

# Harris County Hurricane Harvey Recovery



## DRAFT HARRIS COUNTY SUPPLEMENTAL ACTION PLAN

FOR HURRICANE HARVEY COMMUNITY  
DEVELOPMENT BLOCK GRANT DISASTER RECOVERY  
FUNDING (ROUND ONE)

Draft Harris County Supplemental Action Plan submitted to the  
Texas General Land Office on July 13, 2018.

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## **I. Executive Summary**

The U.S. Department of Housing and Urban Development (HUD) has allocated \$5.024 billion in Community Development Block Grant Disaster Recovery (CDBG-DR) funding to the State of Texas in response to Hurricane Harvey, FEMA DR 4332, through the Federal Register, Vol. 83, No. 28. The Texas General Land Office (GLO) is the State's administrating agency for these funds.

In the *State of Texas Plan for Disaster Recovery: Hurricane Harvey – Round 1* CDBG-DR Action Plan, which can be found at <http://www.glo.texas.gov/recovery/reports/action-plans/index.html> on the GLO website, Harris County was identified as a “most impacted and distressed” area and was allocated by the State, along with the City of Houston, a direct allocation from the State's CDBG-DR allocation. As Harris County and the City of Houston have elected to develop its own local recovery programs, both jurisdictions are required to develop local supplemental action plans to be submitted as a substantial amendment under the State of Texas Action Plan.

In consultation with the GLO, Harris County has been given technical assistance to develop their local supplemental action plan (SAP). The County's SAP includes a needs assessment, community engagement efforts, description of unmet needs, and county's use of funds and program descriptions, and expenditure timelines. The following document is Harris County local supplemental action plan.

During Hurricane Harvey, all 4.7 million people in Harris County were impacted directly or indirectly during the flood. The peak total rainfall over a 4-day period from Harris County Flood Control District gages was 47.4 inches. This record rainfall was deadly and devastating to county residents. Over 60,000 residents were rescued by government resources across the county, most of them from their homes. Over 32,000 residents would be transported to one of 65 temporary shelters in Harris County, where most would wait days until the waters receded to return to damaged homes. It is estimated that over 300,000 vehicles were flooded across Harris County. The Harris County Medical Examiner's Office confirms 36 flood related deaths in the county, including several people drowning in their home or work place.

The resulting devastation of Hurricane Harvey has left the county with an unmet need of over \$12.5 billion in housing and infrastructure damage or failure to function. The following table provides a summary of Harris County's unmet needs. The county has elected to follow the Federal Register and State's Action Plan and provide 79 percent of funding to housing programs and 21 percent to infrastructure/non-housing programs. It should be noted that the County will be participating in the State's Economic Development Program.

**Table 1: Summary of Total Unmet Need in Harris County (outside the City of Houston)**

<b>Category</b>	<b>Unmet Needs</b>	<b>% of Unmet Need</b>	<b>County Program Allocation Amount</b>	<b>% of County Program Allocation</b>
Housing	\$2,949,756,147	23%	\$837,097,816	79%
Infrastructure	\$9,947,539,307	77%	\$222,519,672	21%
<b>TOTAL</b>	<b>\$12,897,295,454</b>	<b>100%</b>	<b>\$1,059,617,488</b>	<b>100%</b>

Note: Allocations do not include planning costs.

There are additional gaps and unmet needs not reflected in the assessment. The County will continue to gather and refine information, such as data and public input, which will continue to inform the CDBG-DR process and program design. Table 2 shows Harris County’s total allocation budget for CDBG-DR funding.

**Table 2: Total Allocation Budget – Harris County (outside the city of Houston)**

Program		HUD Most Impacted Areas (80%)	State Most Impacted Areas (20%)	LMI Amount (70% of Total Allocation)	Total	% of Total Allocation by Program	% of Total Allocation	Total
Direct Programs	City of Houston	\$ 1,155,119,250	-	\$ 808,583,475	\$ 1,155,119,250	22.99%	45.19%	Direct Programs
	Harris County	\$ 1,115,386,830	-	\$ 780,770,781	\$ 1,115,386,830	22.20%		
Direct Allocation Subtotal		\$ 2,270,506,080	-	\$ 1,589,354,256	\$ 2,270,506,080			
State of Texas		\$ 2,202,967,136	\$ 550,741,784	\$ 164,496,406	\$ 2,753,708,920	54.81%	54.81%	\$ 2,753,708,920
State Allocation Subtotal		\$ 2,202,967,136	\$ 550,741,784	\$ 164,496,406	\$ 2,753,708,920			
Harris County Programs								
Harris County Housing	Homeowner Assistance Program	\$ 214,000,000	-	\$ 149,800,000	\$ 214,000,000	25.6%	16.7%	Harris County Housing
	Buyout & Acquisition/Homebuyer Asst	\$ 200,000,000	-	\$ 140,000,000	\$ 200,000,000	23.9%		
	Reimbursement Program	\$ 15,000,000	-	\$ 10,500,000	\$ 15,000,000	1.8%		
	Affordable Rental Program	\$ 204,500,000	-	\$ 204,500,000	\$ 204,500,000	24.4%		
	SF New Construction	\$ 119,888,035	-	\$ 119,888,035	\$ 119,888,035	14.3%		
	Housing Project Delivery	\$ 83,709,781	-	\$ 58,596,847	\$ 83,709,781	10.0%		
Harris County Infrastructure	Commercial Buyout Program	\$ 12,500,000	-	\$ 8,750,000	\$ 12,500,000	6%	4.4%	Harris County Infrastructure
	Method of Distribution (Local)	\$ 120,000,000	-	\$ 84,000,000	\$ 120,000,000	54%		
	Competitive Application	\$ 76,668,492	-	\$ 53,667,944	\$ 76,668,492	34%		
	Infrastructure Project Delivery	\$ 13,351,180	-	\$ 9,345,826	\$ 13,351,180	6%		
Harris County Planning	Harris County Planning	\$ 55,769,342	-	\$ 39,038,539	\$ 55,769,342		1.1%	Harris County Planning
Harris County Allocation Subtotal		\$1,115,386,830	-	\$ 780,770,781	\$1,115,386,830			
Grand Total Allocation		\$ 4,473,473,216	\$ 550,744,784	\$ 3,243,850,662	\$ 5,024,215,000	100%	100%	\$ 5,024,215,000

## **II. Needs Assessment**

### **A. Cumulative Impact of Prior Disasters**

Harris County has been impacted by six Presidential Declared Disasters in the last ten years. On September 13, 2008, Hurricane Ike, a Category 2 storm, made landfall along the upper Texas gulf-coast and was at the time the third most destructive hurricane and the third costliest U.S. hurricane. Harris County took a direct hit from the storm with projected cost of \$3.58 billion in residential housing damage to over 230,502 housing units. Infrastructure damage was estimated at \$582 million to repair critical infrastructure and facilities.

In 2015 and 2016, Harris County suffered four Presidential Declared Disasters: Memorial Day floods (DR 4223) of 2015, October floods (DR 4245) of 2015, Tax Day floods (DR 4269) of 2016, and May/June floods (DR 4272) of 2016. In the 2015 events, FEMA Individual Assistance (AI) reported \$10,553,227 in housing damage. The 2016 events were higher in severity with \$74,642,169 in FEMA reported housing damage affecting 11,164 housing units. The unmet housing need was \$37,553,806.

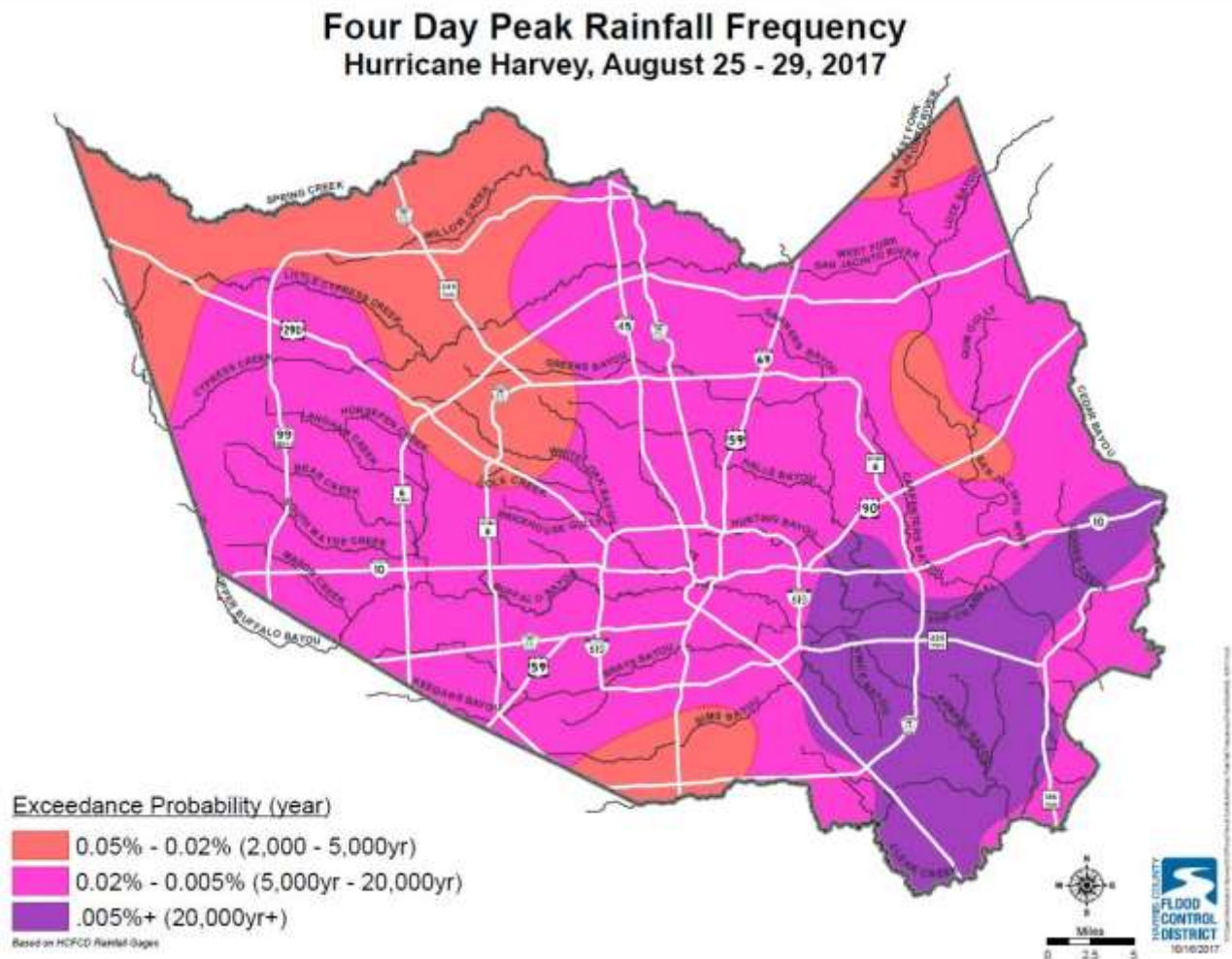
The cumulative impact of these past disaster with Hurricane Harvey has been devastating to local residents, businesses, and institutions. Recovery from one disaster has been exacerbated by those floods that followed.

### **B. Impact of Hurricane Harvey**

Hurricane Harvey was the second most costliest tropical cyclone impacting the United States. A total of 1 trillion gallons of water fell across Harris County over the 4 day period, which would fill NRG Stadium 1,472 times and cover Harris County's 1,777 sq. miles with an average of 33.7 inches of water. This volume of water would also run Niagara Falls for 15 days. Disastrous flooding occurred on many of the watersheds in the County and exceeded previous historical flooding records, including the worst storm event ever recorded for a similar square mile area in the state of Louisiana in August 1940 by 3.9 inches.

Harvey produced the largest and most devastating house flooding event ever recorded in Harris County. Structure flooding occurred from both overflowing creeks and bayous as well as internal drainage systems being overwhelmed by the intense short duration rainfall rates. Both the Addicks and Barker Reservoirs reached their peaked on August 30<sup>th</sup> exceeding previous pool records. These two Reservoirs combined impounded a total of 388,726 acre-feet of water at peak pool elevation or 126 billion gallons of water which would fill NRG Stadium 187 times. Widespread flooding of homes and streets occurred within the pools upstream of Addicks and Barker Reservoirs as well as flooding of major roadways within the reservoirs. Downstream of the reservoirs, the Corps of Engineers made the decision to release a combined 16,000 cfs, this is the highest release rate since the outlets were fully gated in 1963 causing flooding.

## Map 1: Four Day Peak Rainfall Frequency, Harris County

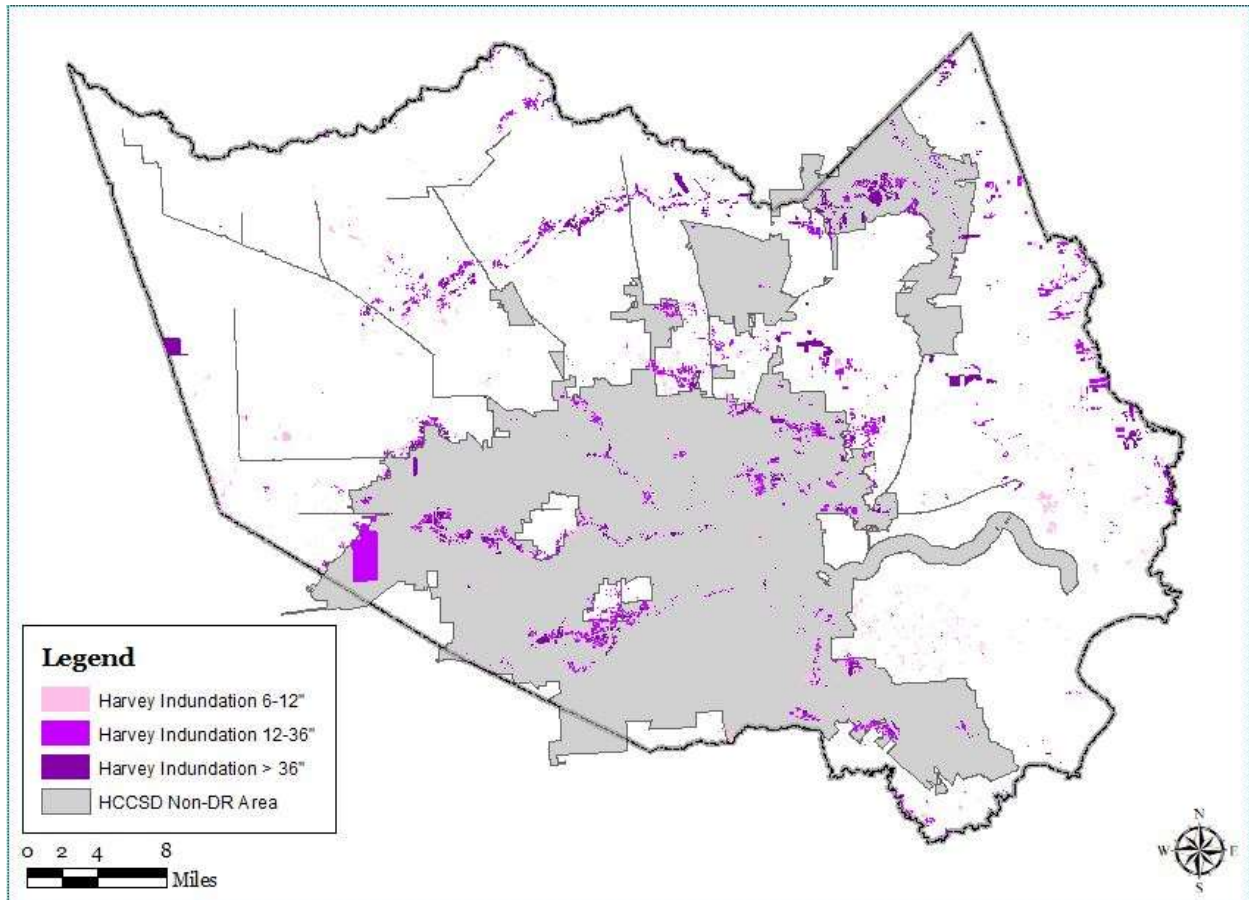


In the three weeks after the storm several Federal relief agencies began to offer assistance. The Disaster Supplemental Nutrition Assistance Program (D-SNAP) is a short-term food assistance program to benefit families recovering from a disaster. The Texas Health and Human Services Commission with the partnership of Harris County, opened D-SNAP assistance locations in Harris County and reported the intake of over 678,000 D-SNAP applications.

The Federal Emergency Management Agency (FEMA) also opened online and co-located with Harris County in Disaster Assistance Centers to intake and offer application assistance to those affected by Hurricane Harvey. In viewing the FEMA Individual Assistance Data, in Harris County (outside the city of Houston), there were 160,695 households FEMA registrants. Slightly over 53 percent were provided FEMA assistance for their recovery. Of those FEMA 178,627 applicants eligible for Temporary Shelter Assistance as they were displaced from their housing, 23,392 Harris County applicants checked into FEMA lodging (i.e. hotels or rental units).



**Map 2: Flood Inundation over 6 inches, Harris County**



### **C. Resiliency Solutions and Mitigation Needs**

Harris County will follow the State's resiliency solutions as stated in the State of Texas *Plan for Disaster Recovery: Hurricane Harvey – Round 1*.

### **D. Demographic Profile of Impacted Counties**

The demographic profile data was generated using data sets from the U.S. Census Bureau and HUD. Harris County population outside the city of Houston but including 33 small cities is 2,285,540 persons or 8.20 percent of the State's population. The area's population by race/ethnicity as seen in Table 3 is 36.41 percent white; 15.18 percent Black; 6.35 percent Asian; 39.98 percent Hispanic; and 1.91 percent other. There are over 787,507 housing units in the County (outside the city of Houston).

**Table 3: 2016 Demographic Statistics for Harris County (outside the city of Houston) from the U.S. Census Bureau**

	<b>Texas</b>	<b>Harris County (outside city of Houston)</b>	
<b>Fact</b>	<b>Estimates</b>	<b>Estimates</b>	<b>Percent</b>
Population estimates, 2016	27,862,596	2,285,540	8.20% (of Texas)
Population, percent change - April 1, 2010, (estimates base) to July 1, 2016	10.80%	12.10%*	
Persons under 5 years, percent, 2016	7.20%	175,548	7.68%
Persons under 18 years, percent, 2016	26.20%	655,146	28.66%
Persons 65 years and over, percent, 2016	12.00%	213,624	9.35%
White alone, percent, 2016	79.40%	1,562,157	68.35%
Black or African American alone, percent, 2016	12.60%	346,959	15.18%
American Indian and Alaska Native alone, percent, 2016	1.00%	4,265	0.19%
Asian alone, percent, 2016	4.80%	145,033	6.35%
Native Hawaiian and Other Pacific Islander alone, percent, 2016	0.10%	2,272	0.10%
Two or More Races, percent, 2016	1.90%	37,000	1.62%
Hispanic or Latino, percent, 2016	39.10%	913,743	39.98%
White alone, not Hispanic or Latino, percent, 2016	42.60%	832,131	36.41%
Housing units, 2016	10,753,629	787,507	
Owner-occupied housing unit rate, 2012-2016	61.90%	478,794	63.80%
Median value of owner-occupied housing units, 2012-2016	\$142,700	\$145,600*	
Median gross rent, 2012-2016	\$911	\$937	
With a disability, under age 65 years, percent, 2012-2016	8.10%	128,052	5.86%
Median household income (in 2016 dollars), 2012-2016	\$54,727	\$55,584*	
Persons in poverty, percent, 2012-2016	15.60%	12.87%	
Land area in square miles, 2010	261,231.71	1,103.89	0.42%

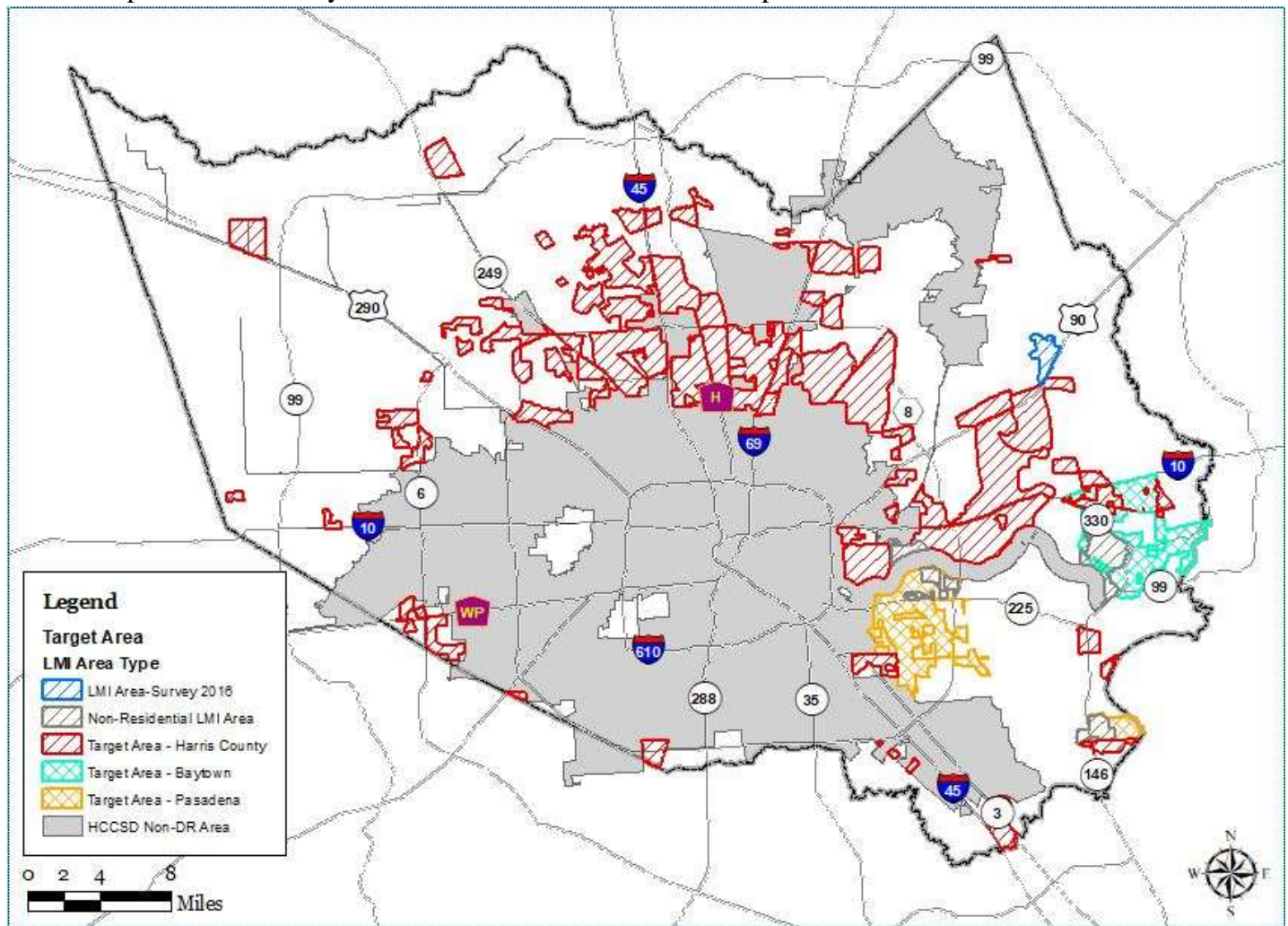
*\*Figure only available for all of Harris County.*

## **E. Low- and Moderate-Income Analysis**

The following map (Map 3) identifies census block groups that have a low- and moderate-income population of 51 percent or more for Harris County using 2017 Low- and Moderate-Income Summary Data (LMISD) for the state of Texas, Harris County.<sup>1</sup>

<sup>1</sup> HUD Exchange. "FY 2017 LMISD by State - All Block Groups, Based on 2006-2010 American Community Survey." Webpage accessed January 10, 2018. <https://www.hudexchange.info/programs/acs-low-mod-summary-data/acs-low-mod-summary-data-block-groups-places/>

Map 3: Harris County Low- to Moderate-Income Area Map

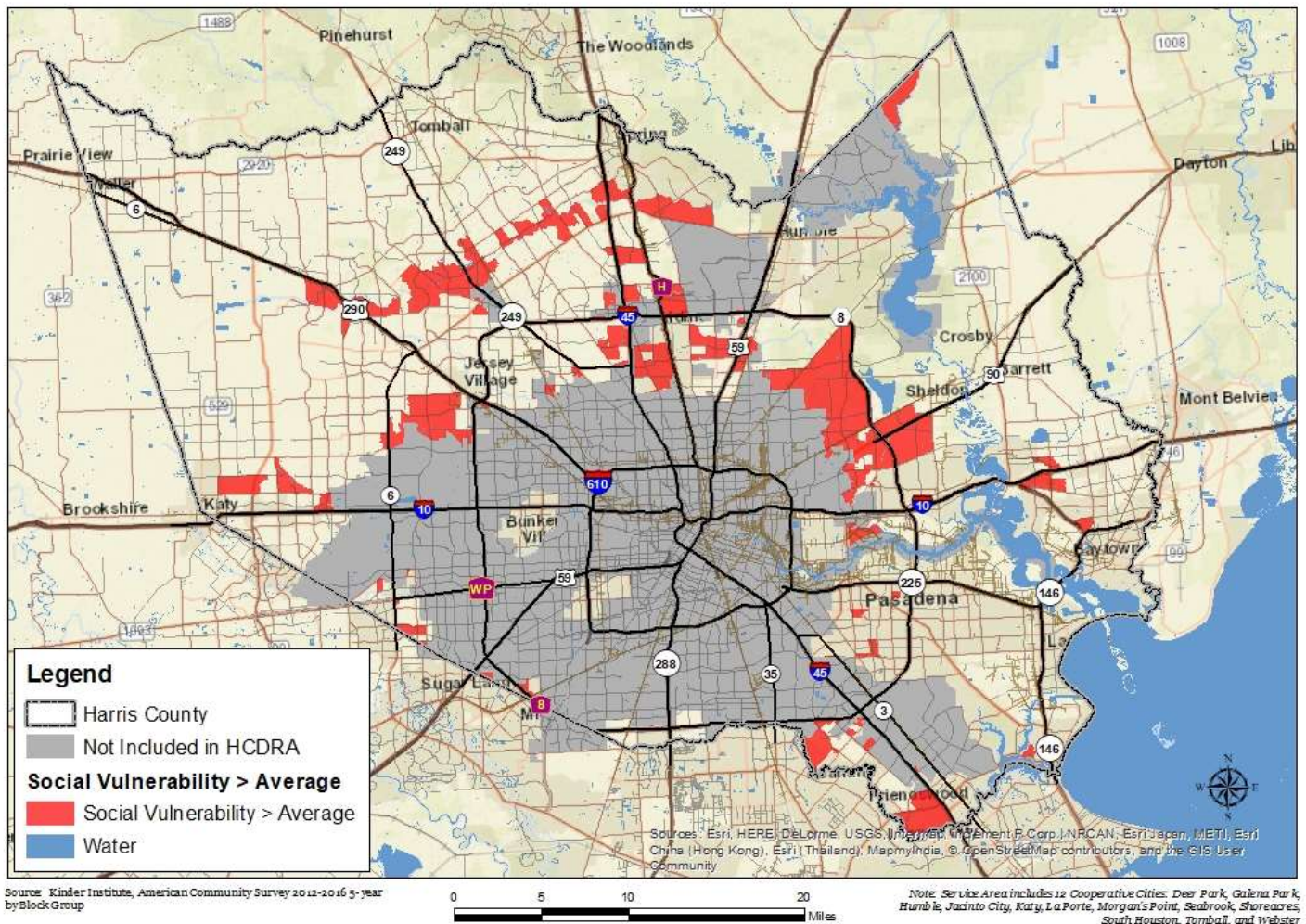


## F. Social Vulnerability Index (SoVI)

An additional component to consider when looking at unmet needs is what level of social vulnerability to natural hazards is the area experiencing. The Social Vulnerability Index (SoVI) measures the social vulnerability of block groups in Harris County — in particular, their vulnerability to environmental hazards. With the assistance of Rice University Kinder Institute, Harris County’s block groups were examined based on socioeconomic variables, which contribute to reduction in a community’s ability to prepare for, respond to, and recover from hazards. Map 4 shows those block groups with the highest vulnerability.



### Map 4 Harris County Social Vulnerability Index by Block Group



## G. Housing Impact

## 1. Real Estate Market

In a report by the Kinder Institute, Harris County median housing prices have seen a significant jump in price (from \$100,000 in 2012 to \$141,000 in 2017), which hits low-income buyers especially hard. Hurricane Harvey has only increased the scarcity of safe, affordable single-family housing; post-Harvey median cost is estimated at \$160,000. Although, the region has seen an increase in housing sales a low percentage are affordable.

The scarcity of safe, quality affordable housing in Harris County has caused a severe housing burden and disproportionate housing needs particularly among African American, Hispanic and large family (5+ persons) households.

## **2. Homelessness**

Working with our surrounding jurisdictions, Harris County has been actively working to reduce the incidence of Homelessness for over 15 years. The County have utilized our HUD entitlement funding of Community Development Block Grant, Emergency Solutions Grant and HOME Investment Partnerships program grant plus local funding to provide social services and case management, housing and housing stabilization, healthcare and mental healthcare, and other services to vulnerable populations who are or are endangered of becoming homeless.

In Harris County, the Coalition for the Homeless of Houston/Harris County provides community coordination and planning for a regional homeless services system and is the lead agency for areas Continuum of Care and conducts a Point-In-Time (PIT) count of shelter and unsheltered persons in Houston, Harris County, Fort Bend County and Montgomery County. For the past 7 years, the Count has shown a decrease from 8,538 to 3,412 persons. However in the most recent Count released on May 23, 2018-, there was an increase in the Count of 15 percent. It is assumed that this increase was from Harvey, with almost one in five of the unsheltered homeless individuals reporting Hurricane Harvey as their reason for being homeless.

As a part of the closing of the NRG and George R. Brown shelters, the Coalition, City of Houston, and Harris County worked with FEMA to create a non-congregant shelter program, which assisted those families and individual who did not have the resources to leave the shelter unaided by temporary shelter assistance. This population included families with children, elderly persons, couples and single individuals – many of whom had special needs including chronic health conditions, mobility limitations, and mental illness. Based on preliminary information, most shelter guests are low or very-low income. At the Non-congregant Shelter program's height, there were approximately 500 households in the program that received rental assistance and case management. Currently, roughly 200 households are still enrolled and benefiting from case management services.

## **3. Social Services: 2-1-1 Harris County Program**

The United Way of Greater Houston serves as Harris County's 2-1-1 program administer. The 211 system helps Harris County residents connect with local health and human services and disaster resources programs by phone or internet. 2-1-1 is a free, anonymous, social service hotline available 24-hours a day, 7 days a week, 365 days a year. State and local health and human services programs address housing/shelter, employment, food/nutrition, veterans, crisis/emergency, income/expenses, legal aid/victims, criminal justice, aging/disability, health/medical, mental health, and child care/education.

Between August 25 and September 30, 2017, the 2-1-1 system received approximately 100,000 calls. The call summary below shows the top ten calls received pre-Harvey and during Harvey (August 25–September 30).

Figure 1: Top 10 2-1-1 Calls Pre-Harvey

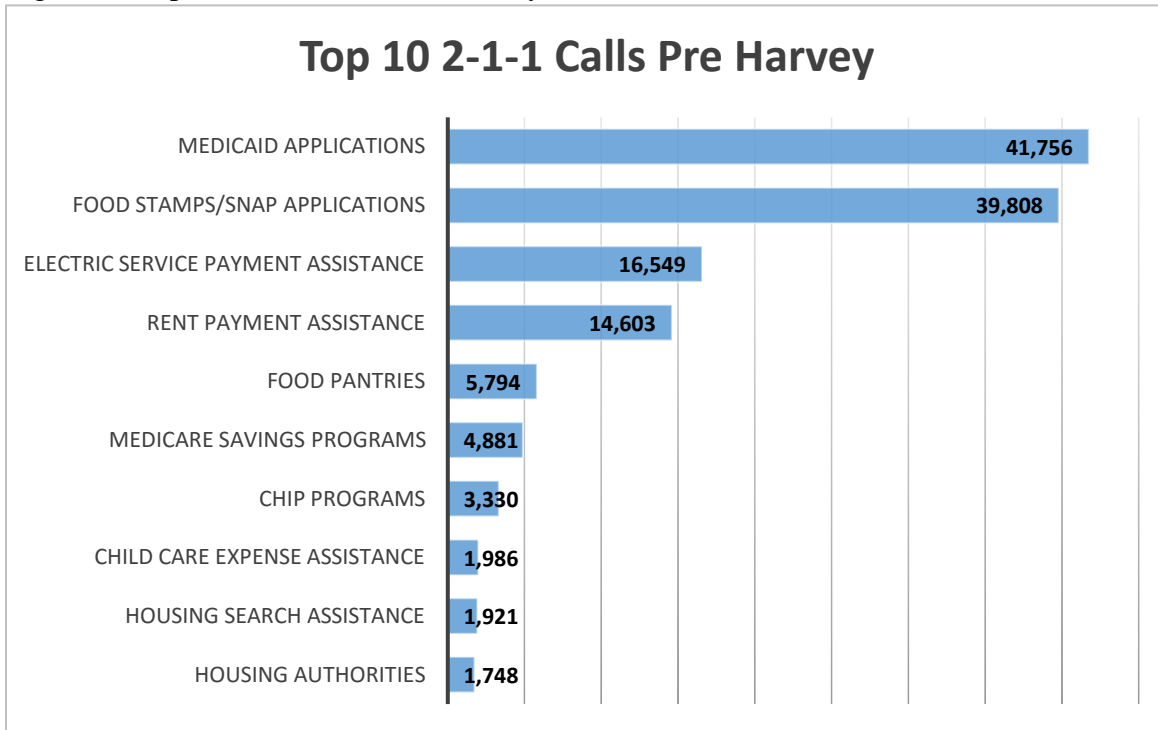
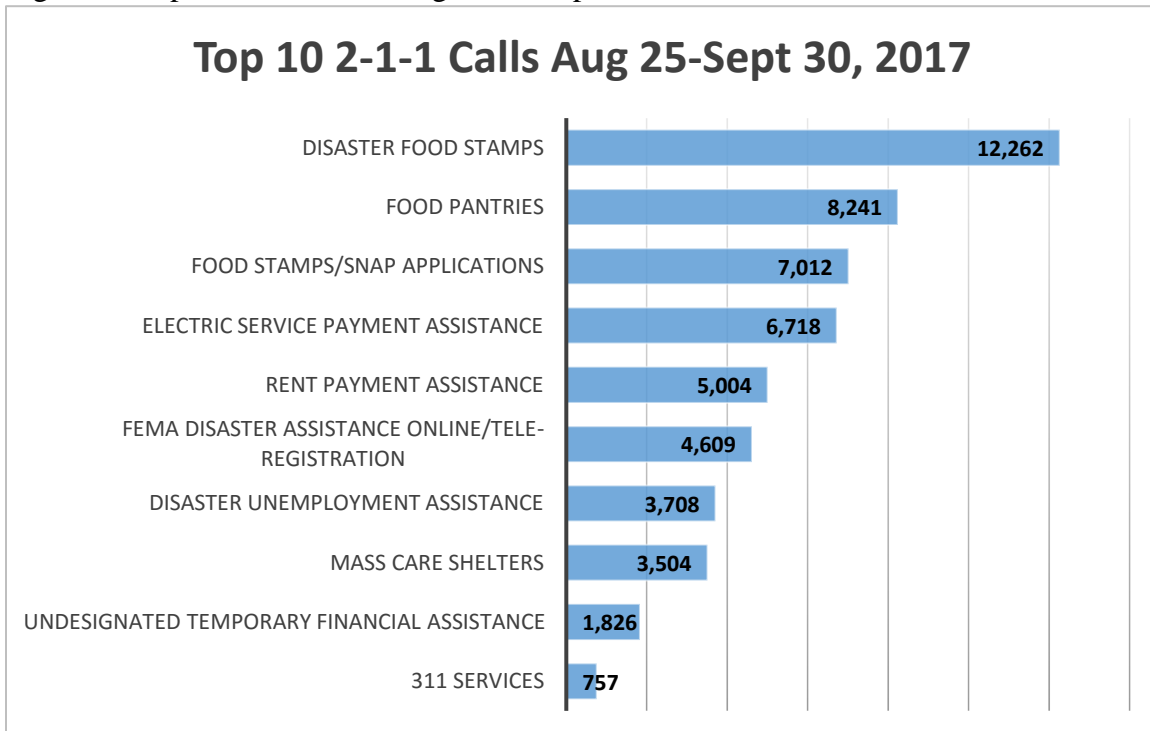


Figure 2: Top 10 2-1-1 Calls Aug. 25 to Sept. 30, 2017



#### **4. Interim Housing Assistance**

The Houston-Galveston Area Council operates the FEMA Direct Housing Program-Manufactured Housing Option in Harris County. Harris County Community Services Department staff have been contracted to provide case management services for those approximately 200 households in the program.

#### **5. Insurance**

The Texas Department of Insurance (TDI) has issued a report on Hurricane Harvey related claims on April 12, 2018. TDI issued a Hurricane Harvey data call for data through October 31, 2017 to all insurance companies, Texas Windstorm Insurance Association (TWIA) and the Texas Fair Access to Insurance Requirement Plan (FAIR Plan). Data included number of reported claims, paid claims, claim closed without payment, claims reopened, claims with total losses, total amount paid losses, and total amount of claim reserved. As of October 31, 2017, 251,757 claims were reported in Harris County including all cities within the county with total amount of losses paid of \$1,411,214,085.

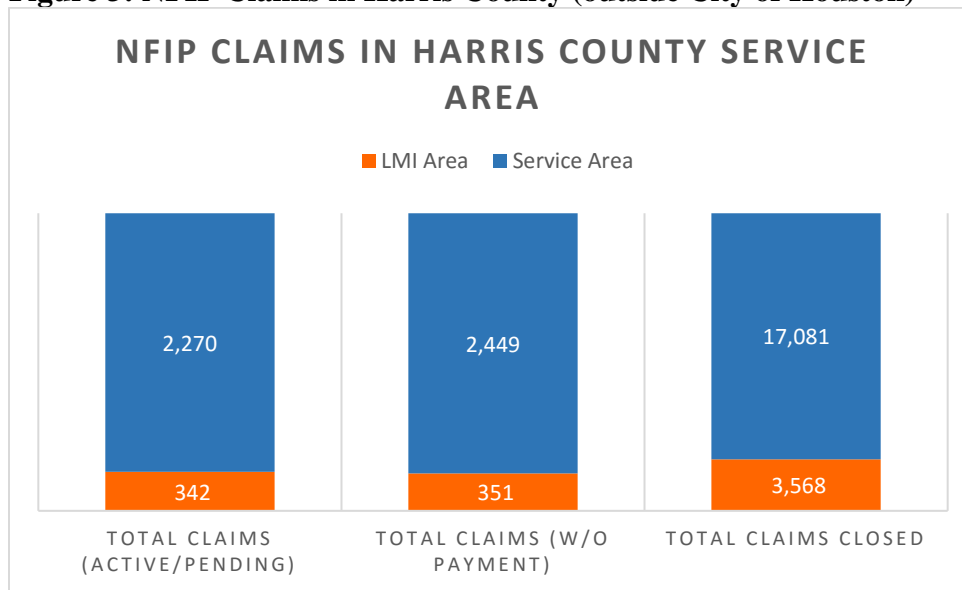
**Table 4: Hurricane Harvey Insurance Claims for all Harris County, as reported April 12, 2017**

	<b>Number of Claims</b>	<b>Total Amount of Losses Paid</b>	<b>Total Amount of Losses Incurred</b>
Personal Line of Insurance	251,757	\$1,411,214,085	\$1,644,387,050
Other Line of Insurance	59,646	\$2,220,459,246	\$5,122,382,647

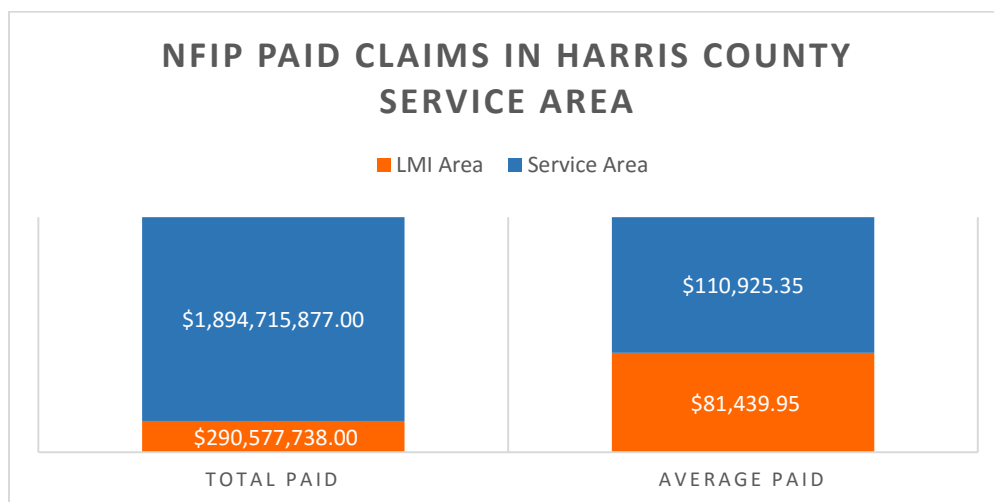
#### **6. National Flood Insurance Program**

According to data from the NFIP in January 2018, in Harris County (outside the city of Houston), there were 21,800 NFIP claims of which 17,081 or 78.4 percent were paid claims. The total claims paid was \$1,894,715,877 with an average claim of \$110,925.35.

**Figure 3: NFIP Claims in Harris County (outside City of Houston)**



**Figure 4: NFIP Paid Claims in Harris County (outside City of Houston)**



In the county's low- to moderate-income (LMI) areas, there were 4,261 claims, which represents 19.5 percent of all claims in Harris County. The total claims paid in LMI areas was 3,568 or 20.9 percent of paid claims with the total claims paid of \$290,577,738. The average claim paid in LMI areas was \$81,439.95. While LMI households made up over 70 percent of the FEMA IA applicants in the county only about 20 percent of NFIP resources went to LMI areas. This indicates that LMI households were likely under-represented in the NFIP claims due to inability to afford flood insurance and high claims denial rates by NFIP.



## **7. Texas Windstorm Insurance Association (TWIA)**

The Texas Windstorm Insurance Association (TWIA) was established by the Texas Legislature in 1971 in response to regional market conditions following Hurricane Celia in August 1970. TWIA's purpose is to provide windstorm and hail insurance for the Texas seacoast. Although, in Harris County damage was mostly a flooding event some wind damage was reported along the coastline. In Harris County, there were 593 new claims with a total indemnity paid of \$3,046,684 and an average paid of \$9,260.

## **8. Small Business Assistance (SBA) Disaster Home Loans**

Within Harris County (outside the city of Houston), SBA Disaster Home Loans to those who could avail totaled \$67,065,960 as of December 2017. The average loan disbursed by December 2017 was \$21,324 and tended to be awarded to those of gross incomes higher than area median. The gross income of those to whom SBA Disaster Home Loans had been disbursed averaged \$117,192 as of December, 2017. Only 15% of these loans were written to renters.

## **9. Public Housing Assistance (PHA) Data**

The Harris County Housing Authority did report damage to property and is currently reviewing cost estimates for that damage. Preliminary reports estimate \$933,384 in damage costs with 251 units affected by Hurricane Harvey.

## **10. FEMA Individual Assistance**

Total Harris County (unincorporated area and all 34 cities) contained 36% (323,155) of all FEMA Registrants in Texas, and 39% of FEMA Registered homeowners in Hurricane Harvey. The area's FEMA Registrants included 171,622 owner-occupied households and 150,221 renter-occupied households. For Harris County (outside the city of Houston), there are 61,828 applicants with a FVL of over \$0. Of these, 45,634 (73.8 percent) were owners and 16,175 (26.2 percent) were renters.

**Table 5: Total FEMA IA Applications in Harris County (outside city of Houston)**

<b>Occupancy Type</b>	<b>Total Applications in Harris County</b>	<b>FEMA Verified Loss (FVL) over \$0</b>	<b>Applicants with Unmet Need</b>
Owner	94,208	45,634	23,948
Renter	65,922	16,175	8,740
N/A	565	19	0
Totals	160,695	61,828	32,688

It should be noted that the FEMA IA for Harris County (outside the city of Houston) listed only 4,460 total applicants who were age 60 and over with only 958 applicants with a FVL over \$0 and who received some FEMA assistance. Harris County has more than 300,000 residents over the age of 60. The county believes based on anecdotal accounts of canvassers, case management agencies, and rebuilding organizations that the FEMA numbers for seniors, who had a FVL over \$0 and received some assistance, significantly underestimate the unmet needs of seniors in Harris County.

a. Total Unmet Needs

The GLO has compiled information from FEMA for individual assistance in order to document estimated repair costs and unmet housing needs by eligible county and provided this Harris County data to County. The population structure used includes owner-occupied households and renter households. For the purpose of this analysis, the GLO is utilizing certain components of HUD's methodology for unmet need for both types of households.

Owner-occupied Homes

To calculate the level of real property damage for owner-occupied homes, the following criteria was used:

- **Major-Low:** \$8,000 to \$14,999 of FEMA verified loss.
- **Major-High:** \$15,000 to \$28,800 of FEMA verified loss.
- **Severe:** Greater than \$28,800 of FEMA verified loss.

Renter-occupied Homes

To calculate the level of personal property damage for renters, the following criteria was used:

- **Major-Low:** \$2,000 to \$3,499 of FEMA verified loss.
- **Major-High:** \$3,500 to \$7,499 of FEMA verified loss.
- **Severe:** Greater than \$7,500 of FEMA verified loss.

To calculate estimated unmet need, the GLO/Harris County used multipliers provided by HUD. These multipliers are based on the SBA median repair cost for the specific disaster category less the weighted average of expected SBA and FEMA repair costs. Based on FEMA individual assistance data provided to the GLO, the estimated weighted average of expected SBA and FEMA total repair costs for each category is represented in the following table.

**Table 6: Unmet Need Multiplier by Damage Category**

Category	Multiplier Amount
Major-Low	\$58,956
Major-High	\$72,961
Severe	\$102,046

The following table provides a breakdown of total unmet needs for owner- and renter-occupied households. It provides the damage category and the total count and unmet need for those three categories as previously defined.

**Table 7: Category of Unmet Needs by Owner-Occupied and Renters in Harris County**  
(outside city of Houston)

Damage Category/ Multiplier	Total Count	Total of Owner-Occupied and Rental Unmet Needs	Owner-Occupied Count with Unmet Need	Total Owner Occupied Unmet Needs	Rental Count	Total Rental Unmet Needs
Major-Low: \$58,956	12,587	\$742,079,172	9,551	\$563,088,756	3,036	\$178,990,416
Major-High: \$72,961	14,980	\$1,092,955,780	10,415	\$759,888,815	4,565	\$333,066,965
Severe: \$102,046	5,121	\$522,577,566	3,982	\$406,347,172	1,139	\$116,230,394
<b>Totals</b>	<b>32,688</b>	<b>\$2,357,612,518</b>	<b>23,948</b>	<b>\$1,729,324,743</b>	<b>8,740</b>	<b>\$628,287,775</b>

HUD requirements for this CDBG-DR allocation specify that the GLO and thus Harris County must expend a minimum of 70 percent to benefit LMI populations. In Harris County, approximately 59.8 percent of the unmet need population is below 80 percent in the LMI category. The unmet need by income category for Harris County can be seen in the following table.

**Table 8: Unmet Need by Income Category/Owner-Occupied and Renter in Harris County**  
(outside the city of Houston)

Income Category	Count	Unmet Need	% of Count	% of Unmet Need
0-30%	9,582	\$ 686,167,397	29.3%	29.1%
31-50%	4,498	\$ 319,751,533	13.8%	13.6%
51-80%	5,452	\$ 389,463,677	16.7%	16.5%
Not LMI	13,156	\$ 962,229,911	40.2%	40.8%
Not Reported	0	0	0	0
<b>Totals</b>	<b>32,688</b>	<b>\$ 2,357,612,518</b>	<b>100.0%</b>	<b>100.0%</b>

**b. Owner-occupied Unmet Need**

In Harris County, approximately 52.5 percent of the owner-occupied unmet need based on FEMA IA is below 80 percent LMI category. The unmet need for the LMI population is over \$895 million for owners. The unmet need by income category for owner-occupied households for Harris County can be seen in the following table.

**Table 9. Owner Unmet Need by Income Category in Harris County** (outside the city of Houston)

Income Category	Count	Unmet Need	% of Count	% of Unmet Need
0-30%	5,922	\$ 425,034,847	24.7%	24.6%
31-50%	2,805	\$ 197,603,740	11.7%	11.4%
51-80%	3,838	\$ 272,585,298	16.0%	15.8%
Not LMI	11,383	\$ 834,100,858	47.5%	48.2%
Not Reported	0	0	0	0
<b>Totals</b>	<b>23,948</b>	<b>\$ 1,729,324,743</b>	<b>100.0%</b>	<b>100.0%</b>

c. Renter-occupied Unmet Need

In Harris County, approximately 79.7 percent of the unmet need based on FEMA IA is below 80 percent LMI category. The unmet need for the LMI population is over \$500 million for renters. The unmet need by income category for renters in Harris County can be seen in the following table.

**Table 10. Renter Unmet Need by Income Category in Harris County** (outside the city of Houston)

Income Category	Count	Unmet Need	% of Count	% of Unmet Need
0-30%	3,660	\$ 261,132,550	41.9%	41.6%
31-50%	1,693	\$ 122,147,793	19.4%	19.4%
51-80%	1,614	\$ 116,878,379	18.5%	18.6%
Not LMI	1,773	\$ 128,129,053	20.3%	20.4%
Not Reported	0	0	0	0
<b>Totals</b>	<b>8,740</b>	<b>\$ 628,287,775</b>	<b>100.0%</b>	<b>100.0%</b>

d. Owners in a Floodplain with No Flood Insurance

Low- to Moderate-income applicants in Harris County comprise 65.1 percent of the total owners with unmet needs in a floodplain with no flood insurance. Whereas those over 120 percent of AMI are 20.8 percent of the total owners with unmet needs in a floodplain with no flood insurance.

**Table 11. Owners in a Floodplain with No Flood Insurance by Income Category in Harris County** (outside city of Houston)

Income Category	Count	% of Count
0-30%	1,320	32.0%
31-50%	678	16.4%
51-80%	690	16.7%
81-120%	579	14.0%
Over 120%	859	20.8%
Not Reported	0	0%
<b>Totals</b>	<b>4,126</b>	<b>100.0%</b>

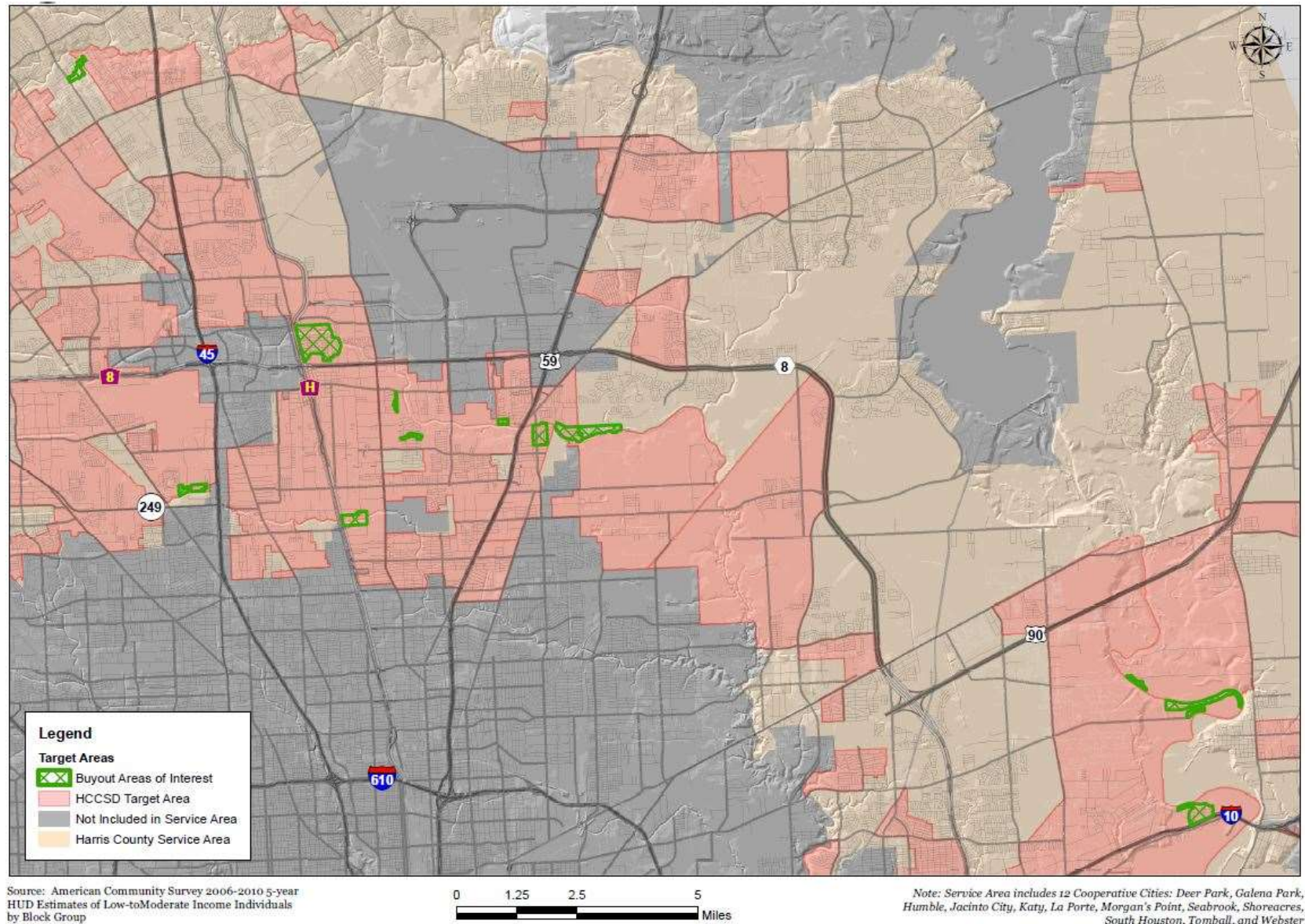
### 11. Residential Buyout Program

The Harris County Flood Control District (HCFCD) has operated the Harris County Residential Buyout Program since 1985 and acquired and removed approximately 3,000 houses that are hopelessly deep in the floodplain where flood damage reduction projects, like channel improvements or storm water detention basins, are not cost effective and or beneficial. Once bought out, these parcels are returned to their beneficial function aiding in the storage of floodwaters. Those homeowners who are bought out are assisted to move to an area with a reduced flood risk.

HCFCD has identified 43 areas in unincorporated Harris County or in one of the county's small cities that fits the above definition. These areas contain approximately 3,300 parcels to acquire. Of the 43 buyout interest areas, the county has identified 13 areas that are in low- to moderate-income areas and or in Social Vulnerable areas (shown in Map 5). Seven of the 13 areas have an average home market value of under \$85,000, the lowest average home market value was \$27,105 in the community of Allen Field. As stated in the above section G.1. Real Estate Market, median home price in Harris County is \$160,000. The low market value of the homes to be bought out to the higher median home price may place a severe cost burden on low-income and vulnerable populations to find safe, quality affordable replacement housing. Additional housing incentives, the creation of new affordable housing, and homebuyer assistance programs will be needed to alleviate this burden.



**Map 5: Harris County Buyout Areas in Harris County Low- to Moderate-Income Areas**



## H. Infrastructure Impact

### 1. FEMA Public Assistance

The below table provides a high level approximation of total costs and total need for each PA category as of June 1, 2018 for Harris County and 33 small cities. As illustrated in Table 13, the categories with the highest total need are Buildings and Equipment then Emergency Protective Measures showing a total PA need for the County. It should be noted that PA project worksheets are still under development by the local jurisdictions and under review by FEMA and TDEM. These amounts are expected to increase.

**Table 12: Total Cost and Need by PA Category in Harris County**

<b>PA Category (49 Counties)</b>	<b>Approx. PA Cost</b>	<b>10% Local Match</b>	<b>15% Resiliency on Approx. Cost</b>	<b>Total Need (Local Match + Resiliency)</b>
A - Debris Removal	\$ 65,629,614.39	\$ 6,562,961.44	\$ 9,844,442.16	\$ 16,407,403.60
B - Emergency Protective Measures	\$ 200,492,321.33	\$ 20,049,232.13	\$ 30,073,848.20	\$ 50,123,080.33
C - Roads and Bridges	\$ 715,534.17	\$ 71,553.42	\$ 107,330.13	\$ 178,883.54
D - Water Control Facilities	\$ 72,069,272.47	\$ 7,206,927.25	\$ 10,810,390.87	\$ 18,017,318.12
E - Buildings and Equipment	\$ 339,883,959.96	\$ 33,988,396.00	\$ 50,982,593.99	\$ 84,970,989.99
F - Utilities	\$ 30,061,407.49	\$ 3,006,140.75	\$ 4,509,211.12	\$ 7,515,351.87
G - Parks, Recreational Facilities, and Other Items	\$ 7,419,760.39	\$ 3,741,976.04	\$ 5,612,964.06	\$ 9,354,940.10
Z - Direct Administrative Costs	\$ 9,184,044.43	\$ 918,404.44	\$ 1,377,606.66	\$ 2,296,011.11
<b>Grand Total</b>	<b>\$755,455,914.63</b>	<b>\$75,545,591.46</b>	<b>\$113,318,387.19</b>	<b>\$188,863,978.66</b>

As stated above in the IA section, need per capita is a good indicator when looking at a community's ability to pay for recovery. The three counties with the highest per capita PA need as Harris (\$1,412), Aransas (\$1,296), and Refugio (\$1,100) according to the State's Action Plan.

## **2. Commercial Buyout**

As discussed in G.11 Residential Buyout, Harris County has been involved in residential buyout since 1985. HCFCD has identified 43 areas in unincorporated Harris County or in one of the county's small cities that fits the buyout definition. These areas contain approximately 3,300 parcels to acquire. Some of these parcels are partial home business and small business that will also need buyout and relocation as we relocate the residents around these businesses. The county has identified in its 13 low-income buyout areas approximately 87 commercial and industrial parcels with a 2017 market value for the parcel of roughly \$10 million. This number is expected to increase as the value of each business is evaluated in the intake process nor does the count take into effect vacant commercial/industrial lots.

### **I. Economic Impact**

Harris County will be participating in the State's Economic Development program.

## **III. General Requirements**

### **A. Rehabilitation/Reconstruction of Public Housing, Affordable Housing and other forms of Assisted Housing**

Harris County will identify and address the rehabilitation, reconstruction, and replacement of the following types of housing affected by the disasters: public housing (including administrative offices), HUD-assisted housing, affordable housing, McKinney-Vento Homeless Assistance Act-funded shelters and housing for the homeless, including emergency shelters and transitional and permanent housing for the homeless; and private market units receiving project-based assistance, or with tenants that participate in the Section 8 Housing Choice Voucher Program. All proposed projects will undergo Affirmatively Furthering Fair Housing (AFFH) review by Harris County before approval.

The GLO will retain the full 5% allocated for administrative costs associated with the CDBG-DR allocation for purposes of oversight, management, and reporting. The only exception will be an allowance for up to 2% of program amounts for costs associated with housing activities that require administrative type activities in Harris County and the city of Houston programs. Additionally, Harris County and Houston will be allowed to spend up to 10% of program amounts for costs directly related to implementation of housing activities and 6% for non-housing and infrastructure type activities. Engineering and design activities will be capped at 15% of the total project award unless special services are necessary; subject to GLO approval. The GLO, Harris County, and the city of Houston will limit planning costs to 5% of each respective allocation to complete projects as defined in 24 CFR 570.205.

### **B. Housing for Vulnerable Populations**

Harris County will promote housing for vulnerable populations, including a description of activities that will address the following: housing for homeless and those at-risk of homelessness;



the prevention of low-income individuals and families with children (especially those with incomes below 30 percent of the area median) from becoming homeless; the special needs of persons who are not homeless but require supportive housing (e.g., elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents, as identified in 24 CFR 91.315(e)).

Harris County is developing needs assessments that will assist the county to develop programs. The local needs assessment and analysis of HUD/FEMA demographic IA data will recommend the proportions of funding that should be set aside to benefit LMI and non-LMI populations. The needs assessment will determine the activities to be offered, the demographics to receive concentrated attention, and target areas to be served.

Harris County is committed to affirmatively furthering fair housing through established affirmative marketing policies. Affirmative marketing efforts will include an affirmative marketing plan, based on the HUD regulations. The goal is to ensure that outreach and communication efforts reach eligible homeowners from all racial, ethnic, national origin, religious, familial status, the disabled, "special needs", and gender groups.

### **C. Displacement of Persons and/or Entities**

To minimize the displacement of persons and/or entities that may be affected by the activities outlined in this Supplemental Action Plan, Harris County will coordinate with other state agencies, local governments, and local non-profit organizations to ensure minimal displacement. However, should any proposed projects cause the displacement of people, the county will ensure the requirements set forth under the Uniform Relocation Assistance and Real Property Acquisition Policies Act, as waived, are met. The relocation assistance requirements at section 104(d)(2)(A) of the Housing and Community Development Act and 24 CFR 42.350 are waived to the extent that they differ from the requirements of the URA and implementing regulations at 49 CFR part 24, as modified by the notice for activities related to disaster recovery.

### **D. Maximum Assistance**

The maximum amount of assistance available to subrecipients under the Harris County's disaster recovery program Method of Distribution (MOD) and Competitive Application will be the maximum allocated to the HUD most impacted and distressed areas. For all housing and buyout programs, the county's housing guidelines establish housing assistance maximums and request waivers to the GLO when required and necessary.

### **E. Elevation Standards**

The GLO will apply the following elevation standards to new construction, repair of substantial damage, or substantial improvement of structures located in an area delineated as a flood hazard area or equivalent in FEMA's data source identified in 24 CFR 55.2(b)(1). All structures must follow Harris County elevation regulation and requirements.

## **F. Planning and Coordination**

Harris County's recovery projects will be developed in a manner that considers an integrated approach to address long-term recovery and restoration of infrastructure, housing, and economic revitalization in the most impacted and distressed areas. The County will work with local cities, non-profits, universities and colleges, and other interested parties to create sound recovery plans in affected areas by coordinating resources and expertise to help in the restoration and recovery of damaged communities.

## **G. Infrastructure Activities**

Harris County will encourage projects to integrate mitigation measures into rebuilding activities and the extent to which infrastructure activities funded through this grant will achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction. Informed by future, ongoing, and previously conducted regional studies, the goal is to ensure better coordination of projects between localities to address recovery and mitigation more holistically.

## **H. Program Income**

Any program income earned as a result of activities funded under this grant will be subject to alternate requirements of 24 CFR 570.489(e), which defines program income. Program income generated under individual contracts will be requested to remain with a community to continue recovery efforts.

# **IV. State Administered Disaster Recovery Program**

## **A. Direct Allocation**

The city of Houston and Harris County have each been allocated a direct allocation from the State's allocation at the direction of HUD. The amounts allocated to the city of Houston and Harris County are the amounts of unmet need calculated by HUD. The same methodology was used by HUD to determine the \$5.024 billion allocation to the State. The amounts have been adjusted to account for the prior allocation to Harris County, the economic revitalization program, and state administration costs.

In consultation with the GLO, Harris County has been given technical assistance to develop their local supplemental action plan (SAP). The County's SAP includes a needs assessment, community engagement efforts, description of unmet needs, and county's use of funds and program descriptions, and expenditure timelines.

## **B. Connection to Unmet Needs**

Harris County was HUD identified as one of the “most impacted and distressed” areas in the State’s Action Plan and Federal Register, Vol. 83, No. 28, February 9, 2017. This local supplemental action plan primarily considers and addresses unmet housing by allocating 79 percent of CDBG-DR funding to housing related activities. Harris County has developed its program categories based on need and the County’s public consultation process. Housing programs include: homeowner assistance program; buyout/acquisition program; homeowner reimbursement program; a homelessness prevention program; affordable rental program; and single-family new construction program. The programs were developed to meet CDBG-DR, federal and state requirements and regulations, and to implement the long-term recovery of housing as efficiently and expeditiously as possible. It is anticipated that public service type activities may need to be utilized to complement these housing programs. Public service activities may include but not limited to Case management, housing counseling, legal counseling, job training, mental health, and general health services.

The majority of the funds have been allocated to assist renters through the affordable rental program (acquisition, rehabilitation, and new construction of affordable rental units) and homeowners through the reimbursement of repairs, rehabilitation and reconstruction of their homes. Funds have been allocated for residential buyouts and acquisition to remove homes from harm’s way and to compliment the removal of unsafe housing the construction of new and the acquisition/rehabilitation of existing single-family housing.

Through Harris County’s continued work with homeless populations and in partnership with the Coalition for the Homeless of Houston/Harris County, the county recognizes the need for homeless services to include homelessness prevention and housing of homeless populations. Based on Hurricane Harvey’s impact, homelessness in the county has and will continue to rise without these services, short-term mortgage assistance, utility assistance, and tenant-based rental assistance.

Although there are remaining unmet housing needs due to the limitation of funds available, Harris County recognizes that as part of a comprehensive long-term recovery program, the repair and enhancements of local infrastructure and mitigation efforts are crucial components. Infrastructure activities are vital not only for the long-term recovery and restoration of housing but for the long-term recovery, protection, and viability of communities. Especially drainage improvements projects in channels and bayous as well as local neighborhood drainage systems are needed to reduce the flood risk of these areas. Twenty-one (21) percent of the funds will address unmet needs related to infrastructure and economic development.

Harris County has allocated five (5) percent for planning activities. The county will seek to develop studies on the need for affordable housing post-Harvey including market analysis, countywide sewer and drainage improvement, mitigation study among others.

A summary of Harris County’s unmet need is identified in the table below. As required a needs assessment was completed to identify long-term needs and priorities for CDBG-DR funding allocated as a result of Hurricane Harvey. The assessment takes into account a comprehensive set of data sources that cover multiple geographies and sectors. The needs assessment includes

specific details about unmet needs within the eligible and most impacted and distressed communities, and includes details for housing, infrastructure, and economic revitalization. The needs assessment is expected to be amended as additional information is available or updated.

**Table 13: Harris County Summary of Total Unmet Need**

Category	Losses/Gap	CDBG-DR Investments*	Other Known Investments	Remaining Unmet Need
<b>Housing</b>	<b>\$7,458,498,829</b>	<b>\$837,097,816</b>	<b>\$3,671,644,866</b>	<b>\$2,949,756,147</b>
Owner-Occupied Housing	\$1,729,324,743			
Residential Property Insurance/TX Windstorm	1,644,387,050		\$1,411,214,085	
National Flood Insurance Program	\$1,894,715,877		\$1,894,715,877	
Other Housing and Disaster Related Expenses	\$760,850,000		\$65,000,000	
Rental-occupied Housing	\$628,287,775			
Public Housing Authority Housing	\$933,384		\$714,904	
Harris County Buyout Program (Pub L. 115-31)	\$800,000,000		\$300,000,000	
<b>Infrastructure</b>	<b>\$10,868,969,302</b>	<b>\$222,519,672</b>	<b>\$698,910,323</b>	<b>\$9,947,539,307</b>
FEMA Public Assistance	\$868,774,302		\$679,910,323	
Rebuild Texas	\$10,000,195,000		\$19,000,000	
<b>Grand Total (Housing and Infrastructure)</b>	<b>\$18,327,468,131</b>	<b>\$1,059,617,488</b>	<b>\$4,370,555,189</b>	<b>\$12,897,295,454</b>

### C. Harris County Method of Distribution

Under the local infrastructure program, Harris County will conduct a County level Method of Distribution (MOD) process. Harris County will encourage the prioritization of infrastructure for direct repair of damaged facilities, FEMA cost share and mitigation, and water and flood control facilities due to the limitations of funds available in this allocation. A methodology for the distribution and calculation to local small cities within Harris County, who do not receive an allocation directly from the GLO, will be established for CDBG-DR infrastructure funding. For those cities that are partially in Harris County, only the portion of the city that resides within Harris County will be eligible for the MOD. The MOD will balance relative impact of Hurricane Harvey on the jurisdiction's population, percentage of the jurisdiction's population that is low-to-moderate-income, and the ability to recover and total unmet need. The MOD is further discussed in Section IV.E.7.B of this document.

## D. Program Budget

Table 19: Total Allocation Budget – Harris County

Program		HUD Most Impacted Areas (80%)	State Most Impacted Areas (20%)	LMI Amount (70% of Total Allocation)	Total	% of Total Allocation by Program	% of Total Allocation	Total
Direct Programs	City of Houston	\$ 1,155,119,250	-	\$ 808,583,475	\$ 1,155,119,250	22.99%	45.19%	Direct Programs
	Harris County	\$ 1,115,386,830	-	\$ 780,770,781	\$ 1,115,386,830	22.20%		
Direct Allocation Subtotal		\$ 2,270,506,080	-	\$ 1,589,354,256	\$ 2,270,506,080			
State of Texas		\$ 2,202,967,136	\$ 550,741,784	\$ 164,496,406	\$ 2,753,708,920	54.81%	54.81%	\$ 2,753,708,920
State Allocation Subtotal		\$ 2,202,967,136	\$ 550,741,784	\$ 164,496,406	\$ 2,753,708,920			
Harris County Programs								
Harris County Housing	Homeowner Assistance Program	\$ 214,000,000	-	\$ 149,800,000	\$ 214,000,000	25.6%	16.7%	Harris County Housing
	Buyout & Acquisition/Homebuyer Asst	\$ 200,000,000	-	\$ 140,000,000	\$ 200,000,000	23.9%		
	Reimbursement Program	\$ 15,000,000	-	\$ 10,500,000	\$ 15,000,000	1.8%		
	Affordable Rental Program	\$ 204,500,000	-	\$ 204,500,000	\$ 204,500,000	24.4%		
	SF New Construction	\$ 119,888,035	-	\$ 119,888,035	\$ 119,888,035	14.3%		
	Housing Project Delivery	\$ 83,709,781	-	\$ 58,596,847	\$ 83,709,781	10.0%		
Harris County Infrastructure	Commercial Buyout Program	\$ 12,500,000	-	\$ 8,750,000	\$ 12,500,000	6%	4.4%	Harris County Infrastructure
	Method of Distribution (Local)	\$ 120,000,000	-	\$ 84,000,000	\$ 120,000,000	54%		
	Competitive Application	\$ 76,668,492	-	\$ 53,667,944	\$ 76,668,492	34%		
	Infrastructure Project Delivery	\$ 13,351,180	-	\$ 9,345,826	\$ 13,351,180	6%		
Harris County Planning	Harris County Planning	\$ 55,769,342	-	\$ 39,038,539	\$ 55,769,342		1.1%	Harris County Planning
Harris County Allocation Subtotal		\$1,115,386,830	-	\$ 780,770,781	\$1,115,386,830			
Grand Total Allocation		\$ 4,473,473,216	\$ 550,744,784	\$ 3,243,850,662	\$ 5,024,215,000	100%	100%	\$ 5,024,215,000

## **E. Use of Funds**

### **1. HARRIS COUNTY HOMEOWNER ASSISTANCE PROGRAM (\$214,000,000)**

The Harris County Homeowner Assistance Program (HCHAP) will rehabilitate and reconstruct owner-occupied single-family homes damaged by Hurricane Harvey.

Harris County will develop local housing programs, and will be responsible for the implementation of each program. Homeowners located within the city limits of Houston and outside of Harris County will be ineligible for participation in the Harris County Homeowner Assistance Program.

Harris County will administer the homeowner assistance program and will develop a needs assessment and minimum housing guidelines. This program will have two activities: 1) Owner-Occupied housing rehabilitation and reconstruction and 2) Homeowner Homelessness Prevention.

#### **Activity 1: Owner-Occupied Housing Rehabilitation and Reconstruction**

- a. Allocation Amount:** \$210,000,000 of total Program allocation of \$214,000,000
  - i. The program will first be available to FEMA/GLO temporary direct housing participants and LMI homeowners prior to being made available to non-LMI homeowners.
- b. Maximum assistance:**
  - i. **Rehabilitation:** Not greater than \$80,000.
  - ii. **Reconstruction:** Standardized cost estimate based on household size.
- c. Eligible Activities:** Housing activities allowed under CDBG-DR; HCDA Section 105(a)(1), 105(a)(3-4), 105(a)(8) 105(a)(11), 105(a)(18), and 105(a)(25), include but are not limited to:
  - i. Single family owner-occupied rehabilitation, reconstruction, and/or new construction;
  - ii. Repair and replacement of manufactured housing units;
  - iii. Hazard mitigation;
  - iv. Elevation;
  - v. Relocation Assistance;
  - vi. Demolition only;
  - vii. Public service within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services); and
  - viii. Other activities associated with the recovery of single-family housing stock impacted.

**d. Ineligible Activities:**

- i. Forced mortgage payoff;
- ii. Incentive payments to households that move to disaster-impacted floodplains;
- iii. Properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for rehabilitation assistance or housing incentives;
- iv. Rehabilitation/reconstruction of homes located in the floodway;
- v. Rehabilitation/reconstruction of a house in which:
  - 1. The combined household income is greater than 120 percent AMI or the national median;
  - 2. The property was located in a floodplain at the time of the disaster; and
  - 3. The property owner did not maintain flood insurance on the damaged property, even when the property owner was not required to obtain and maintain such insurance.
- vi. Section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a) states that no Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for “repair, replacement, or restoration” for damage to any personal, residential, or commercial property if that person at any time has received Federal flood disaster assistance that was conditional on the person first having obtained flood insurance under applicable Federal law and the person has subsequently failed to obtain and maintain flood insurance as required under applicable Federal law on such property. The program may not provide disaster assistance for the repair, replacement, or restoration of a property to a person who has failed to meet this requirement.
- vii. Homeowners located within the city limits of Houston and/or outside of Harris County are ineligible to participate in the Harris County Homeowner Assistance Program.

**e. Eligibility Criteria for Assistance:**

- i. Home must have been owner-occupied at the time of the storm;
- ii. Home must have served as primary residence;
- iii. Home must be located in Harris County outside the City of Houston;
- iv. Home must have sustained damage from Hurricane Harvey;
- v. Duplication of benefits review;
- vi. All applicants and co-applicants must be current on payments for child support;
- vii. Applicant must be a U.S. Citizen or eligible resident;
- viii. Applicant must furnish evidence that property taxes are current, have an approved payment plan, or qualify for an exemption under current laws;
- ix. Home must be environmentally-cleared;
- x. Property owners receiving disaster assistance that triggers the flood insurance purchase requirement have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance in writing and to maintain such written notification in the documents evidencing the transfer of the property, and the transferring owner may be liable if he or she fails to do so.
- xi. Subrogation Agreement: Assisted homeowners must agree to a limited subrogation of any future awards related to Hurricane Harvey to ensure duplication of benefits

compliance. This is an agreement to repay any duplicative assistance if other disaster assistance for the same purpose later is received.

xii. **Deferred Payment Loan/Forgivable Prissory Note:**

1. Assisted homeowners are required to maintain principal residency in the assisted property for five years. Cash-out refinancing, home equity loans or any loans utilizing the assisted residence as collateral are not allowed for five years. A violation of this policy will activate the repayment terms of the Note.
2. Deferred payment loan offered at zero interest only payments and are to be forgiven at a prorated monthly rate over the five year term, and secured by a deed of trust.
3. Taxes are to be paid and in good standing for the properties assisted. Homeowners may be on a payment plan, but it needs to be submitted to the subrecipient or State as applicable.
4. Insurance must be maintained at the assisted property. Hazard, flood (if applicable), and windstorm (if applicable) will be monitored for the five-year note period.

- f. National Objectives:** Low- and moderate-income and urgent need. At least 70 percent of these program funds by region and Subrecipient must be spent on LMI eligible projects.
- g. Housing Guidelines:** Harris County will develop minimum housing guidelines that provide operational details on the eligibility requirements, housing assistance caps, construction standards, reporting requirements, and other program requirements. Housing guidelines will be posted for public comment before use. The GLO must approve all guidelines.
- h. Needs Assessment:** Harris County will conduct needs assessment. The local needs assessment and analysis of HUD/FEMA demographic IA data will recommend the proportions of funding that should be set aside to benefit each LMI and non-LMI economic group. The needs assessment will determine the activities to be offered, the demographics to receive concentrated attention, and target areas to be served. The needs assessment should set goals within the income brackets similar to the housing damage sustained within the impacted areas. Deviations from goals must be approved by the GLO before the Program may move forward.
- i. Affirmative Marketing Outreach Plan:** Harris County is committed to affirmatively furthering fair housing through established affirmative marketing policies. Harris County will coordinate with HUD-certified housing counseling organizations in this effort. Affirmative marketing efforts will include an affirmative marketing plan, based on the U.S. Department of Housing and Urban Development (HUD) regulations. The goal is to ensure that outreach and communication efforts reach eligible homeowners from all racial, ethnic, national origin, religious, familial status, the disabled, "special needs", and gender groups.



- j. **Timeline:** The proposed program start date is immediately after HUD’s approval of this Amendment to the Action Plan. The proposed end date is **three years** from the start date of the program.

## **Activity 2: Homeowner Homeless Prevention**

Harris County will administer the Homelessness Prevention Program. The program will consist of three primary activities with the sole purpose of preventing homelessness in the region following Hurricane Harvey. This program will be limited only to low- and moderate-income households.

- a. **Allocation for program:** \$4,000,000 of the Total Program Allocation of \$214,000,000
- b. **Eligible Activities HCDA Section 105(a)(8) and 105(a)(20):**
- i. **Short-term Mortgage Assistance** – The Short-Term Mortgage Assistance to deliver up to \$10,000 to assist LMI households with mortgage payments on their primary residence. Mortgage assistance may not exceed 20 months. This program is intended to prevent foreclosure or predatory, low value buyouts of homes in the impacted areas and ensure that households can continue down the road to recovery without the imminent threat of homelessness. Applicants must demonstrate a financial need to prevent foreclosure, or delinquency on current mortgage for their primary residence.
  - ii. **Utility Assistance** – Utility Assistance Program will provide assistance up to \$1,000 to low- and moderate-income households to meet immediate utility needs. Utility assistance may include electricity, gas, wastewater, water and other utility bills and deposits. Assistance will be provide for current and future bills but not those in arrears.
  - iii. **Tenant-Based Rental Assistance** – Tenant-Based Rental Assistance will deliver rental assistance to low- and moderate-income households in need of housing. This program may include up to 24 months of rental assistance, including security deposit and utility deposit. This program will be administered using HUD-published Fair Market Rent (FMR), and the maximum award amount per household will be tied to FMR. Assistance will be provide for current and future rent/deposits but not those in arrears.
- c. **Eligibility Criteria:** Further guidance will be available in the program guidelines.
- d. **Ineligible:** Activities located within the city limits of Houston<sup>2</sup> and/or outside of Harris County are ineligible.

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<sup>2</sup> Persons identifying as homeless as a result of Hurricane Harvey may be assisted anywhere in Harris County including within the limits of the City of Houston as part of the regional homelessness assistance system.

- e. **National Objective:** Low- and moderate-income

**Timeline:** The proposed program start date is immediately after HUD's approval of this Amendment to the Action Plan. The proposed end date is three years from the start date of the program.

## 2. **HARRIS COUNTY BUYOUT AND ACQUISITION PROGRAM (\$200,000,000)**

The Harris County Buyout and Acquisition Program will be performing two distinct activities under this program:

- 1) The Residential Buyout activity will purchase and remove homes from areas of severe flood risk and that are hopelessly deep in the floodplain to assist homeowners to move out of harm's way. Purchased properties will be used for flood management and not be redeveloped for residential or commercial use.
- 2) The Acquisition activity will acquire properties for the development of housing (single-family or multi-family), neighborhood revitalization, and other uses.

Due to the nature of this activity, this program will be administered by Harris County and Harris County Flood Control District, which has the power of eminent domain authority.

- a. **Allocation Amount:** \$200,000,000
- b. **Eligible Entities:** Harris County and will operate this program in partnership with Harris County Flood Control District.
- c. **Eligible Activities,** HCDA Section 105(a)(1), 105(a)(7-8) 105(a)(24-25)
  - i. Buyouts;
  - ii. Acquisition;
  - iii. Relocation Assistance with buyout or acquisition activation (URA required).
  - iv. Down-payment Assistance, which can be combined with buyout, or acquisition activities;
  - v. Demolition only;
  - vi. Housing incentives
  - vii. Activities designed to relocate families to a location of reduced flood risk;
  - viii. Public service within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services);
  - ix. FEMA Hazard Mitigation Grant Program (HMGP) cost share.
- d. **Ineligible Activities:** Incentive payments to households that move to disaster-impacted floodplains with equal or greater risk than their original location. Activities located within the city limits of Houston and/or outside of Harris County are ineligible to participate in the program.

- e. **Program Guidelines:** Harris County will develop guidelines in accordance with CDBG-DR requirements and regulations to set maximum assistance amounts, target area locations, and additional eligibility requirements. Guidelines must be posted for public comment before use. The GLO must approve all guidelines.
- f. **National Objectives:** Low- and moderate-income, elimination of slum/blight, urgent need, low/mod buyout (LMB), and low/mod housing incentive (LMHI).
- g. **Timeline:** The proposed program start date is 30 days after HUD’s approval of this Amendment to the Action Plan. The proposed end date is **three years** from the start date of the program.

### 3. **HOMEOWNER REIMBURSEMENT PROGRAM (\$15,000,000)**

Harris County will administer the Homeowner Reimbursement Program for eligible expenses incurred by homeowners for repairs to a primary residence prior to application for these funds. Up to \$50,000 per household may be reimbursed.

- a. **Allocation Amount:** \$ 15,000,000
  - i. The program will first be available to low- and moderate-income (LMI) households before being made available to non-LMI households.
- b. **Maximum Award:** \$50,000
- c. **Eligible Activities, HCDA Section 105(a)(4):**
  - i. Expenses incurred by homeowners for repairs to a primary residence prior to application for these funds.
- d. **Ineligible Activities:**
  - i. Forced mortgage payoff;
  - ii. Incentive payments to households that move to disaster-impacted floodplains;
  - iii. Properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for rehabilitation assistance or housing incentives;
  - iv. Rehabilitation/reconstruction of a homes located in the floodway;
  - v. Rehabilitation/reconstruction of a house in which:
    - 1. The combined household income is greater than 120 percent AMI or the national median;
    - 2. The property was located in a floodplain at the time of the disaster; and
    - 3. The property owner did not maintain flood insurance on the damaged property, even when the property owner was not required to obtain and maintain such insurance.
      - i. Section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a) states that no Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for “repair,

replacement, or restoration” for damage to any personal, residential, or commercial property if that person at any time has received Federal flood disaster assistance that was conditional on the person first having obtained flood insurance under applicable Federal law and the person has subsequently failed to obtain and maintain flood insurance as required under applicable Federal law on such property. The program may not provide disaster assistance for the repair, replacement, or restoration of a property to a person who has failed to meet this requirement.

- ii. Homeowners located within the city limits of Houston and/or outside of Harris County are ineligible to participate in the program.

**e. Eligibility Criteria for Assistance:**

- i. Home must have been owner-occupied at the time of the storm;
- ii. Home must have served as primary residence;
- iii. Home must be located within Harris County and outside the city limits of Houston;
- iv. Home must have sustained damage from Hurricane Harvey;
- v. Duplication of benefits review;
- vi. All applicants and co-applicants must be current on payments for child support;
- vii. Applicant must furnish evidence that property taxes are current, have an approved payment plan, or qualify for an exemption under current laws;
- viii. Applicant must be a U.S. Citizen or eligible resident;
- ix. Home must be environmentally-cleared;
- x. Property owners receiving disaster assistance that triggers the flood insurance purchase requirement have a statutory responsibility to notify any transferee of the requirement to obtain and maintain flood insurance in writing and to maintain such written notification in the documents evidencing the transfer of the property, and the transferring owner may be liable if he or she fails to do so.
- xi. Subrogation Agreement: Assisted homeowners must agree to a limited subrogation of any future awards related to Hurricane Harvey to ensure duplication of benefits compliance. Assisted homeowners must agree to repay any duplicative assistance if they later receive other disaster assistance for the same purpose.
- xii. Deferred Payment Loan/ Forgivable Promissory Note:
  - 1. Assisted homeowners are required to maintain principal residency in the assisted property for five years. Cash-out refinancing, home equity loans or any loans utilizing the assisted residence as collateral are not allowed for five years. A violation of this policy will activate the repayment terms of the Note.
  - 2. Deferred payment loan offered at zero interest only payments and are to be forgiven at a prorated monthly rate over the five year term, and secured by a deed of trust.
  - 3. Taxes are to be paid and in good standing for the properties assisted. Homeowners may be on a payment plan, but it needs to be submitted to the subrecipient or State as applicable.
  - 4. Insurance must be maintained at the assisted property. Hazard, flood (if applicable), and windstorm (if applicable) will be monitored for the five-year note period.

- f. **National Objective:** Low- and moderate-income and urgent need.
- g. **Timeline:** The proposed program start date is immediately after HUD’s approval of this Amendment to the Action Plan. The proposed end date is **three years** from the start date of the program.

#### 4. **AFFORDABLE RENTAL PROGRAM (\$204,500,000)**

Harris County will administer the Affordable Rental Housing Program. This program will have two activities: 1) Rental Housing Development and 2) Homelessness Prevention.

##### **Activity 1: Rental Housing Development**

The program has been designed to provide funds for acquisition,<sup>3</sup> rehabilitation, reconstruction, and new construction of affordable multi-family housing projects in areas impacted by Hurricane Harvey. The GLO’s Notice of Funding Availability (NOFA)/Request for Proposals will establish the application process and acceptance period, threshold criteria (including applicable building codes), selection criteria, and the award process.

- a. **Allocation for Activity:** \$200,000,000 of Total Program Allocation of \$204,500,000
- b. **Maximum Award:** \$25 million per development (Harris County may request a waiver to exceed on a case by case basis)
- c. **Eligible Applicants:** Acting individually or as participants in a limited partnership (LP) or limited liability corporation (LLC):
  - i. For-profit Developers/ Borrowers;
  - ii. Public housing authorities;
  - iii. Units of local governments;
  - iv. Not-for-profit Developers/ Borrowers.
- d. **Eligible Activity, HCDA Section 105(a)(1), 105(a)(4), 105(a)(9), 105(a)(11), and 105(a)(14-15):**
  - i. Rehabilitation, reconstruction, and new construction of affordable multi-family housing projects.
- e. **Eligibility Criteria:**
  - i. Development must meet CDBG-DR eligibility requirements;
  - ii. Development must be located within Harris County and outside the city limits of Houston except that in certain cases where the City and County partner on projects that provide housing.

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<sup>3</sup> Acquisition funding will be made available under the Acquisition Program, and may be combined with the Affordable Rental Program for certain projects.

- iii. A minimum of 51 percent of the units must be restricted for twenty (20) or more years of an affordability period for low- and moderate-income (LMI) individuals earning 80 percent or less of the Area Median Family Income (AMFI) at affordable rents.
  - iv. The affordable rents must comply with High HOME Investment Partnership (HOME) Rents and other existing Land Use Restriction Agreement (LURA) restrictions, if applicable.
  - v. Property Types: Multi-family rental development is eight or more rental units under common ownership.
  - vi. The Harris County Affordable Rental Program Notice of Funding Availability (NOFA)/Request for Proposal will clearly establish the application process and acceptance period, threshold criteria (including applicable building codes), selection criteria and the award process.
  - vii. Project construction must be completed within 18 months of the effective date of the contract, unless otherwise extended.
- f. **Ineligible:** Developments located outside of Harris County are ineligible. Developments located inside the City of Houston are also ineligible except in the case stated above under Eligibility Criteria: item ii regarding partnerships between the jurisdictions.
- g. **Primary Selection Criteria:**
- i. Located in High Opportunity Zones; and areas of revitalization as demonstrated by other public and/or private investments in such areas.<sup>4</sup>
  - ii. Targets extremely low-income (30 percent AMFI);
  - iii. Exceeds the number of LMI units eligibility requirement;
  - iv. Serves persons with disabilities beyond minimum requirements;
  - v. Leverages public and private financing; (may request waiver to fully fund certain developments to expedite project completion)
  - vi. Activity type; and
  - vii. Cost-effectiveness.
- h. **National Objective:** Low- and moderate-income
- i. **Timeframe:** The proposed program start date is immediately after HUD's approval of this Amendment to the Action Plan. The proposed end date is three years from the start date of the program.

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<sup>4</sup>As directed by HUD, Harris County will pursue a balanced approach in investing in both High Opportunity areas as well as constructing and improving multi-family affordable housing stock in revitalization areas that may be located near buyout interest areas as a means of improving and preserving community stability.

## Activity 2: Homelessness Prevention

Harris County will administer the Homelessness Prevention Program. The program will consist of two primary types of assistance with the sole purpose of preventing homelessness in the region following Hurricane Harvey. This program will be limited only to low- and moderate-income households.

a. **Allocation for program:** \$4,500,000 of Total Rental Program Allocation of \$204,500,000

**b. Eligible Activities HCDA Section 105(a)(8) and 105(a)(20):**

- i. **Utility Assistance** – Utility Assistance Program will provide assistance up to \$1,000 to low- and moderate-income households to meet immediate utility needs. Utility assistance may include electricity, gas, wastewater, water and other utility bills and deposits. Assistance will be for current and future costs but not bills in arrears.
  - ii. **Tenant-Based Rental Assistance** – Tenant-Based Rental Assistance will deliver rental assistance to low- and moderate-income households in need of housing. This program may include up to 24 months of rental assistance, including security deposit and utility deposit. This program will be administered using HUD-published Fair Market Rent (FMR), and the maximum award amount per household will be tied to FMR. Assistance will be provide for current and future rent/deposits but not those in arrears.
- c. **Eligibility Criteria:** Further guidance will be available in the program guidelines.
- d. **Ineligible:** Activities located within the city limits of Houston<sup>5</sup> and/or outside of Harris County are ineligible.
- e. **National Objective:** Low- and moderate-income

## 5. HARRIS COUNTY SINGLE FAMILY NEW CONSTRUCTION PROGRAM (\$119,888,035)

Harris County struggled to keep pace with housing demand pre-Hurricane Harvey, and now the ability to provide a comprehensive single family focused development solution, associated with Hurricane Harvey recovery are even more exacerbated. Over the next 4 years, Harris County in partnership with the Harris County Flood Control District, will be acquiring through a buyout program funded by Hazard Mitigation Grants and CDBG-DR approximately 2,000 homes. In a

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<sup>5</sup> Persons identifying as homeless as a result of Hurricane Harvey may be assisted anywhere in Harris County including within the limits of the City of Houston as part of the regional homelessness assistance system.

period where the local housing stock is low or in flood prone areas, quality replacement homes, especially affordable homes, will be impossible to find in Harris County. Add to this the dismantling of whole communities after a buyout program.

The Harris County Single Family New Construction Program will replace affordable single-family housing stock by developing new housing in areas of reduced risk of flooding. To meet this challenge, Harris County will implement innovative solutions for promoting and partnering with local homebuilders to create new inclusive communities that offer a wide variety of housing choice and construction solutions that lends toward resilience investments.

As a public/private partnership approach, Harris County will build on national community development & housing finance models that promote quality larger scale neighborhood development for LMI families that is context sensitive and aims toward implementing mixed-income/mixed use development styles. LMI families affected by flooding especially those experiencing repetitive flooding, will enjoy opportunities to relocate with their neighbors from these flood prone areas, thus preserving community cohesion, sustaining the local tax base, and local institutions such as schools, and other community assets.

The program will specifically link new single-family construction investments with LMI families, and the CDBG-DR eligibility requirements associated with benefiting LMI individuals earning 80 percent or less of the annual Area Median Family Income (AMFI) levels. Further, a new residential subdivision development would qualify for CDBG-DR eligible investment (e.g., land acquisition, infrastructure for residential development) if occupied by 51 percent or greater low-moderate income area, just as a multi-family complex would qualify that also has 51 percent or greater LMI dedicated units. Harris County will leverage its success with public/private partnerships by identifying and qualifying developer/builder interests that have the prerequisite development experience and financial capacity to mix financing, such as private equity and other non-CDBG-DR funding, for the development of property and the construction of homes above the 80 percent of Area Median Family Income limits.

In cases where subsidies for the construction of homes are provided to builders/developers, individual housing units will be sold to LMI homebuyers. This will apply with both in-fill and new development projects. In-fill development will help enhance and strengthen existing neighborhoods, which are located in reduced flood risk areas, by creating more opportunities for new affordable housing while also improving the local housing stock.

As a separate initiative under this program, the county will identify LMI target areas in need of community revitalization and that were highly impacted by Hurricane Harvey and other recent disaster events. These areas will need a comprehensive approach to improve housing, infrastructure, and facilities to achieve reduced future flood loss and resilience. It is the county's intent as we improve housing through rehabilitation, reconstruction, and new construction to also improve the neighborhood's drainage and other infrastructure that serve those homes in the LMI target area. For if the drainage and infrastructure are not corrected, any repairs or new construction of housing will be flooded in the next disaster event just as these homes have been affect by 2016 Floods and Hurricane Harvey.



Additionally, this approach will be aligned with the referenced “Balanced Approach” that will invest in both High Opportunity areas as well as improving affordable housing stock in revitalization areas that may be located near Hurricane buyout interest areas as a mean of improving and preserving community stability and cohesion. Besides the private housing market, LMI households seeking housing will have access to a larger market of affordable housing both in high opportunity and revitalization areas with this program.

**Allocation for Activity: \$119,888,035**

- a. **Maximum Award:** \$25 million per development/developer (Harris County may request waiver to exceed on a project by project basis)
- b. **Eligible Applicants:** Applicants acting individually or, as participants in a nonprofit corporation, a limited partnership (LP) or limited liability corporation (LLC), other legally formed entity eligible to apply for CDBG-DR funding:
  - i. For-profit Developers/ Borrowers;
  - ii. Public housing authorities;
  - iii. Units of local governments;
  - iv. Not-for-profit Developers/ Borrowers.
- c. **Eligible Activity, HCDA Section 105(a)(1), 105(a)(4), 105(a)(9), 105(a)(11), and 105(a)(14-15):**
  - i. New construction of affordable single-family housing.
  - ii. Infrastructure for housing development
  - iii. Down Payment Assistance.

**d. Eligibility Criteria**

- i. Development must meet CDBG-DR eligibility requirements;
- ii. Development must be located within Harris County and outside the city limits of Houston except that in certain cases where the City and County may partner on projects that are adjacent to the city/county line and will serve both City and County residents;
- iii. A minimum of 51 percent of the units must be restricted for low- and moderate-income (LMI) individuals earning 80 percent or less of the Area Median Family Income (AMFI) at affordable rents.
- iv. The sales price for each single family residence will not exceed the HOME and Housing Trust Fund (HTF) Homeownership Value Limits for LMI homebuyers;
- v. Property Types: Single-family development, and in-fill development.
- vi. The Harris County Single Family Development Program Notice of Funding Availability (NOFA)/Request for Proposal will clearly establish the application process and acceptance period, threshold criteria (including applicable building codes), selection criteria and the award process.
- vii. Project construction must be completed within 24 months of the effective date of the contract, unless otherwise extended.

e. **Ineligible:** Developments located outside of Harris County are ineligible. Developments located inside the City of Houston are also ineligible except in the case stated above under Eligibility Criteria: item ii regarding partnerships in projects along the city/county line.

f. **Primary Selection Criteria (for contiguous developments):**

- i. Located in High Opportunity Zones; and areas of revitalization as demonstrated by other public and/or private investments.<sup>6</sup>
- ii. Includes targets for extremely low-income (30 percent AMFI) homebuyers;
- iii. Meets the number of LMI units eligibility requirement;
- iv. Serves persons with disabilities beyond minimum requirements;
- v. Leverages public and private financing;
- vi. Activity type; and
- vii. Cost-effectiveness.

k. **National Objectives:** Low- and moderate-income.

l. **Timeline:** The proposed program start date is immediately after HUD's approval of this Amendment to the Action Plan. The proposed end date is four years from the start date of the program.

## 6. **LOCAL INFRASTRUCTURE PROGRAM (\$209,168,492)**

Harris County recognizes that as part of a comprehensive long-term recovery program, the repair and enhancements of local infrastructure and mitigation efforts<sup>7</sup> are crucial components. Infrastructure activities are vital not only for the long-term recovery and restoration of housing but for the long-term recovery and viability of communities. The local infrastructure program will provide disaster relief, long-term recovery, and restoration of infrastructure for Harris County communities impacted by Hurricane Harvey. Each infrastructure activity must demonstrate how it will contribute to the long-term recovery and restoration of housing.

Harris County will operate its local infrastructure program as a subrecipient to the GLO. Harris County cities allocated funding through the local Method of Distribution (MOD) will execute contracts directly with the GLO in which, Harris County will allocate funding and administer.

### a. **Harris County Commercial Buyout Program (\$12,500,000)**

Harris County Commercial Buyout Program will purchase commercial properties in communities that have suffered from multiple disasters or are at a high-risk of suffering from additional disasters, such as properties in the 100-year floodplain. As with residential buyouts, properties targeted for commercial buyout will be located in areas in which Harris

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<sup>6</sup>As directed by HUD, Harris County will pursue a balanced approach in investing in both High Opportunity areas as well as improving affordable housing stock in revitalization areas that may be located near buyout interest areas as a means of improving and preserving community stability.

<sup>7</sup> Mitigation efforts - Harris County will take measures to acquire commercial properties located in areas in which Harris County intends to preserve open space or establish flood storage/overflow. This is part of holistic community approach to help relocate residents and businesses to areas in close proximity to original locations to preserve community character and financial structure.

County intends to preserve open space or establish flood storage/overflow. This is part of a holistic community approach to help relocate residents and businesses that have been devastated by Hurricane Harvey. Harris County will follow the Uniform Relocation Requirements (URA) and will provide relocation payments and assistance to displaced businesses. Harris County will attempt, as much as possible to help relocate communities in close proximity to original locations to preserve community character and financial structure.

- a. **Allocation Amount:** \$12,500,000
  - b. **Eligible Entities:** Harris County and will operate this program in partnership with Harris County Flood Control District.
  - c. **Eligible Activities, HCDA Section 105(a)(1), 105(a)(7-8) 105(a)(11)**
    - i. Buyouts;
    - ii. Acquisition;
    - iii. Relocation Assistance with buyout or acquisition activities;
    - iv. Assistance with buyout or acquisition activities;
    - v. Demolition only;
    - vi. Activities designed to relocate businesses outside of floodplains;
    - vii. Public service within the 15 percent cap (e.g., housing counseling, legal counseling, job training, mental health, and general health services);
    - viii. FEMA Hazard Mitigation Grant Program (HMGP) cost share.
  - d. **Ineligible Activities:** Activities located within the city limits of Houston and/or outside of Harris County are ineligible to participate in the program.
  - e. **Program Guidelines:** Harris County will develop guidelines in accordance with CDBG-DR requirements and regulations to set maximum assistance amounts, target area locations, and additional eligibility requirements. Guidelines must be posted for public comment before use. The GLO must approve all guidelines.
  - f. **National Objectives:** Low- and moderate-income, elimination of slum/blight, and urgent need,
  - g. **Timeline:** The proposed program start date is 30 days after HUD's approval of this Amendment to the Action Plan. The proposed end date is three years from the start date of the program.
- b. Harris County MOD (\$120,000,000)**
- Under the local infrastructure program, Harris County will conduct a County level Method of Distribution (MOD) process. Harris County will encourage the prioritization of infrastructure for direct repair of damaged facilities, FEMA cost share and mitigation, and water and flood control facilities due to the limitations of funds available in this allocation.
- Harris County will follow a citizen participation process as a part of the MOD development. Harris County is required to publish notice of any public hearings prior to holding the

hearings. Notices shall be published in all newspapers of record for all eligible cities, posted on the Harris County Community Services Department's website, and provided to all eligible cities in the MOD. Hearings must fully comply with Texas Open Meetings Act.

The final MOD shall be posted on the Harris County Community Services Department's website for public comment prior to submission to the GLO. The public comment period shall be no less than 14 days. Each comment shall be responded to and any changes made to the final MOD shall be noted in the response section for GLO review. The MODs must be completed 60 days from the GLO submission of the Amendment to the Action Plan to HUD.

Upon completion, Harris County shall submit MOD to the GLO for review and approval.

**a. Harris County MOD Requirements:**

- i. Harris County will facilitate the MOD process with GLO support;
- ii. Establish objective criteria for allocation of funds to eligible entities or activities (distribution based on, but not limited to, unmet need);
- iii. Citizen participation process:
  1. Develop a citizen participation plan;
  2. Conduct a minimum of two (2) public hearings prior to finalizing the MOD;
  3. One (1) of the public hearings shall be identified as a "Public Planning Meeting;"
  4. Personal and website notice must be sent at least five (5) days prior to each public hearing;
  5. Public notice of each hearing must be published in at least one (1) regional newspaper three (3) or more days in advance of the hearing.
  6. Ensure a public comment period of at least 14 days.
- iv. Implement a damage level threshold of \$1,500,000 in CDGB-DR funds to any local entity receiving funding through the MOD;
- v. Facilitate local prioritization through the MOD;
- vi. Any funding not applied for or used by the entity allocated funding will be returned to Harris County to be used in their allocation;
- vii. Any amendments reallocating funding will be published on the Harris County Community Services Department's website for at least 14 days and submitted to GLO for approval. If Harris County cannot expend the funding, the funding will be returned to the State for re-allocation;
- viii. Reallocation of funds from de-obligated funds and/or cost savings from completed projects will be the discretion of Harris County within cities in Harris County and outside the city limits of Houston;
- ix. A plan to meet the 70 percent low- and moderate-income benefit requirement;
- x. Establish any additional parameters for eligibility beyond what is required by HUD or the GLO.

**b. Allocation Amount: \$120,000,000**

- c. **Eligible Entities:** Units of local government (cities and Harris County)
- d. **Eligible Activities:** Infrastructure activities must contribute to the long-term recovery and restoration of housing. All activities allowed under CDBG-DR; HCDA Section 105(a)(1-5), 105(a)(7-9), and 105(a)(11), including but not limited to:
  - i. Flood control and drainage repair and improvements, including the construction or rehabilitation of storm water management system;
  - ii. Restoration of infrastructure (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.);
  - iii. Demolition, rehabilitation of publicly or privately-owned commercial or industrial buildings, and code enforcement;
  - iv. Economic development (such as microenterprise and small business assistance, commercial rehabilitation, and special economic development activities, including prioritizing assistance to businesses that meet the definition of a small business);
  - v. Public service (such as job training and employment services, healthcare, child care, and crime prevention within the 15 percent cap).
- e. **Ineligible Activities:**
  - i. CDBG-DR funds may not be used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. CDBG-DR funds for levees and dams are required to:
    - 1. Register and maintain entries regarding such structures with the U.S. Army Corps of Engineers National Levee Database or National Inventory of Dams;
    - 2. Ensure that the structure is admitted in the U.S. Army Corps of Engineers PL 84-99 Rehabilitation Program (Rehabilitation Assistance for Non-Federal Flood Control Projects);
    - 3. Ensure the structure is accredited under the FEMA National Flood Insurance Program;
    - 4. Maintain file documentation demonstrating a risk assessment prior to funding the flood control structure and documentation that the investment includes risk reduction measures.
  - ii. Funds may not be used to assist a privately-owned utility for any purpose;
  - iii. Buildings and facilities used for the general conduct of government (e.g., city halls, courthouses, and emergency operation centers);
  - iv. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by the Federal Emergency Management Agency (FEMA), the Army Corps of Engineers (USACE), insurance, or another source due in part to the restrictions against duplication of benefits outlined in this Action Plan. An activity underway prior to the Presidential Disaster Declaration will not qualify unless the disaster directly impacted said project.
  - v. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG-DR funds that may be contributed to a USACE project is \$250,000 or less.

- vi. Activities located outside of Harris County or within the city limits of Houston are ineligible.
- f. **National Objectives:** Low- and moderate-income, elimination of slum/blight and urgent need.
- g. **Timeline:** The proposed program start date is 30 days after HUD's approval of this Action Plan. The proposed end date is **four** years from the start date of the program.

**a. Harris County Competitive Request for Proposal Program (\$76,668,492)**

The Harris County competitive request for proposal (RFP) program will solicit proposals from Harris County and affiliated small cities to repair and rebuild infrastructure/facilities impacted by Hurricane Harvey. The intent of the RFP is to provide funding for local infrastructure improvements to include:

- Improvements to storm-water/drainage
- Expansion of water and wastewater facilities to serve underserved areas of the County
- Construction of roads
- Construction of shelter
- Traffic signal resilience, and
- Other critical infrastructure/facilities repairs and enhancements

After the damage caused by Hurricane Harvey, much needed repairs and enhancements will dramatically improve public, residential, and commercial concerns by mitigation flooding, rescuing storm water on roadways and properties, diverting storm water into the appropriate channels, as well as provide shelter to displaced residents.

- a. **Allocation Amount:** \$76,668,492
- b. **Eligible Entities:** Units of local government (excluding the city of Houston), Independent School Districts, non-profits, and publicly owned utilities within Harris County boundaries
- c. **Eligible Activities:** Infrastructure activities must contribute to the long-term recovery and restoration of housing. All activities allowed under CDBG-DR; HCDA Section 105(a)(1-5), 105(a)(7-9), and 105(a)(11), including but not limited to:
  - i. Flood control and drainage repair and improvements, including the construction or rehabilitation of storm water management system;
  - ii. Restoration of infrastructure (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.);
  - iii. Demolition, rehabilitation of publicly or privately-owned commercial, institutional or industrial buildings, and code enforcement;
  - iv. Economic development (such as microenterprise and small business assistance, commercial rehabilitation, and special economic development activities,

including prioritizing assistance to businesses that meet the definition of a small business);

- v. Public service (such as job training and employment services, healthcare, child care, and crime prevention within the 15 percent cap).

**d. Ineligible Activities:**

- i. CDBG–DR funds may not be used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. CDBG–DR funds for levees and dams are required to:
  - 1. Register and maintain entries regarding such structures with the U.S. Army Corps of Engineers National Levee Database or National Inventory of Dams;
  - 2. Ensure that the structure is admitted in the U.S. Army Corps of Engineers PL 84–99 Rehabilitation Program (Rehabilitation Assistance for Non-Federal Flood Control Projects);
  - 3. Ensure the structure is accredited under the FEMA National Flood Insurance Program;
  - 4. Maintain file documentation demonstrating a risk assessment prior to funding the flood control structure and documentation that the investment includes risk reduction measures.
- ii. Funds may not be used to assist a privately-owned utility for any purpose;
- iii. Buildings and facilities used for the general conduct of government (e.g., city halls, courthouses, and emergency operation centers);
- iv. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by the Federal Emergency Management Agency (FEMA), the Army Corps of Engineers (USACE), insurance, or another source due in part to the restrictions against duplication of benefits outlined in this Action Plan. An activity underway prior to the Presidential Disaster Declaration will not qualify unless the disaster directly impacted said project.
- v. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG–DR funds that may be contributed to a USACE project is \$250,000 or less.
- vi. Activities located outside of Harris County or within the city limits of Houston are ineligible.
- vii. National Objectives: Low- and moderate-income, elimination of slum/blight and urgent need.
- viii. Timeline: The proposed program start date is 30 days after HUD’s approval of this Action Plan. The proposed end date is four years from the start date of the program.

**e. Selection Criteria**

- i. Priority will be given to projects that benefit low- to moderate-income households or communities.
- ii. Priority will be given to the repair and improvement of damaged homeless shelter facilities and drainage facilities.
- iii. Projects will provide at least 20 percent leveraging funding to the project.



## **7. LOCAL, REGIONAL AND STATE PLANNING (\$55,769,342)**

Well thought out and inclusive planning paves the way for effective and efficient implementation of projects and activities. The planning process is iterative, with each phase overlapping and informing the others. Harris County will invest sufficient planning funds to accurately identify unmet needs, which will ensure that projects are implemented in a manner to achieve successful completion.

- a. **Allocation Amount:** \$55,769,342
- b. **Eligible Activities:** Eligible planning, urban environmental design, and policy-planning-management-capacity building activities as listed in 24 CFR 570.205, HCDA 105(a)(12)
- c. **Ineligible Activities:** Planning activities located outside of Harris County or within the city limits of Houston except where such studies intersect hazard mitigation and drainage improvements related to the assets maintained by the Harris County Flood Control District.
- d. **Timeline:** The proposed program start date is immediately after HUD's approval of this Amendment to the Action Plan. The proposed end date is six years from the start date of the program.

## **8. ADMINISTRATIVE FUNDS (\$16,741,956)**

Harris County administrative costs will not exceed two (2) percent, \$16,741,956 of the Housing Allocation, which will be provide from the State's Administrative Funds set-aside. This is in compliance with the State's plan. The GLO will allow up to 10 percent of program amounts for costs directly related to implementation of housing activities and 6 percent of infrastructure/non-housing activities. The GLO has capped engineering and design activities at 15 percent of the total project award, unless special services are necessary and are subject to GLO approval. The proposed program start date is immediately after HUD's approval of this action plan amendment. The proposed end date is 5 years from program start date.

Harris County intends to utilize, expend and seek reimbursement for Pre-Award cost, in compliance with 570.200(h), for planning, purchase and expansion of software systems, standing up of intake and call centers for housing programs, program management and administrative functions.

## **9. NATIONAL OBJECTIVE**

It is expected all the national objectives will be utilized in the execution of the Hurricane Harvey recovery effort. For urgent need activities, each subrecipient receiving CDBG-DR funds will document how all activities or projects funded under the urgent need national

objective respond to a disaster-related impact identified by the subrecipients. The CDBG certification requirements for documentation of urgent need, located at 24 CFR 570.483(d), are waived for the grants under this notice.

At least 70 percent of the aggregate of CDBG-DR program funds will be used to support activities that benefit low- and moderate-income persons.

## **V. Citizen Participation**

The primary goal of this plan is to provide Harris County residents with definitive opportunities to involve themselves in the recovery process as it pertains to CDBG-DR funds. Harris County is acutely aware of the hardships many are faced within the wake of Hurricane Harvey and strives to provide an ease of access to vulnerable populations struggling to recover.

### **A. Publication**

The Harris County Local Supplemental Action Plan will be a substantial amendment added to the State of Texas' Action Plan. The State's Action Plan can be found at <http://www.glo.texas.gov/recovery/reports/action-plans/index.html> on the GLO website. The County's plan will follow the State's publication requirement to publish the proposed plan or any future amendments on the Harris County Community Services Department (CSD) website at [www.csd.hctx.net](http://www.csd.hctx.net) for a 14-day public comment period. The County will also notify citizens and other interested parties through electronic mailings, social media, and media releases. The county will ensure all citizens have equal access to information about the programs including persons with disabilities and limited English proficiency (LEP). The county will follow its LEP plan in regard to its publications.

Harris County CSD will take comments via USPS mail, email or in person at the following:

Harris County Community Services Department  
8410 Lantern Point Dr.  
Houston, Texas 77054  
Email: [plancomments@csd.hctx.net](mailto:plancomments@csd.hctx.net)

Comments can also be given at a public hearing on July 10, 2018, 10:00 AM at Harris County Commissioners Court 9<sup>th</sup> Floor, 1001 Preston, Houston, Texas 77054.

All comments will be accepted June 27, 2018 to July 10, 2018 5:00 PM. A summary of the comments and Harris County's response to each will be made a part of this plan and submitted to the GLO with Harris County's local supplemental action plan.

### **B. Community Consultation**

On April 16, 2018, Harris County officially kicked off its community engagement activities. The county met with local advocates to discuss the need for residential buyout, other homeowner incentives, future citizen participation for recovery from Hurricane Harvey and CDBG-DR, and affirmatively furthering fair housing, especially during and after a disaster. The county's goals for community engagement is to solicit input on needs and unmet needs in the county, provide resource navigation to existing services for immediate and future needs, educate on the CDBG-DR program, and identify and to the best extent possible provide access to remedy any discriminatory practices suffered by county residents as they recover. The county will seek to

engage the public, especially vulnerable populations such as low-income and persons with a disability; housing and civil rights advocates; local community leaders; non-profits; business owners; and other area stakeholders. Harris County is providing several methods of engagement:

1. Stakeholder and Focus Group meetings-small group discussions around a specific topic of recovery and unmet needs
2. Community meetings in an Open House style welcoming all the public
3. Community Survey-provided in English and Spanish
4. Community meeting in a Box-allows grassroots community engagement with local moderators leading small groups of neighbors through a series of questions regarding their household's and community's recovery and CDBG-DR.

From May to July 2018, Harris County Community Services Department has conducted a series of community meetings along with our community partners, such as the Texas Organizing Project and BakerRipley (see a list of meetings in the Appendix). These meetings were held throughout the county and included some of the county's small cities. Meeting flyers in English, Spanish and Vietnamese were distributed via local schools, utility districts, local non-profits, social media, direct email to residents, door to door canvassing, phone calls to residents, text messaging, posting in community buildings, and news media release (radio, print and television). Meetings have averaged 55 persons, with two meetings with attendance over 100 persons. Meetings had language and sign language interpreters available. Discussions by citizens have ranged from the need for a buyout program and need for drainage improvements to individuals expressing personal needs for recovery like home repair options and need for affordable housing. At the meetings, Harris County has hosted groups like Lone Star Legal, HC Housing Resource Center, FEMA and the local county precincts to operate information booths for meeting attendees.

Harris County has conducted two meetings with advocates and subject experts. Attendees included housing providers, Fair Housing advocates, non-profits, housing authorities, universities, environmentalist, engineers, financial providers, builders, faith-based leaders, legal service providers, buyout services providers, and organizations serving disabled populations.

## Appendix A: Projected Expenditures and Outcomes

Year 1 (2018) Expenditures						
Program	Prgm. Allocation	Q1	Q2	Q3	Q4	Totals
Homeowner Asst Pgm	\$ 214,000,000			1,544,559	2,868,467	4,413,027
Buyout & Acquisition/H.O. Asst.	200,000,000			3,000,000	7,000,000	10,000,000
Reimbursement Program	15,000,000			1,125,000	1,125,000	2,250,000
Affordable Rental Program	204,500,000			2,045,000	2,045,000	4,090,000
SF New Construction	119,888,035			2,397,761	3,596,641	5,994,402
Buyouts, Commercial	12,500,000			250,000	375,000	625,000
Other Infrastructure (MOD)	120,000,000				6,000,000	6,000,000
Infrastructure - Competitive	76,668,492				3,833,425	3,833,425
Planning (5%)	55,769,342	3,903,854	3,485,584	3,485,584	3,067,314	13,942,335
Project Delivery (6%)	97,060,961	1,034,375	2,068,750	2,585,938	4,654,688	10,343,751
	<b>\$ 1,115,386,830</b>	<b>4,938,229</b>	<b>5,554,334</b>	<b>16,433,841</b>	<b>34,565,534</b>	<b>61,491,939</b>
<b>Funds Remaining:</b>		<b>1,110,448,601</b>	<b>1,104,894,267</b>	<b>1,088,460,425</b>	<b>1,053,894,891</b>	<b>1,053,894,891</b>
Admin (2%) from State Action Plan	16,741,956	211,901	423,802	529,752	953,554	2,119,009
Year 2 (2019) Expenditures						
Program	Prgm. Allocation	Q1	Q2	Q3	Q4	Totals
Homeowner Asst Pgm	\$ 214,000,000	3,440,421	4,300,527	4,300,527	5,160,632	17,202,106
Buyout & Acquisition/H.O. Asst.	200,000,000	12,000,000	18,000,000	15,000,000	15,000,000	60,000,000
Reimbursement Program	15,000,000	1,012,500	1,350,000	2,025,000	2,362,500	6,750,000
Affordable Rental Program	204,500,000	4,090,000	6,135,000	5,112,500	5,112,500	20,450,000
SF New Construction	119,888,035	5,994,402	7,493,002	7,493,002	8,991,603	29,972,009
Buyouts, Commercial	12,500,000	562,500	750,000	1,125,000	1,312,500	3,750,000
Other Infrastructure (MOD)	120,000,000	1,800,000	2,400,000	3,600,000	4,200,000	12,000,000
Infrastructure - Competitive	76,668,492	1,150,027	1,533,370	2,300,055	2,683,397	7,666,849
Planning (5%)	55,769,342	3,485,584	3,485,584	3,485,584	3,485,584	13,942,335
Project Delivery (6%)	97,060,961	5,243,872	5,243,872	5,243,872	5,243,872	20,975,487
	<b>\$ 1,115,386,830</b>	<b>38,779,306</b>	<b>50,691,354</b>	<b>49,685,539</b>	<b>53,552,587</b>	<b>192,708,786</b>
<b>Funds Remaining:</b>		<b>1,015,115,585</b>	<b>964,424,231</b>	<b>914,738,692</b>	<b>861,186,105</b>	<b>861,186,105</b>
Admin (2%) from State Action Plan	16,741,956	912,465	912,465	912,465	912,465	3,649,858
Year 3 (2020) Expenditures						
Program	Prgm. Allocation	Q1	Q2	Q3	Q4	Totals
Homeowner Asst Pgm	\$ 214,000,000	12,938,487	16,173,108	16,173,108	19,407,730	64,692,433
Buyout & Acquisition/H.O. Asst.	200,000,000	13,500,000	20,250,000	16,875,000	16,875,000	67,500,000
Reimbursement Program	15,000,000	562,500	750,000	1,125,000	1,312,500	3,750,000
Affordable Rental Program	204,500,000	21,472,500	18,405,000	12,270,000	9,202,500	61,350,000
SF New Construction	119,888,035	9,531,099	9,531,099	8,631,939	8,272,274	35,966,411
Buyouts, Commercial	12,500,000	937,500	1,250,000	1,875,000	2,187,500	6,250,000
Other Infrastructure (MOD)	120,000,000	7,200,000	9,600,000	14,400,000	16,800,000	48,000,000
Infrastructure - Competitive	76,668,492	4,600,110	6,133,479	9,200,219	10,733,589	30,667,397
Planning (5%)	55,769,342	2,788,467	2,788,467	2,788,467	2,788,467	11,153,868
Project Delivery (6%)	97,060,961	5,686,056	5,467,362	5,467,362	5,248,668	21,869,448
	<b>\$ 1,115,386,830</b>	<b>79,216,719</b>	<b>90,348,516</b>	<b>88,806,095</b>	<b>92,828,228</b>	<b>351,199,557</b>
<b>Funds Remaining:</b>		<b>781,969,386</b>	<b>691,620,870</b>	<b>602,814,775</b>	<b>509,986,547</b>	<b>509,986,547</b>
Admin (2%) from State Action Plan	16,741,956	910,865	910,865	910,865	910,865	3,643,461

Year 4 (2021) Expenditures						
Program	Prgm. Allocation	Q1	Q2	Q3	Q4	Totals
Homeowner Asst Pgm	214,000,000	18,537,500	18,537,500	18,537,500	18,537,500	74,150,000
Buyout & Acquisition/H.O. Asst.	200,000,000	12,000,000	10,000,000	10,000,000	8,000,000	40,000,000
Reimbursement Program	15,000,000	675,000	450,000	300,000	75,000	1,500,000
Affordable Rental Program	204,500,000	21,472,500	18,405,000	12,270,000	9,202,500	61,350,000
SF New Construction	119,888,035	8,242,302	7,792,722	7,343,142	6,593,842	29,972,009
Buyouts, Commercial	12,500,000	375,000	312,500	312,500	250,000	1,250,000
Other Infrastructure (MOD)	120,000,000	12,600,000	10,800,000	7,200,000	5,400,000	36,000,000
Infrastructure - Competitive	76,668,492	6,900,164	6,900,164	4,600,110	4,600,110	23,000,548
Planning (5%)	55,769,342	2,760,582	2,091,350	2,091,350	1,422,118	8,365,401
Project Delivery (6%)	97,060,961	5,071,037	4,883,221	4,507,589	4,319,773	18,781,620
	<b>\$ 1,115,386,830</b>	<b>88,634,086</b>	<b>80,172,458</b>	<b>67,162,191</b>	<b>58,400,842</b>	<b>294,369,578</b>
<b>Funds Remaining:</b>		<b>421,352,461</b>	<b>341,180,003</b>	<b>274,017,812</b>	<b>215,616,970</b>	<b>215,616,970</b>
Admin (2%) from State Action Plan	16,741,956	759,316	759,316	759,316	759,316	3,037,262
Year 5 (2022) Expenditures						
Program	Prgm. Allocation	Q1	Q2	Q3	Q4	Totals
Homeowner Asst Pgm	\$214,000,000	16,659,263	11,899,473	9,519,579	9,519,579	47,597,894
Buyout & Acquisition/H.O. Asst.	200,000,000	6,212,500	5,325,000	3,550,000	2,662,500	17,750,000
Reimbursement Program	15,000,000	337,500	225,000	150,000	37,500	750,000
Affordable Rental Program	204,500,000	14,110,500	11,758,750	11,758,750	9,407,000	47,035,000
SF New Construction	119,888,035	3,596,641	2,997,201	2,997,201	2,397,761	11,988,804
Buyouts, Commercial	12,500,000	375,000	187,500	62,500		625,000
Other Infrastructure (MOD)	120,000,000	3,600,000	3,600,000	2,400,000	2,400,000	12,000,000
Infrastructure - Competitive	76,668,492	2,300,055	2,300,055	1,533,370	1,533,370	7,666,849
Planning (5%)	55,769,342	1,045,675	1,045,675	1,045,675	1,045,675	4,182,701
Project Delivery (6%)	97,060,961	3,982,144	3,687,170	3,539,683	3,539,683	14,748,681
	<b>\$ 1,115,386,830</b>	<b>52,219,278</b>	<b>43,025,824</b>	<b>36,556,758</b>	<b>32,543,068</b>	<b>164,344,928</b>
<b>Funds Remaining:</b>		<b>163,397,692</b>	<b>120,371,868</b>	<b>83,815,110</b>	<b>51,272,042</b>	<b>51,272,042</b>
Admin (2%) from State Action Plan	16,741,956	788,460	788,460	659,439	630,768	2,867,127
Year 6 (2023) Expenditures						
Program	Prgm. Allocation	Q1	Q2	Q3	Q4	Totals
Homeowner Asst Pgm	\$ 214,000,000	3,863,951	1,486,135	594,454		5,944,540
Buyout & Acquisition/H.O. Asst.	200,000,000	3,325,000	1,425,000			4,750,000
Reimbursement Program	15,000,000	-	-	-	-	-
Affordable Rental Program	204,500,000	3,067,500	2,556,250	2,556,250	2,045,000	10,225,000
SF New Construction	119,888,035	3,596,641	1,498,600	599,440	299,720	5,994,402
Buyouts, Commercial	12,500,000	-	-	-	-	-
Other Infrastructure (MOD)	120,000,000	2,100,000	1,800,000	1,200,000	900,000	6,000,000
Infrastructure - Competitive	76,668,492	1,533,370	1,150,027	766,685	383,342	3,833,425
Planning (5%)	55,769,342	1,087,502	1,045,675	1,045,675	1,003,848	4,182,701
Project Delivery (6%)	97,060,961	3,309,432	2,688,914	2,482,074	1,861,556	10,341,975
	<b>\$ 1,115,386,830</b>	<b>\$ 21,883,396</b>	<b>\$ 13,650,602</b>	<b>\$ 9,244,578</b>	<b>\$ 6,493,466</b>	<b>\$ 51,272,042</b>
<b>Funds Remaining:</b>		<b>29,388,646</b>	<b>15,738,045</b>	<b>6,493,466</b>	<b>0</b>	
Admin (2%) from State Action Plan	16,741,956	391,941	391,941	327,805	313,552	1,425,239

\* Expenditure data assumes a contract start date of September 30, 2018; and pre-award planning costs

## Appendix B: Harris County Consultations

Date	Location	Parties Represented
Monday, April 16, 2018	Harris County Community Services Department	Focus Group Meeting on Residential Buyout Program LISC, HC Flood Control District, Texas Southern University, Kinder Institute/Rice University, Greater Houston Fair Housing Center, Lone Star Legal, Texas Low Income Housing Information (Texas Housers)
Thursday, May 24, 2018	Harris County Community Services Department	Organizational Stakeholder Meeting on Supplement Amendment to State's Action Plan process and community engagement. Sierra Club, LISC, TOP, HC Flood Control District, SEER, Kinder Institute/Rice University, Greater Houston Fair Housing Center, Lone Star Legal, Texas Low Income Housing Information (Texas Housers)
Wednesday May 30 <sup>th</sup> 4:30pm to 7:30pm	Crosby Community Center 409 Hare Rd; Crosby, TX 77532	Community Meeting Pct 2-Sheldon, Barrett Station, Crosby, Channelview, Huffman
Thursday May 31 <sup>st</sup> 4:30pm to 7:30pm	Northeast Community Center (James Driver Park) 10918 Bentley St.; Houston, TX 77093	Community Meeting Pct 2 & 1-Aldine, Airline, El Dorado, Northington-Kentwood, Sherwood Place
Tuesday, June 5 <sup>th</sup> 8:30am to 11:00am	BakerRipley - Cleveland Campus 720 Fairmont Pkwy; Pasadena, TX 77504	Community Meeting Pct 2-Pasadena, South Houston, Galena Park
Wednesday, June 6 <sup>th</sup> 4:30pm to 7:30pm	Weekly Community Center 8440 Greenhouse Rd; Cypress, TX 77433	Community Meeting Pct 3 & 4-Bear Creek, Copperfield, Katy, Cypress
Thursday, June 7 <sup>th</sup> 4:30pm to 7:30pm	Leon Z Grayson/Baldree Community Center 13828 Corpus Christi St; Houston, TX 77015	Community Meeting Pct 2 & 1-Galena Park, Jacinto City, South Houston, Cloverleaf, Sheldon, Channelview
Thursday, June 7 <sup>th</sup> 7:00pm to 8:00pm	TOP Partner Meeting HD Center 13701 Victoria St. Houston, TX 77015	Community Meeting Cloverleaf, Normandy Crossing, Texas Organizing Project (TOP)



Tuesday, June 12 <sup>th</sup> 4:30pm to 7:30pm	El Franco Lee Community Center 9500 Hall Rd; Houston, TX 77089	Community Meeting Pct 1-Pearland, Friendswood, Webster, Seabrook
Wednesday, June 13 <sup>th</sup> 4:30pm to 7:30pm	Phillip Cezeaux Recreation Bldg 100 N. Houston Ave; Humble, TX 77338	Community Meeting Pct 4- Humble, Mercer, Bordersville, North Belt
Thursday, June 14 <sup>th</sup> 4:30pm to 7:30pm	Baytown Community Center 2407 Market Street; Baytown, TX 77520	Community Meeting Pct 2-Baytown, McNair, Linus, Channelview, Jacinto City, Cloverleaf
Wednesday, June 20 <sup>th</sup> 1pm to 2pm	Houston Center for Independent Living (CIL)	Focus Group meeting with CIL
Thursday, June 21 <sup>st</sup> 7:00pm to 8:00pm	Sweet Home MBC 2503 16 <sup>th</sup> St Galena Park, TX 77547	Community Meeting Galena Park, Jacinto City, Texas Organizing Project (TOP)
Friday, June 22 <sup>nd</sup> 7:00pm to 8:00pm	Greater New Grove Worship Center 7518 East Mt Houston Rd Houston, TX 77050	Community Meeting Texas Organizing Project (TOP)
Saturday, June 23 <sup>rd</sup> 7:00pm to 8:00pm	The Rock International Ministries 14814 Lee Road, Humble TX 77396	Community Meeting Texas Organizing Project (TOP)

## **Appendix C: Public Comments**

## **Summary of Public Comments for Hurricane Harvey Round One Draft Supplemental Action Plan and Buyout Guidelines**

The public comment period was from June 27, 2018 to July 10, 2018. The following comments were received.

**Commenter Name:** Eva Thibaudeau

**Organization:** The Way Home CoC (Coalition for the Homeless)

**Date Commented:** June 27, 2018

**Comment Received via email:**

Hello and thank you for accepting our comments regarding the needs of homeless individuals impacted by Harvey. I am pleased to let you know that I am responding on behalf of the 100+ non-profits and funding entities that comprise The Greater Houston's homeless response system (Continuum of Care – CoC) known locally as The Way Home. My organization, the Coalition for the Homeless, serves as the Lead Agency for our community and has the authority to respond publicly on matters impacting homelessness.

We have worked closely with Harris County for many years, but most significantly since 2012, to solve the problem of homelessness. Each year, our community undertakes a massive count of persons experiencing homelessness who are both sheltered and unsheltered. In January 2018, the results of this count show that 18% of unsheltered respondents reported being homeless due to Hurricane Harvey. This number accounts for more than half of the increase in unsheltered homelessness this year. We are continuing to collect data regarding persons who are becoming homeless due to the impact of Hurricane Harvey.

Since 2012, our homeless response system has housed over 14, 500 individuals in permanent housing and ended their homelessness. This tremendous progress corresponded with a 63% reduction in overall homelessness. Unfortunately, Hurricane Harvey had a devastating impact on our community's most vulnerable citizens – those without a permanent, fixed, nighttime residence. The homeless response system answered the call and worked with our impacted community leaders to rapidly re-house nearly 1,000 individuals who were left with no viable exit strategy from the Red Cross shelters. This work continues today; as does the on-going impact of the storm.

The damaged housing stock in Harris County makes a tight housing market even tighter. On behalf of The Way Home and its 100+ partners, we would like to recommend consideration of the following activities in the County's plan as related to preventing and ending homelessness for our highly vulnerable citizens:

- Supportive services dollars to pair with rental subsidies to end household homelessness
- Rental subsidies to support a range of assistance (short to medium to long-term)
- Multi-family unit acquisition with units dedicated to permanent housing interventions for persons experiencing homelessness
- Acquisition of smaller properties (i.e., motels, former treatment centers, nursing homes, etc...) to accommodate the enhanced needs of persons experiencing homelessness who are suffering from substance use disorders, serious mental illness and/or chronic health conditions that require assistance with activities of daily living

- Funds to bring existing apartments up to habitability standards for rental use by those exiting homelessness

On behalf of The Way Home CoC, we thank you for accepting these comments. We look forward to continuing to work together to prevent and end homelessness for the many impacted citizens of Harris County.

Sincerely,

Eva

Eva Thibaudeau-Graczyk, LCSW

Coalition for the Homeless

Vice President of Programs

The Way Home CoC Lead Agency/HMIS Administrator

713-882-8274 | [homelesshouston.org](http://homelesshouston.org)

2000 Crawford Street, Suite 700, Houston, TX 77002

**County Response:** We thank the Coalition for its comment. The Harris County Supplemental Action Plan includes several services for those displaced and made homeless by Hurricane Harvey. While Homelessness was a priority issue in the county before the storm, post-Harvey homeless numbers and housing conditions have declined. The county has added homeless programs in the plan to include short-term mortgage assistance to prevent loss of housing and tenant-based rental assistance to assist low- and moderate-income households, particularly those who were those who are homeless. Case management services will be a part of these programs as the county already has a department that provides case management services to assist households to find and secure safe, affordable housing and maintain that housing for the long-term. This existing program is in partnership with the Coalition for the Homeless/Way Home CoC. The county also expects to work with local housing developers, non-profits, and housing authorities to acquire/rehabilitate and build new affordable housing with a unit set aside for homeless populations.

**Commenter Name: June Tyler**

**Organization: City of Baytown, Texas – Community Development Division**

**Date Commented: July 10, 2018**

**Comment Received via email:**

- Will the County administer the Housing program County wide? Or will each jurisdiction be given the opportunity to "self-administer" the housing program? The City of Baytown would like Harris County to administer it's housing program within our corporate city limits.
- Will the County allocate Buyout/Acquisition funds by way of a MOD to the local governments for implementation similar to how H-GAC and other COGs did with their MOD's? If so, will the local governments be given control for the administration of these funds? The City of Baytown would like Harris County to administer buyout/acquisition programs within the city limits with coordination and approval of each project.
- Will jurisdictions be able to participate in the Competitive Application if they are also included in a local MOD?
- Does the County plan to administer all programs (housing & infrastructure) for the entire County and each jurisdiction receiving an allocation? Or, will the County allow jurisdictions to "self-administer" if they are able to show capacity and a proven track record on similar programs with similar allocations?
- If the City is able self-administer (and we realize it could potentially take months before funding is finally approved), we would like procure and secure administrative services immediately.

**County Response:** We thank the city of Baytown for its comments. The county will administer all housing programs countywide (outside the city of Houston). As one of its housing program, Harris County will also administer the buyout program in partnership with the Harris County Flood Control District and Harris County Engineer. The county requests to work with the small cities to development housing needs (including for a buyout program) within their jurisdiction and to market the housing programs to their residents.

If a city is named in the county's MOD, they cannot also participate in the competitive round RFP. Currently, the Texas General Land Office informs that the county will administer all CDBG-DR funding.

**Commenter Name: Julie Robinson**

**Organization: City of Spring Valley Village, Texas – City Administrator**

**Date Commented: July 10, 2018**

**Comment Received via email:**

See next page for letter



EST. 1955

## SPRING VALLEY VILLAGE

July 10, 2018

**VIA EMAIL TO [plancomments@csd.hctx.net](mailto:plancomments@csd.hctx.net)**  
Harris County Community Services Department  
8410 Lantern Point Dr.  
Houston, TX 77054

RE: City of Spring Valley Village's Written Comments Concerning the Draft Harris County Supplemental Action Plan for Hurricane Harvey Community Development Block Grant Disaster Recovery Funding (Round One) ("Harvey CDBG-DR Round One")

Dear Sir or Madame:

The City of Spring Valley Village ("Spring Valley Village") respectfully submits the following written comments concerning the above-referenced Draft Harris County Supplemental Action Plan for Harvey CDBG-DR Round One ("Draft SAP") that was released on June 26, 2018. These written comments supplement any verbal comments made on behalf of the City of Spring Valley Village during any public hearings that will be held on the Draft SAP.

### General Comments

- Spring Valley Village understands the expedited schedule within which HCCSD has had to develop the Draft SAP and greatly appreciates the work of the HCCSD staff in developing the Draft SAP.
- Spring Valley Village does not support the overall distribution of the Harvey CDBG- DR Round One funds between Housing and Infrastructure. Spring Valley Village is aware that the distribution in the Draft SAP matches the distribution that was outlined by HUD in Federal Register, Vol. 83, No. 28, February 9, 2018. However, based on the actual Unmet Needs as reflected in Table 1, Summary of Unmet Needs in Harris County (outside the City of Houston), on Page 3 of the Draft SAP, the distribution is inversely disproportionate at its most basic level. Table 1 of the Draft SAP reflects that the percentage of Unmet Need for Housing is 20% while the percentage of Unmet Need for Infrastructure is 80%. However, the percentage of the County Program Allocation that has been designated for Housing is 79%, and the percentage of the County Program Allocation for Infrastructure is a mere 21%. Spring Valley Village strongly encourages the County to reallocate the distribution of the Harvey CDBG-DR Round One funds proportionately to match the actual percentage of Unmet Needs for both Housing and Infrastructure or, in the alternative, to split the County's allocation equally between Housing and Infrastructure.

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- Spring Valley Village does not support the overall requirement that 70% of the County's Program Allocation (both Housing and Infrastructure) be used to benefit the low-to-moderate income ("LMI") populations. While Spring Valley Village is certainly sympathetic to the impact of Hurricane Harvey on LMI populations, the flood waters from Hurricane Harvey did not discriminate based on income. Most assuredly, an enormous amount of the non-LMI populations suffered severe and catastrophic loss from Hurricane Harvey. Spring Valley Village strongly encourages the County to split the County's Program Allocation equally between LMI and non-LMI populations. In the alternative, since 30% of the County's Program Allocation is available for providing relief to non-LMI populations, Spring Valley Village strongly encourages the County to utilize such portion of the allocation to benefit as much of the non-LMI populations as possible.
- Spring Valley Village requests clarification as to whether the County plans to administer all programs (Housing & Infrastructure) for the entire County and each jurisdiction receiving an allocation. Spring Valley Village requests that the County allow each jurisdiction to "self-administer" if they are able to show capacity and a proven track record on similar programs with similar allocations.
- Based on the June 29, 2018, Monthly CDBG-DR Grant Financial Report from the U.S. Department of Housing and Urban Development Disaster Recovery Grant Reporting System, the Texas General Land Office ("GLO") has a balance of \$432,722,979.00 from the Hurricane Ike CDBG-DR funding that has yet to be utilized for any housing or infrastructure projects almost 10 years after Hurricane Ike. Spring Valley Village strongly encourages the County to request the reallocation of these funds to Harris County to be used to benefit non-LMI housing and infrastructure projects related to Hurricane Harvey.

### **Housing Allocation Comments**

- Spring Valley Village does not support the overall requirement that 70% of the County's Program Housing Allocation be used to benefit the LMI populations. As the Draft SAP is currently written, there will be little to no relief for the thousands of non-LMI households that suffered and are still suffering from Hurricane Harvey. There are thousands of non-LMI households that remain displaced from their homes and/or are living in unrepaired homes because they, just like the LMI populations, were unable to afford flood insurance and/or their flood claims were denied by the National Flood Insurance Program ("NFIP"). Spring Valley Village strongly encourages the County to split the County's Program Housing Allocation equally between LMI and non-LMI populations. In the alternative, since 30% of the County's Program Allocation is available for providing relief to non-LMI populations, Spring Valley Village strongly encourages the County to utilize such portion of the allocation to benefit as much of the non-LMI populations as possible.
  - With the majority of the Harvey CDBG-DR Round One funding being allocated to benefiting housing needs of the LMI population, Spring Valley Village has serious concerns about the County's ability to actually utilize the entirety of the housing allocation for this purpose. After Hurricane Ike nearly 10 years ago, there was a similar amount of funding allocated to housing for LMI populations, and almost immediately there were issues with LMI individuals not being able to qualify for the housing funds for a variety of reasons – not the least of which was lack of clear title for their damaged properties. This problem occurred in almost every community that was impacted by Hurricane Ike. Therefore, Spring Valley Village again encourages the County to split

the County's Program Housing Allocation equally between LMI and non-LMI populations. In the alternative, since 30% of the County's Program Allocation is available for providing relief to non-LMI populations, Spring Valley Village strongly encourages the County to utilize such portion of the allocation to benefit as much of the non-LMI populations as possible.

#### **Non-Housing Allocation Comments**

- As reflected in the Draft SAP, the repair and enhancement of local infrastructure and mitigation efforts are crucial components of a comprehensive long-term recovery program. Spring Valley Village agrees that infrastructure activities are vital not only for the long-term recovery and restoration of housing but for the long-term recovery, protection, and viability of communities – regardless of the income levels of their populations.
- Spring Valley Village understands that a County level Method of Distribution (“Local MOD”) under the Local Infrastructure Program has yet to be developed by HCCSD. In order to provide the most information to the public and all eligible cities, Spring Valley Village strongly encourages HCCSD to post all notices and the draft Local MOD on the home page of its website. When searching for the Draft SAP on the HCCSD website, it was difficult to actually locate the document without performing a specific search of the website. Posting all notices and the draft Local MOD on the home page of the HCCSD website would provide ease of access as well as transparency that would benefit the public, eligible cities as well as HCCSD.
  - Spring Valley Village does not agree with implementing a damage level threshold of \$1,500,000 in CDBG-DR funds to any local entity receiving funding through the Local MOD. The impacts of Hurricane Harvey affected every local entity in the entire Houston-Galveston region. It was obvious that water and flood control projects regardless of their location can and do have an impact on the surrounding areas - the flood waters did not observe any jurisdictional boundaries. While Spring Valley Village has no issue with funding direct damages to city facilities that resulted from Hurricane Harvey, there are numerous water and flood control projects that are absolutely necessary in cities that did not necessarily have direct damages that will reduce the flood risk of these cities and the surrounding areas. Therefore, there should not be a damage level threshold for the Local MOD in order for a city to be awarded funding under the Local MOD.
- With regard to the Local MOD, the draft SAP includes a plan to meet the 70% LMI benefit requirement. Spring Valley Village strongly encourages the County to split the County's Program Infrastructure Allocation equally between LMI and non-LMI populations. In the alternative, since 30% of the County's Program Infrastructure Allocation is available for providing relief to non-LMI populations, Spring Valley Village strongly encourages the County to utilize such portion of the allocation to benefit as much of the non-LMI populations as possible.
- Spring Valley Village requests clarification as to whether cities, either through the Local MOD or Competitive Request for Proposal Program, will have local control with regard to the program development and implementation of any funds if awarded. Spring Valley Villages encourages the County to allow local control by cities

for program development and implementation of any funds awarded. Additionally, Spring Valley Village asserts that cities should be allowed to allocate a percentage of their allocation for professional services (i.e. engineering, administration, environmental services, etc.).

- With regard to the Competitive Request for Proposal Program, Spring Valley Village requests that the first paragraph outlining the intent of the RFP Program on Page 44 of the draft SAP be clarified. While this paragraph specifically states that the intent of the RFP is to provide funding for *local infrastructure improvements*, the previous sentence limits those local infrastructure improvements to repairing and rebuilding infrastructure and facilities impacted by Hurricane Harvey. While Spring Valley Village has no issue with funding direct damages to city infrastructure and facilities that resulted from Hurricane Harvey, there are numerous water and flood control projects that are absolutely necessary in cities that did not necessarily have direct damages that will dramatically improve public, residential and commercial concerns by mitigation of flooding, reducing storm water on roadways and properties, conveying storm water into the appropriate channels, and providing shelter to displaced residents. Spring Valley Village requests that the Competitive RFP Program be available for all local infrastructure improvements and not limited to only repairing damaged infrastructure/facilities.
- It is unclear in the draft SAP whether cities will be able to participate in both the Local MOD as well as the Competitive RFP Program, or if cities will be limited to participation in one or the other. Spring Valley Village requests clarification with regard to the ability of cities to participate in both the Local MOD and the Competitive RFP Program.
- Since the draft SAP reflects a requirement that 70% of Infrastructure projects benefit LMI populations, Spring Valley Village requests clarification as to how cities and/or projects that do not have a high LMI percentage, but do address local and regional storm related impacts, access the Hurricane Harvey CDBG-DR Round One funds.

The City of Spring Valley Village appreciates the opportunity to provide its comments on the Draft SAP. Should you have any questions or require clarification of any of the information provided herein, please do not hesitate to contact me by phone at (713) 465-5306 or by email at jrobinson@springvalleytx.com.

Sincerely,



Julie M. Robinson  
City Administrator

c: Honorable Mayor and City Council Members

**County Response:** We thank Spring Valley Village for its comments.

- Per the Federal Register and based on GLO guidance in their Action Plan, all housing unmet needs must be administered before significant progress can be made on non-housing/infrastructure unmet needs. The Federal Register proscribes that a minimum of 79 percent of CDBG-DR funding in Round One will be for housing related programs and to alleviate unmet needs in local housing affected by Hurricane Harvey. The U.S. Congress has set aside a greater amount in CDBG-DR funding Round Two continue the assistance on non-housing/infrastructure unmet needs.
  - Per the Federal Register, 70 percent of CDBG-DR funding must be used to benefit low- to moderate-income households (one of HUD National Objectives), whether under housing or non-housing/infrastructure CDBG-DR programs. Once this threshold is met, funding can be used to meet the HUD National Objective of urgent need.
  - The CDBG-DR program requires all projects show that the problem the proposed project for CDBG-DR funding seeks to alleviate be directly related to Hurricane Harvey as well as meeting the 70 percent low- to moderate-income benefit discussed above. The county's MOD takes into account damage levels, percentage of low- to moderate-income population, and level of unmet needs of all jurisdictions.
  - Currently, the Texas General Land Office informs that the county will administer all CDBG-DR funding. The county will work with all cities with CDBG-DR awarded projects to develop the projects including engineering/design activities. Environmental Review will be performed by the county as requirement by the GLO as the responsible entity of CDBG-DR funding.
- If a city is named in the county's MOD, they cannot also participate in the competitive round RFP.

**Commenter Name: The Metropolitan Organization (TMO)**

**Organization: The Metropolitan Organization**

**Date Commented: July 10, 2018**

**Comment Received via email:**



**The Metropolitan Organization**  
**Gulf Coast Leadership Council**  
**4141 Southwest Freeway Suite # 650,**  
**Houston, Texas 77027**  
**Email: [tmo@tmohouston.net](mailto:tmo@tmohouston.net)**



# Memo

TO: County Judge Ed  
Emmett  
Commissioner  
Rodney Ellis  
Commissioner Jack  
Morman  
Commissioner Steve  
Radack  
Commissioner R. Jack  
Cagle

FROM: The Metropolitan Organization

DATE: July 10, 2018

RE: Action Plan for Hurricane Harvey CDBG Disaster Recovery Funding

Thank you for the opportunity to provide comments on the “Hurricane Harvey CDBG Disaster Recovery Funding (Round One)” Draft Action Plan. This letter represents the collective comments of the congregations that are members of The Metropolitan Organization. TMO has hosted 10 home repair intake sessions in partnership with the LISC collaborative and there were nearly 300 clients in attendance. Approximately, 80% of these clients did not have an active case manager working on their case and for some, these sessions were their first interaction with a case manager or home repair agency. **The need for quality disaster case management is extreme.** After reviewing the Draft Action Plan, we would like to make the following recommendations:

**Bestow an equity-based approach to recovery efforts by ensuring low-income families qualify for mitigation and buyouts as described in the Chapter 19 Floodplain Management Data Analysis.**

As an extension of larger community recovery programs, ensuring individual homeowners can benefit in recovery efforts by benefiting from flood mitigation and buyout initiatives will help create a more resilient community development plan. Low-income homeowners will benefit the most from a housing plan that places them in areas where they will not be subject to chronic flooding, expensive flood insurance, or the cost of elevating a home. Therefore, it is imperative that funding be allocated directly to these types of individual homeowners who otherwise would be subject to further weather implications, impeding their path to recovery.

**Quality Case Management is essential to recovery and investment is needed to ensure an individual's personal route to full recovery.**

Recovery Programs are only as effective as the quality Case Management available to help people who are recovering from the storm to navigate the complex programs systems for recovery. Based on our estimates, there are not enough Case Managers to fulfill the needs of people in need of recovery support. Even with additional Case Managers being made available through federal contracts and some of the City resources, ensuring that the Case Managers are well-trained and effectively coordinating with all of the other entities involved in recovery is paramount for effective recovery. For housing programs to be successful in helping people effectively, investment in case management and ensuring effective coordination with other service providers will be key to an individual's route to full recovery. Case Management and Housing Programs are interdependent, and the Action Plan as well as subsequent program design should address the relationship it foresees with case management agencies moving forward into recovery.

**Funds should be made available to assist qualifying low income families in resolving title and tax issues so they can receive housing assistance from CDBGDR funded programs.**

We have found that a significant obstacle to some low income households receiving assistance from FEMA or through CDBGDR funded programs is the fact that they do not have clear title to the home they have inherited from family members. In low income communities, possession and ownership of real estate passes informally from family member to family member over many years. Since many people die without wills, there are numerous heirs with potential interest in the property. Since it takes the time of experienced lawyers to help resolve these issues, funds should be allocated to assist families to resolve title issues where that is possible. Likewise, families have unpaid taxes and other obligations that will block them from accessing housing program funds. A well crafted program to help homeowners set up reasonable payment plans could result in more families being able to take advantage of the Housing Assistance Program.

**Commit to full transparency and accountability for the benefit of increasing trust in the recovery process to the homeowner and people recovering from the storm.**

There is no doubt that another storm will eventually land on the Gulf Coast and within the Houston area. The current sentiment we are hearing from households affected by the storm is confusion and lack of trust because of the difficulty in securing accurate, complete information

on the steps to recovery. We understand that numerous parties play a role in this (federal, state and local governments as well as the nonprofit sector). A well-designed system that allows for transparency and accountability in the recovery process can build trust between residents and the public sector, which will help in times of recovery. The Local Action Plan has the capability to make amends with residents who feel disenfranchised and give hope that they will not be left behind in the rebuilding process. Using our recovery resources to build systems that serve us now in Harvey recovery while also improving our readiness for the next event is welcomed. The intentions of the Action Plan must take into account those populations who are most vulnerable and offer a clear pathway in a very difficult situation.

Again, we appreciate the opportunity to provide comments to the Action Plan. We as a collective are eager to work with Harris County to ensure a successful recovery for our county's vulnerable communities. Thank you for your attention and consideration of these recommendations into the "Hurricane Harvey CDBG Disaster Recovery Funding (Round One)" Action Plan.

**County Response:** We thank TMO for their comments.

- Per the Federal Register that establishes these CDBG-DR funds, 70 percent of CDBG-DR funding must be used to benefit low- to moderate-income households (one of HUD National Objectives), whether under housing or non-housing/infrastructure CDBG-DR programs. Harris County seeks to ensure that low- to moderate-income households have access to CDBG-DR funding for home rehabilitation/reconstruction including flood mitigation, fair buyout of flooded homes and incentives for a replacement home that is safe and in an area of reduced flood risk and does not cause additional cost burden, and construction of new affordable renter- and owner-occupied housing.
- Each of these programs will come with quality case management to assist those affected by Hurricane Harvey navigate the programs. Harris County has also been and will continue to work with case management groups in the county to educate on the county's programs.
- The county is working and will continue to work with non-profit legal services to assist the public with resolving title issues. The programs under the county's action plan will work with individuals to reduce barriers created by title and tax issue to assist them to successfully navigate our systems.



**Commenter Name: Cyrus Reed**

**Organization: Lone Star Chapter of the Sierra Club**

**Date Commented: July 10, 2018**

**Comment Received via email:**

July 9, 2018

The Lone Star Chapter of the Sierra Club is pleased to offer these brief comments on the Long-term Housing Plan for Harris County. Separately, the Sierra Club through the local Houston group is also signing onto comments submitted by the HOME coalition, and we are in full support of those comments as well. Thus, some of our comments here are repetitive to those comments.

We wanted to reiterate that Harris County will need to not only promote compliance with modern building codes and standards, but enforce those provisions most likely through third-party inspectors, since Texas law does not currently allow direct inspections by county officials. We want to assure that in this plan or future MODs such inspections are paid for and included, and that third-party inspectors, builders and contractors are aware of the codes they must meet and properly trained as appropriate.

Thus, we repeat below the comments submitted by the Home Coalition.

***Promote environmentally-friendly standards.*** Any repair or reconstruction should follow modern and energy-efficient building codes and standards. Reconstruction, repair and new construction of residential buildings should follow the Energy Star program, and/or the HUD CPD Green Building Retrofit Checklist for non-substantially damaged residential buildings. In addition we recommend requiring the following standards:

- Require the 2015 International Energy Conservation Code for all commercial buildings, including multi-family buildings over three stories
- Require new residential buildings be built solar-ready, thus easily able to incorporate solar energy in the future by reserving adequate roof space
- Require compliance with modern plumbing codes, such as the 2015 UPC or 2015 IPC, which will help lower utility and energy bills
- Give priority to new construction or major reconstruction of multi-family buildings that are designed to meet a more robust standard, such as the ASHRAE 189.1 - 2014 Standard for the Design of High-Performance Green Buildings, or the recently published ASHRAE 189.1 - 2018 Standard for the Design of High-Performance Green Buildings.

***Ensure proper oversight and quality control of construction.*** The County should require certified quality and code compliance inspections on all projects. Funding should also be allocated to train contractors, building code officials and builders on code compliance. Every project must have at least a midpoint and final inspection completed by a trained inspector and based on publicly available inspection criteria. Inspection criteria should be reviewed by community, aid, and constructions groups before finalized. There also must be a hotline for concerns with construction and contractors, although it should be assumed most issues will not be reported. Therefore a third party agency entrusted with quality control should proactively contact every family within one week of each inspection to detect any issues. Every family must have a copy of the hotline number, final inspection criteria, their work order, and program details.

Secondly, we want to ensure that Harris County gives special attention to the communities impacted by both Harvey, repeated flooding and environmental degradation and pollution, and that the buyout program is fair for families. We would suggest that Harris County use a small amount of the administrative monies to beef up monitoring and inspection equipment. Thus, the county could consider using a small amount of the funds for purchase of actual monitoring equipment such as a Trace Atmospheric Gas Analyzer (TAGA) or handheld gas leak detection cameras to better protect the community from future events and assure spills and air emission events are properly catalogued and monitored.

***Make buyouts fair for families.*** The buyout program should make people whole. In other words, no family should have to take on additional debt to relocate to a comparable home in a safer neighborhood. If a family owns a three bedroom home free and clear, the relocation funds they receive should be enough to purchase a three bedroom home free and clear in a location suitable to the family's needs with no threat of flooding. The County should also establish a minimum buyout per household of no less than \$200,000 (including any accompanying "housing incentive"). Failing to fully fund relocation costs will also exclude the lowest income families from buyout programs, abandoning them in high-risk neighborhoods.

Neighborhoods or neighbors that were doubly impacted by flood waters polluted with chemicals, oils, waste, or sewage as indicated with overlays should be prioritized for buyouts. By doing so, the County of Houston can simultaneously mitigate the risk of flooding and hazardous toxics. Areas that face environmental and flooding risks should also be considered for additional funding for clean-up and better monitoring. Properties that are bought out should not be redeveloped for housing, or major non-green infrastructure projects.

### **Consider Pilot Revolving Loan for Housing**

Finally, the County could consider implementing a pilot revolving fund --principally for middle-income families who may not qualify for grants but may not have access to loans -- for a zero or slight interest rate for fixing up their homes and making them more resilient, energy-efficient and water-efficient. Such funds -- sometimes called WHEEL (Warehouse for Energy Efficiency Loans) -- would supplement the other programs contained in the housing plan. We would suggest a small amount of funds for single-family home repair be dedicated to such a revolving fund, such as \$2 million. This public money could also attract private money.

Sincerely,

Cyrus Reed, Conservation Director

Lone Star Chapter, Sierra Club

**County Response:** We thank C. Reed of the Lone Star Chapter Sierra Club for his comments. Harris County does provide inspection services for all projects under its CDBG-DR program. Working with the County's Engineer, the county sets standards for rehabilitation and construction that incorporates IECC, Energy Star, Green Building and other local building codes for CDBG-DR projects. The county has paid inspectors on staff and uses third-party inspection services to augment staff as needed. These inspectors are well trained and have the required certifications to perform the work.

Harris County has Affordable Housing Standards for construction of housing which include our criteria. These Standards can be found on our Harris County CSD website at <https://csd.harriscountytexas.gov/Pages/rfq.aspx>.

Harris County seeks to ensure that low- to moderate-income households have access to CDBG-DR funding for fair buyout of flooded homes and incentives for a replacement home that is safe and in an area of reduced flood risk and does not cause additional cost burden. The county has developed several incentives and homebuyer programs that will provide additional funding to purchase a replacement home. Case management and navigation services will also be available to assist buyout participants. Moving cost are also included in the assistance. The Harris County Residential Buyout Program Guidelines provide a detailed description of the program and incentives.

The county will research the eligibility of a pilot revolving loan fund for home repair, however this type of program is currently not available under the Texas Action Plan, however, the county will work with the Texas GLO to research its eligibility under CDBG-DR and the State's Action Plan.

**Commenter Name: HOME Coalition Members**

**Organization: HOME Coalition**

**Date Commented: July 10, 2018**

**Comment Received via email:**

Re: Draft Supplemental Action Plan for 2017 CDBG-DR Funds (Round 1)

To Whom It May Concern:

The Houston Organizing Movement for Equity (HOME) Coalition commends the County's recognition that rebuilding a stronger, more resilient community cannot happen unless it is also a more equitable community and its recognition that low- and moderate-income families must be prioritized for assistance. The draft CDBG-DR Local Action Plan is a good step forward, which the HOME Coalition believes can be strengthened by incorporating the following recommendations to the plan itself and program design. We appreciate the County's ongoing commitment to listen to community voices as the recovery moves forward and stand ready to assist you in that work.

We offer the following recommendations for strengthening the County of Houston's draft Local Action Plan:

***Prioritize low- and moderate-income families.*** The County should allocate 100% of the funding to families at 80% AMI and below. For a family of four in Harris County, 80% AMI is \$59,900, almost four times the annual income of one breadwinner earning minimum wage. Not only are low- and moderate-income families the least likely to have disposable income or other resources available and the most housing cost-burdened, but unmet needs calculations show that these families also have overwhelming unmet needs. As the Action Plan acknowledges, "[t]he scarcity of safe, quality affordable housing in Harris County has caused a severe housing burden and disproportionate housing needs particularly among African American, Hispanic and large family (5+ persons) households."

The prioritization of LMI families in the homeowner repair and rehabilitation program, for example, is appropriate and commendable.

***Allocate funds proportionally by household income.*** We understand that the Harris County Needs Assessment will determine the recommended proportions of funding that should be set aside for LMI and non-LMI populations. We specifically want the County to commit to dividing all funding sources in each program activity by income categories. The brackets of LMI should follow the traditional 0-30%, 31-50%, 51-80% of AMI divisions and serve those categories proportionally based on estimates of households harmed in the storm. These income categories should be applied to all housing programs, including single family rehabilitation/rebuild, repair reimbursement, new single family home construction (to the extent possible), single family rental, and construction of multifamily housing etc. In any infrastructure improvement projects, the needs of LMI families and communities should be prioritized.

The local needs assessment *must* go beyond the analysis of flawed HUD/FEMA demographic IA data that undercounts the needs of LMI homeowners and renters.. As the County acknowledges in the Action Plan, “[w]hile LMI households made up over 70 percent of the FEMA IA applicants in the county only about 20 percent of NFIP resources went to LMI areas. This indicates that LMI households were likely under-represented in the NFIP claims due to inability to afford flood insurance and high claims denial rates by NFIP.” LMI households also received fewer SBA loans.

*Within Harris County (outside the city of Houston), SBA Disaster Home Loans to those who could avail totaled \$67,065,960 as of December 2017. The average loan disbursed by December 2017 was \$21,324 and tended to be awarded to those of gross incomes higher than area median. The gross income of those to whom SBA Disaster Home Loans had been disbursed averaged \$117,192 as of December, 2017. Only 15% of these loans were written to renters.*

LMI families have received the least help and have the largest remaining unmet need.

FEMA data itself indicates that renters were particularly likely to be denied FEMA assistance. “FEMA Registrants included 171,622 owner-occupied households and 150,221 renter-occupied households. For Harris County (outside the city of Houston), there are 61,828 applicants with a FVL of over \$0. Of these, 45,634 (73.8 percent) were owners and 16,175 (26.2 percent) were renters.” Homeowners and renters applied for help in roughly equal numbers, but only 26% of renters affected by Harvey got help, as opposed to 73% of homeowners.

Harris County’s Action Plan is very clear that it understands the flaws in FEMA data.

*It should be noted that the FEMA IA for Harris County (outside the city of Houston) listed only 4,460 total applicants who were age 60 and over with only 958 applicants with a FVL over \$0 and who received some FEMA assistance. Harris County has more than 300,000 residents over the age of 60. **The county believes based on anecdotal accounts of canvassers, case management agencies, and rebuilding organizations that the FEMA numbers for seniors, who had a FVL over \$0 and received some assistance, significantly underestimate the unmet needs of seniors in Harris County.** (emphasis added)*

This is the kind of information and data that must be incorporated into the local needs assessment for other populations to account for flaws in FEMA data. The local needs assessment must pay particular attention to LMI residents of Harris County, particularly the lowest income families. HOME strongly supports a proportional allocation, but it must be based on a more accurate unmet needs assessment that reflects the real levels of unmet need for low- and moderate-income Houston families. We recommend using Texas Housers alternate methodology to re-assess unmet needs. (attached)

Program selection and design must also reflect the urgent disaster recovery needs of low- and moderate-income disaster victims. The County must assess, given the proposed programs in the Action Plan, how people affected by Harvey in the three income brackets (0-30%, 31-50%, 51-80% AMI) will be proportionally served, as well as whether there will be a discriminatory impact on disaster victims based on their race or other protected class status.

**Create family-sustaining jobs.** Rather than embedding job creation into the Economic Revitalization and Public Services Programs, the County should create a stand alone program specially for disaster recovery that ties direct deliverables to local hire and earn-and-learn job training. The County should prioritize creating family-sustaining jobs for local residents by creating a Disaster Recovery Workforce Development and Training Program. As the County rebuilds, local residents impacted by the storm should be given priority for jobs created by the rebuilding process. Such a program would ideally create a pipeline to train and introduce low to moderate income residents from Harvey impacted neighborhoods to construction career jobs, by partnering with local pre-apprenticeship programs that will offer direct entry into a DOL-registered apprenticeship or DOL-certified third party accredited bilingual craft training program. The Disaster Recovery and Workforce Development Training Program agreement should also require that disaster related apprentices be placed on eligible new construction, repair, remodel, or renovation projects, including those designated as Better Builder® sites, identified in the Disaster Recovery Workforce Development component of the plan. This will ensure fair wages, workers compensation coverage, health and safety protections, and independent compliance monitoring intended to help families in impacted areas gain viable access to career pathway.

The Action Plan indicates that the County will participate in the Economic Revitalization program, but does not provide any needs assessment numbers demonstrating the need for this program or any detail about what those specific activities will be. These must be included in the final action plan.

**Ensure public services programs match needs.** We recommend that the County prioritize the following public services that have increased access to disaster recovery programs for lower income families and communities of color following past disasters:

- Legal Services, particularly to help families clear title so they can access mobility and buyout programs, as well as philanthropic assistance. The State funded a successful title clearing project following Hurricane Ike. The issue of heirs' property disproportionately affects Black families and communities.
- Comprehensive and effective mobility counseling to ensure that both renters and homeowners can make informed choices about where to live and have access to less vulnerable neighborhoods.
- Job training programs that prepare local residents for the jobs associated with disaster recovery programs, both construction and administrative.
- Navigators/case coordinators that can help families through the process of applying for benefits and the recovery process, and connect them to other services if necessary.

**Extend rental affordability.** Any multifamily property funded by CDBG-DR funds must be subject to a Land Use Restriction Agreement (LURA) requiring a 40 year minimum affordability period for affordable units. This 40 year period preserves affordability for developments that otherwise would be converted into market rate units in transitional areas over the course of time.

In addition to longer-term affordability, the Harris County Affordable Rental Program Notice of Funding Availability (NOFA)/Request for Proposal should incentivize additional affordability and accessibility and rebuilding in safer and higher opportunity areas that mitigates future disaster vulnerability. We applaud the list of primary selection criteria that Harris County has included in its Action Plan, particularly the first four criteria.

- i. Located in High Opportunity Zones; and areas of revitalization as demonstrated by other public and/or private investments in such areas.*
- ii. Targets extremely low-income (30 percent AMFI);*
- iii. Exceeds the number of LMI units eligibility requirement;*
- iv. Serves persons with disabilities beyond minimum requirements;*
- v. Leverages public and private financing; (may request waiver to fully fund certain developments to expedite project completion)*
- vi. Activity type; and*
- vii. Cost-effectiveness.*

We note, however, that when locating affordable rental housing in “areas of revitalization”, the relevant public and/or private investment (the County should require evidence of both) must be substantive and substantial. The location of affordable housing in historically disinvested, distressed, and minority-segregated areas, particularly given this long-term siting pattern in Harris County, is a violation of the County’s obligation to affirmatively further fair housing and may be discriminatory in and of itself.

**Make buyouts fair for families.** Local buyout and acquisition programs must prioritize LMI households in floodways and floodplains, who have the least resources which which to relocate on their own, leaving them a choice between housing instability and potential homelessness or continuing to live in homes that may be structurally compromised or present health risks because of mold. We commend that Harris County is making this program available first to LMI families.

It is particularly critical for LMI families this buyout program includes assistance not only acquisition and demolition, but relocation payment and assistance as well. As the Federal Register Notice states, “a buyout program that merely pays homeowners to leave their existing homes does not result in a low- and moderate-income household occupying a residential structure and, thus, cannot meet the requirements of the LMH national objective.” (83 FR 5863) Local buyout programs should include plans to build housing in safer areas. In other words, no family should have to take on additional debt to relocate to a comparable home in a safer neighborhood.

As the Action Plan lays out, “[o]f the 43 buyout interest areas, the county has identified 13 areas that are in low- to moderate-income areas and or in Social Vulnerable areas. Seven of the 13 areas have an average home market value of under \$85,000, the lowest average home market value was \$27,105 in the community of Allen Field. As stated in the above section G.1. Real Estate Market, median home price in Harris County is \$160,000. The low market value of the homes to be bought out to the higher median home price may place a severe cost burden on low-income and vulnerable populations to find safe, quality affordable replacement housing.

We appreciate the County’s recognition that “[a]dditional housing incentives, the creation of new affordable housing, and homebuyer assistance programs will be needed to alleviate this burden.”

The buyout program should make people whole. If a family owns a three bedroom home free and clear, the relocation funds they receive should be enough to purchase a three bedroom home free and clear in a location suitable to the family’s needs with no threat of flooding. The County should also establish a minimum buyout per household of no less than \$200,000 (including any accompanying “housing incentive”), based on the median home values above. Failing to fully fund relocation costs will also exclude the lowest income families from buyout programs, abandoning them in high-risk neighborhoods.

Neighborhoods or neighbors that were doubly impacted by flood waters polluted with chemicals, oils, waste, or sewage as indicated with overlays should be prioritized for buyouts. By doing so, the County of Houston can simultaneously mitigate the risk of flooding and hazardous toxics. Areas that face environmental and flooding risks should also be considered for additional funding for clean-up and better monitoring. Properties that are bought out should not be redeveloped for housing, or major non-green infrastructure projects.

We commend Harris County for thinking about preserving neighborhoods and communities as part of buyout programs.

*As a public/private partnership approach, Harris County will build on national community development & housing finance models that promote quality larger scale neighborhood development for LMI families that is context sensitive and aims toward implementing mixed-income/mixed use development styles. **LMI families affected by flooding especially those experiencing repetitive flooding, will enjoy opportunities to relocate with their neighbors from these flood prone areas, thus preserving community cohesion, sustaining the local tax base, and local institutions such as schools, and other community assets.*** (emphasis added)

The HOME Coalition also applauds the community revitalization aspect of Harris County’s proposed buyout program:

*As a separate initiative under this program, the county will identify LMI target areas in need of community revitalization and that were highly impacted by Hurricane Harvey and other recent disaster events. These areas will need a comprehensive approach to improve housing, infrastructure, and facilities to achieve reduced future flood loss and resilience. **It is the***



**county's intent as we improve housing through rehabilitation, reconstruction, and new construction to also improve the neighborhood's drainage and other infrastructure that serve those homes in the LMI target area.** For if the drainage and infrastructure are not corrected, any repairs or new construction of housing will be flooded in the next disaster event just as these homes have been affected by 2016 Floods and Hurricane Harvey. (emphasis added)

This kind of comprehensive investment strategy in historically disinvested neighborhoods is one of our priorities.

**Prioritize intentional and ongoing community engagement.** The County should proactively seek out partnership opportunities with community-led groups to better understand and address the needs of low-income people and communities of color. This will be particularly critical around its buyout programs. Community organizations should also be at the heart of doing outreach and bringing people into the rehabilitation process. To ensure deep and rigorous community input, the HOME Coalition would like to meet with County staff and contractors designing the programs early and often, from the program design and the RFP stage to program completion. Additionally, we recommend the creation of a community engagement advisory board made up of community leaders to provide the County with regular input. We recommend prioritizing community leaders from the zip codes with high unmet needs as members of the advisory board.

We offer the following recommendations for program design and implementation:

**Ensure the system is easily navigable through quality case management and transparency.** One of the most challenging parts of the recovery for residents has been understanding programs, preparing paperwork, and applying for assistance. Information must be presented clearly and quality case managers must be available to assist in navigation. Residents and case managers must be able to easily know their status in recovery programs and understand eligibility, denials, and ability and the appeal process.

**Administer a title clearance program to ensure all otherwise eligible homeowners are able to receive assistance.** Inability to show clear title because of heirs' property ownership is a barrier to choosing to move to a safer location, particularly for African-American homeowners. The State of Texas has successfully addressed this issue in disaster recovery programs in two ways. First, in 2009, the Texas Legislature passed HB 2450, which allowed the agency administering CDBG-DR to accept alternative proof of ownership, including an Affidavit of Heirship, for purposes of disaster recovery programs that repaired or rebuilt homes in place. Second, following Hurricanes Ike and Dolly, the State funded the Texas Title Project, which helped LMI households clear title and access, in particular, the State's homeowner mobility program, allowing them to choose to move to a safer area rather than rebuild in place.

**Include a homeowner mobility program like the post-Ike/Dolly Homeowner Opportunity Program (HOP).** While the eligible activities include "new construction", which would allow relocation activities, the County should explicitly include a homeowner mobility program like the post-Ike/Dolly Homeowner Opportunity Program (HOP), which allows eligible homeowners to

choose to move to lower-risk higher opportunity area rather than rebuild in place, in its Homeowner Assistance Program. The HOP program, created after Hurricanes Dolly and Ike, was the first of its kind nationally. As of February 17, 2017, 282 households, or 9% of total applicants for homeowner assistance had been successfully relocated to safer, higher opportunity areas.

The HOP program not only provided homeowners with a choice of whether to move or rebuild in place, but it included services like mobility counseling and real estate assistance to help ensure that the choice was an informed one, as well as using a formula determined benefit amount that the choice to relocate a real one for LMI families. The State and regional Councils of Government have experience running a homeowner mobility program that is a source of valuable lessons learned on how to improve the program, a resource for other voluntary and mandatory buyout programs, and will allow this program to be established quickly following HUD's approval of the State's draft Action Plan (as amended to include a homeowner mobility program.)

Including a homeowner mobility program not only increases resiliency and mitigates the impact of future disasters by allowing homeowners to move to safer and less disaster-vulnerable areas, but also ensures that the State can truthfully certify that it is in compliance with civil rights laws and its obligation to AFFH. Homeowner Assistance Programs that lock homeowners into rebuilding in place, because of historical segregation imposed by federal, state, and local government policies, may perpetuate segregation in violation of the Fair Housing Act and/or result in the use of federal financial assistance in a way that discriminates based on race, color, and national origin, even if the State lacks any discriminatory intent.

***Do not use pre-storm value of a home to determine disaster recovery program assistance because it often produces a discriminatory impact on the basis of race and ethnicity.***

Following Hurricane Katrina, a lawsuit was filed against the State of Louisiana and the U.S. Department of Housing and Urban Development (HUD) alleging racial discrimination in the State's CDBG-DR funded Road Home Program, which provided grants to homeowners to repair or rebuild their homes. The original grant formula was based on the pre-storm value of a home, which resulted in African-American homeowners receiving less repair money than White homeowners, because their homes were located in neighborhoods with lower home values due to market discrimination and the legacy of segregation.

Many African-American families were left unable to complete repairs or return home or were left living in uninhabitable houses. As Louisiana Congressman Cedric Richmond said when the case was settled in 2011,

*"[e]veryone knew that the Road Home formula for calculating grant awards was deeply flawed and punished folks in neighborhoods where home values were lower. . . . After all, if two families are both rebuilding a three bedroom home then their construction costs will be the same— regardless of the neighborhood. In that case, each family deserves the same assistance from their government. Unfortunately, the flawed formula was effectively discriminatory, locking many families out of equitable assistance."* [5]

The lawsuit (which resulted in a change to the Road Home formula) and settlement resulted in an additional \$535 million in repair and rebuilding funds for LMI homeowners in the four most impacted parishes in Louisiana.<sup>[6]</sup>

As the Action Plan acknowledges, the buyout program must be accompanied by additional funding for LMI families in order to ensure that it is equitable and successful.

***Do not include demolition costs in maximum assistance calculations for the homeowner assistance program.***

Including this cost for reconstruction of homes will put reconstruction out of reach for many households, since the cost of reconstruction included in the guidelines references only a standardized cost based on household size, not cost of construction plus demolition of a prior structure.

***Provide assistance for those who became homeless as a result of the hurricane.*** This includes over 3,800 evacuee households living in hotels through the Transitional Shelter Assistance (TSA) program.

Some of these households will have a place to return to once repairs are completed on their housing. Many of these households, however, particularly renter households who are dependant on whether third parties rebuild, will not have stable housing after TSA ends and may become homeless.

***No mold left behind.*** Any house that has had any kind of repairs since the storm, particularly those repaired through PREPS, should be inspected for mold and moisture, and unless the home is going to be demolished and rebuilt, the mold must be properly treated. The inspection must require checking for mold behind sheetrock, behind bathtubs, and in sub-flooring, as well as ensuring that any flooded, porous material has been removed, as this was neglected in the PREPS program and other rebuilding. Families should be presented the option of gaining a Certificate of Mold Damage and Remediation. If homes are gutted, they must be properly remediated and dried in line with the CDC and NIEHS's guidelines. Assessment for rebuilding costs must include any necessary gutting and treatment.

***Promote environmentally-friendly standards.*** Any repair or reconstruction should follow modern and energy-efficient building codes and standards. Reconstruction, repair and new construction of residential buildings should follow the Energy Star program, and/or the HUD CPD Green Building Retrofit Checklist for non-substantially damaged residential buildings and should at a minimum meet the 2015 International Energy Conservation Code (or the equivalent chapter of the 2015 International Residential Code). In addition we recommend requiring the following standards:

- Require the 2015 International Energy Conservation Code--as is required by state law--for all commercial buildings, including multi-family buildings over three stories
- Require new residential buildings be built solar-ready, thus easily able to incorporate solar energy in the future by reserving adequate roof space

- Require compliance with modern plumbing codes, such as the 2015 UPC or 2015 IPC, which will help lower utility and energy bills
- Give priority to new construction or major reconstruction of multi-family buildings that are designed to meet a more robust standard, such as the ASHRAE 189.1 - 2014 Standard for the Design of High-Performance Green Buildings, or the recently published ASHRAE 189.1 - 2018 Standard for the Design of High-Performance Green Buildings.

***Ensure proper oversight and quality control of construction.*** The County should require certified quality and code compliance inspections on all projects. Funding should also be allocated to train contractors, building code officials and builders on code compliance. Every project must have at least a midpoint and final inspection completed by a trained inspector and based on publicly available inspection criteria. Inspection criteria should be reviewed by community, aid, and construction groups before finalized. There also must be a hotline for concerns with construction and contractors, although it should be assumed most issues will not be reported. Therefore a third party agency entrusted with quality control should proactively contact every family within one week of each inspection to detect any issues. Every family must have a copy of the hotline number, final inspection criteria, their work order, and program details.

***Increase Theft of Service Enforcement.*** Even before Hurricane Harvey, wage theft was an issue in the Harris County construction industry. The Texas Penal Code Section §31.04, criminalizes Theft of Service; the intent to avoid payment for services rendered. In 2011, the Texas Legislature passed SB 1024, the Wage Theft Law, to clarify that the failure of an employer to pay an employee for work performed may be investigated and prosecuted as Theft of Service under the Texas Penal Code. The Harris County District Attorney should:

- Convene a meeting with the Houston Police Department and the Harris County Sheriff's Office to establish a streamlined and accessible system for workers to make Theft of Service reports county-wide;
- The Houston Police Department and Harris County Sheriff's Office should designate a point of contact in their offices for community organizations who assist workers in making such complaints, and establish a regular meeting between its office and our organizations to follow up on enforcement efforts;
- Provide training to Assistant District Attorneys about wage theft, the 2011 amendments to the Theft of Service Statute, and the proper protocols to follow when investigating and prosecuting such cases;
- Collaborate with community and labor organizations in theft of service enforcement efforts, and support community education efforts to advise Harris County workers and employers that local law enforcement will take theft of service reports seriously.

***Offset the burden of insurance.*** We recommend that Homeowner Assistance Program, Homebuyer Assistance Program, and Buyout Program funds pay for three years of flood insurance for recipient families for whom insurance is a significant financial strain (specifically households at 80% AMI and below).

**Approve local infrastructure proposals based on the most urgent needs.** An evaluation of whether “infrastructure activities ... contribute to the long-term recovery and restoration of housing” should include a review for specific and articulable ways the proposal prioritizes the needs of communities with substandard infrastructure as a result of discrimination and disinvestment. While we understand that this may feel unequal to individual jurisdictions, it would be the most effective use of disaster recovery funding. In addition, infrastructure proposals should be reviewed to ensure that potential flood water is not simply moved from one community to another. The County’s acknowledgement that “local neighborhood drainage systems are needed to reduce the flood risk of these areas” supports this recommendation.

**Repercussions for source-of-income discrimination.** All rental properties receiving CDBG-DR funding must agree to take Housing Choice Vouchers and not to discriminate based on source of income. Landlords that are on record as refusing tenants with vouchers or otherwise discriminating based on source of income should be reported to the appropriate County agency and be made ineligible for future CDBG or County assistance. The Land Use Restriction Agreement (LURA) placed on all rental properties receiving disaster recovery funds must set out income and rent restrictions; the affordability period; and requirements that rental projects must accept Housing Choice Vouchers for all units, not just the affordable units.

Again, thank you for the opportunity to provide comments to the County’s draft Local Action Plan. We look forward to continuing to collaborate to bring about an equitable recovery.

Sincerely,

HOME Coalition Members:

Texas Organizing Project

Workers Defense Project

Texas Gulf Coast Area Labor Federation

Texas Appleseed

Texas Environmental Justice Advocacy Services

Service Employees International Union Texas

Plumbers Local Union 68

Texas Building and Construction Trades Council

Houston Gulf Coast Building and Construction Trades Council

Laborers International Union of North America, LIUNA Local 350 and the Southwest Laborers District Council

International Brotherhood of Electrical Workers, Local 716 International Union of Painters and Allied Trades, District Council 88 West Street Recovery

FIEL Houston

Faith in Texas

Air Alliance

Sierra Club Houston

Coalition of Community Organizations

**County Response:** We thank the HOME Coalition for their comments.

- Harris County has prioritized the serving of low- to Moderate-income households and communities in both its housing and non-housing/infrastructure programs. A minimum of 70 percent of all CDBG-DR funding will be used to benefit this population, this has been set by the Federal Register for these funds. Currently, the county is expanding the information in the Harris County Supplemental Action Plan's Housing Impact and will include the information in the Harris County Needs Assessment. The county will continue to expand data for vulnerable populations, including disabled, LMI, and homeless populations.
- The county will investigate job creation opportunities under the CDBG-DR program and work with Federal, State and local partners. It is expected that the county will establish a robust Section 3 program under its CDBG-DR program to ensure jobs are made available to low-income persons, and Section 3 businesses in construction projects that receive funding from Harris County's CDBG-DR allocation.
- It should be noted that the county is participating in the State run Economic Development program.
- The county agrees and has made the public services mentioned (legal, counseling/case management and navigation) a part of its plan. We hope to work with area non-profits and Harris County CSD Social Services program on this effort.
- The Harris County CDBG-DR Residential Buyout program prioritizes LMI communities for buyout efforts as seen in the Harris County Residential Buyout Guidelines.
- As program guidelines are developed for the housing programs, such as rehabilitation, reconstruction and new construction, the county welcomes the input of local support groups. In the case of the recently approved Buyout guidelines, Harris County hosted meetings with housing providers, advocates, legal service providers, and fair housing organizations to assist in the development of the guidelines.
- The county does plan to provide funding suitable under its Buyout program (buyout and incentives) to ensure each client has the resources they are eligible to receive under the Federal requirements of CDBG-DR to assist them to find affordable, quality replacement housing in a reduced flood risk area. Demolition costs will not be calculated in the homeowners assistance award.
- Housing program clients will have the assistance of quality case workers and housing navigators to assist them to navigate the CDBG-DR recovery system. We understand that some populations may need additional help to understanding the programs, preparing

paperwork, and applying for assistance. Programs will have language translation services available to all who require.

- Harris County has and will accept alternative forms of ownership and will work with local legal services to assist with title clearance as needed.
- The county will investigate the incorporation of mobility programs with the Texas GLO.
- The county does not plan use pre-storm home value to determine award amount in its repair program. The award amount is based on the scope of work to repair or reconstruct the damaged home.
- It is the county intention to provide housing programs in partnership with local homeless providers and the Coalition for the Homeless to those displaced and made homeless or those in eminent danger of homelessness due to Hurricane Harvey. As stated in the county's action plan, the last Point in Time Count by the Coalition reported an increase in street homeless due to Harvey.
- Mold inspection will be a part of the county's housing repair programs.
- The county's Affordable Housing Standards for construction of housing includes requires for Energy Star and IECC. The standards also promote LEED standards in housing construction.
- The county will investigate the "Increase Theft of Services" cited by the HOME Coalition.
- Currently, the county is allowed to provide one year of insurance coverage, however the county will investigate with the GLO is additional years of coverage.
- The county will review local infrastructure proposals based on several factors including their impact on community recovery. The county expects to invest planning funding on planning studies that investigate: substandard infrastructure and solutions, need for affordable housing and citing and drainage needs.
- The county does and will continue to require funded rental projects under the CDBG-DR program to agree to take Housing Choice Vouchers and not to discriminate based on source of income. The county plans to work with local Housing Authorities and non-profit developers in its rental-housing program.

**Commenter Name: Mark Smith**

**Organization: SBP, Inc USA**

**Date Commented: July 10, 2018**

**Comment Received via email:**

Good Afternoon,

Please see the attached comments on the Harris County Harvey CDBG-DR Action Plan Draft. These comments have been compiled by Mark Smith and Reese May who are employees of SBP, Inc, a national nonprofit disaster recovery organization that is currently assisting Harris County residents. We would be more than happy to discuss our thoughts and feedback with Harris County officials at any time.

Please also see the summary of our comments below.

**Positive Feedback**

1. We applaud Harris County's prioritization of home repairs for Harvey survivors still living in FEMA/GLO provided temporary housing.
2. We are glad to see reimbursement as a pathway. At a minimum, it ensures that clients are not punished/denied CDBGDR assistance simply for having begun work themselves.
3. The buyout program is a great way to reduce long-term risk exposure for clients and/or communities who cannot afford to conduct mitigation activities on their own. Additionally, we applaud that LMI client's whose homes have repeatedly flooded will have the option to purchase new homes in low-risk areas.

**Areas of Concern:**

#1: Data sources, and completeness

In any recovery, data drives decisions. As we read the action plan, there are a few concerns about the data sources and their accuracy. We understand the county is compiling needs assessments for its housing programs and we want to point out the following concern for consideration. Harris County has found that FEMA IA data under-represents the needs of seniors citizens. This leads us to believe that other populations may be underrepresented as well. Can the county work with the insurance industry and/or others to assist with satellite, flyover, and claims data to get a more current and accurate picture of need?

#2 Housing Program

After a natural disaster, the longer people go without stable and safe housing the more likely they are to reach their breaking point at which families and lives are irreparably damaged. Given the limited federal resources for home repairs and reconstruction assistance and that additional funds have been allocated to Texas for mitigation, which can include infrastructure activities, we ask Harris County to increase the allocation of funds to the housing programs.

#3: Reimbursement

1. How will reimbursement pathway work for homeowners who have repairs in progress when the Harris County program launches? Will clients need to halt construction while they complete their application for the program? Will they have to change to program approved contractors?
2. What is the environmental clearance procedure/threshold that will be accepted/required by the County for homeowners in the reimbursement pathway?
3. What was the calculation methodology used to determine the max reimbursement award of \$50,000?

Clear communication and predictability surrounding reimbursement will be incredibly important to survivors who would like to begin repairs or who have already begun repairing their homes but may need assistance from the county to complete their recovery.



We appreciate your time and efforts in developing a plan to expedite the recovery of Harris County and look forward to working with the county moving forward.

Sincerely,

Mark

Mark Smith

Advisory Services Manager

[www.SBPUSA.org](http://www.SBPUSA.org)

@SBPUSA

**County Response:** We thank SBP, Inc for their comments.

- Currently, Harris County is expanding the data presented in the Harris County Supplemental Action Plan's Housing Impact and will include the information in the Harris County Needs Assessment.
- The data provided in the action plan shows an unmet need for housing and infrastructure funding. The county will be prioritizing projects that not only improve drainage to mitigate future storm events but will also provide funding to assist in the repair of critical infrastructure in our neighborhoods damaged by Hurricane Harvey.
- Regarding the reimbursement process, the county is awaiting more information and guidance from the Texas GLO and will be developing program guidelines over the coming months. The maximum reimbursement amount of \$50,000 was determined by the Texas GLO in their State Action Plan.

**Commenter Name: Cortney Morris**

**Organization: Resident of City of Houston**

**Date Commented: July 10, 2018**

**Comment Received via email:**

My Name is Cortney Morris, a homeowner in the Kashmere Gardens area. I have experienced having to move family members due to a buyout when the first phase started at Hunting Bayou. Those family members were over the age of eighty (80) and have since passed away. It is sad that we had to relocate them from a home they had resided in for over fifty (50) years and nearly ten (10) years later, the improvements to the bayou still have not been completed.

I recently attended an “open House” the County held at the Kashmere Gardens Multi Service Center in June. My understanding of the bond is to release more funds into the Houston Area to help with flood improvements. My concern with the bond and other funds that are released is that they be distributed to areas and citizens with the most need. According to County Commissioner Rodney Ellis, often money is distributed based on the value of homes and their replacement cost versus bayou expansion or other infrastructure needs. It seems as though areas such as Greenspoint, Kashmere Gardens, South Park and others that are often low income or culturally diverse are used as the face of flooding despair to increase giving and need based funds. Once funds are made available, more often than not, the homogenous areas such as Meyerland or Upper Kirby see road and drainage improvements. Even when it comes to assistance from FEMA, oftentimes needs assessments are based on whether home owners have flood insurance.

A family friend who lives on our street, Minden, was affected like many of us during Harvey. She had over four feet of water in her home. She DID NOT have flood insurance because when it was time to renew she had to choose between medication for her husband or paying the insurance premium on a fixed income. She chose the former. She just moved back in to her house at the end of April with help from church members, family, and friends. Her husband died two weeks later. The stress of flooding, living elsewhere, the cleanup process and draining their life savings yet again to restore their home has been debilitating. Her husband wanted to hold on to get back into his house, which he did, but he didn't get to enjoy it long. Flood insurance in this area is nearly \$3000 a year and must be paid in full at the time of renewal. Homes in Brazoria County are required to have flood insurance and those premiums run less than \$1000/year. I understand that HUD guidelines have requirements for flood insurance, but people in my community should not be penalized for not being able to afford insurance. I ask that home rehabilitation projects include preventive measures like elevation, so in the future, if a family must choose between high cost medication or flood insurance they will still be protected.

Please remember the faces that you've seen on TV and know that we are still struggling. Many people still are not back in their homes and recovery is long. Limited incomes greatly restrict reconstruction efforts. We've got to stop expecting nature to conform to our development and

instead start accepting that we must conform to the area itself. We are the BAYOU CITY and living in a neighborhood that backs up to a bayou should not limit funds availability. No one should have to be forced out of their home due to city planning that established neighborhoods in flood plains.

Most Homes in Kashmere Gardens are on pier and beams, not foundations, so providing assistance in elevating these homes could be more affordable and effective than other repairs. I plead with you, help those most in need financially, mentally, and physically. Stop using the face of the needy and their housing circumstances to tug at purse strings just to empty its contents into more financially viable neighborhoods.

Thank you for taking time to read my comments and please do not forget Kashmere Gardens, seniors, and people on fixed incomes who can't always afford insurance, and who are still rebuilding.

**County Response:** We thank C. Morris a resident of the city of Houston for their comments. Although the neighborhoods mentioned in this comment are located in the city of Houston, the county acknowledges that all communities affected by Hurricane Harvey should equally have access to recovery resources. Due to cost benefit ratios, some federal funding may be more focus outside low-income areas. In the case of CDBG-DR funding, 70 percent of funding must benefit low- to moderate-income households and or communities. CDBG-DR funding requires the county to perform a duplication of benefits test, collecting information of other repair funding such as flood insurance, but attempts not penalize poor families who could not afford insurance. Those assisted with county CDBG-DR funding (rehabilitation/reconstruction program) may be eligible for flood insurance coverage funding for one year (based on GLO guidance). The County's home rehabilitation programs will evaluate or reconstruct homes that are below the based flood evaluation requirement to reduce future flood risk. Buyout programs under the CDBG-DR programs have been established for areas that have a severe flood risk for residents and emergency first responders. Both of these program have program specialists and case workers to assist residents to navigate the CDBG-DR system.

**Commenter Name: K. Prickett**

**Organization: Resident in Katy, Texas area**

**Date Commented: July 10, 2018**

**Comment Received via email:**

Good Morning!

Our home flooded in both the Tax Day Flood & Harvey

We were given some funding from FEMA, I don't know if we qualify for any additional funding through this Harris County Publishes Action Plan for spending 1.1 Billion in HUD Money Slated for Harvey Recovery?

Please let me know how I would need to proceed if so.

**Thank You,**  
K. Prickett

**County Response:** Resident referred to county case worker (Housing & Community Resource Center) for case review and service navigation.

**Commenter Name: Jonathan Krantz and Bryan Howard**

**Organization: U.S. Green Building Council Texas Chapter**

**Date Commented: July 10, 2018**

**Comment Received via email:**

See next page for letter.



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FOUNDERS

David Gottfried  
Michael Italiano  
S. Richard Fedrizzi

July 10, 2018

Harris County Community Services Department  
8410 Lantern Point Drive  
Houston, Texas 77054

Attn: Planning and Development,

Thank you for the opportunity to provide comment on the Draft Supplemental Action Plan for the 2017 Community Development Block Grant – Disaster Recovery (CDBG-DR) Funds (Round 1). On behalf of the U.S. Green Building Council (USGBC), our more than 12,500 member companies, and strong Texas community of members and credential holders, we contact you to recommend that Harris County include Leadership in Energy and Environmental Design (LEED) green building certification as an option for meeting quality construction standards requirements for CDBG-DR funding.

USGBC and LEED in Harris County and Texas<sup>1</sup>

USGBC is a nonprofit organization committed to transforming the way all buildings and communities are designed, built and operated to enable a sustainable, resilient, and prosperous environment that improves the quality of life for all. Representing the full range of the building sector, including builders, product manufacturers, professional firms, and real estate, over 450 Texas organizations are USGBC members, and there are nearly 12,000 individuals in Texas holding a LEED professional credential.

Our flagship green building system, LEED, has been embraced by the Texas market. Indeed, Harris County has recognized the value of LEED certification by giving preference to projects who pursue certification in affordable housing standards<sup>2</sup> to achieve high-performing and durable buildings and homes. In fact, Texas is one of the top states for LEED for Homes with over 18,000 certified units,<sup>3</sup> and a 2017 study by the University of Texas Austin found that LEED-certified homes showed an 8 percent boost in value.<sup>4</sup> LEED also supports the state-wide economy, contributing an estimated \$21.39 billion to the Texas GDP and helping to create or sustain an estimated 244,000 jobs from 2015-2018.<sup>5</sup> Texans know the value of achieving LEED status for their projects.

Recommendation for Harris County Action Plan

USGBC applauds the work of the Harris County in outlining a detailed plan for restoration that identifies resilience – informed by post-disaster risk assessment – as a top priority.

In order to ensure 2018 CDBG-DR funding is used effectively to rebuild in ways that help mitigate future major weather events, USGBC recommends that LEED certification be included among

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<sup>1</sup> For more information on USGBC's work in Texas, see [USGBC Texas Chapter](#).

<sup>2</sup> Harris County Affordable Housing Standards: Project Standards, Design Criteria and Underwriting Guidelines Harris County Community Services Department Revised January 2017, pg 14.

<sup>3</sup> See [state market briefs for LEED Homes](#) and [LEED in Motion: Residential](#).

<sup>4</sup> The [study](#) looked at homes sold in the Austin-Round Rock area from 2008-2016.

<sup>5</sup> [2015 Green Building Economic Impact Study](#), Booz Allen Hamilton. See [State Infographics](#).



options for green building certification in the local action plan , providing this choice to the market and to project teams. Including LEED as an option will help the county achieve more resilient housing that supports residents' quality of life through improved human health, greater disposable income, and an overall safer living environment.<sup>6</sup>

Inclusion of LEED builds on the General Land Office (GLO) minimum compliance standards for CDBG-DR. As you know, ENERGY STAR and LEED work together to empower property developers, owners, and occupants to increase projects' energy efficiency and reduce power load requirements, thus enhancing opportunities for resilience. For example, LEED for Homes uses ENERGY STAR for Homes as a core performance standard, while LEED systems for mid-rise and high-rise existing residential buildings incorporate ENERGY STAR certification as a compliance option. While ENERGY STAR is an effective path to improvement in energy performance, LEED represents a more comprehensive approach to overall sustainability, durability, and resilience.

Additionally, LEED can guide rebuilding projects to optimize community value from quality affordable housing. For example, incorporating communal green space such as parks, gardens, corridors, and roofs adds value to both building occupants and the greater public. Moreover, as our built environment unequivocally impacts human health, green building practices utilize materials and smart design known to promote wellness and decrease rates of asthma as a priority in housing developments.<sup>7</sup>

We stand ready to assist Harris County in implementing its CDBG-DR program regulations, to help provide high-performing, resilient housing to reduce risks of future destruction and disruption to Harris County. If you have any questions, please contact us at (214) 293-2996 [jonathan@usgbctexas.org](mailto:jonathan@usgbctexas.org) or [bhoward@usgbc.org](mailto:bhoward@usgbc.org) (202) 640-2344.

Sincerely,

A blue ink signature of Jonathan Kraatz, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Jonathan Kraatz  
Executive Director  
U.S. Green Building Council Texas Chapter

A blue ink signature of Bryan Howard, featuring a stylized 'B' followed by a series of loops and a long horizontal stroke.

Bryan Howard  
Legislative Director  
U.S. Green Building Council

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<sup>6</sup> See USGBC Policy Brief, "[Green for All: Healthy and Efficient Affordable Housing](#)."

<sup>7</sup> For example, a Washington, D.C. study of green certified low income housing renovations (including LEED) identified significant health benefits to residents. According to the study, self-reported general health in adults significantly improved from 59% to 67%; allergen dust loadings showed large and statistically significant reductions and were

sustained at one year. The study also reported energy and water cost savings of 16% and 54%, respectively. Jacobs et al, [Health and housing outcomes from green renovation of low-income housing in Washington, D.C.](#), C.J Environ Health. 2014 Mar;76(7):8-16.

**County Response:** We thank the U.S. Green Building Council for its comment. As noted in the comment, Harris County values green building, specifically Energy Star and LEED for its construction projects. Energy Star is a requirement in our HCCSD Housing Standards for construction. The county will continue to use these approaches and will consult as needed with green building experts and research to further enhance our recovery projects.