CHAPTER 44
COG ASSISTANCE

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

261—44.1(28H) Purpose. The chapter provides grant funds to councils of governments for the provision of technical assistance to political subdivisions in their service delivery areas, as authorized in the Act.

261—44.2(28H) Definitions. The terms used in this chapter shall be defined as follows:

"Act" means Iowa Code section 28H.1 as amended by 2007 Iowa Acts, Senate File 444.

"Applicant" means any entity organized as a metropolitan, regional, areawide planning commission, or as a council of government and which applies for assistance under this chapter.

"COG" means a council of government.

"Community development" means any activity that supports one or more of the following: housing, transportation, education, infrastructure, recreation, economic development, health care, child care, environmental concerns, communications, natural and human resources, and training.

"Department" means the Iowa department of economic development.

"Grantee" means an applicant which receives funding under this chapter.

"Local government" means a city or county in Iowa.

"Political subdivision" means an Iowa city or county.

"Service delivery area" means the geographic area served by the applicant.

261—44.3(28H) Eligibility. Iowa entities authorized as a council of government by Executive Order Number 11, 1969, by a chapter 28E agreement, or by Iowa Code section 28H.1 as amended by 2007 Iowa Acts, Senate File 444, are eligible to receive assistance through this chapter.

261—44.4(28H) Eligible activities. Applicants may apply for grant funds to fund any one or more of the following community development activities: community planning, grant writing, coordination, shared staffing and materials, consultation services, staffing, capacity building, training, and provision of technical assistance.

261—44.5(28H) Application procedure. All eligible applicants will be provided with written notification when funds become available. In order to receive a grant the applicant must submit the following information to the Department of Economic Development, Division for Community Progress, 200 East Grand Avenue, Des Moines, Iowa 50309:

44.5(1) A description of the service delivery area that will be served with the grant funds. In no case shall the funds be utilized to provide assistance outside the borders of the state of Iowa.

44.5(2) A work plan outlining the specific community development technical assistance activities to be undertaken with the COG assistance funding provided under this chapter and the time frame for this assistance.

44.5(3) A budget which details how the grant funds will be expended to accomplish the work plan outlined in 44.5(2).

44.5(4) A narrative describing how the applicant may assist its service delivery area's regional coordinating council(s) in the implementation of its regional economic development coordination plan(s).

44.5(5) A narrative which specifies how the activities outlined by the work plan required in 44.5(2) complement the regional economic development coordination plan(s) of the regional coordinating council(s) in its service delivery area.

44.5(6) An explanation of how the work plan submitted under 44.5(2) supports the overall annual work plan developed by the applicant.

44.5(7) A narrative which describes how the applicant may work with its service delivery area's regional coordinating council(s) to coordinate delivery of services and to further delineate the roles of each entity.

261—44.6(28H) Grant awards. Grant awards will be made on a noncompetitive basis with each eligible applicant receiving an equal share of the funds available for the purpose of this chapter. One-seventeenth of the total funds allocated by the legislature for COG assistance shall be awarded to each COG.

261—44.7(28H) Funding. The department will execute a contract with the grantee for the provision of grant funds to undertake the work plan and budget submitted in accordance with 44.5(28H). The funding of an application under these rules is contingent upon the availability of funds appropriated for this purpose.

The department will allocate grant funds on a quarterly basis subject to the receipt of a quarterly requisition for payment from each grantee. The amount to be allocated each quarter is dependent upon the budget and work plan as outlined in 44.5(28H).

261—44.8(28H) Financial management standards. All contracts executed under these rules are subject to audit. The grantee shall be responsible for the procurement of audit services and for payment of audit costs. Audits may be performed by the state auditor's office or by a qualified independent auditor. The grantee shall comply with the Single Audit Act of 1984, P.L. 98-502, or with other applicable laws and regulations, as appropriate, in preparing the audit. Copies of the audit report shall be transmitted to the department within 30 days of its completion.

261—44.9(28H) Record keeping and retention. Financial records, supporting documents, statistical records, and all other records pertinent to the grant shall be retained by the recipient for three years beyond the submission of the final invoice, or longer if any litigation or audit is begun or if a claim is initiated involving the grant covered by the records. In these instances, the records shall be retained until the litigation, audit or claim has been resolved.

Representatives of the department and the state auditor's office shall have access to all books, accounts, documents, records, and other property belonging to or in use by the recipient pertaining to the receipt of assistance under these rules.

261—44.10(28H) Progress reports. Each grantee shall submit quarterly progress reports which outline its progress in the activities outlined by its application work plan. The progress report is due 30 days following the end of each calendar quarter.

261—44.11(28H) Noncompliance. If the department finds that the grantee is not in compliance with the requirements of these rules or grant agreement, the grantee may be required to refund to the state all disallowed costs. Reasons for a finding of noncompliance include, but are not limited to, a finding that the grant funds were used for unauthorized activities, the grantee has failed to complete approved activities in a timely manner, the grantee has failed to comply with applicable laws and regulations of the grant agreement, or the grantee lacks the capacity to carry out the purposes of the program.

261—44.12(28H) Grant closeouts. Upon completion of the time period covered by the grant agreement, the department shall initiate grant closeout.

261—44.13(28H) Compliance with state laws and regulations. The grantee must comply with any provisions of the Iowa Code governing activities performed with funds awarded under these rules.

These rules are intended to implement Iowa Code section 28H.1 as amended by 2007 Iowa Acts, Senate File 444.

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