

CDBG-Disaster Recovery Grant

Action Plan

Orange County, N.Y.

Orange County

Office of Community Development

18 Seward Ave., Middletown, NY

(845) 615-3820

July 20, 2012

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Introduction and Background

Orange County is the recipient of a CDBG Disaster Recovery Grant (CDBG-DR) in accordance with Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. These funds are being made available to assist disaster recovery efforts in response to Hurricane Irene and Tropical Storm Lee. The County has been allocated \$11,422,029. These funds are allocated to the County as a direct recipient due to the fact that the Orange County CDBG Urban Consortium area has more than \$10 million in unmet severe needs. In order to receive these funds, the County must prepare an Action Plan and submit the Action Plan to the U.S. Department of Housing and Urban Development (HUD) for approval. The content of the Action Plan and eligible activities are described in the Federal Register dated April 16, 2012 in conformance with the regulations. For clarification purposes, it should be noted that in Program Year 2012 the CDBG Urban Consortium is comprised of all communities in Orange County with the exception of the City of Newburgh, City of Middletown, City of Port Jervis, Village of Highland Falls, and Village of Kiryas Joel. However, the Village of Highland Falls has joined the Consortium for 2013 and 2014.

Since the occurrence of Hurricane Irene and Tropical Storm Lee in late August and early September 2011, local, county, state, and federal resources as well as property owner resources have been expended to deal with recovery costs for housing needs. To give a snapshot of the magnitude of the disaster costs, thus far, \$18,720,748 has been funded by FEMA under the Individual Disaster Assistance Program. The FEMA grant funds are assisting some 4,587 eligible households. This includes 4,225 households receiving Housing Assistance and 904 households receiving assistance under the Other Needs Assistance category. It should be noted that 6,692 households registered for this FEMA assistance with 4,370 determined to be eligible.

A second category of need is the damage to public infrastructure and structures at both the county and municipal level. These substantial costs are still being calculated as design solutions progress. For activities which have estimates at this time, the projected cost is approximately \$20,600,000. This estimate will most likely increase as costs are refined and yet to be determined costs are added to the total.

A third category of need relates to economic development. This includes damages to private businesses resulting in lost income for the business owner, loss of jobs, and the cost of structural repairs of storm damaged properties. The CDBG-DR program cannot reimburse business owners for loss of income or lost wages payments but can assist with the repair of storm damaged properties. In addition, storm damage has caused a reduction in property tax assessments with a resultant loss of tax revenue. To date property tax reductions in the amount of approximately

\$25,000 have been approved by the towns of Crawford and Warwick. Additional reductions are anticipated.

In accordance with CDBG-DR regulations and the County goal, the funds available under this Action Plan will be used for eligible activities for which other funds are not available. This approach is not only required by regulation but is intentionally targeted to address un-met needs. In many cases, CDBG-DR funds will be used to provide the local cost share to supplement federal, state, and insurance proceeds. In terms of the local match for federal programs, 12.5% of project costs has been established as the amount of CDBG-DR funds for a particular project activity. This 12.5% is the result of New York State committing to pay one-half of the usual 25% local share. As the Action Plan is implemented, use of CDBG-DR funds in excess of the 12.5% will be considered on a case by case basis.

In accordance with CDBG-DR regulations, a minimum of 50% of the funds overall must benefit low and moderate income persons. The definition of low and moderate is an income 80% or less of the Orange County area median income. In order for an area wide activity to qualify for assistance, a minimum of 51% of the population must be considered low and moderate income. However, for Orange County, HUD permits the use of "exception criteria". Under the "exception criteria" regulations, this requirement can be met by directly assisting low and moderate income persons or expending funds for eligible activities in areas which have a population with 41% or more of people who are low and moderate income. HUD permits the use of "exception criteria" in jurisdictions that have few areas where the population contains 51% or more low and moderate people. A jurisdiction qualifies for this exception when less than one quarter of the populated block groups in its jurisdiction contain 51 percent or more low-and moderate persons. HUD has determined that the "exception criteria" for Orange County is 41% (based on the 2000 census data). As of this date, HUD has not yet issued the 2010 census calculations. It is expected that based on the 2010 census calculations, the "exception criteria" percentage will change. The use of the "exception criteria" for eligible area wide benefit is the same requirement utilized in the regular CDBG Program which the County has been administering for over 30 years. Map 1 shows the location of these eligible areas.

In addition to funding the cost of disaster recovery, CDBG-DR funds can be used for activities to mitigate future disaster damage. These activities may include infrastructure improvements on public and private property. There also can be regulatory revisions intended to control development in flood prone areas as well as areas which contribute to flooding under storm conditions. The adoption of Low Impact Development (LIDs) provisions in zoning and subdivision regulations is an example of this type of regulatory approach. Due to limited funding and federal regulations, CDBG-DR funds may not be used for activities that are solely designed to prepare for and/or mitigate the effects of a future disaster without any tie to rebuilding from the previous disaster.

The Action Plan sections which follow can be described as addressing the following general categories:

- Impact and Unmet Needs Assessment
- Description of How the Action Plan Will Promote Sustainable Long Term Recovery
- Description of Coordination Among Local and Regional Levels of Government
- Description of How CDBG-DR Funds will Leverage Other Funds
- Description of How the Program Will Encourage Long Term Sustainable Construction Methods
- Description of How Adequate, Flood Resistant Housing For All Income Groups Will Be Provided
- Description of the Connection Between Unmet Needs and the Allocation of CDBG-DR Funds
- Description of a Performance Schedule and Program Monitoring Standards

It is important to recognize that the implementation of CDBG-DR funded activities will require a significant time period. This time period is currently projected to be 36 months before all activities are complete and funds expended. This time is necessary to coordinate outreach to programs currently in place related to disaster recovery efforts, assess needs on a case-by-case basis, complete design and cost estimation, complete appropriate bidding and contracting, process funding, and complete construction activities.

A chart containing the program schedule is included in Section XII.

I Impact and Unmet Needs Assessment

In preparation of this Action Plan, the Orange County Office of Community Development completed an extensive needs assessment process. This process included the distribution of a Needs Assessment Survey (copy in Appendix A) to all eligible Consortium Municipalities. This survey included sections for all three primary needs categories – Infrastructure, Housing, and Economic Development. The survey asked for information on both public and private infrastructure, facilities, and buildings. The survey gathered information on the need to address damage to private properties and businesses. A specific questionnaire was also sent to all municipal assessors to determine the existence and amount of reductions in property assessments and tax revenue resulting from the disaster events. Concurrent with this needs assessment process, the Office of Community Development consulted with the County Division of Emergency Management and other County departments. As the lead department charged with disaster recovery, the Division of Emergency Management was the primary source of needs assessment data for County infrastructure, facilities, and buildings. Through the Division, needs assessment data was recovered from FEMA and the New York State Office of Emergency Management for communities in the County.

Based upon a needs assessment and analysis of activity benefit and eligibility the following program components are proposed for inclusion in the CDBG-DR Action Plan.

<u>Program Component</u>	<u>Budget Allocation</u>
County Buildings, Facilities, & Infrastructure*	\$ 2,000,000
Municipal Consortium – Buildings, Facilities, & Infrastructure	\$ 3,000,000
Municipal Consortium – Housing Activities**	\$ 4,000,000
Municipal Consortium – Economic Revitalization	\$ 500,000
Municipal Consortium – Privately Owned Infrastructure	\$ 500,000
Program Administration (5% Cap)	\$ 571,101
Contingency	\$ 850,928
Total Grand Allocation	\$ 11,422,029

*This program component includes the Orange County Government Center and other County Improvements.

**The Housing Activity component includes Housing Rehabilitation. The Office of Community Development currently administers a housing rehabilitation program utilizing both CDBG and HOME funds. These rehabilitation funds are provided directly to property owners. The Office of Community Development staff provides technical assistance, processes contractor bids, monitors construction, and assures compliance with applicable laws and regulations.

Similar guidelines and procedures with minor modifications will be used for CDBG-DR funds. The CDBG-DR funds will not replace current or future allocations of CDBG and HOME funds.

Appendix B contains a listing of the needs and costs to address these needs for both County owned and municipal owned infrastructure as well as housing, economic revitalization, and privately owned infrastructure needs. It should be noted that in many cases, the cost estimates represent the local match share of a total project cost.

As required by CDBG-DR regulations a minimum of 50% of the total funds to be expended must benefit low and moderate income persons. This benefit can either be direct to persons with qualifying income or an area benefit within areas determined to be populated with persons defined as low and moderate income at a percentage of 41% or more. Map 1, Eligible Low and Moderate Income Areas, displays the location of such areas. The table on page 6 contains the proposed funding allocations and basis for computing low and moderate income benefit.

II Promotion of Sound, Sustainable, Long Term Recovery Planning

Sound, sustainable long term recovery planning will be carried out as a cooperative effort between County departments and Consortium Municipalities as well as coordination with state and federal agencies. The primary County departments will be the Division of Emergency Management, Office of Community Development, and the County Planning Department. Orange County has an approved Hazard Mitigation Plan as do the municipalities of Deerpark, Highlands, and New Windsor. In addition, the non-consortium municipalities of Highland Falls and Pt. Jervis have plans. Copies of these plans are on file in the Office of Community Development. The Division of Emergency Management has been an active participant in the preparation of this Action Plan.

The Office of Community Development in addition to administrating the CDBG-DR Program will support the Division of Emergency Management in the long-term recovery planning process. This will include the preparation of amendments to this Action Plan related to long-term recovery planning as appropriate.

The other County participant in this planning process will be the Orange County Planning Department. While there is no county-wide zoning, the Department has and will provide planning assistance to the Consortium municipalities. This assistance includes review of mandatory planning and zoning referrals. Among other things, this planning advice will include approaches to flood plain management, control of storm run-off, and Low Impact Development (LIDs).

The Department is also responsible for the preparation of the Orange County Comprehensive Plan. This Plan is prepared under the auspices of the Planning Board and approved by the County Legislature. The Plan must be reviewed every five years. The current plan was updated in 2010. The Plan contains two supplements – an Open Space Plan and a Water Master Plan. All documents are on file in the Planning Department office and accessible on the County website. Where appropriate, any long-term recovery recommendations can be incorporated in the Comprehensive Plan or as a supplement.

The initiation of a long-term recovery planning process is well-timed. Recently local and regional government agencies, nongovernmental organizations, and not-for-profits involved with disaster recovery have formed a Long-Term Recovery Committee. This committee includes representatives of the Disaster Care Management Program, Project HOPE, Catholic Charities of

Orange County, the United Way of the Dutchess-Orange Region, and the Orange County Division of Emergency Management. These groups have been involved with disaster recovery efforts to date and have participated in the preparation of this Action Plan. The Office of Community Development is now joining the committee. During the implementation of the Action Plan, the committee will be a key source of on-going detailed needs assessments as well as recommendations as to the targeted use of resources for long term recovery.

III CDBG-DR Funds Leverage of Other Funds

As discussed in the introduction section, there has already been a substantial commitment of funds for disaster recovery by FEMA, New York State, Orange County, municipalities and private property owners (including both equity and insurance proceeds). It is expected that this will continue during the period of implementation of the CDBG-DR program.

For county and municipal projects, in order to maximize the leverage multiplier of CDBG-DR funds, the policy decision has been made to limit the use of funds to the local match (12.5% of total project cost) for state and federally funded long-term recovery projects. As discussed earlier, this 12.5% is one-half of the 25% local share normally required for such projects. New York State has committed to fund the other 12.5%. As the Action Plan is implemented, use of the CDBG-DR funds in excess of the 12.5% will be considered on a case-by-case basis. For direct assistance to households, property owners, and business owners CDBG-DR funding will be limited to expenditures for activities for which either FEMA assistance or insurance claims have been denied or partially funded. Such expenditures must meet the eligibility provisions and duplication of benefit guidelines of the CDBG-DR program.

In addition, for all of the above, the minimum of 50% of expenditures benefitting low and moderate income persons will be monitored.

IV Construction Methods That Emphasize High Quality, Durability, Energy Efficiency, Sustainability, and Mold Resistance

All activities to be funded by the CDBG-DR program will be subject to formal contracts which will specify the CDBG-DR construction requirements. For CDBG-DR residential rehabilitation projects the documents for the Property Rehabilitation Program administered by the Office of Community Development will be amended to address the use of CDBG-DR funds. A set of documents for the repair of non-residential property will be prepared since such repairs are not being funded under the CDBG and HOME programs. It is anticipated that the process for repair of non-residential properties will be similar to the process currently in use for residential properties. One key provision for both residential and non-residential repairs is that the work must be limited to damages resulting from the disasters. This may include unmet needs which arise as time passes after the flooding events. Examples of such latent needs include the appearance of mold and the deterioration of HVAC systems impacted by flooding. The contract provisions will require that all repairs and improvements conform to the New York State Building Code. Every contract will be monitored by the Office of Community Development staff. This procedure is currently in place in the Office's administration of the CDBG and HOME programs. Energy conservation is currently one of the goals of the CDBG and HOME programs. This includes the specific requirement that Energy Star standards be met. While LEED certification is not a requirement, green building techniques appropriate for such certification will be recommended in the CDBG-DR funded program.

V Flood Resistant Housing For All Income Groups

The underlying premise of the Orange County CDBG-DR program is that all income groups are treated equally in terms of eligible activities in support of flood resistant housing. Of course, this has to be done within the overall 50% of funding benefit to low and moderate income persons framework. Within this overall framework, special needs, homeless and very low income (less than 30% of AMI) households will be addressed. It is anticipated that these particular needs will be identified as part of on-going case management.

As discussed earlier, the Long Term Recovery Committee member organizations have been and will continue to be involved in case management. Several of the participating agencies employ experienced social workers as Case Managers. These Case Managers are very familiar with special needs, homeless, and very low income needs and clients. The Disaster Care Management (DCM) program in which many of these agencies participate started to operate in October 2011 and to date has contacted over 450 Orange County resident households.

During the CDBG-DR Action Plan implementation period, detailed unmet needs assessment will be on-going. Unlike the assessment process to date, there will be specific focus on needs which are eligible for CDBG-DR funding as well as achievement of low and moderate income benefit goals. The focused use of the CDBG-DR resources will benefit from the assessment process which has been underway since the disaster events. The ability to fill the unmet needs gap with CDBG-DR funds is enhanced since cost estimates and applications for funding assistance have already been completed to meet numerous categories of need. The availability of this information will assist in the avoidance of duplication of funding.

At this time, a need for transitional housing for homeless individuals and families has not been identified at this time. No existing transitional housing units were damaged by the disaster events. During the Action Plan implementation period, the need for transitional housing units may be identified. If such need is identified, appropriate action will be taken. If this results in a substantial level of new activities, an amendment in conformance with the CDBG-DR regulations will be processed.

VI Minimizing Displacement

The CDBG-DR program does not propose the acquisition of any property by the County. Therefore no direct displacement is anticipated. If participating municipalities request funds for the acquisition of property, a displacement/relocation plan must be prepared and submitted to the Office of Community Development prior to the approval of any CDBG-DR funds for that purpose. It is anticipated that the displacement/relocation plans for the municipalities will be similar to the County displacement policies. The approval of such funds will result in the need for compliance with the Uniform Property Acquisition and Relocation Act of 1970, as amended. All property acquisition will be the responsibility of the municipality within which the property is located. The ultimate ownership and use of such properties shall also be the responsibility of the municipality. The County does not intend to be the owner of any such properties.

VII Program Income

Orange County will use any program income resulting from CDBG-DR activities in the same manner as program income received under the CDBG and HOME programs administered by the Office of Community Development. Such income will supplement the program or activity which generated the income. In accordance with CDBG regulations, such income will be used before additional funds are drawn from the Letter of Credit. The Office of Community Development has procedures in place for monitoring the use of program income. If the program/activity which generates program income is completed or the amount of income exceeds the limits contained in the CDBG-DR regulation, the use of such income shall be determined through amendment of the Action Plan.

VIII Monitoring Standards

The Office of Community Development has established procedures for monitoring activities and programs. These procedures will be used to monitor the CDBG-DR program. If activities or programs different than those which have previously been administered by the Office of Community Development for the CDBG or HOME programs are included in the CDBG-DR program, the monitoring procedures will be modified accordingly.

The monitoring procedures will include the following:

- A statement signed by the property owner attesting to the amount of funds received from other sources as well as a provision that the repairs for which CDBG-DR funds are requested are to address damages resulting from the storm events.
- Review and eligibility determination of application for funding to ensure program regulations, including nonduplication of benefits, are met.
- All contractors bidding on repair work or the supply of mechanical, electronic, and like materials must provide appropriate warranties. Depending on the cost and complexity of the contract, a bond may be required.
- All work will be inspected by the appropriate authorities. In the case of residential rehabilitation as well as non-residential contracts, this will include the Office of Community Development staff as well as the local building official. For infrastructure and public facility contracts, inspection shall be the responsibility of the appropriate municipality or the County. The Office of Community Development shall be responsible for the monitoring of expenditures and Davis-Bacon Labor Standards compliance in accordance with the contract provisions.
- Investigations of potential violations of laws or regulations shall initially be the responsibility of the Office of Community Development. If such an investigation results in the identification of a potential violation, the County Law Department shall be consulted for direction or appropriate actions.

IX Steps to Prevent Fraud, Abuse, and Mismanagement of Funds

The Office of Community Development has successfully administered the regular Community Development program for 30 years. Project implementation protocols and monitoring procedures have been developed and are in place to prevent fraud, abuse, and mismanagement of funds. Experienced staffing is in place to carry out the following responsibilities:

- Application review for project eligibility and duplication of benefit
- Issuing Owner and Construction agreements
- Project inspections
- Payment request audits by the Office of Community staff and Orange County Finance Department
- Segregation of duties to provide checks and balances
- Dual controls of banking transactions
- Code of Ethics for all County Employees
- Maintaining related internal reports
- Internal audit and investigation staff report to the Orange County Commissioner of Finance and the Orange County Executive, the Chief Executive Officer for Orange County
- Review of required Municipal Project Reports
- Entry of transactions into the County and Federal Financial Systems
- Overall monitoring of program activities to ensure compliance with federal and local regulations
- Preparation of Annual Single Audits pursuant to federal and state regulations

X Increasing Capacity of Grant Recipients or Any Other Entity For Administrating Funds

Orange County is fortunate in that it has been the recipient of CDBG funds for over 30 years. Over this time period, the Office of Community Development has worked with Consortium Municipalities to develop the capacity to administer CDBG funds for activities that are implemented by them as sub-grantees. The Office of Community Development employs a written agreement with each sub-grantee which contains a description of activities, the agreed upon grant amount, any special conditions related to environmental clearances, and other CDBG requirements. Over the years, the capacity level has increased and the Office of Community Development has modified procedures as appropriate.

It is anticipated that there will be some procedures in need of modification in the administration of the CDBG-DR program. Special attention will be given to the requirement that activities address storm-related damages and to prohibiting the duplication of benefits. Currently, engineering and design costs for projects must be provided by the municipality or an outside contractor paid with non-CDBG funds. In order to complete projects in a timely manner and considering the heavy burden on the municipalities resulting from the disaster, the use of CDBG-DR funds for contracted engineering and design services will be considered. Such fees will be part of the project activity and not used for administrative costs.

XI Connection Between Unmet Needs and CDBG-DR Allocations

As discussed earlier, the allocation of the Orange County Consortium CDBG-DR funds is to provide assistance for those disaster-related activities which have no other source of funding. In addition to the infrastructure activities at the County and Municipality level, these allocations are focused on direct assistance to property owners for eligible activities. The funds will fill a resource availability gap which has been identified throughout this plan. In addition to disaster related activities, the CDBG-DR funds will address the mitigation of the impacts of future disasters.

XII Performance Schedule

It is proposed that the activities contained in the Action Plan be completed within thirty-six months from its approval by HUD. The Action Plan Performance Schedule detailed on the following page illustrates this schedule.

ACTION PLAN PERFORMANCE SCHEDULE
APRIL 2012 THROUGH MARCH 2015=36 MONTHS

ACTIVITY & OUTCOMES

ACTION PLAN PREPARATION
 FEDERAL REGISTER NOTICE
 CP PLAN PUBLISHED
 DRAFT ACTION PLAN PUBLISHED
 SUBMISSION TO HUD
 HUD APPROVAL
 APPROVED ACTION PLAN PUBLISHED

ADMINISTRATIVE ACTIVITIES
 ENVIRONMENTAL CLEARANCES
 PREPARE PROGRAM GUIDELINES
 PREPARE FORM OF SUB-GRANTEE AGREEMENTS
 DRDG SYSTEM ACCESS
 BEGIN DRAW DOWNS
 GRANT CLOSE-OUT

HOUSING **
 OUTREACH TO PROPERTY OWNERS
 VERIFY L&M INCOME AND CDBG-DR ELIGIBILITY
 PROCESS SUB-GRANTEE AGREEMENTS
 REHABILITATION ACTIVITIES - 100 UNIT GOAL
 ACQUISITION & DEMOLITION - 18 BUILDING GOAL

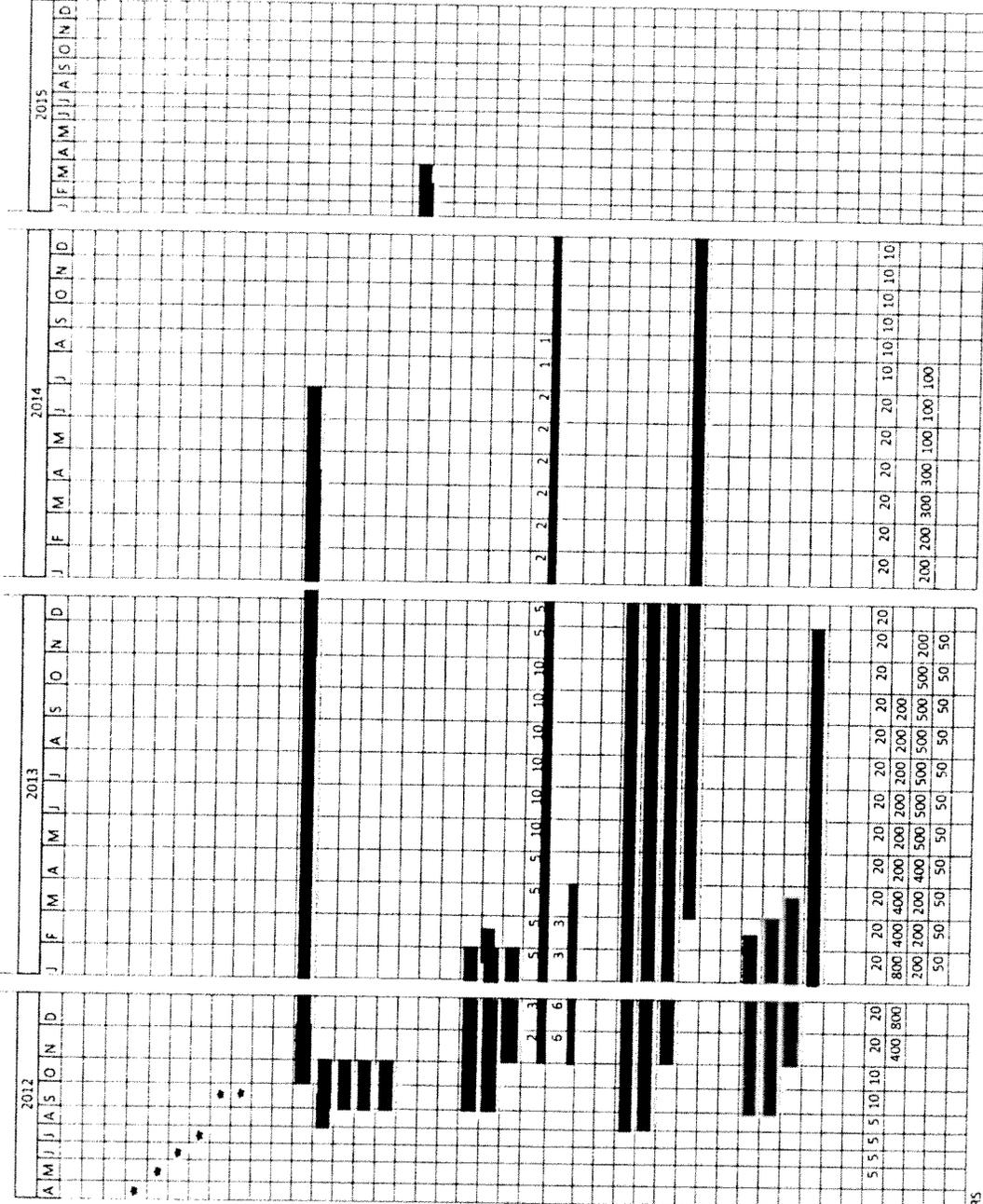
INFRASTRUCTURE
 MONITOR FEMA FUNDING
 DETAIL PROJECT LIST
 PROCESS SUB-GRANTEE AGREEMENTS
 CONSTRUCTION ACTIVITIES

ECONOMIC REVITALIZATION
 OUTREACH TO BUSINESSES
 VERIFY CDBG-DR ELIGIBILITY
 PROCESS SUB-GRANTEE AGREEMENTS
 CONSTRUCTION ACTIVITIES

EXPENDITURE PROJECTIONS *

ADMINISTRATION \$571,101
 HOUSING \$4,000,000
 INFRASTRUCTURE \$5,500,000
 ECONOMIC REVITALIZATION \$500,000
 CONTINGENCY \$850,928

* MONTHLY EXPENDITURES IN THOUSANDS OF DOLLARS
 ** MONTHLY NUMBERS IS THE UNIT GOAL



XIII Action Plan Amendments and Public Participation Process

Action Plan Amendments

In the case of substantial and non substantial amendments, the County will follow two alternative citizen participation processes. A substantial amendment shall be defined as: a change in program benefit or eligibility criteria, the allocation or re-allocation of more than \$1 million, or the addition or deletion of an activity. In the cases of a substantial amendment, the same procedures followed for preparation and adoption of the Action Plan shall be followed. Substantial amendments will be posted on the Orange County Government website and will provide for a minimum of a 7 day comment period. All comments received will be considered. A copy of all comments received and the County's response will be attached to the substantial amendment to the Disaster Recovery Action Plan and submitted to HUD. Changes in the plan that do not meet the definition of a substantial amendment shall be considered a non substantial amendment. For amendments considered to be non-substantial, the County shall notify HUD, but public comment is not required. Every substantial amendment and non substantial amendment shall be numbered sequentially, posted on the Orange County website, and submitted to HUD.

A Citizen Participation Plan for the CDBG-DR Program was prepared and posted on the Orange County website on June 06, 2012. No comments were received relative to the Plan. A copy of the Plan is contained in Appendix C.

The Draft CDBG-DR Action Plan was posted on the Orange County website for comment on June 29, 2012. In accordance with the CDBG-DR regulations, a 7 day comment period ending on July 6, 2012 was provided. No comments were received. In addition to posting on the website, the Draft Action Plan was distributed to numerous officials and agencies. The distribution list is contained in Appendix C. Recipients on this list were provided a time period ending on July 13, 2012 to submit comments.

Program information will be made accessible to persons with disabilities upon request by telephone or written request to the: Orange County Office of Community Development, 18 Seward Ave., 1st Floor, Middletown, New York 10940, Telephone (voice) – (845) 615-3820.

3652-02-2-717-rpt

SECTION XIV

SF 424

Application for Federal Assistance SF-424		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		*2. Type of Application * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision *Other (Specify) _____
3. Date Received:		4. Applicant Identifier:
5a. Federal Entity Identifier:		*5b. Federal Award Identifier:
State Use Only:		
6. Date Received by State:		7. State Application Identifier:
8. APPLICANT INFORMATION:		
*a. Legal Name: County of Orange		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 14-6002567		*c. Organizational DUNS: 0129815930001
d. Address:		
*Street 1: <u>255 Main Street</u>		
Street 2: _____		
*City: <u>Goshen</u>		
County: <u>Orange</u>		
*State: <u>New York</u>		
Province: _____		
*Country: <u>USA</u>		
*Zip / Postal Code <u>10924</u>		
e. Organizational Unit:		
Department Name: Community Development		Division Name:
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <u>Ms.</u> *First Name: <u>Joanne</u>		
Middle Name: _____		
*Last Name: <u>Fazzino</u>		
Suffix: _____		
Title: <u>Assistant Director of Community Development</u>		
Organizational Affiliation: County of Orange		
*Telephone Number: 845-615-3818		Fax Number: 845-344-1629
*Email: <u>jfazzino@co.orange.ny.us</u>		

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

B. County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

***10 Name of Federal Agency:**

US Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

Community Development Block Grant-Disaster Recovery _____

***12 Funding Opportunity Number:**

*Title:

Community Development Block Grant-Disaster Recovery _____

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

County of Orange, New York

***15. Descriptive Title of Applicant's Project:**

Implementation of CDBG-DR Grant to provide disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization to the residents residing in the Orange County Urban County Consortium area.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: NY-19 and NY-22

*b. Program/Project: CDBG

17. Proposed Project:

*a. Start Date: 04/16/2012

*b. End Date: 03/31/2015

18. Estimated Funding (\$):

*a. Federal	_____	11,422,029.00
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	0.00
*f. Program Income	_____	0.00
*g. TOTAL	_____	11,422,029.00

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

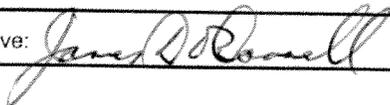
Prefix: Mr. _____ *First Name: Edward _____
Middle Name: A. _____
*Last Name: Diana _____
Suffix: _____

*Title: County Executive

*Telephone Number: 845-291-2700

Fax Number: 845-291-2724

* Email: ceoffice@co.orange.ny.us

*Signature of Authorized Representative: 

*Date Signed: 7-20-12

SECTION XV
Certifications

CDBG DISASTER CERTIFICATIONS

CERTIFICATIONS WAIVER AND ALTERNATIVE REQUIREMENT

Section 91.325 and 91.225 of title 24 of the Code of Federal Regulations are waived. Each State or unit of general local government receiving a direct allocation under this Notice must make the following certifications with its Action Plan:

- A. The grantee certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within its jurisdiction take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See 24 CFR 570.487(b)(2) and 570.601(a)(2).)
- B. The grantee certifies that it has in effect and is following a residential Antidisplacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- C. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- D. The grantee certifies that the Action Plan for Disaster Recovery is authorized under State and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, posses(es) the legal authority to carry out the program for which it is seeking funding, in accordance with application HUD regulations and this Notice.
- E. The grantee certifies that activities to be taken with funds under this Notice are consistent with its Action Plan.
- F. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA , as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this Notice.
- G. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- H. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each unit of local government receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).

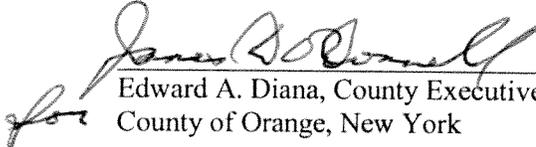
- I. Each State receiving a direct award under this Notice certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the method of distribution of funding.

- J. The grantee certifies that it is complying with each of the following criteria:
 - (1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 2011, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 *et seq.*)
 - (2) With respect to activities expected to be assisted with CDBG disaster recovery funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low-moderate income families.
 - (3) The aggregate use of CDBG disaster recovery funds shall principally benefit low-moderate income families in a manner that ensures that at least 50 percent of the grant amount is expended for activities that benefit such persons.
 - (4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery grant funds, by assessing any amount against properties owned and occupied by persons of low and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:
 - (a) Disaster recovery grants funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or
 - (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

- K. The grantee certifies that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

- L. The grantee certifies that it has adopted and is enforcing the following policies. In addition, States receiving a direct award must certify that they will require units of general local government that receive grant funds to certify that they have adopted and are enforcing:

- (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
 - (2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdictions.
- M. Each State or unit of local government receiving a direct award under this Notice certifies that or (and any subrecipient or administering entity) has the capacity to carry out disaster recovery activities in a timely manner; or the State or unit of local government will develop a plan to increase capacity where such capacity is lacking.
- N. The grantee certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area in FEMA's most current flood advisory maps, unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain, in accordance with Executive Order 11988 and 24 CFR part 55.
- O. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
- P. The grantee certifies that it will comply with applicable laws.

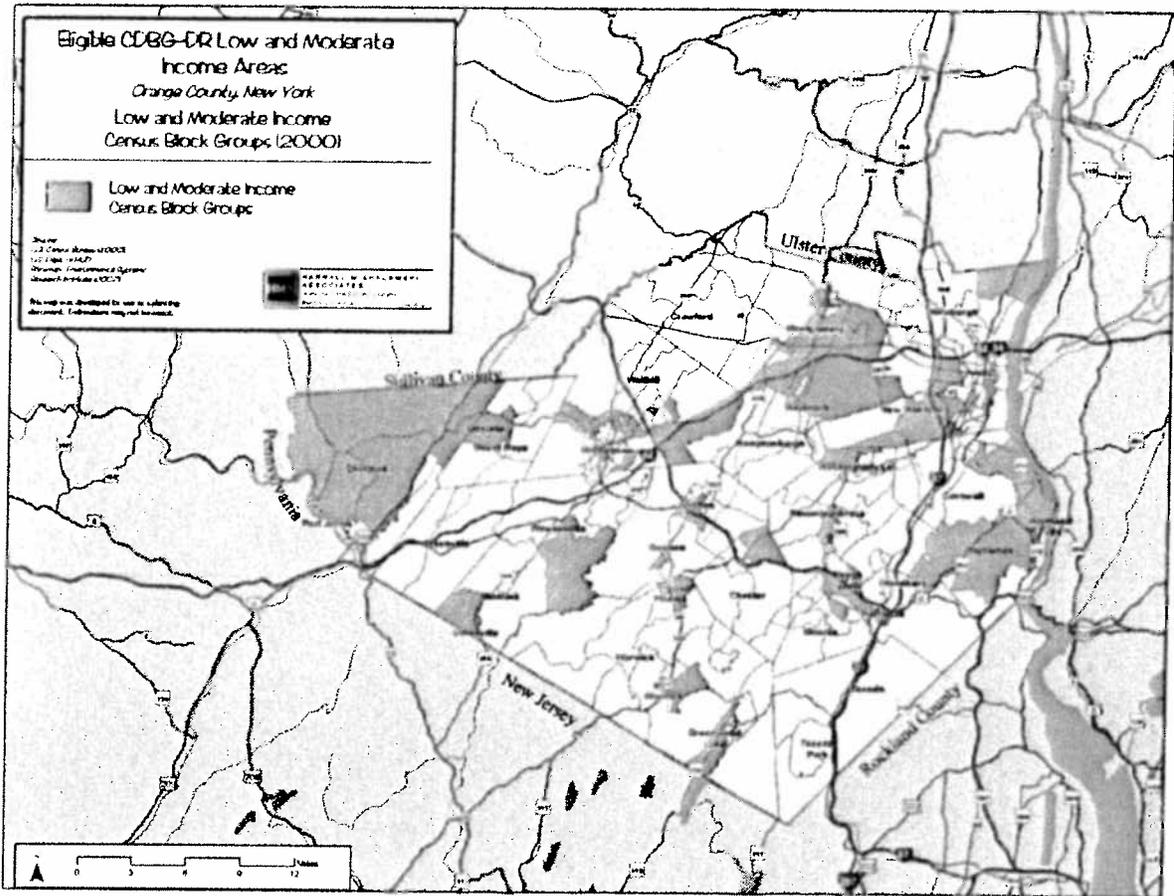


Edward A. Diana, County Executive
County of Orange, New York

**

7-20-12
Date

** With respect to items A-H, J-K and M-P this certification is signed in reliance upon attached and incorporated "CDBG Disaster Certification" executed by Joanne Fazzino, Assistant Director, Community Development on July 20, 2012.



Appendix A
Needs Assessment Survey Form

Orange County Office of Community Development

In the FY 2011-12 Federal Budget, the U.S. Congress appropriated \$400M to the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Disaster Recovery (CDBG DR) program. In January, it was announced that Orange County will receive funds through CDBG DR to assist communities in disaster recovery efforts. The Orange County Office of Community Development (OCD) will oversee the administration of the CDBG DR funds.

The timeline for accessing and disbursing these funds is as follows:

- Orange County submitted requests for CDBG Program waivers to HUD for approval on February 10, 2012.
- HUD reviewed waiver requests from Orange County and published approval, along with other guidelines, in the Federal Register on April 16, 2012.
- From the date of Federal Register publication, Orange County will have up to 90 days to prepare and submit a CDBG DR Action Plan to HUD. The Action Plan will outline how Orange County proposes to use CDBG DR funds, and how the funds will assist in long-term recovery efforts for Orange County. Orange County is currently coordinating a needs assessment to determine the scope of need in impacted municipalities. The results of the assessment will assist in determining how best to spend these DR funds. (NOTE: The Action Plan will require a period of public comment before submission to HUD.)
- Upon receipt of Orange County's CDBG DR Action Plan, HUD will have up to 45 days to review and approve the Action Plan.
- Upon approval of the Action Plan, Orange County will enter into a grant agreement with HUD and begin CDBG DR Program implementation. Municipalities receiving funds will be scheduled to attend a CDBG DR Implementation meeting shortly after HUD grant agreements have been executed.

The County of Orange received two (2) Presidential Disaster Declarations in 2011 as a result of Hurricane Irene and Tropical Storm Lee. As a result, municipalities in the CDBG Urban Consortium are eligible for CDBG DR funds for unmet financial needs for disaster recovery, long-term recovery, and restoration of infrastructure, housing, and economic revitalization. CDBG DR funds may be able to be used as a matching requirement, share, or contribution for any other Federal programs. This could allow Orange County to assist municipalities in funding their share of required match for other disaster assistance funds for repair and restoration of damage as a direct result of the events.

HUD strongly encourages incorporating preparedness and mitigation measures into rebuilding activities. However, CDBG disaster recovery funds may not be used towards activities that are solely designed to prepare for and/or mitigate the effects of a future disaster without any tie to rebuilding from the Hurricane Irene and Tropical Storm Irene.

In evaluating the existing unmet need in your community, and recommending what should be included in any needs assessment for CDBG DR consideration, please refer to the following Eligibility Criteria.

ELIGIBLE:

- Any CDBG-eligible activity is also eligible for CDBG-DR funding as long as the activities **are a direct result of Hurricane Irene and Tropical Storm Lee AND are directly related to disaster recovery efforts.** The following is a list of eligible activities:

A. Economic Revitalization

1. Funding of job training
2. Improvements to commercial/retail districts
3. Funding efforts that attract/retain workers
4. Economic development assistance to for-profit businesses
5. Activities carried out through nonprofit development organizations
6. Microenterprise assistance

B. Infrastructure

1. Repair, replacement or relocation of damaged public facilities
2. Clearance of buildings
3. Architectural barrier removal
4. Public improvements

C. Housing:

1. Rehabilitation of single family or multi-family units
2. New construction
3. Flood buyouts
4. Acquisition of real property
5. Architectural barrier removal
6. Disposition of real property
7. Code enforcement
8. Clearance of buildings
9. Loss of rental income
10. Housing services
11. Homeownership assistance
12. In rem housing (assistance to housing units acquired through tax foreclosure proceedings)

All funded activities must be eligible and meet one of the following National Objectives:

1. Low/Mod – the activity must benefit low-to-moderate income people
2. Slum or Blight - the activity must be in a designated slum or blighted area
3. Urgent Need

Duplication of Benefits

In general, section 312 of the Robert T. Stafford Disaster Assistance and Emergency Relief Act (42 U.S.C. 5155), as amended, prohibits any person, business concern, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster as to which he has received financial assistance under any other program or from any other source.

Given the often complex nature of this issue, HUD has published a separate Notice explaining the duplication of benefit requirements applicable to CDBG disaster recovery grantees; it can be found at 76 FR 71060 (published November 16, 2011.)

**Orange County
Office of Community Development
Disaster Recovery Needs Assessment Survey**

Orange County will be required to submit an Action Plan to HUD, which will outline and propose a plan for distributing Community Development Block Grant Disaster Recovery (CDBG DR) funds. In order to evaluate the disaster recovery needs, each Municipality impacted by Hurricane Irene or Tropical Storm Lee is requested to submit a COMPLETE a needs assessment form for each of the following categories. For categories not applicable to your community, indicate "not applicable" on the form.

- Economic Development
 - Businesses directly impacted by storms

- Public Infrastructure
 - Water and Sewer Treatment Facilities
 - Flood Control Mitigation Projects
 - Streets and Sidewalks
 - Other Public Infrastructure
 - Initial storm cleanup/debris removal
 - Government Buildings

- Housing
 - Single Unit Owner Occupied and Renter Occupied
 - Multi-Unit Owner Occupied and Renter Occupied

Orange County has provided templates with this survey that may be used to develop the needs assessment for Municipalities. If other assessments have already been completed or conducted by the Municipality, please attach those assessments in addition to completing the needs assessment Templates.

The needs assessment must be returned via e-mail to Liz Dietz
at
ldietz@co.orange.ny.us
no later than 5:00pm on May 18, 2012.

Each needs assessment will be reviewed and considered in the formulation of the County's Action Plan to be submitted to HUD. The Office of Community Development will be in contact with Municipalities as the process progresses to keep them informed of next steps.

NOTE: All FEMA, Federal, State and local resources currently available and any other assistance including, but not limited to private insurance, must first be taken into account in determining the best use of CDBG DR funds to assist the most severely impacted communities.

1. Economic Development

CDBG DR funds may be used to assist municipalities in economic development recovery efforts including the replacing or repairing of essential business assets that suffered damage as a direct result of Hurricane Irene and Tropical Storm Lee. Orange County desires to work with municipalities through their local governments to identify existing business needs and direct funds to assist in the repair or replacement of business assets, only if directly damaged by the storms.

The following template is a series of questions aimed at assessing the need for business and economic development recovery assistance as a direct result of damage incurred by the storm events. Please provide information on those businesses that have been directly impacted by the storms.

A SEPARATE needs assessment for each economic development activity must be completed by the local municipality where a need exists. Three blanks have been provided for you. Insert more, if needed.

Economic Development Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____
2. Provide the location of the impacted business:
3. Has this business closed as a result of damage incurred by the storms and reopened in a new location?
4. Is this business in danger of closing due to damage incurred by the storms?
5. Within the following categories, estimate the total cost of damage to the business:
 - a. Interior/exterior structural damage to business: \$ _____
 - b. Damage to privately-owned infrastructure that directly affects business operations: \$ _____
 - c. Damage to property of the business, including machinery and equipment, furniture and fixtures, and inventory: \$ _____

How was the cost of damage determined and can documentation be provided?

6. FEMA Information:
 - a. Have funds been requested? Yes No
 - b. If yes, what was the amount requested? \$ _____
 - c. What is the status of these funds? Circle one.
PENDING APPROVED DENIED
7. Identify all other funds and amounts that have been requested including all local, State, Federal and private (identify) sources:

Source _____
 Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
 Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
 Amt of Request. \$ _____ Pending / Approved / Denied
7. Additional Comments:

Economic Development Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____

2. Provide the location of the impacted business:

3. Has this business closed as a result of damage incurred by the storms and reopened in a new location?

4. Is this business in danger of closing due to damage incurred by the storms?

5. Within the following categories, estimate the total cost of damage to the business:

a. Interior/exterior structural damage to business: \$ _____

b. Damage to privately-owned infrastructure that directly affects business operations: \$ _____

c. Damage to property of the business, including machinery and equipment, furniture and fixtures, and inventory: \$ _____

How was the cost of damage determined and can documentation be provided?

6. FEMA Information:

a. Have funds been requested? Yes No

b. If yes, what was the amount requested? \$ _____

c. What is the status of these funds? Circle one.

PENDING

APPROVED

DENIED

7. Identify all other funds and amounts that have been requested including all local, State, Federal and private (identify) sources:

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

7. Additional Comments:

Economic Development Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____
2. Provide the location of the impacted business:
3. Has this business closed as a result of damage incurred by the storms and reopened in a new location?
4. Is this business in danger of closing due to damage incurred by the storms?
5. Within the following categories, estimate the total cost of damage to the business:
 - a. Interior/exterior structural damage to business: \$ _____
 - b. Damage to privately-owned infrastructure that directly affects business operations: \$ _____
 - c. Damage to property of the business, including machinery and equipment, furniture and fixtures, and inventory: \$ _____

How was the cost of damage determined and can documentation be provided?

6. FEMA Information:
 - a. Have funds been requested? Yes No
 - b. If yes, what was the amount requested? \$ _____
 - c. What is the status of these funds? Circle one.
PENDING APPROVED DENIED

Identify all other funds and amounts that have been requested including all local, State, Federal and private (identify) sources:

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

7. Additional Comments:

2. Public Infrastructure

CDBG DR funds may be used to assist municipalities in replacing or repairing essential public infrastructure that suffered damage as a direct result of Hurricane Irene and Tropical Storm Lee. Orange County desires to work with local municipalities through their local governments to identify existing infrastructure needs to assist in the repair or replacement of any of the following, only if directly damaged by the storms:

- i. Water/Sewer treatment facilities and other water/sewer infrastructure including storm sewer
- ii. Flood Control Mitigation projects
- iii. Streets/Sidewalks
- iv. Other Public Infrastructure as needs identified
- v. Initial storm cleanup/debris removal

A SEPARATE needs assessment for each public infrastructure activity must be completed by the local municipality where a need exists. Three blanks have been provided for you. Insert more, if needed.

**Public Infrastructure
Needs Assessment Survey**

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____

2. Has the County or Municipality identified damage to any essential public infrastructure?
Yes No

3. If yes, identify the type of facility?

4. What is the location of the facility?

5. Who owns the facility?

6. Provide a brief 2-3 sentence description of the damage/need.

7. What is the estimated cost of the damage? \$ _____

8. How was the cost of damage determined and can documentation be provided?

9. FEMA Information:

a. Have funds been requested? Yes No

b. If yes, what was the amount requested? \$ _____

c. What is the status of these funds? Circle one.

PENDING

APPROVED

DENIED

10. Identify all other funds and amounts that have been requested for this project including all local, State, Federal and private sources (identify):

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

11. Additional Comments:

Public Infrastructure Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____
2. Has the County or Municipality identified damage to any essential public infrastructure?
Yes No
3. If yes, identify the type of facility?
4. What is the location of the facility?
5. Who owns the facility?
6. Provide a brief 2-3 sentence description of the damage/need.
7. What is the estimated cost of the damage? \$ _____
8. How was the cost of damage determined and can documentation be provided?
9. FEMA Information:
 - a. Have funds been requested? Yes No
 - b. If yes, what was the amount requested? \$ _____
 - c. What is the status of these funds? Circle one.
PENDING APPROVED DENIED
10. Identify all other funds and amounts that have been requested for this project including all local, State, Federal and private sources (identify):
Source _____ Amt of Request. \$ _____ Pending / Approved / Denied

Source _____ Amt of Request. \$ _____ Pending / Approved / Denied

Source _____ Amt of Request. \$ _____ Pending / Approved / Denied
11. Additional Comments:

Public Infrastructure Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____
2. Has the County or Municipality identified damage to any essential public infrastructure?
Yes No
3. If yes, identify the type of facility?
4. What is the location of the facility?
5. Who owns the facility?
6. Provide a brief 2-3 sentence description of the damage/need.
7. What is the estimated cost of the damage? \$ _____
8. How was the cost of damage determined and can documentation be provided?
9. FEMA Information:
 - a. Have funds been requested? Yes No
 - b. If yes, what was the amount requested? \$ _____
 - c. What is the status of these funds? Circle one.
PENDING APPROVED DENIED
10. Identify all other funds and amounts that have been requested for this project including all local, State, Federal and private sources (identify):
Source _____ Amt of Request. \$ _____ Pending / Approved / Denied
Source _____ Amt of Request. \$ _____ Pending / Approved / Denied
Source _____ Amt of Request. \$ _____ Pending / Approved / Denied
11. Additional Comments:

3. Housing/Homeowner Assistance

CDBG DR funds may be used to assist municipalities in replacing or repairing housing that suffered damage as a direct result of Hurricane Irene and Tropical Storm Lee. This will require a long-term commitment and a thorough housing needs assessment in order to know how best to spend these funds on this area of need. Additionally, HUD may restrict the use of CDBG DR funds for direct assistance to homeowners to income qualified, low-to-moderate-income (LMI) recipients. Orange County desires to work with local municipalities through their governments to identify existing housing needs to assist in the repair or replacement of any of the following, only if directly damaged by the storms:

1. Single family housing, owner occupied and rental housing including
 - i. housing rehabilitation assistance
 - ii. new housing construction to assist in the replacement of destroyed housing
 - iii. down payment assistance for homebuyers to purchase replacement housing lost in the storm
 - iv. replacement of private on-site water well and septic systems damaged or destroyed during the storms
2. Multi-family housing including:
 - i. housing rehabilitation assistance
 - ii. new housing construction to assist in the replacement of destroyed housing
 - iii. replacement of private on-site water well and septic systems damaged or destroyed during the storms
3. Flood Buyouts – the following requirements apply:
 - i. the property acquired or accepted from which a structure has been removed will be maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices
 - ii. no new structure will be erected on property from which a structure has been removed other than (a) a public facility that is open on all sides; (b) a rest room; or (c) a structure that the local floodplain manager approves in writing
 - iii. no application for subsequent damage will be made for any property acquired or accepted from which a structure has been removed

The needs assessment for housing must include by local municipality, the total number of housing units destroyed, severely damaged, and moderately damaged. The Municipality should also be able to identify the number of residents currently looking for replacement housing. The Municipality must identify those groups that may need additional assistance, including, but not limited to the elderly, disabled and persons with limited proficiency in the English language.

One needs assessment, totaling the housing activities, must be completed by the local municipality where a need exists. Use separate surveys for single and multi-family housing.

Housing Rehabilitation (SINGLE FAMILY) Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____

2. Has the County or Municipality identified damage to residential housing?
Yes No

If no, this form does not need to be completed.

3. Provide the location of the impacted housing:

4. Does the Municipality or an entity working with the Municipality maintain a current list of residents in need of replacement housing? Yes No

- a. If yes, who maintains the list?
- b. How many Town/Village residents are currently looking for or are in need of replacement housing?
- c. Have any special needs populations been identified, including, but not limited to the elderly, persons with disabilities or persons with limited English?
Yes No

If the Municipality has identified a special needs population, briefly describe the efforts the Municipality is undertaking to identify and assist these groups.

5. For all single-unit occupied and renter occupied housing:

- a. How many units were destroyed?

Destroyed means the unit is no longer standing or is proposed to be demolished.

- b. How many units were severely damaged?

Severely damaged means that the unit is still standing, but is currently not habitable and that the Certificate of Occupancy has been suspended, but that the unit can be made suitable for residential occupancy.

- c. How many units were moderately damaged?

Moderately damaged means that the unit is standing and is currently habitable, but still requires some type of structural repair.

**Housing Rehabilitation (SINGLE FAMILY)
Needs Assessment Survey**

(page -2-)

6. What is the total estimated cost of the damage? \$ _____
7. Have eligible property owners applied to FEMA? Yes No
8. Of the total of all units identified, how many have been offered buyouts from FEMA?
9. Identify all sources and amounts of funds that have been requested for this housing needs including all local, State, Federal, insurance, flood insurance and private sources (identify):

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

10. Additional Comments:

Housing Rehabilitation (MULTI-FAMILY) Needs Assessment Survey

1. Name of Municipality: _____
Contact Person: _____ Title/Position: _____
E-mail: _____ Phone: _____

2. Has the County or Municipality identified damage to residential housing?
Yes No

If no, this form does not need to be completed.

3. Provide the location of the impacted housing:

4. Does the Municipality or an entity working with the Municipality maintain a current list of residents in need of replacement housing? Yes No

- a. If yes, who maintains the list?
- b. How many Town/Village residents are currently looking for or are in need of replacement housing?
- c. Have any special needs populations been identified, including, but not limited to the elderly, persons with disabilities or persons with limited English?
Yes No

If the Municipality has identified a special needs population, briefly describe the efforts the Municipality is undertaking to identify and assist these groups.

5. For all multi-unit occupied and renter occupied housing:

- a. How many buildings were destroyed?
How many units in those buildings were destroyed?

Destroyed means the unit is no longer standing or is proposed to be demolished.

- b. How many buildings were severely damaged?
How many units in those buildings were severely damaged?

Severely damaged means that the unit is still standing, but is currently not habitable and that the Certificate of Occupancy has been suspended, but that the unit can be made suitable for residential occupancy.

- c. How many buildings were moderately damaged?
How many units in those buildings were moderately damaged?

Moderately damaged means that the unit is standing and is currently habitable, but still requires some type of structural repair.

**Housing Rehabilitation (MULTI-FAMILY)
Needs Assessment Survey**

(page -2-)

6. What is the total estimated cost of the damage? \$ _____
7. Have eligible property owners applied to FEMA? Yes No
8. Of the total of all units identified, how many have been offered buyouts from FEMA?
9. Identify all sources and amounts of funds that have been requested for this housing needs including all local, State, Federal, insurance, flood insurance and private sources (identify):
- Source _____
Amt of Request. \$ _____ Pending / Approved / Denied
- Source _____
Amt of Request. \$ _____ Pending / Approved / Denied
- Source _____
Amt of Request. \$ _____ Pending / Approved / Denied

10. Additional Comments:

Appendix B
Detailed Needs and Costs Information

Appendix B

Calculation of Needs and Costs

The following presents the needs to be addressed and costs in support of the budget allocations on Page 6 of the Action Plan. This also includes the sources of data used for the allocations.

County Buildings, Facilities, and Infrastructure

The needs and costs are based on Department of Emergency Management Caseload (DEM):

58 specific projects on the DEM inventory	\$400,000
Orange County Government Center Rehabilitation	\$915,000
Projects and Costs To Be Identified During Implementation at approximately 50% of identified projects	\$685,000
All costs represent 12.5% or local share of total	Total \$2,000,000

Municipal Consortium Buildings, Facilities, and Infrastructure

The needs and costs are based on Assessment Surveys

Several of the projects contained in the Assessment Survey returns are still under review by FEMA. It is assumed that some projects will be funded by FEMA. Therefore, the CDBG-DR cost has been estimated at approximately 50% of the \$6,600,000 total in the assessment survey returns

Total \$3,000,000

Municipal Consortium Housing Activities

The Assessment Surveys contained requests for housing activities totaling \$4,500,000. This estimate includes the buy out and demolition of 18 homes in the Village of Washingtonville at an estimate of \$4,140,000. The balance of housing activities in other municipalities include applications for FEMA funding which are still pending. Therefore, a CDBG-DR cost of \$3,200,000 has been estimated.

The second component of the housing activity is the Property Rehabilitation Program to be administered by the Office of Community Development. In order to estimate a magnitude of workload, Catholic Charities, which is operating project HOPE funded by FEMA was consulted. They have contacted 450 impacted households. These contacts resulted in a caseload of 75 households with 50 currently still in the caseload. It is assumed that this caseload will grow as the Action Plan is implemented. Therefore, 100 housing units have been established as a goal.

In order to estimate a per unit rehabilitation cost, FEMA was consulted. To date, the average amount of FEMA funding has been \$7,300 per application. In order to provide for program delivery and other costs a per unit estimate of \$8,000 has been used.

100 units X 8,000 =	\$800,000
TOTAL	\$4,000,000

Municipal Consortium Economic Revitalization

The Assessment Surveys contained a request of \$550,000 for assistance to 4 non-residential buildings containing 7 businesses. All of these structures are located in the Village of Florida. It is projected that some of the requested costs will be ineligible for CDBG-DR funding since the used of funds will be limited to structural repairs. At the same time, some additional businesses might be identified during the implementation period. Therefore, a budget allocation of \$500,000 has been made.

Total \$500,000

Municipal Consortium – Privately Owned Infrastructure

The Assessment Surveys contained a request of \$230,000 for infrastructure improvements on private property. These projects will be targeted towards the repair and construction of flood control improvements. The balance of funds are targeted to the “black dirt” farming area of the County where flooding has caused erosion of important agricultural soils.

Total \$500,000

Appendix C
Public Participation Process Documents

Orange County
Citizen Participation Plan

Community Development Block Grant Disaster Recovery

May 23, 2012

A. Background

Orange County is the recipient of a CDBG Disaster Recovery Grant (CDBG-DR) in accordance with Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. These funds are being made available to assist disaster recovery efforts in response to Hurricane Irene and Tropical Storm Lee. The County has been allocated \$11,422,029. In order to receive these funds, the County must prepare an Action Plan and submit the Action Plan to the U.S. Department of Housing and Urban Development (HUD) for approval. The content of the Action Plan and eligible activities are described in the Federal Register dated April 16, 2012. A requirement of this program is the adoption of a Citizen Participation Plan. The Federal Register contains a list of waivers which permits changes from the County's Community Development Program Citizen Participation Plan. The following section describes the citizen participation process in conformance with the regulations.

B. Public Hearing

Unlike the Citizen Participation Plan for the Community Development Block Grant Program, there is no requirement for a public hearing relative to the CDBG-DR Action Plan.

C. Public Notice and Comment Period

In accordance with CDBG-DR requirements, the County will post the Action Plan on the County website to afford an opportunity for comment. A seven day period shall be provided for citizens, affected local governments, and other interested parties an opportunity to comment. At the end of the comment period, all comments shall be reviewed and a response provided. When appropriate, revisions shall be made to the Action Plan prior to adoption by the County legislature. A summary of comments and responses shall be submitted to HUD with the Action Plan.

D. Needs Assessment

In addition to the public notice and comment process outlined above all municipalities participating in the Urban County Consortium shall receive forms requesting an assessment of storm damage. The assessment shall include three categories of need: housing, public facilities, and economic development. County departments will be contacted to assess needs related to County properties and facilities.

E. Final Action Plan

Following adoption of the Action Plan by the Legislature and authorization for the County Executive to submit the Action Plan to HUD, it shall be posted on the website.

F. Amendments

In the case of amendments, the County will follow two alternative citizen participation processes. In the cases of a substantial amendment, the same procedures followed for preparation and adoption of the Action Plan shall be followed. A substantial amendment shall be defined as: a change in program benefit or eligibility criteria, the allocation or re-allocation of more than \$1 million, or the addition or deletion of an activity. For amendments considered to be non-substantial, the County shall notify HUD, but public comment is not required. Every amendment substantial or not shall be numbered sequentially and posted on the website.

G. Response to Citizen Complaints

The County shall provide a written response to every complaint relative to the CDBG-DR grant within fifteen working days of receipt if practicable.

H. Performance Review

The requirements for submission of a Performance Evaluation Report (PER) are waived for the CDBG-DR program. As an alternative, the County's Action Plan must be entered into HUD's DRGR system. The County must submit a performance report in a form to be prescribed by HUD no later than thirty days following the end of each quarter, beginning after the first full calendar quarter after grants award and continuing until all funds have been expended. The quarterly reports shall use the DRGR system and be posted on the County website within three days of submission.

3652-02-2-m2312-rpt

**DISTRIBUTION LIST
CDBG-DR DRAFT ACTION PLAN**

Orange County Executive Office (Richard Mayfield)

Orange County Department of Law (Stacy Butler)

Orange County Department of Emergency Services (Walter C. Koury)

Orange County Department of Emergency Services (Seamus Leary)

Orange County Department of Emergency Services (Dominick Greene)

Orange County Department of Planning (David Church)

Orange County Real Property Tax Service Agency (John McCarey)

Milone & McBroom (Richard Harrell)