

Guide for Review of Colonias Set-Aside			
Name of Program Participant:			
Staff Consulted:			
Name(s) of Reviewer(s):		Date:	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, OMB Circular, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: Section 916 of the Cranston-Gonzalez National Affordable Housing Act of 1990 (the Act) requires the states of Arizona, California, New Mexico, and Texas to set aside up to 10 percent (10%) of their CDBG annual allocations to be used for eligible activities that meet the needs of the Colonias. Pursuant to the Act, a colonia is an area within 150 miles of the United States-Mexico border regions of Arizona, California, New Mexico, and Texas that was in existence before November 28, 1990. Metropolitan statistical areas with populations exceeding one million are excluded.

To demonstrate compliance with the statutory requirements of the Act, the four states must provide documentation to support the designation of colonias, eligibility of activities assisted with colonias set-aside funds, the State's system of funding areas of greatest need; and a description of accomplishments including activities completed and the number of colonias assisted. This Exhibit should be used when monitoring these States to ensure compliance with the Act. It is divided into five sections: Documentation to Support the Designation of Colonias; Documentation of the State's System of Funding Areas of Greatest Need; Documentation to Support the Eligibility of Activities Assisted with Colonias Set-aside Funds; Description of Accomplishments (Performance Evaluation Reports - PER) Including Activities Completed and the Number of Colonias Assisted; and Program Administration.

Questions

A. DOCUMENTATION TO SUPPORT THE DESIGNATION OF COLONIAS

1.

Does the State have a list of all colonias?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

2.

Does the State have documentation that each colonia existed before November 28, 1990? [Section 916(e)(1) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

3.

Does the documentation show that the colonia is located within 150 miles of the United States-Mexico border? [Section 916(e)(1) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

4.

a. Are all of the State’s designated colonias identifiable? [Section 916(e)(1) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

b. Does the state have documentation of each colonia’s identifiable boundaries? [Section 916(e)(1) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

5.

a. Are each of the colonias coterminous with the entire unit of general local government?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

b. If not, what percentage are coterminous? _____ %
Describe Basis for Conclusion:

6.

Does the State document the number of residents in each colonia?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

7.

Does State have a process for undesignating colonias?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

8.

Does the State have documentation that that each colonia lacks potable water, adequate sewer systems, decent, safe and sanitary housing, or other criteria chosen by the State? [Section 916(e)(1) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

B. DOCUMENTATION OF THE STATE'S SYSTEM OF FUNDING AREAS OF GREATEST NEED

9.

Does the State keep records on the needs of the colonias? [Section 916(c) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA) and 24 CFR 570.490(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

10.

Does the State have documentation on how it determines the colonias with the greatest need? [Section 916(c) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA) and 24 CFR 570.490(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

11.

Does the state maintain records showing how funds are used to benefit individual colonias with the goal of meeting all of the needs of each funded colonia?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

12.

Does the State ensure that units of general local government fund needy colonias that are located within their jurisdictions?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

13.

Does the State have records describing how the number of colonia-eligible jurisdictions relates to the amount of available funding? (NOTE: The description should express the need for colonias funding compared to the amount of funds available.)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

14.

Do the Method of Distribution and other application manuals or guidance describe the methodology used to choose colonias funded by the state? [Section 916(c) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA) and 24 CFR 570.490(a)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

15.

Has the State consulted colonias interest groups in determining colonias' needs?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

16.

Does the State fund non-colonia set-aside projects in the colonias with State CDBG funds?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

C. DOCUMENTATION TO SUPPORT THE ELIGIBILITY OF ACTIVITIES ASSISTED WITH COLONIAS SET-ASIDE FUNDS

17.

Is each activity funded with the colonia set-aside eligible and meet a national objective? [Section 105(a) of the HCDA, Section 916(b) of the Cranston-Gonzalez National Affordable Housing Act of 1990 (NAHA), 24 CFR 570.482, and 24 CFR 570.483]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

18.

Is there documentation that activities assisted with colonias set-aside funds are located within a colonia?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion:			

19.

Is the State maintaining the appropriate separation of colonias set-aside funds from other CDBG funds?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion:			

D. DESCRIPTION OF ACCOMPLISHMENTS (PERFORMANCE EVALUATION REPORTS—PER) INCLUDING ACTIVITIES COMPLETED AND THE NUMBER OF COLONIAS ASSISTED.

20.

Is there documentation on whether colonia set-aside funded activities are completed? [24 CFR 570.489(i)]	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion:			

21.

a. Is there documentation on accomplishments with colonia set-aside funds for the program year reviewed (starting with FY 2009 for Arizona and California and FY 2010 for Texas and New Mexico)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
Describe Basis for Conclusion:			

<p>b. For the program year reviewed (starting with FY 2009 for Arizona and California and FY 2010 for Texas and New Mexico), does the State track:</p> <ul style="list-style-type: none"> - The number of colonias funded? - The number of new water systems funded? - The number of water systems rehabilitated? - The number of people served by new water systems? - The number of new sanitary sewers funded? - The number of sanitary sewers rehabilitated? - The number of people served by new sanitary sewers? - The number of houses rehabilitated? - The number of people served by housing rehabilitation? 	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

22.

<p>a. Is there documentation on accomplishments with colonia set-aside funds for the entire life of the set-aside?</p>	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

<p>b. For the entire life of the set-aside, does the State track:</p> <ul style="list-style-type: none"> - The number of colonias funded? - The number of new water systems funded? - The number of water systems rehabilitated? - The number of people served by water systems funded? - The number of new sanitary sewers funded? - The number of sanitary sewers rehabilitated? - The number of people served by sanitary sewers funded? - The number of houses rehabilitated? - The number of people served by housing rehabilitation? 	<table border="1"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

23.

Is there documentation that accomplishments are reported in IDIS?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

E. PROGRAM ADMINISTRATION

24.

Does the State monitor colonias? [24 CFR 570.492]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

25.

Does the State have policies on monitoring colonias? [24 CFR 570.492]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

26.

If the answer for Question 24 is yes, is the monitoring of colonias separate from regular monitoring?	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	