



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter J. Kampa, General Manager

DATE: April 12, 2022

SUBJECT: Agenda Item 6D: Discussion and Consideration of Approval for Staff to Submit Applications for Community Project Funding for District Projects from Federal and State Legislative Members Through the Committee on Appropriations Bill

RECOMMENDED ACTION:

I move to authorize that district staff submit applications for qualified projects through the Community Project Funding Committee on Appropriations Bill.

BACKGROUND:

On March 18th, 2022, President Biden executed a Committee on Appropriation Bill. The Committee and its subcommittees will be reviewing Congressional requests through the end of April. Each subcommittee will release details on which federal funding accounts will be open for earmarks in the coming days. The Senate Appropriations Committee has not yet announced details of the FY23 Congressionally Directed Funding program, but details are expected soon.

Some members of Congress have begun announcing their own application deadlines to ensure adequate time for review prior to submission to the Committee. The National Special Districts Coalition (NSDC), of which CSDA is a founding member, is tracking deadlines for each Congressional office and is providing links for our membership to each application. Most importantly, special districts must act quickly to be considered, with most Congressional offices' deadlines hitting in early-to-mid April.

District staff feels that this is a great opportunity to receive additional funding for qualified projects within the district. Each federal legislator is allowed to submit up to 15 Community Project funding requests to the Appropriations Committee if the funding can be utilized during the federal Fiscal Year 2023 (October 1, 2022, through September 30, 2023). If authorized, GCSB staff will submit project proposals to state and federal legislators. With the project completion window short, there are very few projects eligible, however we have included with this time a list of potential projects for which we would seek appropriations.

FISCAL IMPACTS:

There is no direct cost for submitting the project applications, other than staff time.

ATTACHMENTS:

1. Congress of the United States House of Representatives Committee on Appropriations
2. Committee on Appropriations Guidelines for the FY2023 Community Project Funding Member Request Process
3. GCSD draft project list

GCSD Draft Project List for Direct Appropriations:

April 6, 2022

1. Security/Cybersecurity – \$1 million - Replace and upgrade all SCADA site radios and programmable logic controllers (PLC) to current standards and technology
2. Wastewater Treatment Plant Equalizing Basin cover/odor reduction project - \$1 Million
3. Replacement Fire Engine and Related equipment - \$1 million
4. Rapid Response Vehicle for emergency response (medical, accident, rescue) - \$500,000
5. Leon Rose Baseball Field Renovation and Sports Zone Improvements – \$3 Million
 - a. Sports turf to replace high water use grass
 - b. Lighting, fence and scoreboard improvements
 - c. New restroom/concession stand/storage building
 - d. Skate/bike park/pump track facility
 - e. Parking lot, lighting and security
 - f. Potential Multi-use courts for tennis, pickleball, bocce, basketball
6. GCSD/Groveland Trail Phase 2 - \$2 Million- Connects sports complex to Resilience Center and Hetch Hetchy Railroad Trail. Extends Hetch Hetchy RR Trail west from park to Deer Flat Rd.
 - a. Phase 1 Hetch Hetchy Railroad Trail - \$3 Million – Connects Park to Groveland Community Resilience Center

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ROBIN JULIANO
CLERK AND STAFF DIRECTOR
(202) 225-2771

March 18, 2022

Dear Colleague:

With President Biden's signature on Tuesday, I am thrilled to announce that your Community Project Funding items in the fiscal year 2022 Omnibus are now enacted into law. This would not have been possible without your hard work to select high-quality projects for your district. I know many of your recipients will have questions about next steps. As is true for any grant recipient, they will need to work with the respective Executive Branch departments and agencies to determine when funds may be ready for release, and that timing may vary by department. We are working to provide resources to your staff that may help guide your communities through this process.

Building upon that success, I am pleased to announce the Committee on Appropriations will again be soliciting Community Project Funding requests, along with the standard programmatic and language-based requests, for the fiscal year 2023 cycle. Information regarding how the Member request process will work is included in Committee guidance [available here](#). Please refer to this information when engaging with your communities regarding which projects to request.

The process for submitting traditional appropriations requests (programmatic funding, bill language, and report language) remains the same as in prior years. The Community Project Funding request process remains similar to that of last year. Members will be required to enter requests (regular appropriations requests and Community Project Funding requests) at the same time using the Member database at: <https://AppropriationsSubmissions.house.gov>. This site will be available beginning on April 4th, pending the submission of the President's budget request for fiscal year 2023, and will remain open until the end of April. Please refer to specific deadlines included in Subcommittee Dear Colleagues when those are released. These deadlines will also be posted on the Committee's website when available.

All of the [transparency and accountability requirements](#) the Committee announced last year for Community Project Funding requests remain in place, including limiting spending on Community Project Funding to no more than 1 percent of discretionary spending. However, there are a few important changes:

- For transparency in the process, Members are again required to post online their Community Project Funding requests and financial disclosure letters that certify no financial interest in the projects requested. For the Committee to consider a Community Project Funding request, these requirements must be met. A template along with instructions for how to submit the certification are [available here](#) and in the database. In a change from last year, offices are asked to wait until 15 calendar days after the Committee's submission deadline before posting the information online. Providing 15 days between the submission deadline and posting will allow Committee staff to review the requests and make sure they are properly categorized as a Community Project Funding request. Online posting should occur in the time period between 15 and 20 days following the submission deadline.
- The Committee intends to fund community projects on a limited basis. However, Members will now be able to submit up to 15 (up from a total of 10 requests last year) Community Project Funding requests across all Subcommittees. Identifying your top priorities for the Committee will help ensure projects are requested in the correct bills and accounts and will enable the Subcommittees to have the information necessary to evaluate requests. The Member database will be used to collect information about project requests with each Subcommittee tailoring questions specific to its programs or purposes.
- For the fiscal year 2023 cycle electronic signatures affixed to documents submitted to the Committee are acceptable. However, if Members choose to sign electronically, they must do so using the newly established Quill system.

For these requests, community engagement and support are again crucial in determining which projects are worthy of Federal funding. To that end, Members will be asked to include evidence of community support that served as compelling factors in the decision to submit project requests. This will include any letters of support, press articles, or relevant links to information online.

More specific instructions will be provided in Dear Colleagues from each of the Subcommittee Chairs, including eligible accounts and the required information to accompany such requests, as well as any updated guidelines.

As always, Committee staff are available to provide assistance to Members and their staff. If you have questions concerning the Committee's requirements, please contact Jason Gray with the Full Committee Staff.

Sincerely,

A handwritten signature in black ink that reads "Rosa L. DeLauro". The signature is written in a cursive, flowing style.

Rosa L. DeLauro
Chair, House Appropriations Committee

Committee on Appropriations

Guidelines for the FY2023 Community Project Funding Member Request Process

What is required for requesting Community Project Funding?

- **Limit of 15 Community Project Funding requests.** Given the limited scope for which the Committee will consider Community Project Funding requests, Members may submit up to 15 requests (up from 10 requests last year), excluding programmatic and language requests, across all Subcommittees. Further, the request must be submitted to the Member database in order for it to be considered as a valid. Members will be required to prioritize their community project requests when they are submitted to the Member database. Similar to last year the prioritization of CPF requests is separate from programmatic and language requests.
- **Community Support.** Community engagement and support is crucial in determining which projects are worthy of Federal funding. Only projects with demonstrated community support will be considered. This recommendation builds on past Committee reforms, and Members will be required to present to the Committee evidence of community support that were compelling factors in their decision to submit the request. Examples of these include, but are not limited to:
 - Letters of support from elected community leaders (e.g. mayors or other officials);
 - Press articles highlighting the need for the requested Community Project Funding;
 - Support from newspaper editorial boards;
 - Projects listed on State intended use plans, community development plans, or other publicly available planning documents; or
 - Resolutions passed by city councils or boards.

These are intended to be examples of the type of information that you may consider presenting to the Committee in conjunction with your project. It is not an exhaustive list. Please direct questions to the relevant Subcommittee.

Importantly, should Member #1 wish to sign onto a letter of Community Support that Member #2 intends to submit as part of a formal request, then the Appropriations Committee recommends that Member #1 also include with the Community Support letter a financial disclosure statement to ensure the highest ethical standards in the process.

- **Financial Disclosure Statement.** The Committee continues the requirement that Members certify that neither they nor their immediate family has a financial interest in the requested project. The Committee will not consider a requested project without this

certification, and the template is included on the Committee's website. This is a separate letter from any programmatic or language-based requests. A summary of the elements required in the disclosure statement is below:

- Any Member requesting funding for a community project is required to provide a written statement to the Chair and Ranking Member of the Committee on Appropriations that includes the requesting Member's name, the name and address of the intended recipient of the Community Project Funding (or, if there is no intended recipient, the intended location of the activity), the purpose, and a certification that the requesting Member does not have a financial interest in the project. An additional Committee requirement is to certify that no immediate family member has a financial interest.

This letter must accompany the submission in the Committee's electronic database system, and the Committee will post it online if the request is funded in a FY 2023 Appropriations Bill. Programmatic and language-based requests do not require a disclosure letter. All Community Project Funding requests and any language requests that name a specific recipient of Federal funds will require a disclosure letter.

For clarification on whether a disclosure letter is required, please contact Jason Gray with the Full Committee or the relevant Subcommittee.

- **15-day Committee review period.** The Committee will be applying a 15-day review period between the deadline for the submission and posting online. Providing 15 days between the submission deadline and posting it on a Member's website will allow subcommittee staff to review requests and make sure they are properly categorized as a Community Project Request. If the Subcommittee identifies a critical error with a particular submission, Committee staff will reach out to the point of contact listed with the Member submission to discuss ways to appropriately modify submission for consideration.
- **Member Requirement to Post All Requests and Certifications Online.** For transparency, Members are required to post Community Project Funding requests and associated certifications of no financial interest on their house.gov websites after the 15-day Committee review period ends and no later than 20 days of the submission deadline. This flexibility will allow Committee staff to review requests and ensure they are properly identified as Community Project Funding requests. The information posted must include:
 - the proposed recipient,
 - the address of the recipient,
 - the amount of the request,
 - an explanation of the request, including purpose, and a justification for why it is an appropriate use of taxpayer funds, and
 - the Member's signed certification letter stating there is no financial interest in

the project.

Members will be asked to provide a link to the webpage containing this information when they enter the request into the Members' Request database system. The Committee will use that link in its "one-stop" online database.

- **Online Table of Requests.** The Committee's website will also include a link to a consolidated table of accessible data, so that the public can directly view all Community Project Requests submitted to the Committee. This table will show the same information that is required to be posted on the Member's website, and it is an effort to display all of the requests in one place in a more accessible format for the public. The consolidated table will be available following the 15-day period for Committee staff to review requests to ensure they are properly identified as Community Project Funding requests.

What criteria will be used to evaluate Community Project Funding requests?

Specific instructions will be provided in Dear Colleagues and enclosures from each of the Subcommittee Chairs, including which accounts are eligible for such requests and the information Members must include for Subcommittees to properly evaluate such requests. It is important that Member offices read the Subcommittee-specific guidance to understand the requirements for that Subcommittee before making a submission to the database. More generally, Subcommittees will consider requests with the following in mind:

- **Ban on For-Profit recipients.** The Committee is imposing a ban on directing Community Project Funding to for-profit entities.
- **Matching requirements.** Several Federal programs eligible for Community Project Funding requests require a State or local match for projects either by statute or according to longstanding policy. The Committee will not waive these matching requirements for Community Project Funding requests, so it is important that Member offices discuss with their State and local officials the ability for localities to meet matching requirements prior to requesting a project. Note: This does not mean that matching funds must be in-hand prior to requesting a project, but that local officials must have a plan to meet such requirements in order for such a project to be viable.
- **One-year funding.** Each project request must be for fiscal year 2023 funds only and cannot include a request for multiyear funding. However, the performance period for a project funded with amounts provided in fiscal year 2023 will depend on the appropriations account from which it is funded, and may be longer than one year.
- **State, local or Tribal governmental entities as grantees.** Members are encouraged to

consider public entities as primary grantees to oversee the completion of the project.

- For infrastructure projects, many States have established lists or intended use plans with projects that have already been vetted by governmental officials (e.g. drinking water, wastewater and highways).
- **Non-profits as grantees.** If a Member requests that funding be directed to a non-profit organization, the Member will need to provide evidence that the recipient is a non-profit organization by either supplying the Employer Identification Number or an IRS determination letter. Further, many water projects often partner with non-profit entities to complete projects. Therefore, projects may also be directed to non-profits with an inherently governmental function.

What additional items should I be aware of related to Community Project Funding requests?

- **Cap on Overall Funding.** The Committee will limit Community Project Funding to no more than 1 percent of discretionary spending.
- **“Support” vs. “Request” for a project.** Only formal submissions to the Member database will qualify as a request from that Member office, and only those requesting Members will have their names listed in the Committee report if the project is funded. Anything short of a formal request to the database will not be considered for inclusion in a fiscal year 2023 appropriations bill.
- **Letters of Support.** For Committee purposes, signed letters of support for a project do not qualify as a formal “request” to the Committee to fund a project, and will not be handled as such. Further, please note that every time a Member signs on to a letter demonstrating support for a project the Member should append an accompanying disclosure certifying to the Chair and Ranking Member that there is no financial interest in the project. This is to ensure the highest ethical standards in the Community Project Funding process.
- **Member Signatures.** Electronic signatures affixed to documents submitted to the Committee are acceptable. This year, if Members choose to sign electronically, they must do so using the newly established Quill system.
- **Lobbyists, donors and other affiliated parties.** While Members are required to certify to the Committee that neither they nor their immediate family have a financial interest in a proposed project, Members should also be fully aware of any other financial aspects or relationships associated with the proposed project that might raise ethical concerns. These include but are not limited to lobbyists, donors, or other

affiliated parties that have an interest in the project.

- **“One-stop” webpage for the public.** The Appropriations Committee will maintain a website with links to all House Members’ appropriations project requests to help the public easily view them.
- **Transparency / Early Public Disclosure.** Per House rules, each bill’s Committee report will include a list identifying each community project that has been funded in the bill along with the name of the Member requesting it. Each Subcommittee will make such lists public at the time of their Subcommittee markup.

What is the definition of “Earmark?”

- The Appropriations Committee uses the definition of “earmark” found in House rule XXI.

A “Congressional earmark” is defined as “a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula driven or competitive award process.” (Clause 9 of House rule XXI)