

Non-Substantial Amendment 18

Non-Substantial Amendment 18, Effective as of 11/17/2021			
Previous Page #	New Page #	Section	Change/Addition/Deletion
106	N/A	IV. Projects and Activities	Replaced “prior to the storm” with “current fair market value of the home as appraised post-storm” as rising market values of homes have resulted in fewer buyout applicants. By using post-storm values more homes can be purchased, and more homeowners removed from harm’s way.
111	N/A	IV. Projects and Activities	Added “funding of buildings for the general conduct of government” to Ineligible Activities, and clarified that “activities and uses not authorized under Title I of the Housing and Community Development Act of 1974 or allowed by waiver” are ineligible.
114	N/A	VI. Citizen Participation	Corrected 14-day to 30-day public comment period as 30 days are provided for public comment on substantial amendments
164	N/A	Appendix 11	Updated projected expenditures.

The CDBG-DR driven buyout program will meet or exceed its overall Low and Moderate Income National Objective by requiring all activities to meet all requirements of the Housing and Community Development Act of 1974, and one of the following criteria as stated in 83 FR 5864:

1. **Low- and Moderate-income Area benefit (LMA):** properties acquired through buyouts will be used in a way that benefits a service area where at least 51 percent of the residents are LMI.
2. **Low/Moderate Housing Incentive Criteria (LMHI):** buyout must be of a qualifying LMI household, and a housing incentive is used for the purpose of moving outside of the affected floodplain to an area of reduced flood risk.

DEO will prioritize home buyout projects that focus on the acquisition of property in residential areas that meet low- and moderate-income area requirements

Cities and counties that are interested in this program will work with the DEO contracted team to determine feasibility of the project. Once a project is determined feasible, it will be eligible for funding in this program. Local governments are encouraged to leverage matching funds under this program and will also be eligible to include homeowner incentives to encourage relocation.

Additional criteria for the both homeowner buyout program options, including a process map for coordination with the Florida Division of Emergency Management will be detailed in Home Buyout Program guidance to be released after the approval of this action plan. DEO will manage subrecipient agreements directly with eligible local governments and coordinate with our partners at FDEM on project application evaluation, required environmental and cultural resource reviews and program implementation, where applicable.

For all properties acquired by subrecipients through the Voluntary Home Buyout Program, a restrictive covenant, in perpetuity (i.e. running with the land), prohibiting all future redevelopment of the site must be recorded upon closing of the transaction. New development would be on an alternative site that is less at risk of flooding and would be built to building code, elevation standards, and meet requirements of CDBG-DR.

Properties that have received rehab or repairs through the Housing Repair Program will not be eligible for assistance under the Voluntary Home Buyout Program. However, on a case-by-case basis, housing units that have been demolished through the Voluntary Home Buyout Program may be eligible for new construction/replacement, in an area other than the buyout zone, through the Home Repair Program at DEO's discretion.

No specific site or property needs to be acquired, although DEO may limit its search for alternative sites to a general geographic area. Where DEO wishes to purchase more than one site within a general geographic area on this basis, all owners are to be treated similarly.

The property to be acquired is not part of an intended, planned, or designated project area where all or substantially all of the property within the area is to be acquired within specific time limits. DEO will not acquire the property if negotiations fail to result in an amicable agreement, and the owner is so informed in writing. DEO will inform the owner in writing of what it believes to be the market value of the property. Florida Licensed Real Estate Appraisers will be used to value property in the buyout program. DEO will offer the homeowner the **current fair market** value of the home as appraised **post-storm.**

Additionally, DEO will establish policies on Low-Moderate housing incentives (LMHI). DEO's policies will ensure that its Low-Moderate housing incentives (LMHI) comply with applicable Civil Rights and Affirmatively Furthering Fair Housing requirements and that there is no discrimination against a protected class.

Allocation for Activity: \$43,663,617.33

Applicants may pursue a range of eligible activities as allowed under CDBG-DR regulations for this appropriation, so long as they are in accordance with DEO threshold requirements and the requirements for the applicable activity as outlined in the Action Plan and Federal Register. Applicants will be required to meet HUD regulations, such as environmental, supplantation of benefits, fair housing and others.

Allocation for Activity: \$56,696,914.14, Competitive Cycle

Maximum Award: Round 1: N/A, Round 2: \$140,839,905

Responsible Entity for Administering: DEO

Eligibility: 105(a)(2)

National Objective: Low- and moderate-income benefit or Urgent Need

Use of CDBG-DR as Match

Additionally, funds may be used to meet a matching, share, or contribution requirement for any other federal program when used to carry out an eligible CDBG-DR activity. This includes programs or activities administered by the Federal Emergency Management Agency (FEMA) or the U.S. Army Corps of Engineers (USACE). By law, the amount of CDBG-DR funds that may be contributed to a USACE project is \$250,000 or less. Note that the Appropriations Act prohibits supplanting the use of CDBG-DR funds for any activity reimbursable, or for which funds are also made available, by FEMA or USACE.

Ineligible Activities

Ineligible activities identified in the Federal Register, Vol. 83, No. 28, Friday, February 9, 2018, include the use of CDBG-DR for forced mortgage payoff, construction of a dam/levee beyond original footprint, incentive payments to households that move to disaster-impacted floodplains, assistance to privately owned utilities, not prioritizing assistance to businesses that meet the definition of a small business, or assistance for second homes, **funding of buildings for the general conduct of government**, activities identified in 24 CFR 570.207, **and** all activities and uses **not** authorized under Title I of the Housing and Community Development Act of 1974 **or** allowed by waiver.

Method of Distribution

DEO has designed this CDBG-DR program in compliance with the National Program objectives and will ensure that assistance is prioritized toward the most disadvantaged populations to address unmet housing needs. Florida intends to spend a minimum of 70 percent of program funds on activities that benefit the Low-and-Moderate Income (LMI) population. LMI status is determined by evaluating income as a percentage of the Area Median Income (AMI) in the region in which the applicant lives.

As stewards of federal CDBG funds, DEO complies with the HUD mission to develop viable communities by the provision of decent housing, a suitable living environment and expanding economic opportunities, principally for LMI persons. To this end, all funded activities administered by the State of Florida will meet one of three named HUD national objectives:

1. Benefitting LMI Persons;
2. Preventing or Eliminating Slum or Blight; or
3. Meeting Urgent Needs.

In addition, a minimum of 80 percent of funding will be spent in HUD-identified most-impacted and distressed areas, with the 20 percent of funding spent in state-identified most-impacted and distressed areas, as detailed on

VI. Citizen Participation

The citizen participation plan for the Hurricane Irma allocation will provide a reasonable opportunity of at least 14 days for citizen comment and ongoing citizen access to information about the use of grant funds. Before DEO adopts this action plan or any substantial amendment to this plan, DEO will publish the proposed plan or amendment on www.floridajobs.org/cdbg-dr, DEO's main website. DEO and/or subrecipients will notify affected citizens through electronic mailings, press releases, statements by public officials, media advertisements, public service announcements, newsletters, contacts with neighborhood organizations and/or through social media. DEO will ensure that all citizens have equal access to information about the programs, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP). A Spanish and Creole version of the Action Plan will be available. DEO's website includes an Interpretive Translation Notice informing citizens in 15 different languages that translation services are available upon request. DEO consulted the "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons," published on January 22, 2007, in the Federal Register (72 FR 2732), in order to comply with citizen participation requirements. Upon subsequent publication of the Action Plan or substantial amendments, DEO will provide a reasonable opportunity of at least 30 days and have a method for receiving comments.

DEO will take comments via USPS mail or email at:

Florida Department of Economic Opportunity
Disaster Recovery Program
107 East Madison Street
The Caldwell Building, MSC 400
Tallahassee, Florida 32399-2100
cdbg-dr@deo.myflorida.com

Publication

Before its adoption, the proposed Action Plan was published on the DEO website, www.floridajobs.org/CDBG-DR, for a 14-day citizen comment period. DEO published a notice of the posting in the Florida Administrative Register (FAR) on April 20, 2018. DEO incorporated and addressed citizen comments received during that period into the final Action Plan.

1. Public Website

DEO has a public website providing access to information and programs administered by the state. DEO has a separate and distinct webpage on its website entitled "Disaster Recovery Programs" at www.floridajobs.org/cdbg-dr that includes information on disaster recovery activities assisted with CDBG-DR funds due to 2017 Hurricane Irma. The creation and maintenance of the public website is one component of HUD's certification that DEO has proficient financial controls and procurement processes as required in the Register.

The Disaster Recovery Programs' webpage will include links to action plans, action plan amendments, citizen participation requirements, and activity/program information for activities described in the action plan, including

Appendix 11: Projected Expenditures

DEO has developed a performance and expenditure schedule that includes projected performance of both expenditures and outcome measures for programs, project delivery and administration activities shown in the graph below

	3/31/2018	6/30/2018	9/30/2018	12/31/2018	3/31/2019	6/30/2019	9/30/2019	12/31/2019	3/31/2020	6/30/2020	9/30/2020
Cost Category	Q1 2018	Q2 2018	Q3 2018	Q4 2018	Q1 2019	Q2 2019	Q3 2019	Q4 2019	Q1 2020	Q2 2020	Q3 2020
Administrative Costs	-	-	268,157	645,101	2,170,447	1,242,157	1,288,361	2,345,129	1,597,969	2,392,217	1,988,231
Planning Costs	-	-	109,772	-	-	45,266	12,557	3,251	5,916	4,435	4,902
Housing Repair Program				352,703	1,164,558	5,834,782	4,564,854	8,340,322	8,271,996	15,560,669	12,180,443
Workforce Affordable Rental New Construction: Leveraging Other Sources of Financing	-	-	-	-	-	-	-	-	35,571	-	-
Workforce Affordable Rental New Construction: Small Rental	-	-	-	-	-	-	-	-	-	-	-
Voluntary Buyout Program	-	-	-	-	-	-	-	-	-	-	-
Workforce Recovery Training	-	-	-	-	-	-	-	-	-	-	-
Infrastructure Repair											
Total			377,929	997,804	3,335,005	7,122,206	5,865,772	10,688,702	9,911,452	17,957,321	14,173,576
	12/31/2020	03/31/2021	06/30/2021	09/30/2021	12/31/2021	03/31/2022	06/30/2022	09/30/2022	12/31/2022	03/31/2023	06/30/2023
Cost Category	Q4 2020	Q1 2021	Q2 2021	Q3 2021	Q4 2021	Q1 2022	Q2 2022	Q3 2022	Q4 2022	Q1 2023	Q2 2023
Administrative Costs	\$ 1,159,690	\$ 1,414,813	\$ 912,084	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000
Planning Costs	\$ 14,686	\$ 14,965	\$ (4,887)	\$ 2,500	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 5,000
Housing Repair Program	\$ 14,208,164	\$ 17,372,959	\$ 23,177,301	\$ 43,000,000	\$ 43,000,000	\$ 43,000,000	\$ 43,000,000	\$ 43,000,000	\$ 20,157,395		
Workforce Affordable Rental New Construction: Leveraging Other Sources of Financing	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000	\$ 5,000,000	\$ 5,000,000	\$ 7,000,000	\$ 10,000,000	\$ 13,000,000	\$ 13,000,000
Workforce Affordable Rental New Construction: Small Rental	\$ -	\$ -	\$ -	\$ 3,554,186	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000	\$ 1,700,000
Voluntary Buyout Program	\$ -	\$ -	\$ 197,843	\$ 400,000	\$ 750,000	\$ 750,000	\$ 1,200,000	\$ 2,500,000	\$ 3,000,000	\$ 3,500,000	\$ 3,500,000
Workforce Recovery Training	\$ -	\$ -	\$ 5,737	\$ 250,000	\$ 500,000	\$ 500,000	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000	\$ 1,700,000
Infrastructure Repair	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 5,000,000	\$ 10,000,000	\$ 10,000,000	\$ 15,000,000	\$ 18,000,000	\$ 19,000,000
Total	\$ 15,382,539	\$ 18,802,737	\$ 24,288,078	\$ 48,906,686	\$ 52,153,000	\$ 57,653,000	\$ 64,103,000	\$ 67,403,000	\$ 52,860,395	\$ 39,203,000	\$ 40,405,000
	09/30/2023	12/31/2023	03/31/2024	06/30/2024	9/30/2024	12/31/2024	3/31/2025	6/30/2025	Total	Budget	Budget Balance
Cost Category	Q3 2023	Q4 2023	Q1 2024	Q2 2024	Q3 2024	Q4 2024	Q1 2025	Q2 2025			
Administrative Costs	\$ 1,300,000	\$ 1,300,000	\$ 1,100,000	\$ 1,100,000	\$ 1,000,000	\$ 855,545	\$ 800,000	\$ 800,000	\$ 38,679,900	\$ 38,679,900	\$ (0)
Planning Costs	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 260,363	\$ 1,912,300	\$ 1,651,937
Housing Repair Program	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 346,186,147	\$ 346,186,147	\$ (0)
Workforce Affordable Rental New Construction: Leveraging Other Sources of Financing	\$ 12,000,000	\$ 12,000,000	\$ 10,964,429	\$ 10,000,000	\$ 9,000,000	\$ 9,000,000	\$ -	\$ -	\$ 120,000,000	\$ 120,000,000	\$ (0)
Workforce Affordable Rental New Construction: Small Rental	\$ 1,700,000	\$ 1,700,000	\$ 1,145,814	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000,000	\$ 20,000,000	\$ 0
Voluntary Buyout Program	\$ 4,200,000	\$ 4,200,000	\$ 4,100,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ 3,819,396		\$ 44,117,239	\$ 44,117,239	\$ 0
Workforce Recovery Training	\$ 1,800,000	\$ 1,800,000	\$ 1,894,919	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,450,656	\$ 14,450,656	\$ 0
Infrastructure Repair	\$ 19,000,000	\$ 19,000,000	\$ 19,000,000	\$ 19,000,000	\$ 18,889,503	\$ 18,500,000	\$ 18,000,000	\$ 18,000,000	\$ 226,889,503	\$ 226,889,503	\$ -
Total	\$ 40,003,000	\$ 40,003,000	\$ 38,208,162	\$ 34,103,000	\$ 32,892,503	\$ 32,358,545	\$ 22,622,396	\$ 18,803,000	\$ 810,583,808	\$ 812,235,745	\$ 1,651,937

Hurricane Irma Grant Expiration date extended 1 year due to COVID-19

**Hurricane Irma
CDBG-DR
Quarterly Expenditure Projections
Ending 06-30-2021**

