. Charles County		338719
MO		O'Fallon city	72477
MO		St. Charles city	63009
MO		St. Peters city	54839
NE	Douglas County		492003
NE		Omaha city	419545
NE	Lancaster County		267135
NE		Lincoln city	241167
NV	Washoe County		396428
NV		Reno city	210255
NV		Sparks city	83959
NJ	Mercer County		367605
NJ		Trenton city	83923
NJ		Ewing township	36916
NJ		Hamilton township	90559
NM	Bernalillo County		615099
NM		Albuquerque city	504949
NM		Rio Rancho city (pt.)	125
NY	Albany County		297556
NY		Albany city	93963
NY		Colonie town	81072
NY	Niagara County		216130
NY		Niagara Falls city	52326
NY	Oneida County		233954
NY		Rome city	34220
NY		Utica city	59082
NY	Saratoga County		215473
NY		Saratoga Springs city	28499
NC	Buncombe County		222174
NC		Asheville city	72789
NC	Durham County		246896
NC		Chapel Hill town (pt.)	2152
NC		Durham city (pt.)	208960
NC		Raleigh city (pt.)	645
NC	Forsyth County		332355
NC		High Point city (pt.)	14
NC		Winston-Salem city	196990
NC	Guilford County		451905
NC		Burlington city (pt.)	68
NC		Greensboro city	236865
NC		High Point city (pt.)	96173
NC	Mecklenburg County		827445
NC		Charlotte city	630478
NC		Kannapolis city (pt.)	1
OH	Lorain County		301993
STATE	COUNTY	ENTITLEMENT	POP_2006
OH		Lorain city	70592
OH	Lucas County		445281
OH		Toledo city	298446
OH	Mahoning County		251026

OH		Alliance city (pt.)	59
OH		Youngstown city (pt.)	81519
OH	Trumbull County		217362
OH		Warren city	45256
OH		Youngstown city (pt.)	1
OH	Warren County		201871
OH		Middletown city (pt.)	2303
OK	Cleveland County		228594
OK		Norman city	102827
OK		Oklahoma City city (pt.)	53043
OK	Oklahoma County		691266
OK		Edmond city	76644
OK		Midwest City city	55161
OK		Oklahoma City city (pt.)	450722
OR	Lane County		337870
OR		Eugene city	146356
OR		Springfield city	55848
OR	Marion County		311304
OR		Salem city (pt.)	131738
PA	Erie County		279811
PA		Erie city	102036
PA		Millcreek township	52541
PA	Lackawanna County		209728
PA		Scranton city	72861
TN	Hamilton County		312905
TN		Chattanooga city	155190
TN	Rutherford County		228829
TN		Murfreesboro city	92559
TX	Bell County		257897
TX		Killeen city	102003
TX		Temple city	54984
TX	Cameron County		387717
TX		Brownsville city	172437
TX		Harlingen city	64202
TX		San Benito city	25005
TX	Collin County		698851
TX		Allen city	73298
TX		Carrollton city (pt.)	16
TX		Dallas city (pt.)	49221
TX		Frisco city (pt.)	67169
TX		Garland city (pt.)	4
TX		McKinney city	107530
TX		Plano city (pt.)	252237
TX		Richardson city (pt.)	23725
TX	El Paso County		736310
TX		El Paso city	609415
STATE	COUNTY	ENTITLEMENT	POP_2006
TX	Galveston County		283551
TX		Galveston city	57523
TX		League City city (pt.)	64767
TX		Texas City city (pt.)	45067
TX	Jefferson County		243914
TX		Beaumont city	109856

TX		Port Arthur city (pt.)	55682
TX	Lubbock County		254862
TX		Lubbock city	212169
TX	McLennan County		226189
TX		Waco city	121496
TX	Nueces County		321457
TX		Corpus Christi city (pt.)	285124
TX	Webb County		231470
TX		Laredo city	215484
UT	Davis County		276259
UT		Clearfield city	27241
UT		Layton city	62716
UT	Weber County		213247
UT		Ogden city	78086
WA	Thurston County		234670
WA		Olympia city	44645
WA	Yakima County		233105
WA		Yakima city	82805
WI	Brown County		240213
WI		Green Bay city	100353