

**FORT BEND COUNTY FY 2009  
COMMISSIONERS COURT AGENDA REQUEST FORM**

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: May 6, 2009	Submitted By: Marilyn Kindell <i>MKindell</i>
Court Agenda Date: May 12, 2009	Department: Community Development
	Phone Number: 281-341-4410

**SUMMARY OF ITEM:** Take all appropriate action to authorize County Judge to sign the Substantial Amendment to the 2008 Consolidated Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) in the amount of \$777,971.00.

RENEWAL AGREEMENT/APPOINTMENT YES  NO X  
 REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES NO X

List Supporting Documents Attached: Two (2) original amendments

**FINANCIAL SUMMARY:**

BUDGETED ITEM: YES NO x  
 FUNDNG SOURCE: N/A

Activity (If Applicable) N/A  
 DESCRIPTION: Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)

COUNTY JUDGE  
RECEIVED  
MAY 06 2009

**Instructions to submit Agenda Request Form:**

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

**DISTRIBUTION:**

Original Form Submitted with back up to County Judge's Office  (✓ when completed)  
 If by E-Mail to [ospindon@co.fort-bend.tx.us](mailto:ospindon@co.fort-bend.tx.us) If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

x	Auditor	(281-341-3774)	x	Comm. Pct. 1	(281-342-0587)
x	Budget Officer	(281-344-3954)	x	Comm. Pct. 2	(281-403-8009)
x	Facilities/Planning	(281-633-7022)	x	Comm. Pct. 3	(281-242-9060)
x	Purchasing Agent	(281-341-8642)	x	Comm. Pct. 4	(281-980-9077)
x	Information Technology	(281-341-4526)	x	County Clerk	(281-341-8697)
<input type="checkbox"/>	Other:		x	County Atty	(281-341-4557)

**RECOMMENDATION / ACTION REQUESTED:**

Special Handling Requested (specify):

*5-13-09 copy received*

**FORT BEND COUNTY, TEXAS**

**Substantial Amendment to the 2008 Consolidated Action Plan for the  
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

**COMMUNITY DEVELOPMENT DEPARTMENT**

4520 Reading Road, Suite A

Rosenberg, Texas 77471

281-341-4410

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the  
Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

Fort Bend County is eligible to receive funds under the Homelessness Prevention and Rapid Re-Housing Program (HPRP) and is required to complete a substantial amendment to the 2008 Consolidated Action Plan. HUD has provided the required format for this substantial amendment. A completed form is due to HUD within 60 days of the publication of the March 19, 2009 HUD HPRP notice. The HPRP substantial amendment is due to HUD by May 18, 2009

Fort Bend County's submission contains the following three documents:

- 1) A signed and dated SF-424,
- 2) A completed form HUD-40119 (this form), and
- 3) Signed and dated General Consolidated Plan and HPRP certifications.

**Application for Federal Assistance SF-424**

Version 02

<b>*1. Type of Submission:</b> <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	<b>*2. Type of Application</b> * If Revision, select appropriate letter(s) <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision  *Other (Specify) _____
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3. Date Received:	4. Applicant Identifier:
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5a. Federal Entity Identifier:	*5b. Federal Award Identifier:
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**State Use Only:**

6. Date Received by State:	7. State Application Identifier:
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**8. APPLICANT INFORMATION:**

*a. Legal Name: Fort Bend County, Texas	
*b. Employer/Taxpayer Identification Number (EIN/TIN): ██████████	*c. Organizational DUNS: 16-1673959

**d. Address:**

*Street 1:	<u>4520 Reading Road, Suite A</u>
Street 2:	_____
*City:	<u>Rosenberg</u>
County:	<u>Fort Bend County</u>
*State:	<u>Texas</u>
Province:	_____
*Country:	<u>U.S.A</u>
*Zip / Postal Code	<u>77471</u>

**e. Organizational Unit:**

Department Name: Community Development Department	Division Name:
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**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: <u>Ms.</u>	*First Name: <u>Marilynn</u>
Middle Name: _____	
*Last Name: <u>Kindell</u>	
Suffix: _____	

Title: Community Development Department Director
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Organizational Affiliation:
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*Telephone Number: 281 341 4410	Fax Number: 281 341 3762
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*Email: kindemar@co.fort-bend.tx.us
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**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:**

U.S Department of Housing and Urban Development (HUD)

**11. Catalog of Federal Domestic Assistance Number:**

14.27 \_\_\_\_\_

CFDA Title:

Homeless Prevention and Rapid Re-Housing Program \_\_\_\_\_

**\*12 Funding Opportunity Number:**

\_\_\_\_\_

\*Title:

\_\_\_\_\_

**13. Competition Identification Number:**

\_\_\_\_\_

Title:

\_\_\_\_\_

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

Fort Bend County: Areas affected include the unincorporated areas of Fort Bend County and the incorporated limits of the following cities: Arcola, Beasley, Fairchilds, Fulshear, Kendleton, Meadows Place, Needville, Orchard, Pleak, Richmond, Rosenberg, Simonton, Stafford, and Thompsons.

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

Homeless Prevention and Rapid Re-Housing Program (HPRP)

## Application for Federal Assistance SF-424

Version 02

## 16. Congressional Districts Of:

\*a. Applicant: 22

\*b. Program/Project: 22

## 17. Proposed Project:

\*a. Start Date: September 1, 2009

\*b. End Date: August 31, 2012

## 18. Estimated Funding (\$):

*a. Federal	_____	\$777,971.00
*b. Applicant	_____	
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	
*g. TOTAL	_____	\$777,971.00

## \*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: The Honorable      \*First Name: Robert

Middle Name: E.

\*Last Name: Hebert

Suffix: \_\_\_\_\_

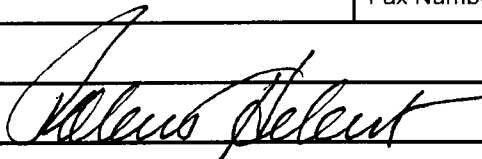
\*Title: Fort Bend County Judge

\*Telephone Number: 281-341-8606

Fax Number: 281-341-8609

\* Email: werleann@co.fort-bend.tx.us

\*Signature of Authorized Representative:



\*Date Signed: 5-12-09

**Application for Federal Assistance SF-424**

Version 02

**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness  
Prevention and Rapid Re-Housing Program (HPRP)**

**A. General Information**

<b>Grantee Name</b>	Fort Bend County, Texas
<b>Name of Entity or Department Administering Funds</b>	Fort Bend County Community Development Department
<b>HPRP Contact Person</b> (person to answer questions about this amendment and HPRP)	Ms. Marilynn Kindell
<b>Title</b>	Community Development Director
<b>Address Line 1</b>	4520 Reading Road,
<b>Address Line 2</b>	Suite A
<b>City, State, Zip Code</b>	Rosenberg, Texas 77471
<b>Telephone</b>	281-341-4410
<b>Fax</b>	281-341-3762
<b>Email Address</b>	kindemar@co.fort-bend.tx.us
<b>Authorized Official</b> (if different from Contact Person)	The Honorable Robert E. Hebert
<b>Title</b>	County Judge
<b>Address Line 1</b>	301 Jackson Street
<b>Address Line 2</b>	Suite 719
<b>City, State, Zip Code</b>	Richmond, Texas 77469
<b>Telephone</b>	281-341-8606
<b>Fax</b>	281-341-8609
<b>Email Address</b>	werleann@co.fort-bend.tx.us
<b>Web Address where this Form is Posted</b>	http://www.co.fort-bend.tx.us

<b>Amount Grantee is Eligible to Receive*</b>	<b>\$777,971.00</b>
<b>Amount Grantee is Requesting</b>	<b>\$777,971.00</b>

\*Amounts are available at <http://www.hud.gov/recovery/homelesspreventrecov.xls>



**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness  
Prevention and Rapid Re-Housing Program (HPRP)**

**B. Citizen Participation and Public Comment**

1. Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment (limit 250 words).

**Response: Fort Bend County published a HPRP public notice in the newspaper on April 1, 2009 and posted the notice on the County website. This notice included a 24-day public comment period. However, the County continues to solicit and accept public comments regarding the HPRP. The County also mailed copies of public notice along with a HPRP comment form to non-profits and local governments on March 27, 2009 regarding HPRP. The County held a public meeting with interested nonprofits and local governments on April 14, 2009. The purpose of this meeting was to inform the public of anticipated funding levels, to determine community needs, and to answer questions regarding the HPRP. The County's RFP is scheduled for release on May 29, 2009. A meeting will be held to answer questions from interested applicants in early June.**

2. Provide the appropriate response regarding this substantial amendment by checking one of the following options:

- Grantee did not receive public comments.
- Grantee received and accepted all public comments.
- Grantee received public comments and did not accept one or more of the comments.

3. Provide a summary of the public comments regarding this substantial amendment. Include a summary of any comments or views not accepted and the reasons for non-acceptance.

**Response: Summary of Comments from April 14, 2009 meeting attached.**

**C. Distribution and Administration of Funds**

Reminder: The HPRP grant will be made by means of a grant agreement executed by HUD and the grantee. The three-year deadline to expend funds begins when HUD signs the grant agreement. Grantees should ensure that sufficient planning is in place to begin to expend funds shortly after grant agreement.

1. Check the process(es) that the grantee plans to use to select subgrantees. Note that a subgrantee is defined as the organization to which the grantee provides HPRP funds.

- Competitive Process
- Formula Allocation
- Other (Specify: \_\_\_\_\_)

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

2. Briefly describe the process(es) indicated in question 1 above (limit 250 words).

**Response: Fort Bend County will issue a Request for Proposals (RFPs) in May of 2009. The County will hold a public meeting to answer questions from interested applicants. The RFPs will be due approximately four weeks later. The proposals will be stamped with the time and date of submission. Community Development Department staff will evaluate the proposals using an evaluation form. The Community Development Department staff will meet to discuss any issues regarding the proposals. The completed evaluation forms will be submitted to the Community Development Department (CDD) Planner. The CDD Planner will enter the scores into a spreadsheet that will determine the average score for each proposal. Then, the proposals will be ranked by their average scores, in descending order, from highest to lowest score. HPRP funding will be allocated in this order until all funds are awarded. A public notice will be published in the local paper requesting public comments regarding the proposed use of HPRP funds. The County will send out award letters in July and begin drafting contracts with proposed subrecipients. Once, the grant agreement is signed by HUD, the County will submit HPRP contracts to the Fort Bend County Commissioner's Court for approval.**

3. Briefly describe the process the grantee plans to use, once HUD signs the grant agreement, to allocate funds available to subgrantees by September 30, 2009, as required by the HPRP Notice (limit 250 words).

**Response: The County anticipates having a list of proposed subrecipients for HPRP funds in July of 2009. Once HUD signs the grant agreement with Fort Bend County, the County will proceed to execute contracts with the proposed subrecipients. HPRP contracts will be submitted to Fort Bend County Commissioner's Court for approval as soon as possible after the signing of the grant agreement by HUD. The County anticipates having signed contracts for the all the HPRP funds by the September 30, 2009 deadline.**

4. Describe the grantee's plan for ensuring the effective and timely use of HPRP grant funds on eligible activities, as outlined in the HPRP Notice. Include a description of how the grantee plans to oversee and monitor the administration and use of its own HPRP funds, as well as those used by its subgrantees (limit 500 words).

**Response: The County's Request For Proposals (RFPs) requests information from applicants to assess the administrative and financial capacity of the entity to perform and document the eligible activities. The evaluation form used by Community Development Department staff addresses the eligibility of the activities, and the capacity of the entity's staff to implement the proposed project, and the compliance of the entity's financial management with uniform administrative requirements, standards for financial management systems, cost principles, audits, and commitments and disbursements.**

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

**Fort Bend County will develop a HPRP monitoring plan. The County will utilize the same invoice and monitoring procedures that the County uses in the administration and monitoring of its CDBG, HOME, ESG, and S+ C Programs.**

**D. Collaboration**

1. Briefly describe how the grantee plans to collaborate with the local agencies that can serve similar target populations, which received funds under the American Recovery and Reinvestment Act of 2009 from other Federal agencies, including the U.S. Departments of Education, Health and Human Services, Homeland Security, and Labor (limit 250 words).

**Response: Fort Bend County maintains a mailing list of interested individuals, organizations, County departments, and local governments for its CDBG, HOME and ESG Programs. These organizations were provided the initial HPRP public notice and comment form. The County will market the availability of HPRP assistance to local agencies that serve similar target populations and that receive funds under the American Recovery and Reinvestment Act, Health and Human Services and Homeland Security and Labor. These agencies and organizations include the United Way, Helping Hands, Second Mile Mission, Fort Bend County Women's Center, the Fort Bend Family Health Center, and local social service networks such as the Fort Bend Alliance that encompass a variety of organizations that want to address the multiple health and human service needs in the County. The Fort Bend County Community Development Department staff will contact and meet with representatives of interested organizations to provide guidance and technical assistance regarding HPRP, as needed. The County also will hold a public meeting to review the County's request for proposals and answer questions from interested applicants.**

2. Briefly describe how the grantee plans to collaborate with appropriate Continuum(s) of Care and mainstream resources regarding HPRP activities (limit 250 words).

**Response: The County coordinates and collaborates with the Coalition for the Homeless of Houston and Harris County as part of its Consolidated Plan Process. The County will provide the Coalition with the County's HPRP Request for Proposals for posting on its website. The Coalition for the Homeless of Houston/Harris County is the lead agency in the Houston/Harris County Single Continuum of Care's (CoC) HMIS implementation process. Therefore, Fort Bend County will have to coordinate the use of the Coalition's HMIS with HPRP subrecipients. The County will request that the Coalition provide HMIS technical assistance to HPRP subrecipients.**

**The County also will collaborate with mainstream resources such as the United Way, the Fort Bend Alliance, and local homeless service providers.**

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

3. Briefly describe how HPRP grant funds for financial assistance and housing relocation/stabilization services will be used in a manner that is consistent with the grantee's Consolidated Plan (limit 250 words).

**Response: The County's Consolidated Plan goals that address HPRP activities are:**

- DH 3.3 Provide rental assistance for 5 homeless persons exiting homeless shelters. (1 person/housing unit per year.)**
- DH 3.6 Provide essential or supportive services to at least 50 homeless persons. (10 persons per year.)**
- DH 3.7 Assist homeless in the transition to permanent housing by providing 1st month's rent and utility deposits to at least 5 persons. (1 person or housing unit per year.)**
- DH 3.8 Educate the public regarding homelessness, through early intervention and viable means of assisting the homeless.**
- DH 3.9 Prevent homelessness by providing emergency rent, mortgage, and utility assistance to at least 5 persons. (1 person or housing unit per year.)**
- DH 3.11 Provide 5 units accessible to the special needs population, especially elderly and persons with disabilities. (1 housing unit per year.)**
- DH 3.12 Provide supportive services to 20 special needs persons. (4 persons per year).**

**During the evaluation process, the Community Development staff will evaluate proposed projects for their consistency with the County's Consolidated Plan objectives and goals.**

**Fort Bend County does not have a general population homeless shelter. HPRP funds will allow the County to provide emergency shelter to homeless individual and families through hotel and motel vouchers. This is an activity that the County has not had the funds to undertake in the past.**

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP)**

**E. Estimated Budget Summary**

HUD requires the grantee to complete the following table so that participants in the citizen participation process may see the grantee's preliminary estimated amounts for various HPRP activities. Enter the estimated budget amounts for each activity in the appropriate column and row. The grantee will be required to report actual amounts in subsequent reporting.

<b>HPRP Estimated Budget Summary</b>			
	<b>Homelessness Prevention</b>	<b>Rapid Re-housing</b>	<b>Total Amount Budgeted</b>
Financial Assistance <sup>1</sup>	\$400,000.00	\$150,000.00	\$550,000.00
Housing Relocation and Stabilization Services <sup>2</sup>	\$135,000.00	\$44,073.00	\$179,073.00
<b>Subtotal</b> (add previous two rows)	<b>\$535,000.00</b>	<b>\$194,073.00</b>	<b>\$729,073.00</b>

Data Collection and Evaluation <sup>3</sup>	\$10,000.00
Administration (up to 5% of allocation)	\$38,898.00
<b>Total HPRP Amount Budgeted<sup>4</sup></b>	<b>\$777,971.00</b>

<sup>1</sup>Financial assistance includes the following activities as detailed in the HPRP Notice: short-term rental assistance, medium-term rental assistance, security deposits, utility deposits, utility payments, moving cost assistance, and motel or hotel vouchers.

<sup>2</sup>Housing relocation and stabilization services include the following activities as detailed in the HPRP Notice: case management, outreach, housing search and placement, legal services, mediation, and credit repair.

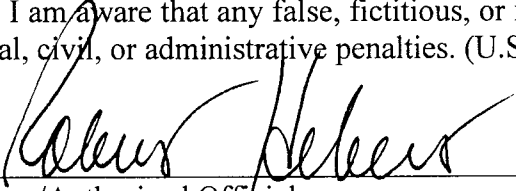
<sup>3</sup>Data collection and evaluation includes costs associated with operating HUD-approved homeless management information systems for purposes of collecting unduplicated counts of homeless persons and analyzing patterns of use of HPRP funds.

<sup>4</sup>This amount must match the amount entered in the cell on the table in Section A titled "Amount Grantee is Requesting."

**Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness  
Prevention and Rapid Re-Housing Program (HPRP)**

**F. Authorized Signature**

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)



\_\_\_\_\_  
Signature/Authorized Official

5-12-09  
Date

Fort Bend County Judge

\_\_\_\_\_  
Title

## Homelessness Prevention and Rapid Re-Housing Program (HPRP) Certifications

The HPRP Grantee certifies that:

**Consolidated Plan** – It is following a current HUD-approved Consolidated Plan or CHAS.

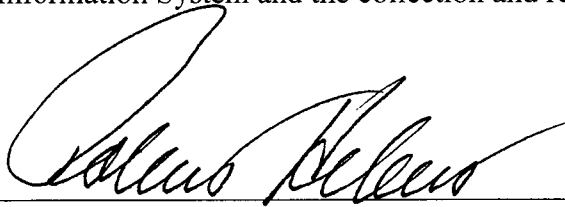
**Consistency with Plan** – The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

**Confidentiality** – It will develop and implement procedures to ensure:

- (1) The confidentiality of records pertaining to any individual provided with assistance; and
- (2) That the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the grantee.

**Discharge Policy** – A certification that the State or jurisdiction has established a policy for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

**HMIS** – It will comply with HUD’s standards for participation in a local Homeless Management Information System and the collection and reporting of client-level information.



\_\_\_\_\_  
Signature/Authorized Official

5-12-09

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fort Bend County Judge

Title

**GENERAL CERTIFICATIONS FOR STATE OR LOCAL GOVERNMENT FOR THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP)**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the state, territory, or local government certifies that:

**Affirmatively Further Fair Housing** -- The state, territory, or local government will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction or state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Drug-Free Workplace** --It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about:
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or



(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

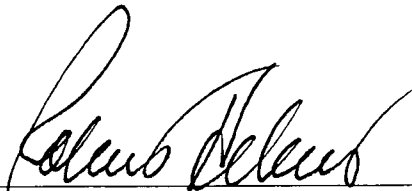
**Anti-Lobbying** --To the best of the state, territory, or local government's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Local Government, State, or Territory** --The submission of the consolidated plan is authorized under state law and local law (as applicable) and the jurisdiction or state possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with Plan** -- The housing activities to be undertaken with HPRP funds are consistent with the strategic plan.

**Section 3** --It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.



\_\_\_\_\_  
Signature/Authorized Official

5-12-09

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fort Bend County Judge

Title

## APPENDIX TO CERTIFICATIONS

### INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

#### A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The Grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Fort Bend County

4520 Reading Road, Suite A

Rosenberg, Texas 77471

Check \_\_\_ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).