

ARF-1632

REGULAR SESSION AGENDA

Date: 09/28/2010

Item #: 29. A.
Community Development

Non-Housing Disaster Recovery Program (Hurricane Ike) Round 2 application

Submitted For: Marilynn Kindell **Submitted By:** Debra Watson,
Community Development

Department: Community Development

Type of Item: Discussion Item

Renewal Agreement/

Appointment:

Reviewed by County

Attorney's Office:

Multiple Originals

Y/N?:

Information

SUMMARY OF ITEM

Take all appropriate action on the application to Texas Department of Rural Affairs (TDRA) for Texas Community Development Grant (TX CDBG) Non-Housing Disaster Recovery (Hurricane Ike) Program Round 2 Funds and authorize County Judge to sign all documents pertaining to the application. (Amount: \$437,829)

SPECIAL HANDLING

Fiscal Impact

ACCTG UNIT or GRANT/PROJ NAME: TBD

ACCT NAME or GRANT/PROJ ACTIVITY: TBD

BUDGETED Y/N: N

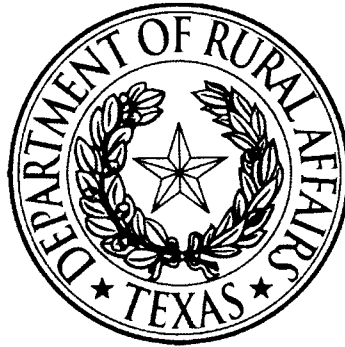
FISCAL SUMMARY:

Attachments

Link: Part One of the TDRA Application

Link: Part Two of the TDRA Application

10-5-10 orig. ret. to Debra at Comm Devel



TEXAS COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM
2008 SUPPLEMENTAL DISASTER RECOVERY FUND:
HURRICANES DOLLY AND IKE

NON-HOUSING ACTIVITIES APPLICATION
ROUND 2

Fort Bend County, Texas

APPLICANT NAME

Council of Governments: H-GAC



OVERVIEW

TDRA-DR Program Non-Housing Activities Application

1. This application is for **non-housing** activities.

All activities must have documented proof of an impact by a major natural disaster declared in 2008. There must be a clear and compelling need related to a major natural disaster declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure. An activity underway prior to a Presidential disaster declaration will not qualify unless the disaster impacted the project.

All eligible activities will be allowed so long as the activity is directly related to a major natural disaster declaration in 2008 through actual **damage** or a **failure to function** and is allowed under the State of Texas Plan Amendment No. 1 for Disaster Recovery.

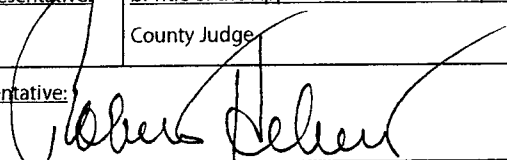
2. Applicants are encouraged to develop their community recovery projects in a manner that considers an integrated approach to housing, Fair Housing obligations, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged.

3. The Texas Department of Rural Affairs (TDRA) is committed to Affirmatively Furthering Fair Housing (AFFH). Projects and programs will be subject to detailed review by TDRA and by certain parties to the Conciliation Agreement to assure they are consistent with the Conciliation Agreement, HUD's current fair housing guidance, and the state's and communities' obligations to affirmatively further fair housing. Detailed information regarding AFFH will be available through mandatory training sessions, TDRA sponsored guidance and technical assistance.

4. The Disaster Recovery Enhancement Fund (DREF) was established by HUD to promote the implementation of forward-thinking recovery strategies that will reduce the risk of damage from a future disaster. Examples of these activities are the development and adoption of forward-thinking land use plans, floodplain or critical fire and seismic hazard area buyout programs, individual mitigation measures, and the implementation of modern disaster resistant building codes. Applicants are highly encouraged to consider DREF eligibility when developing their projects.

5. For detailed information regarding Application Instructions, see the Supplemental Disaster Recovery Non-Housing Activities Application Guide.

[Hyperlink to Application Guide Table of Contents:](#)

1. TYPE OF SUBMISSION Application: <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction Pre-application: <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED: 3. DATE RECEIVED BY STATE: 4. DATE RECEIVED BY FEDERAL AGENCY: 	APPLICANT IDENTIFIER: STATE APPLICATION IDENTIFIER: FEDERAL IDENTIFIER: OMB Approval No.0348-004J
5. APPLICANT INFORMATION:			
Legal Name: Fort Bend County, Texas		Organizational Unit: County	
Address (City, County, State, and Zip Code) of applicant: 4520 Reading Road Suite A Rosenberg, Texas 7471		Name/Title, Agency or Company, Address, Area Code, Telephone and Fax Numbers, and e-mail address of applicant preparer: Marilyn Kindell, Director Fort Bend County Community Development Department 4520 Reading Road, Suite A Rosenberg, Texas 77471 (281) 341-4410 (Fax) (281) 341-3762 email: kindemar@co.fort-bend.tx.us	
6. DUNS NUMBER: 081497075		7. TYPE OF APPLICANT: B. County Government	
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision		9. NAME OF FEDERAL / STATE AGENCY: Texas Department of Rural Affairs: Disaster Recovery Division	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 14-228 Title: Texas Community Development Block Grant Program (TDRA-DR)		11a. TYPE OF APPLICATION: Disaster Relief Supplemental Fund	
11. PROJECT TYPE: Water Plant Improvements		12. TARGET AREA(S) AFFECTED BY THE PROJECT: Fort Bend County Texas including the city of Rosenberg.	
13. APPLICANT'S FISCAL YEAR: Beginning Month: <input type="text" value="October"/> Beginning Day: <input type="text" value="01"/> Ending Month: <input type="text" value="September"/> Ending Day: <input type="text" value="31"/>		14. CONGRESSIONAL DISTRICTS: Representative: <u>26, 27, 28</u> Senate: <u>13, 17, 18</u> Congress: <u>9, 14, 22</u>	
15. ESTIMATED FUNDING: A. TDRA-DR REQUEST: <u>\$437,829.00</u> B. FEDERAL: _____ C. STATE: _____ D. APPLICANT: _____ E. LOCAL: _____ F. OTHER: _____ G. TOTAL: <u>\$437,829.00</u>		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? <input checked="" type="checkbox"/> Yes the preapplication / application was made available to the State Executive Order 12372 process for review on: Date: <input type="text"/> <input type="checkbox"/> No <input type="checkbox"/> Program is not covered by E.O. 12372 -OR- <input type="checkbox"/> Program has not been selected by the State for review	
17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes. If "Yes", attach an explanation. <input checked="" type="checkbox"/> No			
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE CERTIFICATIONS AND CITIZEN PARTICIPATION PLAN INCLUDED IN THE PROCEDURES SECTION OF THE TDRA-DR PROGRAM APPLICATION GUIDE IF THE ASSISTANCE IS AWARDED.			
a. Typed Name of the Applicant's Authorized Representative: The Honorable Robert E. Hebert		b. Title of the Applicant's Authorized Representative: County Judge	
c. Telephone Number (281) 341-8606		d. Signature of the Applicant's Authorized Representative: 	
Date/Time Field 09/28/2010			



PROJECT APPROVAL INFORMATION

TDRA-DR Program Non-Housing Activities Application

1. Applicant is applying as one of the following:

Entitlement

- | | Yes | No | N/A |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 2. Has the applicant chosen to self-administer the proposed project? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Has the applicant chosen to use a third-party grant administrator to administer the proposed project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Has the applicant chosen to use an in-house engineer to perform engineering services for the proposed project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Affirmatively Furthering Fair Housing Worksheet

Please respond to the questions and requests below and provide specific support documentation as to what actions your organization has taken to Affirmatively Further Fair Housing (AFFH). Further information will be provided in the Application Guide, through mandatory training sessions, TDRA sponsored guidance and technical assistance.

- | | Yes | No | N/A |
|---|-------------------------------------|--------------------------|-------------------------------------|
| 1. We have conducted an Analysis of Impediments to Fair Housing (AI) in our area. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. We have not completed an AI in our area and rely on a regional or state AI for planning AFFH activities. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Have you adopted a Certification to Affirmatively Further Fair Housing by Ordinance, Resolution, or other formal action? If so, please provide a copy. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

It is important that the applicant demonstrate in the application that the projects being proposed and the specific AFFH activities being planned are informed by whichever Analysis of Impediments was used. When the 2011 Statewide Analysis of Impediments is completed, jurisdictions will be required to review it and incorporate relevant items into their local AFFH activities. The projects must be tied to damage or failure to function associated with Hurricane Dolly or Hurricane Ike.

NOTE: The following lists of activities are only partial lists of possible activities to address AFFH issues. All AFFH activities should be designed to address the particular impediments to fair housing identified by each applicant in their area. Applicants are advised to stay updated on TDRA's fair housing guidance and resources available on the TDRA website.

4. If you have not been using an AI to plan AFFH activities please describe the AFFH activities that you have conducted or plan to conduct during the contract period to specifically address the following areas: **(Please check all that apply)**

- ☐ Analyze and eliminate discrimination in the jurisdiction and foster understanding and Compliance. (Please see Application Guide for additional methods, examples, and procedures.)
- ☐ Conduct an Analysis of Impediments to Fair Housing study, develop strategies to address impediments and report steps taken.
- ☐ Hold an annual or a series of, public meetings/forums on fair housing, report Findings, and steps taken to address Fair Housing concerns.
- ☐ Conduct lender, sales or leasing Testing to investigate Complaints of Fair Housing abuses. (This is typically done in partnership with, or in conjunction with, Fair Housing Centers, related non-profits, universities, or other specialized professionals.)
- ☐ Review local building codes, zoning ordinances, master planning documents for potential barriers and inconsistencies with Fair Housing laws and take steps to enable such policies to Affirmatively Further Fair Housing.
- ☐ Publicize the State's procedures regarding Fair Housing discrimination and develop and implement local procedures to assist individuals in filing complaints.
- ☐ Encourage the media to promote fair housing awareness with a campaign of public service announcements and news releases, working cooperatively with stakeholders and organizations representing protected populations (race, color, religion, national origin, sex/gender, disability and family status.)
- ☐ Provide Fair Housing training to the jurisdiction's staff and housing consumers and put in place procedures for the jurisdiction to affirmatively address Fair Housing abuses.



PROJECT APPROVAL INFORMATION

TDRA-DR Program Non-Housing Activities Application

- ☐ Conduct a survey to assess the community's housing needs and potential Fair Housing abuses, with particular attention to the input from protected populations (race, color, religion, national origin, sex/gender, disability and family status).
- ☐ Other

Certification to Affirmatively Further Fair Housing (AFFH)

Affirmatively Furthering Fair Housing is based upon the federal Fair Housing Act. Congress passed The Fair Housing Act on April 11, 1968. The Act prohibits discrimination in all housing transactions on the basis of race, national origin, sex, color, religion, person with disabilities (handicap), and familial status (i.e., households with/without children). The Fair Housing Act also requires HUD to administer the CDBG program in a manner to affirmatively further fair housing (AFFH). Therefore, CDBG grantees (cities and counties) are required to certify that they will affirmatively further fair housing. Action to AFFH should promote wider housing opportunities for all persons while maintaining a nondiscriminatory environment in all aspects of the public and private housing markets.

Since 1983 the CDBG statute has contained a requirement that the grantee certify that it will affirmatively further fair housing. According to the HUD Fair Housing Planning Guide an AFFH Certification should consist of the following:

- A written assertion
- Based upon supporting documentation
- Available for inspection by the Secretary, the Inspector General and the public
- Deemed accurate for purposes of this Act unless the Secretary determines otherwise after:
 - a. Inspecting the evidence
 - b. Providing due notice and opportunity for comment



LONG-TERM PLANNING

TDRA-DR Program Non-Housing Activities Application

Applicants are encouraged to develop their community recovery projects in a manner that considers an integrated approach to housing, Fair Housing obligations, infrastructure, economic revitalization, and overall community recovery. Consideration of long-term planning processes is also highly encouraged.

Provide a brief description of how the projects addressed in this application form part of an integrated approach to recovery.

The project addressed in this application forms part of an integrated approach to recovery in that it was selected and evaluated for consistency with Fort Bend County's (County) Consolidated Plan. The County's Consolidated Plan has always placed a very high priority on water and sewer improvements and the connection of low-and-moderate income persons to these improvements. In the County's 2010 Consolidated Plan, Table 2B, Community Development Needs, water/sewer improvements rated a high priority. Water/sewer improvements were listed under Objective 1: Improving and expanding infrastructure in the County's Suitable Living Environment goals and Objective 2: Providing assistance to extremely-low, low-and-moderate income neighborhood in the County's Economic Development Objectives. These goals and objectives are listed below:

SLE 1.3: Water and sewer improvements in at least five (5) communities (one (1) project/community per year).

ED 2.3: Construction of new water and sewer lines in at least one (1) community.

ED 2.4: Provide housing assistance programs (tap-ins, septic tanks) in at least two (2) low-income communities.

Every year the County funds several water and sewer improvement projects in low-and-moderate income areas. Unfortunately, the demand for improvements always exceeds the funding available through Fort Bend County's entitlement CDBG Program. As a result, the County funds water and sewer projects in annual phases in several communities. The County has worked closely with the City of Rosenberg to upgrade both the water and sewer infrastructure in CDBG eligible areas of the City for the last fifteen years. The City is committed to improving the aging, deteriorating, and, in some cases, nonexistent water and sewer infrastructure in their low-income communities.

More specifically, the City of Rosenberg Water Plant No. 3, Permanent Standby Generator Project, has been selected in consideration of infrastructure housing and overall community recovery. The project addresses an infrastructure deficiency in the north and west portion of the City to alleviate future water infrastructure failures due to natural disasters or other conditions resulting in extended power outages. This project will also keep the affected areas of the City in compliance with TCEQ Public Drinking Water Rule, 290.44 (d) which requires the City to maintain a minimum water system pressure of 35 p.s.i. During Hurricane Ike, the water pressure dropped to 23 p.s.i. as a result of a power failure at the water plant resulting in a violation of TCEQ Public Drinking Water Rule 290.44 (d). The project will also assist this portion of the City in achieving compliance with TCEQ Chapter 290.45 Rules for Emergency Preparedness Plans that now require the installation of standby generators at water plants in order to comply with Senate Bill 361, approved during the most recent legislative session.



TABLE 1
TDRA-DR Program Non-Housing Activities Application

Table 1

Note: Adding a new project and selecting an activity creates pages below.

A project is defined as a discrete combination of: entity (i.e. city county, water supply corporation), activity (i.e. water, sewer, etc.) beneficiary population, and national objective. An additional project is created when one or more of these factors is different. A site is defined as a discrete location for activities within a project. A project can have one or more sites. For example, one water project that consists of three generators throughout a city consists of three sites, one for each generator.

Proj #	Activity	Title	# of Sites	Storm Impact	National Objective	Completion Method	Total Benes	LMI Benes	% LMI Benes	TDRA-DR Funds	* Other Funds	Total Funds
1	1a Water Facilities	Rosenberg Water Plant No. 3	1	Failure to Function	LMI	Bid/Contract	7,344	4,273	58.18%	\$338,000	\$0	\$338,000
Acquisition												
Engineering												
Project Delivery												
Project Delivery (Local)												
Project Delivery (Environmental)												
Totals							7,344	4,273	58.18%	\$437,829	\$0	\$437,829

% of Engineering for total application: 14.8 %

*List the source(s) of all "Other Funds" if applicable. No match is required on the part of the applicant.

n/a



TABLE 2 - JUSTIFICATION OF RETAIL COSTS

TDRA-DR Program Non-Housing Activities Application

Project #1 Water Plant No. 3 Activity #1a Water Facilities

Materials/Facilities	\$/Unit	Unit	Qty	Construction \$	Acquisition \$	Engineering \$	Special Engr \$	Ttl. Act. \$
Generator	\$160,000	EA	1.00	\$160,000	\$0	\$0	\$0	\$160,000
Installation	\$178,000	EA	1.00	\$178,000				\$178,000
Engineering	\$0			\$0		\$50,000	\$0	\$50,000
				\$338,000	\$0	\$50,000	\$0	\$388,000

Identify and explain the annual projected operation and maintenance costs associated with the proposed activities.

Service Contract to maintain and test generator twice per year - \$1,500 per year
 Fuel for monthly exercising - \$250 per year

Place Seal Below



Jones & Carter, Inc.

ckalkomey@jonescarter.com

281-342-2033

Company Name:

Email Address:

Phone Number

Did applicant receive project scoping services/ estimate Quad Sheets from HNTB?

Yes ☐

No ☐



ENGINEERING ACTIVITY SCHEDULE

TDRA-DR Program Non-Housing Activities Application

Project #1 Rosenberg Water Plant No. 3 Activity #1a Water Facilities

Engineering Activity Length in Months	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Engineering NTP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preliminary Engineering	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
60% Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final Design and Complete Plans and Spec	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bid and Award Construction Contract	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



DESCRIPTION OF NEED BY PROJECT

TDRA-DR Program Non-Housing Activities Application

Provide full and complete answers to each of the questions below. Descriptions should include the cause of the **damage** (i.e. wind, wind driven rain, rising water, etc...) or **failure to function**; current condition of the facility; and a detailed description of the project that coincides with the information contained in both Tables 1 and 2.

All activities must have documented proof of an impact by either Hurricane Dolly or Hurricane Ike. There must be a clear and compelling need related to the disaster declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure.

Project #1 Rosenberg Water Plant No. 3 Activity #1a Water Facilities Add another site

Site# 1

Location: Add another location

On: 1024 Grunwald Heights From: Bamore Road To: West Street

Or provide a brief description of the location of the project activity.

The water plant is located on Grunwald Heights in Rosenberg, Texas. The project is located north of I-59 and south of Hwy 90 between Bamore Road and West Street.

Is map of service area and location of project attached?

Yes ☒ No ☐

Please provide address if available:

GPS Location: Latitude (required)

GPS Location: Longitude (required)

1024 Grunwald Heights

29.53896

95.81636

1. Is a generator involved in this project?

Yes ☒ No ☐

2. Describe the specific storm related condition that caused the failure to function:

High winds which caused extended power outages lasting several days

3. Describe how the system failed to function:

The power outage prevented the water wells and booster pump stations from operating. This allowed the supply of water in elevated storage to be depleted resulting in reduced water pressure in this area of the City.

4. Describe the impacts on the community that resulted from the failure to function:

The community violated TCEQ Public Drinking Water Rule 290.44 (d), which required the system to maintain a minimum pressure of 35 psi. The low water pressure limited fire fighting capabilities which placed homes and businesses at a higher risk for fires.

5. List materials submitted as documentation of the storm condition and the resulting system impacts:

Fort Bend Herald Newspaper Article (September 16, 2008)
Fort Bend herald newspaper Article (September 18, 2008)

6. Describe how the proposed activities will prevent failure of the system affected by the hurricane and the reoccurrence of the impacts:

Permanent installation of standby generator allows water plant to remain fully functional if prolonged power failure occurred. Water plant well and booster pump stations would continue to produce. Maintain minimum pressure requirements established by TCEQ



DESCRIPTION OF NEED BY PROJECT

TDRA-DR Program Non-Housing Activities Application

7. Was there damage to this system?

Yes ☐ No ☒

8. Will the assistance requested serve or be located on a Federal Installation?

Yes ☐ No ☒

9. Will the assistance requested have any negative impact(s) or effect(s) on the environment?

Note: All funded applications will have to comply with Federal regulations regarding environmental clearance before funds are released.

Yes ☐ No ☒

10. Is the site in a designated flood hazard area or floodplain?

Yes ☐ No ☒

11. Will the assistance requested cause the displacement of families, individuals, farms, or businesses?

Families: ☐ Individuals: ☐ Farms: ☐ Business: ☐

12. Is the applicant participating in the National Flood Insurance Program?

Yes ☒ No ☐

13. Does this project meet the national objective of Prevention/ Elimination of Slums or Blight?

Yes ☒ No ☐

14. What method was used to prioritize this project(s) for funding?

The project was prioritized by selecting the damages or "failure to function" events that occurred as a direct result of Hurricane Ike. Priority was given to events that directly affected the health, safety, and welfare of the community.

15. Why is this project a priority?

Affects the ability to maintain and provide a safe, potable drinking water supply in the event of a prolonged power failure. To maintain adequate water supply for fire fighting capabilities, critical county facilities, 3 school campuses and nursing home.

16. Why is it important to fund this project now?

Minimize loss of water pressure if power outage occurs. Resulting in unsafe water supply for human use if water not boiled. Violation of TCEQ Public Drinking Water Supply Rules. Loss of fire fighting capabilities. Threatens public health, safety, welfare.

17. Explain why this project cannot go forward without Round 2 Funds:

This project cannot go forward due to a lack of local funding capabilities. The economic Downturn and other disaster recovery efforts have financially strapped the local residents and the City.

18. Does this project address the impediments identified in the AI, or otherwise, within your area?

Yes ☒ No ☐



DESCRIPTION OF NEED BY PROJECT

TDRA-DR Program Non-Housing Activities Application

The following questions are designed to determine if the proposed project potentially meets the qualifications of the Disaster Recovery Enhancement Fund.

A. Does the project include demolition, acquisition or relocation of homes or private sector employer structures in areas of severe disaster risk, such as the 100-year floodplain, resulting in greenspace?

Yes ☐ No ☒

B. Does the project include reduction of damage risks to residential structures, such as elevation and storm-hardening?

Yes ☐ No ☒

C. Does the project include drainage improvements that reduce flood risk to residential properties?

Yes ☐ No ☒

D. Does the project include funding to hire code enforcement officials; develop or update disaster-resilient building codes; develop or update zoning, design or development standards that are disaster-resilient; or training on enforcement of new codes and standards?

Yes ☐ No ☒

E. Does the project include development and implementation of forward-thinking plans, such as land-use plans that reduce risk, hazard mitigation plans and flood plain mapping?

Yes ☐ No ☒



PROJECT BENEFICIARY INFORMATION

TDRA-DR Program Non-Housing Activities Application

Project #1 Rosenberg Water Plant No. 3 Activity #1a Water Facilities

Total Male Beneficiaries 3,724	Total Female Beneficiaries 3,673		Total Beneficiaries 7,397
Race	# Non-Hispanic Beneficiaries	# Hispanic Beneficiaries	Total Beneficiaries
White	2,104	2,389	4,493
Black/African American	676	68	744
Asian	45	0	45
American Indian/Alaskan Native	19	22	41
Native Hawaiian/Other Pacific Islander	0	0	0
American Indian/Alaskan Native & White	0	0	0
Asian & White	0	0	0
Black/African American & White	0	0	0
Am. Indian/Alaskan Native & Black/African Am.	0	0	0
Other Multi-Racial	6	2,068	2,074
Activity Total:			7,397

1. Was a TDRA-DR Survey used to identify beneficiaries?

Yes ☐ No ☒ N/A ☐

2. Is survey documentation attached?

Yes ☐ No ☒ N/A ☐

3. Was a prior survey utilized?

Yes ☐ No ☒ N/A ☐

4. Was 2000 Census information used to identify beneficiaries?

Yes ☒ No ☐ N/A ☐

CENSUS GEOGRAPHIC AREA DATA:

County Code	Census Tract(s)	Block Group(s)	Persons Benefiting
157 (Place Code 63284)	675000	1	1,183
157 (Place Code 63284)	675300	1	856
157 (Place Code 63284)	675300	2	660
157 (Place Code 63284)	675300	3	1,013
157 (Place Code 63284)	675300	4	2,108



PROJECT BENEFICIARY INFORMATION

TDRA-DR Program Non-Housing Activities Application

List all census tracts and block groups included in the project area for projects which are not citywide or countywide benefit. Be sure to identify the total beneficiaries claimed for each area. A spreadsheet showing LMI benefit must be submitted in addition to completing this question. For citywide or countywide projects, indicate "Citywide" or "Countywide" and attach a spreadsheet.

157 (Place Code 63284)	675300	5	626
157 (Place Code 63284)	675300	6	898

5. Provide the number of project beneficiaries identified through each of the following methods:

TDRA-DR Survey:	0	2000 Census:	7,344
Direct Benefit:	0	Limited Clientele:	0

Describe the Target Area:

Citywide ☐ Countywide ☐ Area ☒ Limited Clientele/Direct Benefit ☐

6. If beneficiaries were identified by using a survey as opposed to using 2000 Census information, provide a **detailed** explanation of the reason.

n/a

7. Number of residential properties benefiting from the project?

1886

8. Number of commercial properties benefiting from the project?

107

Applicant must attach source document (survey, tax rolls, zoning maps, etc.)



WATER SYSTEM IMPROVEMENTS

TDRA-DR Program Non-Housing Activities Application

Proj#: Title:

1 Rosenberg Water Plant No. 3

Activity:

1a Water Facilities

Click + to add another site.

Site# 1

1. What are the water sources for the system (e.g., wells, surface water, wholesale water supplier)?

Wells

2. Is line work involved?

Yes ☐ No ☒

3. Please identify all regulatory or contractual authorities over the subject facility (e.g., MUD, City, State, etc.):

City of Rosenberg
Texas Commission on Environmental Quality (TCEQ)

4. What is the name and contact information of each regulated entity?

City of Rosenberg, John Maresh, Phone: 832-595-3500, Email: johnm@ci.rosenberg.tx.us
TCEQ Region 12 (Houston), 5425 Polk Avenue, Suite H, Houston, Texas 77023, Phone: 713-767-3500

5. Was a boil water notice or other warning issued? (If yes, provide copy)

Yes ☐ No ☒

6. Are improvements related to water treatment?

Yes ☐ No ☒

7. Are proposed improvements related to water storage/supply?

Public Nonprofit Utility: ☒ Privately-Owned Nonprofit Utility: ☐ Privately-Owned For-Profit Utility: ☐ N/A: ☐

8. What entity, or entities, holds the Certificate of Convenience and Necessity (CCN) to provide water service in the service areas included in this application?

Entity: City of Rosenberg

9. Does the applicant or service provider currently hold the Certificate of Convenience and Necessity (CCN) for the target area proposed in the application?

Yes.

Applicant must define the project area by submitting a map with this application that clearly identifies the location of proposed construction activities and service area for the facilities at this site.



APPLICANT DISCLOSURES/UPDATE REPORT

TDRA-DR Program Non-Housing Activities Application

Part 1: Applicant/Recipient Information Initial Report ☒ Update Report ☐ N/A ☐

Part 2: Other Government Assistance Provided/Requested? Yes: ☐ No: ☒

Part 3: Interested Parties

Are there any persons with a reportable financial interest to disclose? Yes: ☐ No: ☒

Part 4: Report on expected sources and uses of funds: N/A ☐

Source of Funds	Use of Funds
Information can be found on Table 1.	Project information can be found on Table 2. Generator: \$160,000.00 Installation: \$178,000.00 Engineering: \$50,000.00 Project Delivery: \$49,829.00 Total: \$437,829.00

Attachments

- 1. Project Maps (including Census Maps/Documentation**
- 2. Interlocal Agreement**
- 3. Project Impact Documentation**
- 4. Beneficiary Documentation (Census Information)**
- 5. Number of Residential/Commercial Properties Source Documents**

- 6. Fair Housing Documentation**
- 7. Public Notices**

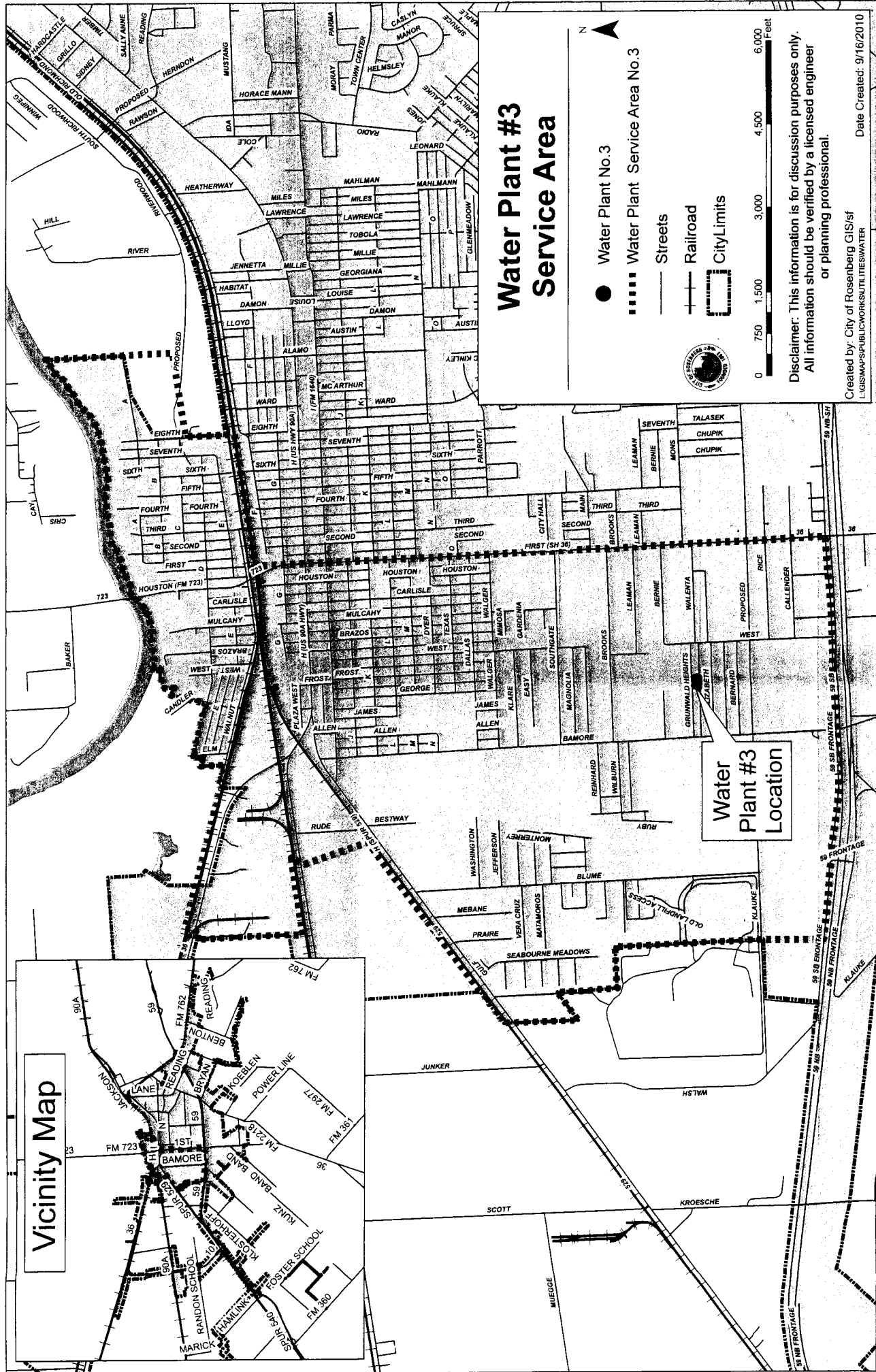
Attachment No. 1

**Project Maps
(including Census Maps and Documentation)**

Water Plant No. 3 Service Area Map

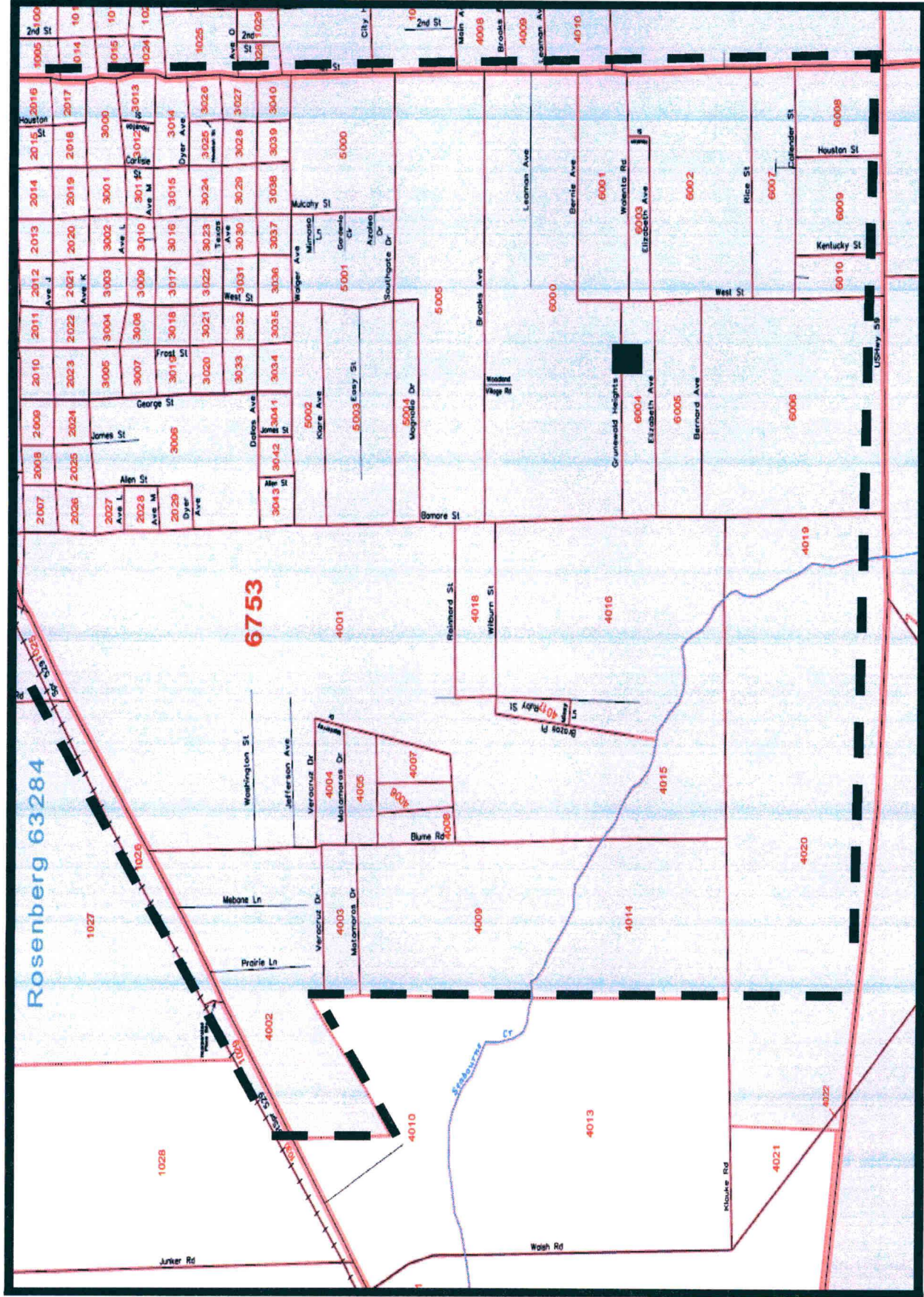
City of Rosenberg Water Plant Service Area Maps (3 Census Maps)

**Service Area for Rosenberg Water Plant No. 3: FBC Low Mod Data 2000
Rosenberg Water Plant 3**



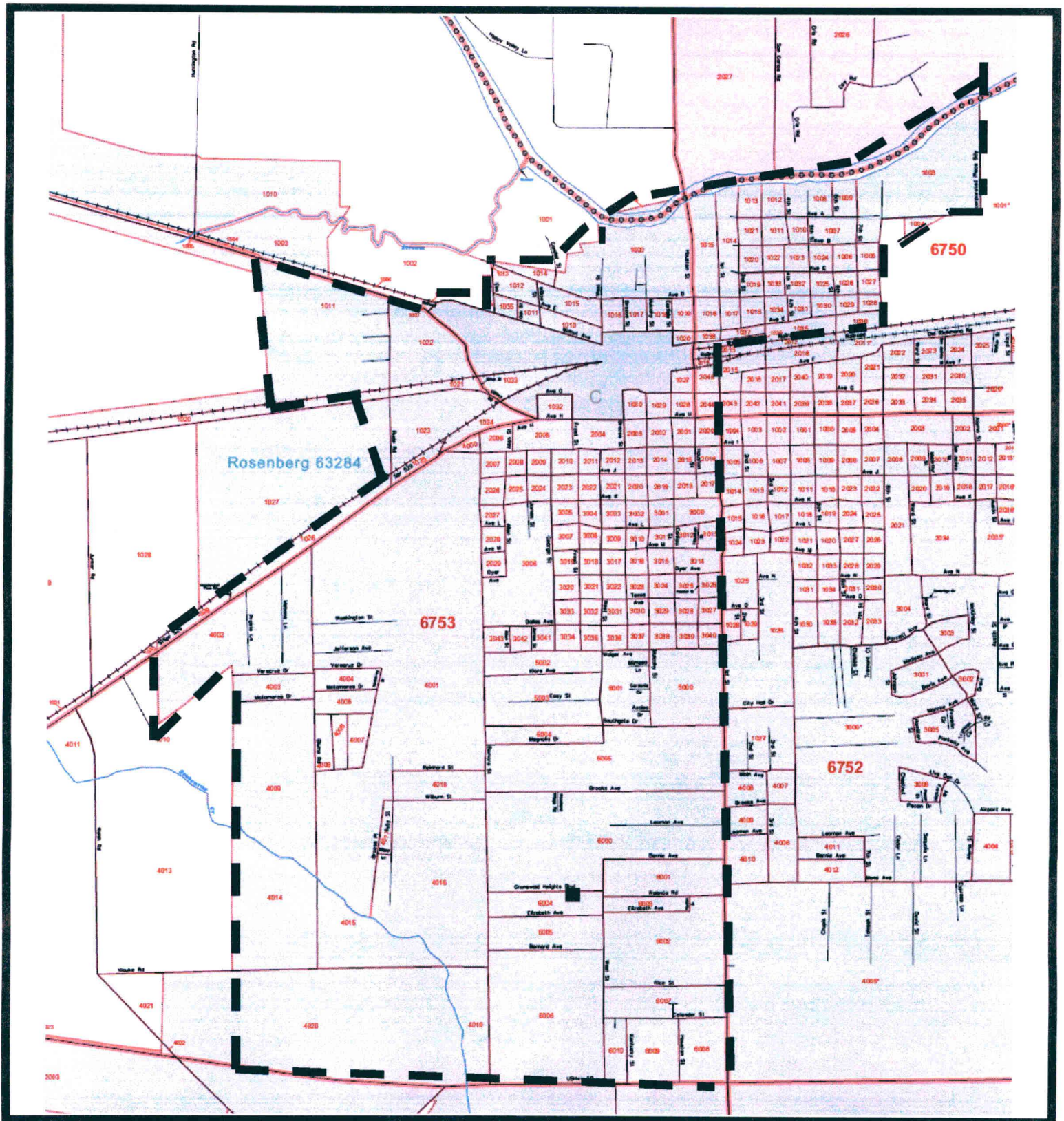
Disclaimer: This information is for discussion purposes only.
All information should be verified by a licensed engineer or planning professional.

City of Rosenberg Water Plant Service Area (Detail 2 of 2)



Plant Location: ■ 1024 Grunwald Heights

City of Rosenberg Water Plant Service Area



Plant Location: ■ 1024 Grunwald Heights

FBCLowModData2000rosenberg water plant 3

Service Area for Rosenberg Water Plant No. 3								
COUNTYNAME	PLACE	PLACE NAME	IRACT	BLKCRP	PVLOW	LOWMOD	LOWMODUNV	LOWMODPCT
Fort Bend County	63284	Rosenberg city	675000	1	0	0	0	0
Fort Bend County	63284	Rosenberg city	675000	1	351	891	1183	75.3
Fort Bend County	63284	Rosenberg city	675300	1	175	529	856	61.8
Fort Bend County	63284	Rosenberg city	675300	1	0	0	0	0
Fort Bend County	63284	Rosenberg city	675300	2	38	407	660	61.7
Fort Bend County	63284	Rosenberg city	675300	3	92	379	1013	37.4
Fort Bend County	63284	Rosenberg city	675300	4	0	0	0	0
Fort Bend County	63284	Rosenberg city	675300	4	413	1445	2108	68.5
Fort Bend County	63284	Rosenberg city	675300	5	16	182	626	29.1
Fort Bend County	63284	Rosenberg city	675300	6	95	440	898	49
		Rosenberg Subtotal:				4273	7344	58.18%

Attachment No 2

Interlocal Agreement

**INTERLOCAL AGREEMENT
FOR THE
CDBG DISASTER RECOVERY PROGRAM**

**THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §**

This AGREEMENT is made between Fort Bend County, TEXAS, hereinafter referred to as the County, acting through its Commissioners Court, and the City Of Rosenberg, hereinafter referred to as the City, acting through its City Council.

Pursuant to "The Interlocal Cooperation Act," Chapter 791, Texas Government Code, which provides, in part, that the County may contract with the City to perform governmental functions and services for the City, the County agrees to expend grant funds allocated through the County's Method of Distribution for Disaster Recovery, as approved by Fort Bend County Commissioner's Court on September 28, 2010, to accomplish eligible disaster recovery activities on behalf of the City as described in any Community Development Block Grant Disaster Recovery Fund Contract awarded to the County by the Texas Department of Rural Affairs (TDRA), hereinafter referred to as the Grant.

The term of this Interlocal Agreement shall begin upon the date Fort Bend County signs the grant agreement for the CDBG Disaster Recovery Program with the Texas Department of Rural Affairs. Interlocal Agreement shall terminate upon County's receipt of the Grant close-out letter from TDRA.

The County shall:

1. Serve as applicant and contractor with TDRA for all Grant activities.
2. Execute its Grant responsibilities in a timely and efficient manner.
3. Be responsible to maintain compliance with Grant contract terms and conditions in the completion of all Grant activities, including those undertaken by or for the City.

The CITY shall:

1. Comply with all County requests for information required to fulfill the County obligations under the Grant.
2. Provide unfettered access by the County and its representatives to the construction site throughout the term of this Interlocal Agreement.
3. Assumes ownership of the proposed improvements.
4. Be solely responsible for the continued long-term maintenance and operation of any proposed improvements upon acceptance by the County of the Certificate of Construction Completion.

The County shall not be liable for the payment of expenses or costs, which are not allowable under the terms of this Agreement and the Grant Agreement with TDRA.

The County has no County funds for the costs of goods and services to be rendered under this Interlocal Agreement. It is expressly agreed and understood that this Interlocal Agreement is predicated upon and conditioned on the County receiving funds for the purpose of paying the entire obligation of the County under this Interlocal Agreement from funds to be received from the U. S. Department of Housing and Urban Development, through TDRA, entitled Community Development Block Grant Disaster Recovery.

The parties further agree that any Grant funds provided by the County are without warranty of any kind to the City or any third party, and the City hereby agrees, to the extent allowable by law, to defend, hold harmless, and indemnify the County, its officers, agents, and employees for any claims for injury or death of any person or any property damage arising out of the County's performance of its obligations under this Interlocal Agreement. Nothing herein shall be construed to create any rights in third parties.

REMAINEDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, this instrument in duplicate originals, has been executed by the parties hereto as follows:

It has on the 28 day of September, 2010, been executed by the County Judge of Fort Bend County, on behalf of the County.

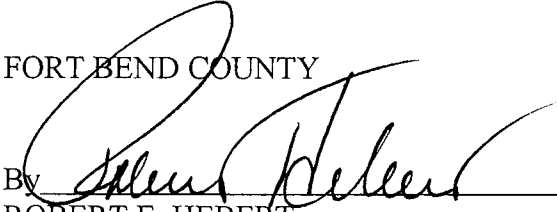
b.

ATTEST:



Dianne Wilson
County Clerk

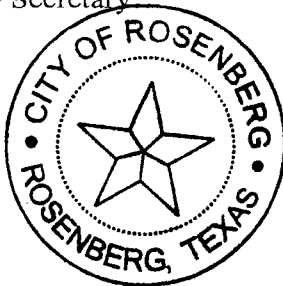
FORT BEND COUNTY

By 
ROBERT E. HEBERT
County Judge

It has on the 21st day of September, 2010, been executed by the Mayor and attested to by the City Secretary on behalf of the City.

ATTEST:

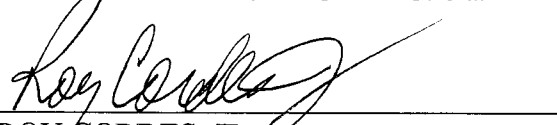

City Secretary



CITY OF ROSENBERG

By 
MAYOR

APPROVED AS TO LEGAL FORM:


ROY CORDES, JR.
County Attorney

Attachment No. 3

Project Impact Documentation

Fort Bend Herald September 16, 2008

Fort Bend Herald September 18, 2008

Photos of IKE Affected Customers within LMI Area

CenterPoint continues push to restore power in Fort Bend

Posted: Tuesday, September 16, 2008 12:00 am Updated: 5:14 pm, Mon Dec 14, 2009.

With each passing hour, more and more CenterPoint Energy customers are having their power restored.

Communications Specialist Blanca Velasquez reported as of 10 a.m. Tuesday, 667,000 of the company's 2.26 million customers had power restored.

That leaves some 1.49 million still without power, but Velasquez said crews will reach them as quickly as possible.

"Three thousand linemen and tree trimmers from as far away as Canada have now arrived and 4,000 more are on their way," she said.

They join CenterPoint's 3,000 employees who are working around the clock to restore power to all its customers.

Hurricane Ike tore through Fort Bend County and all of CenterPoint's service area overnight Friday, leaving only 7 percent of the company's customers with electricity.

Velasquez said it remains extremely important that customers do not call to report power outages, as such calls delay emergency calls being placed by customers with situations such as downed power lines and live wires.

"Through our outage analysis system, dispatchers know when and where outages occur and the number of customers affected," she said. "It's really critical that we keep the lines open for customers trying to report emergencies."

Customers with emergencies are asked to call 713-207-2222.

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CenterPoint expects full power here by Friday

Posted: Thursday, September 18, 2008 12:00 am | Updated: 5:15 pm, Mon Dec 14, 2009.

By B.J.J. Pollock |

The numbers of CenterPoint Energy customers with and without power continue to inch closer to equal in the wake of Hurricane Ike.

As of 8 a.m. Thursday, power had been restored to 858,000 customers, leaving 1.29 million to await restoration.

Some 10,000 linemen and tree trimmers are combing CenterPoint's service area, and have most of western Fort Bend County up and running, with small pockets still in the dark.

The company estimates most of its Fort Bend customers, except for the Sugar Land and Missouri City areas, should have power back by Friday.

The eastern portion of the county can expect its power to be restored by Monday, as can the Alvin and Humble areas.

There is no estimate as to when the remainder of CenterPoint's coverage area, with a total of 2.26 million customers, will see its power restored.

Following is a breakdown of the percentages of CenterPoint customers in the Fort Bend still waiting for electricity to be restored:

- Rosenberg — 30

- Richmond — 26

- Needville — 39

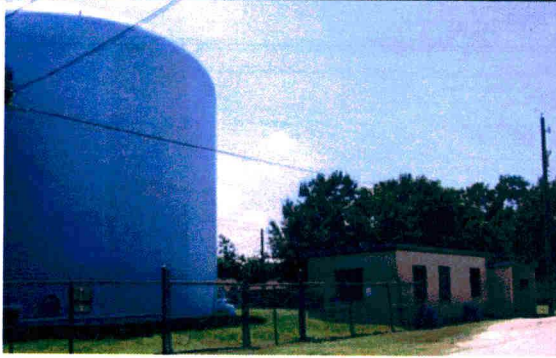
- Fulshear — 16

- Sugar Land — 74
- Beasley — 32
- Wallis — 32
- Guy — 52
- Missouri City — 73
- Stafford — 34

Visit www.centerpointenergy.com for more details about outages and restoration estimations.

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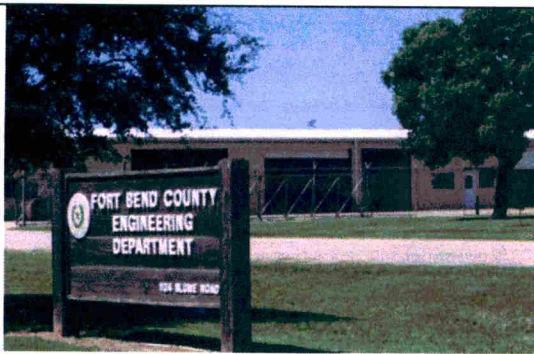
City of Rosenberg Texas, Permanent Generator Request
Sample of Essential Service Facilities and dense population areas within LMI area
requiring constant water pressure during hurricane events from Water Plant No.3



Water Plant # 3



Bowie Elementary (82% LMI Students)



County Engineering / Road & Bridge Division



160 space Trailer Park



County Animal Control



Jackson Elementary ((89% LMI Students)



56 Bed Long Term Care Facility



51 space Trailer Park

Attachment No. 4

**Beneficiary Documentation
(Census Information)**

**Concentration of Non-White Population
Concentration of Poverty**

Concentration of Non-White Population:

	Hispanic or Latino:	White Alone	Black or A.A. Alone	A.I. Or A.N. Alone	Asian Alone	N.H. or P.I. Alone	Some other race alone	Two or more races	Total	Non-White Population
Fort Bend County	74,786	163,771	69,992	892	38,659	145	596	5,611	354,452	190,681
Percent	21.10%	46.20%	19.75%	0.25%	10.91%	0.04%	0.17%	1.58%	100.00%	53.80%
City of Rosenberg	5,625	14,869	6,428	64	4,654	10	157	606	32,413	17,544
Percent	17.35%	45.87%	19.83%	0.20%	14.36%	0.03%	0.48%	1.87%	100.00%	54.13%
Water Plant Service Area	4,547	2,104	676	19	45	0	0	6	7,397	5,293
Percent	61.47%	28.44%	9.14%	0.26%	0.61%	0.00%	0.00%	0.08%	100.00%	71.56%

Source: U.S. Census. 2000. Texas SF 3. Tables P. 6 and P. 7.

Concentration of Poverty:

Universe: Population for whom poverty status is determined

	Total	Income in 1999 below poverty level
Fort Bend County	349,010	24,953
Percent		7.15%
City of Rosenberg	23,972	3,861
Percent		16.11%
Water Plant Service Area	7,339	1,347
Percent		18.35%

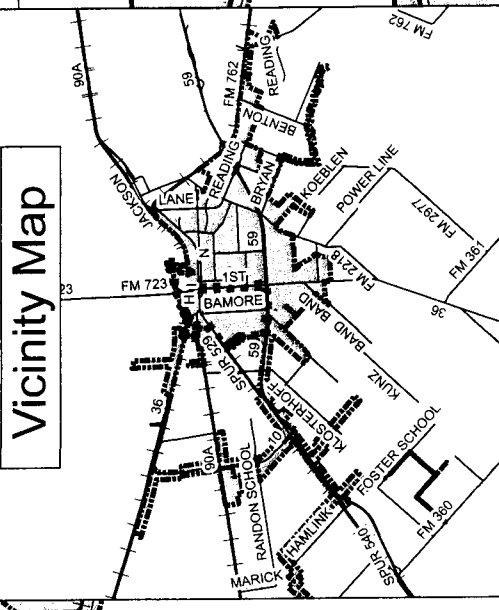
Source: U.S. Census. 2000. Texas SF 3. Table 87.

Attachment No. 5

Number of Residential/Commercial Properties Source Documents

Landuse Serviced by Water Plant No. 3 Map

Vicinity Map



Landuse Serviced By Water Plant #3

- Water Plant No. 3
- Water Plant Service Area No. 3
- Streets
- Railroad
- Commercial Inside Service Area No. 3
- Residential Inside Service Area No. 3
- City Limits



0 750 1,500 3,000 4,500 6,000 Feet

Disclaimer: This information is for discussion purposes only.
All information should be verified by a licensed engineer or planning professional.

Created by: City of Rosenberg GIS/st
LUGSWAPSPUBLICWORKSUTILITIESWATER
Date Created: 9/16/2010

Water
Plant #3
Location

Attachment No. 6

Fair Housing Documentation

Fort Bend County, Texas: Analysis of Impediments Worksheet

Fort Bend County, Texas: Analysis of Impediments

Fort Bend County, Texas: Certification

Affirmatively Furthering Fair Housing Worksheet Attachment

Item 1. b. Please provide the specific impediments to fair housing that were identified as a result of the AI.

Serious Impediments

1. Public Sector

a. General

- (1) Building, occupancy, and health and safety codes that may affect the availability of housing for minorities, families with children and persons with disabilities.
- (2) Provision of public transportation services that can improve access to jobs, training opportunities, housing and community services for minority families, families with children, and persons with disabilities.

2. Private Sector

a. Lending Policies and Practices:

- (1) Lending institutions are not aggressively marketing the availability of mortgage and home improvement loans in minority neighborhoods and encouraging minorities to apply.
- (2) There recently have been incidents of negative community attitudes resulting from moves by Blacks, Hispanics, or other minorities into non-minority White neighborhoods, or vice versa, or to the establishment of group homes or other housing for persons with disabilities (in particular mental disabilities or persons in recovery from drug abuse) in certain areas.

Impediments

1. Public Sector

a. General

- (1) Zoning, housing lot sizes, number of persons per bedroom requirements, and other factors.
- (2) Provision of essential municipal services
- (3) Cost, physical access, and location of housing for persons with disabilities.
- (4) Creation of job and training opportunities that affects, or can be affected by, the location of housing opportunities for lower-income families and persons, particularly minorities and persons with disabilities
- (5) Promotion of coordination and cooperation among jurisdictions in surrounding metropolitan or regional areas in planning and carrying out housing and housing-related activities
- (6) Selecting individuals and families to receive the benefits of Federal, State, or local publicly assisted housing programs that provide rental or ownership opportunities for lower-income persons and families.
- (7) Advertising rental vacancies to the public and establishing and maintaining waiting lists.

- (8) Assisting certificate and voucher holders to find suitable rental units through the jurisdiction.

b. Zoning and Site Selection:

- (1) Are there concentrations of low- and very-low income housing in one or more localities or neighborhoods within the jurisdiction's geographic area?
- (2) Are current zoning and other policies and procedures promoting this pattern or exerting a neutral effect on the existence of such concentrations?
- (3) Is the jurisdiction aware of and has it evaluated the management policies and procedures of assisted housing providers (those providing housing to persons with disabilities and homeless persons) to determine if problems exist that have led or could lead to general public, specific neighborhood, or other types of opposition to such housing?
- (4) Has the jurisdiction adopted policies and procedures that promote the placement of new or rehabilitated housing for lower-income households (including minorities, families with children, and persons with physical or other disabilities) in a wide spectrum of neighborhoods?
- (5) What is the impact of the jurisdiction's zoning ordinance(s), building codes, and other land-use or fiscal policies on the provision of lower-income housing?
- (6) If there is vacant or other land that can be developed within the jurisdiction's geographic area, do zoning regulations permit medium- and high-density residential development for such land, or only low-density housing (and accompanying high cost)?
- (7) Do zoning, subdivision, or occupancy regulations include provisions that permit group homes for persons with disabilities in a wide array of locations to prevent their concentration?
- (8) Should zoning, occupancy or building ordinances, or codes or regulations be changed to provide for more inclusive development of housing for lower-income people and families, including persons with disabilities?
- (9) Should the jurisdiction adopt incentives to promote mixed-income housing development, such as increasing the number of new units that can be built in a given development in exchange for dedication of a certain percent of the units for low- and very-low income households?
- (10) Should the jurisdiction use a transfer tax on the sale of property, or establish another dedicated revenue source or sources tied to development of higher-income housing or commercial property to raise funds for lower-income housing construction or rehabilitation?

c. Neighborhood Revitalization, Municipal and Other Services, and the Employment-Housing-Transportation Linkage:

- (1) Where are municipal and other services (transportation, social services, schools, health services, hospitals, banks, and other lending institutions) located in the jurisdiction?
- (2) Are such services equally distributed throughout the geographic area of the jurisdiction?

d. PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures; Housing Choices for Certificate and Voucher Holders:

- (1) Is there a pattern in one or more assisted housing developments of concentration of tenants by race or ethnicity?

e. Property Tax Policies:

- (1) Has the jurisdiction adopted property tax relief policies and provisions in its local (or State) tax codes?
- (2) If so, do these policies and provisions benefit lower-income homeowners, particularly minority households including children or persons with disabilities?

2. Public Sector

(a) Lending Policies and Practices

- (1) Are covenants that contain such restrictions recorded in deeds on file in jurisdiction's records office?
- (2) Has the jurisdiction reviewed written rental and sales policies of real estate brokers and other members of the housing industry, such as large landlords or management companies, to determine whether they are consistent with applicable Federal, State, and local fair housing laws?

3. Public and Private Sector

a. Information Programs:

- (1) Has the jurisdiction implemented specific fair housing information programs for officials and employees having duties that impact on fair housing such as developing zoning policies, planning assisted housing, and community and economic development activities?
- (2) Are there areas in the jurisdiction where conflict between different racial or ethnic groups is evident? Between persons with and without a disability?
- (3) Are there effective outreach, education, and information programs in the jurisdiction designed to create a good understanding among civic leaders, educators, and other citizens of all ages to reduce the adverse effects and force of negative attitudes among segments of the community concerning people who are different racially, ethnically, and culturally or who are disabled?

- Item 1. c.** Please provide specific actions that have been taken to address each of the identified impediments. In addition, please specify what additional specific actions will be taken during the contract period to fulfill the jurisdiction's obligation to Affirmatively Further Fair Housing. (See guidance provided by TDRA in the Application Guide and in the required training.)

Serious Impediments

1. Public Sector

a. General

- (1) Building, occupancy, and health and safety codes that may affect the availability of housing for minorities, families with children and persons with disabilities.**

Specific Actions:

1. Fort Bend County has created water districts to provide services to communities (colonias) lacking water and sewer systems located in the unincorporated area of the County.
 2. The County provides CDBG entitlement funds to the cities to for water, sewer, and drainage improvements in low and moderate-income areas.
 3. The County funds a Housing Rehabilitation Program with CDBG and HOME program entitlement funds. This program brings homeowner properties up to local building code or HUD Housing Quality Standards (HQS).
 4. The County funds Minor Home Repair Program with CDBG program entitlement funds. This program brings elderly or disabled homeowner properties up to local building code or HUD Housing Quality Standards (HQS).
 5. The County's Consolidated Plan continues to identify the provision of water and sewer services as a high priority.
- (2) Provision of public transportation services that can improve access to jobs, training opportunities, housing and community services for minority families, families with children, and persons with disabilities.**
1. The County funded the American Red Cross Transportation Program for over ten years with CDBG program entitlement funds. This program provided transportation for the elderly to medical services until it was discontinued by the Red Cross.
 2. In 2005, the County established the Public Transportation Department to provide residents with safe and efficient public transportation services. The County offers shared ride bus services to residents. In addition, the department offers three fixed route commuter services into Harris County.

2. Private Sector

a. Lending Policies and Practices:

- (1) Lending institutions are not aggressively marketing the availability of mortgage and home improvement loans in minority neighborhoods and encouraging minorities to apply.**

The County established a housing rehabilitation program and funds a minor repair program for the elderly and disabled homeowners with CDBG and HOME

Program entitlement funds. The County funds a countywide down payment program with CDBG program funds.

- (2) **There recently have been incidents of negative community attitudes resulting from moves by Blacks, Hispanics, or other minorities into non-minority White neighborhoods, or vice versa, or to the establishment of group homes or other housing for persons with disabilities (in particular mental disabilities or persons in recovery from drug abuse) in certain areas.**
 1. The County's Consolidated Plan goals include providing housing units accessible to special needs population especially the elderly and disabled.
 2. Recently, the County has provided the ARC and Texana, Neighborhood Stabilization Program (NSP) funds to purchase homes to be used as group homes for their clients.
 3. In the past, the County funded a down payment and closing costs program with HOME Program funds.
 4. The Fort Bend County Housing Finance Corporation (FBCHFC) has funded down payment and closing program through bond series. Currently, the FBCHFC is funding a mortgage certificate program

Impediments:

1. Public Sector

a. General

(1) Zoning, housing lot sizes, number of persons per bedroom requirements, and other factors.

1. At the County level, there are no regulations regarding zoning or occupancy requirements that constitute impediments to fair housing choice. However, **there is state mandated water well and septic tanks regulations that the County enforces that have negatively impacted many County residents.** These regulations set the minimum required separation distance for on-site sewage facilities. Unfortunately, some people buy property in the unincorporated areas of the County, proceed and buy a mobile home, or construct a site built home without first understanding the regulations for providing water well and septic services on their property. The property may not be large enough to provide separation between the water well and the septic tank or the soil type may not provide an adequate drainage field for the septic system. These properties are cited for violations if the County becomes aware of their unlicensed system. Fort Bend County has funded a CDBG septic tank program for low-income persons who are cited for violations; end up in Court because of continued non-compliance. And can not afford to properly engineer a system.
2. The County also funds septic tank improvements through the minor repair program funded with CDBG Program funds.

(2) Provision of essential municipal services.

1. The provision of municipal services is extremely fragmented within the County. In addition, many persons are not aware that there are no services in the unincorporated areas of the County unless these services are provided in master

planned communities or subdivisions with their own Municipal Utility Districts (MUDs). A few residential areas are provided out of district service by incorporated areas or districts. The fees charged for out of district service usually are higher than those charged to district customers. The County encourages homebuyers assisted through the down payment and closing costs programs to purchase properties in areas with lower priced utilities.

2. The County identified several areas without water and sewer service in the unincorporated areas of the County. Only one of these areas was identified as low income by HUD according to the 1990 Census. The County worked with the local Census Statistical Areas Committee to have these areas identified as Census Defined Places (CDPs) for the U.S. Census. The 2000 Census identified all these areas as CDPs and HUD subsequently identified part or all the areas as low and moderate income areas and eligible for CDBG Program funds. The County has funds water and sewer projects in each of these areas.
3. Fort Bend County has created water districts to provide services to communities (colonias) lacking water and sewer systems located in the unincorporated area of the County. The County used a CDBG Section 108 Loan to fund the water and sewer in one area. The other areas are being funded using a combination of USDS, district taxes, and CDBG funds to provide the water and sewer systems.
4. Every year Fort Bend County funds five or six water and/or sewer projects with CDBG Program funds.

(3) Cost, physical access, and location of housing for persons with disabilities.

1. The County funds a housing rehabilitation program that provides assistance to low-income households. Some of these households have family members that are disabled. Homes that are rehabilitated are made accessible if the homeowners are disabled or elderly.
2. The County sponsors a Shelter Plus Care grant with the Fort Bend County Women's Center that provides rental assistance and services to abused women and children with mental issues.
3. The County is using Neighborhood Stabilization Program funds to acquire and rehabilitate houses to be used as group homes by clients of the ARC. (Association of Retarded Citizens).

(4) Creation of job and training opportunities that affects, or can be affected by, the location of housing opportunities for lower-income families and persons, particularly minorities and persons with disabilities.

The County provides CDBG Program funds the Literacy Council of Fort Bend to provide literacy tutoring for illiterate persons.

(5) Promotion of coordination and cooperation among jurisdictions in surrounding metropolitan or regional areas in planning and carrying out housing and housing-related activities.

1. The County has funded with CDBG Program funds a historic district plan for the City of Richmond and a Comprehensive Plan for Village of Pleak.
2. The County has allocated FY 2010 CDBG Program funds for a comprehensive plan for the City of Kendleton.
3. The provision of municipal services within the County is extremely fragmented. The provisions of services within Cities and in the unincorporated areas requires a

great amount coordination and cooperation among jurisdictions, districts, the State of Texas, and the U.S. Department of Agriculture (USDA) to provide services especially to those areas of the county without services that are required for decent, safe and sanitary housing.

(6) Selecting individuals and families to receive the benefits of Federal, State, or local publicly assisted housing programs that provide rental or ownership opportunities for low-income persons and families.

1. The County does not have a public housing authority. The City of Rosenberg has a housing authority that provides assistance to Rosenberg residents. The Rosenberg PHA follows HUD regulations in the provision of assistance and the maintenance of the waiting list for vouchers.
2. The County's CDBG and HOME program funded housing rehabilitation program and down payment assistance program operate on a first-come, first served basis. The down payment assistance programs require that potential homebuyers qualify through a financial institution since the County does not self finance home purchases.
3. The County provided HOME Program for the acquisition of property for a senior housing tax credit project located in Meadows Place. This project follows the LIHTC program procedures for renting units of low and moderate income persons and the HOME program procedures for low and high rents for assisted housing units.

(7) Advertising rental vacancies to the public and establish waiting list.

1. The County does not have a public housing authority. The City of Rosenberg has a housing authority that provides assistance to Rosenberg residents. The Rosenberg PHA follows HUD regulations in the provision of assistance and the maintenance of the waiting list for vouchers. The Rosenberg PHA issues public announcements when the waiting list is open for new clients.
2. The County's Meadow Place Senior Housing Project follows the LIHTC Program procedures for maintaining the waiting lists.

(8) Assisting certificate and voucher holders to find suitable rental units through the jurisdiction.

1. The Rosenberg PHA handles portability issues for clients moving to the Rosenberg area and providing assistance in finding suitable rental units.

b. Zoning and Site Selection:

(1) Are there concentrations of low- and very-low income housing in one or more localities or neighborhoods within the jurisdiction's geographic area?

1. There are concentrations of low and moderate income persons within the County. Fort Bend County is a CDBG Program entitlement area. This service area excludes the parts of the City of Houston and Katy located within the County and the Cities of Sugar Land and Missouri City. The County's service area includes 266 Census Tract Block Groups. Fifty-six (56) block groups show a low and moderate income percentage over 51 percent. The City of Rosenberg contains the largest number or concentration of low and moderate income persons in Fort Bend County's service area. A summary of the County's service area block groups by place is included below:

Incorporated Areas/Census Defined Places(CDPs):	No. of Block Groups	Low/Mod Persons	Total Persons	Percent Low/Mod
Arcola	6 block groups	690	1,089	63.36%
Beasley	1 block group	5	5	100.00%
Fulshear	1 block group	208	360	57.78%
Kendleton	1 block group	304	450	67.56%
Richmond	8 block groups	5,045	7,103	71.03%
Rosenberg	13 block groups	9,232	13,108	70.43%
Thompsons	2 block groups	132	232	56.90%
Cumings CPD	1 block group	448	738	60.70%
Fifth Street CPD	2 block groups	1,083	1,628	66.52%
Four Corners CPD	1 block group	787	1,290	61.01%
Fresno CPD	4 block groups	1,436	2,347	61.18%
Unincorporated Area:	16 block groups	3,139	5,171	60.70%

(2) Are current zoning and other policies and procedures promoting this pattern or exerting a neutral effect on the existence of such concentrations?

The only city within the County's service area with zoning is the City of Rosenberg. During the period from 1990 to 2000, the total population of the City of Rosenberg increased by 46.17 percent. During this same period, the low and moderate income population of the City of Rosenberg increased by 35.57 percent. This almost eleven percentage point difference indicates that the number of low and moderate income persons is increased less than the total population between 1990 and 2000.

(3) Is the jurisdiction aware of and has it evaluated the management policies and procedures of assisted housing providers (those providing housing to persons with disabilities and homeless persons) to determine if problems exist that have led or could lead to general public, specific neighborhood, or other types of opposition to such housing?

The County evaluates the policies and procedures of organizations that apply to the County for CDBG, HOME, ESG or other HUD programs. The County also encourages organizations to work with the local community before submitting an application for funding to the County. Most recently, the strongest opposition has been to proposed LIHTC projects in the Rosenberg and unincorporated areas of the County.

(4) Has the jurisdiction adopted policies and procedures that promote the placement of new or rehabilitated housing for lower-income households (including minorities, families with children, and persons with physical or other disabilities) in a wide spectrum of neighborhoods?

The County does not target any of its housing programs to any neighborhood or community. The main determinants in the funding of HUD housing program continue to be the ability of the applicant to provide project funding, total project costs, the financial feasibility of the project and the availability of public water and sewer services. The County's single family housing rehabilitation and the CDBG Program funded minor repair program are countywide. The County has built new single family homes in the City of Rosenberg and a senior housing project in the City of Meadows Place.

- (5) **What is the impact of the jurisdiction's zoning ordinance(s), building codes, and other land-use or fiscal policies on the provision of lower-income housing?**

Fort Bend County does not have the authority to regulate zoning, building codes, land-use or fiscal policies related to housing in the incorporated areas of the County. Only one city within the County has zoning, the City of Rosenberg. The lack of codes in the unincorporated area creates issues with housing quality. The County's downpayment and closing program inspection of properties often finds building code or safety violations in homes. The homes are required to pass inspection before they are eligible for purchase by homebuyers. The lack and/or costs of public water and sewer systems is the most important factor in determining the provision of lower income housing in the County.

- (6) **If there is vacant or other land that can be developed within the jurisdiction's geographic area, do zoning regulations permit medium- and high-density residential development for such land, or only low-density housing (and accompanying high cost)?**

There is a great deal of vacant land in Fort Bend County. The main impediment to the development of housing on vacant land is the availability and costs of public water and sewer services. Vacant property within subdivisions in the unincorporated area and in incorporated areas that have existing public water and sewer services may be expensive for the construction of affordable housing if services are provided by Municipal Utility Districts (MUDs). The construction of housing on vacant land in the unincorporated areas of the County where public systems do not exist would require the construction of private water wells and septic systems on parcels that must be greater than one (1) acre according to State and local regulations. The acreage required for septic system drainage fields increases property acquisition costs and increases the property taxes that must be paid on the property over time. School district and community college taxes have been increasing significantly in the County. In addition, areas without public water and sewer systems do not have fire hydrants for fire fighting capability.

- (7) **Do zoning, subdivision, or occupancy regulations include provisions that permit group homes for persons with disabilities in a wide array of locations to prevent their concentrations?**

Fort Bend County does not have the authority to regulate zoning, subdivision, or occupancy regulations. Many of the small incorporated areas do not have grocery stores, pharmacies, doctors, dentists, or public transportation. The lack of public transportation severely limits the siting of group homes for persons with disabilities to the Sugar Land, Missouri City and Rosenberg areas. These areas provide amenities more accessible to the disabled than smaller towns in the county.

- (8) **Should zoning, occupancy or building ordinances, or codes or regulations be changed to provide for more inclusive development of housing for lower-income people and families, including persons with disabilities?**

Fort Bend County does not have the authority to regulate zoning, occupancy or building ordinances, or codes or regulations. The County awards CDBG, HOME

ESP program funds as an entitlement. The County accepts requests for proposals for these funds from interested organizations. Unfortunately the County only receives less than \$2 million in CDBG and less than \$500,000 in HOME Program funds. As a result, the County's participation in large projects is limited due to amount of funds available. The FBCHFC provides mortgage certificate funding for homebuyers. The FBCHFC has not been able to finance a bond series in the last few years due to market conditions.

- (9) **Should the jurisdiction adopt incentives to promote mixed-income housing development, such as increasing the number of new units that can be built in a given development in exchange for dedication of a certain percent of the units for low- and very-low income households?**

Fort Bend County does not have the authority to regulate zoning, occupancy or building ordinances, or codes or regulations. The County awards CDBG, HOME ESP program funds as an entitlement. The County accepts requests for proposals for these funds from interested organizations. Unfortunately the County only receives less than \$2 million in CDBG and less than \$500,000 in HOME Program funds. As a result, the County's participation in large projects is limited due to amount of funds available. The FBCHFC provides mortgage certificate funding for homebuyers. The FBCHFC has not been able to finance a bond series in the last few years due to market conditions.

- (10) **Should the jurisdiction use a transfer tax on the sale of property, or establish another dedicated revenue source or sources tied to development of higher-income housing or commercial property to raise funds for lower-income housing construction or rehabilitation?**

Fort Bend County does not have the authority to regulate zoning, occupancy or building ordinances, or codes or regulations. The County awards CDBG, HOME ESP program funds as an entitlement. The County accepts requests for proposals for these funds from interested organizations. Unfortunately the County only receives less than \$2 million in CDBG and less than \$500,000 in HOME Program funds per year. As a result, the County's participation in large projects is limited due to amount of funds available. The FBCHFC provides mortgage certificate funding for homebuyers. The FBCHFC has not been able to finance a bond series in the last few years due to market conditions. Fort Bend County property taxes have been increasing significantly in order to provide roads, infrastructure, schools and community college facilities for the County's rapidly increasing population. Currently, taxing districts are suffering from a loss of property valuation due to foreclosures and the declining housing market. It is doubtful given these conditions that any of the taxing jurisdictions would take any actions that lessen the amount of already declining tax revenues.

c. **Neighborhood Revitalization, Municipal and Other Services, and the Employment-Housing-Transportation Linkage:**

- (1) **Where are municipal and other services (transportation, social services, schools, health services, hospitals, banks, and other lending institutions) located in the jurisdiction?**

Municipal and other services are the most concentrated within County in the City of Houston and the suburban parts of the County. The rural areas of the County have few if any municipals services. Some of the smaller cities do not stores, medical facilities or financial institutions within their areas.

(2) Are such services equally distributed throughout the geographic area of the jurisdiction?

Services are not equally distributed throughout the County. There is a great need for public transportation within the County to improve access to services for residents without private transportation. The County funded the American Red Cross Transportation Program before it was discontinued. The County established a Public Transportation Program in 2005 to provide residents with some public transportation services.

d. PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures; Housing Choices for Certificate and Voucher Holders:

(1) Is there a pattern in one or more assisted housing developments of concentration of tenants by race or ethnicity?

There are very few assisted housing developments in Fort Bend County's service area. Some of these housing developments show a concentration by race and ethnicity that reflect the County's and/or local community's majority minority population.

e. Property Tax Policies:

(1) Has the jurisdiction adopted property tax relief policies and provisions in its local (or State) tax codes?

Fort Bend County provides standard property tax exemptions for homestead properties, senior citizens, and disabled veterans. Generally, non-profit organizations are exempt from property taxes.

(2) If so, do these policies and provisions benefit lower-income homeowners, particularly minority households including children or persons with disabilities?

Typically, property tax exemptions apply to property owners only, not children. Low-income homeowners are eligible for homestead exemptions.

2. Public Sector

(a) Lending Policies and Practices

(1) Are covenants that contain such restrictions recorded in deeds on file in jurisdiction's records office?

All deed restrictions and covenants and conditions must be recorded at the County Clerk's office to be valid.

(2) Has the jurisdiction reviewed written rental and sales policies of real estate brokers and other members of the housing industry, such as large landlords or management companies, to determine whether they are consistent with applicable Federal, State, and local fair housing laws?

The County has not reviewed written rental and sales policies of real estate brokers and other members of the housing industry to determine whether they are consistent with applicable Federal, State, and local fair housing laws. The County may not have the authority to review private rental and sales policies.

3. Public and Private Sector

a. Information Programs:

- (1) Has the jurisdiction implemented specific fair housing information programs for officials and employees having duties that impact on fair housing such as developing zoning policies, planning assisted housing, and community and economic development activities?**

The County does not have land-use powers. The Community Development Department staff is the only group of County employees who have an impact on fair housing issues. This impact is limited to projects funded with federal housing funds within the County's service area.

- (2) Are there areas in the jurisdiction where conflict between different racial or ethnic groups is evident? Between persons with and without a disability?**

In some areas of the County, there are gang-related problems that coincide with difference in race and ethnicity in neighborhoods. Conflict between persons with and without disabilities has been reported in some neighborhoods, especially those with high priced housing. The local mental health provider, Texana, has several group homes and currently, is in the process of acquiring two new homes with Neighborhood Stabilization Program (NSP) funds. No opposition has been reported to FBC Community Development Department staff at the time of this application.

- (3) Are there effective outreach, education, and information programs in the jurisdiction designed to create a good understanding among civic leaders, educators, and other citizens of all ages to reduce the adverse effects and force of negative attitudes among segments of the community concerning people who are different racially, ethnically, and culturally or who are disabled?**

Currently, there are no public, outreach, education and information programs except the limited efforts provided through the FBC Community Development Department staff. The Association for Retarded Citizens, Inc (ARC) and Texana, the mental health provider, both have outreach, education, and information programs for their clients. Both organizations have considerable public support for their programs that is evidenced through their high profile fund-raising activities in the County. Currently, there are no outreach, education, or information programs targeted specifically toward negative attitudes toward racial, ethnic, or cultural groups.

SECTION III. IDENTIFICATION OF IMPEDIMENTS TO FAIR HOUSING CHOICE

This section identifies the impediments to fair housing choice in Fort Bend County. The process for identifying impediments was structured using three (3) categories--public sector, private sector, and the public and private sectors described in HUD's Fair Housing Planning Guides Volumes 1 and 2. The public sector impediment category is divided into several groups--zoning and site selection; neighborhood revitalization, municipal and other services, employment-housing-transportation linkages; PHA and other assisted/insured housing provider tenant selection procedures; sale of subsidized housing and possible displacement; property tax policies; and planning and zoning boards. The private sector impediments are discussed as one group--lending policies and practices. The public and private sector categories are divided into the fair housing enforcement group and the information program group. **Appendix A.** contains the complete list of impediments and actions identified by HUD.

The fair housing task force identified a number of impediments to fair housing choice within Fort Bend County. The impediments identified by the task force are listed below. The task force also stressed the seriousness of some of these impediments over others. The reasons for identifying each impediment are included with each. Note that impediments were not identified in all the categories suggested by HUD. Some of the impediments listed are in the form of questions.

A. Serious Impediments

1. Public Sector

a. General:

- (1) Building, occupancy, and health and safety codes that may affect the availability of housing for minorities, families with children, and persons with disabilities.

Reason: Fort Bend County does not have the authority to regulate land-use and housing within its jurisdictions. Thus, local government protections such as building code and land-use regulations do not exist in the unincorporated parts of the County. The amount of land-use and housing-related regulation varies greatly among the incorporated areas of the County. However, most of these regulations are reasonable in their scope and on their own do not limit the choice of affordable housing available in the County as much as the availability and costs of public water and sewer service.

- (2) Provision of public transportation services that can improve access to jobs, training opportunities, housing and community services for minority families, families with children, and persons with disabilities.

Reason: Most of Fort Bend County does not have any form of public or private mass transportation. Thus, low-income persons, those persons with the least ability to pay for transportation, must have access to a private vehicle for transportation to work, school, or medical and social services.

2. Private Sector

a. Lending Policies and Practices:

- (1) Are any lending institutions aggressively marketing the availability of mortgage and home improvement loans in minority neighborhoods and encouraging minorities to apply?

Reason: In general, mortgage and home improvement loan programs are not advertised on a neighborhood level, much less a minority neighborhood level. Low-income and minority persons often have very little knowledge of traditional lending institutions and their requirements. This lack of knowledge perpetuates lease-to-own and contract-for-deed agreements which cost borrowers more than traditional mortgages and offer few, if any, consumer protections. This problem is especially pronounced in some low-income communities where literacy and education levels are low and in Hispanic communities where there is a serious lack of proficiency in the English language.

- (2) Have there recently been incidents of negative community attitudes resulting from moves by African-Americans, Hispanics, or other minorities into nonminority White neighborhoods, or vice versa? To the establishment of group homes or other housing for persons with disabilities (in particular, mental disabilities or persons in recovery from drug abuse) in certain areas?

Reason: There have been incidents of discrimination against persons with disabilities especially in group home situations. There is a general lack of knowledge about persons with disabilities. There is confusion among the public between the clientele served by group homes and half-way houses.

B. Impediments

1. Public Sector

a. General

- (1) Zoning, housing lot sizes, number of persons per bedroom requirements, and other factors

Reason: At the County level, there are no regulations regarding zoning or occupancy requirements which constitute impediments to fair housing choice. Among the local governments, especially those with a strong real estate market, the development of affordable housing is very difficult due to high land costs and the demand for new housing.

(2) Provision of essential municipal services

Reason: Fort Bend County includes seventeen (17) municipal areas, over 100 water districts and numerous fire, emergency and special districts. Thus, the provisions of municipal services within the County is extremely fragmented. This fragmentation results in higher costs due to the duplication of administrative and facility costs and large differentials in the availability and the quality of services available to residents of Fort Bend County.

(3) Cost, physical access, and location of housing for persons with disabilities

Reason: The cost of new housing in Fort Bend County is relatively high. Thus, the improvements necessary for providing physical access for the disabled increases the costs of housing even more. As stated previously, there is no public or private mass transportation in Fort Bend County. Thus, persons with a disability must depend on private transportation. Persons with disabilities who live within some of the incorporated areas of the County may have accessible services and shopping nearby; however, persons with disabilities who live in semi-rural or rural areas are isolated from medical and social services and recreational facilities and shopping.

(4) Creation of job and training opportunities that affect, or can be affected by, the location of housing opportunities for lower-income families and persons, particularly minorities and persons with disabilities

Reason: The lack of a public or private mass transportation system limits the ability of low-income persons and persons with disabilities to work outside their neighborhoods unless they have reliable private transportation. The problem of environmental racism is apparent in some areas of the County since there are no land-use regulations to minimize the impact of pollution and the aggregation of activities incompatible with housing such as waste disposal facilities, above-ground storage tank facilities, petrochemical and industrial facilities, and abandoned quarries and oil and gas fields. Thus, employment in these neighborhood facilities may expose low-income persons to more hazardous conditions since they may often live close to their places of employment because of their lack of transportation.

(5) Promotion of coordination and cooperation among jurisdictions in surrounding metropolitan or regional areas in planning and carrying out housing and housing-related activities.

Reason: Most the incorporated areas of the County have few municipal employees. Thus, the smaller cities that would benefit the most from the planning and carrying-out of housing and housing-related activities have the least administrative capacity and financial resources to implement these activities. Currently, there is little or no coordination and cooperation among the municipal areas, water districts and other districts located within the County.

- (6) Selecting individuals and families to receive the benefits of Federal, State, or local publicly assisted housing programs that provide rental or ownership opportunities for lower-income persons and families.

Reason: Fort Bend County does not have a public housing authority (PHA). Only the City of Rosenberg has a PHA which administers approximately 100 rental certificates. Within the County, there are several Farmer's Home projects which provide some subsidized rental housing units to low-income individuals and families. Currently, the County provides rental assistance to clients of the Riceland RMHA who have completed the required life skills program for independent living required by Riceland. Thus, there is a significant difference in the rental opportunities available to low-income residents of the County since rental programs are administered by different entities and are limited in their jurisdiction.

The County has three (3) homeownership programs that it has funded with HUD funds. The HOPE 3 program is county-wide and provides funds for downpayment and closing costs assistance. A grant also is available for the costs of rehabilitation. The Sequoia Foundation administers a program that provides downpayment and closing costs assistance to low-income individuals and families for forty (40) new homes being constructed in the Pecan Park subdivision in Rosenberg. Housing Opportunities of Houston (HOH) provides downpayment and closing costs assistance for low-income individuals and families who qualify to purchase a home in Fort Bend County. There are several opportunities for homeownership in Fort Bend County for low-income persons and families with stable employment and good credit.

- (7) Advertising rental vacancies to the public and establishing and maintaining waiting lists.

Reason: Middle and high income individuals and families often pay for apartment locators and realtors to help them locate suitable housing. Unfortunately, these services are not affordable to most low-income individuals and families. In addition, it is not cost effective for the owners of low-income housing to market their properties through locator services or realtors since they usually have to pay for these services. Thus, low-income individuals and families are on their own in finding affordable housing and in obtaining information on the housing available for rent or purchase.

- (8) Assisting certificate and voucher holders to find suitable rental units through the jurisdiction.

Reason: As stated previously, Fort Bend County does not have a public housing authority. Only the City of Rosenberg has a housing authority which administers a housing certificate program. Thus, subsidized housing is not available throughout the County.

b. Zoning and Site Selection:

- (1) Are there concentrations of low- and very-low income housing in one or more localities or neighborhoods within the jurisdiction's geographic area?

Reason: There are concentrations of low- and very-low-income housing in areas of the County. The reasons for these concentrations is varied. Many of the concentrations of lower income housing are located in areas with the oldest housing in the County and reflect past segregation patterns. In the newer parts of the county, low-income housing may be located in communities in transition from a large percentage of owner-occupancy to other land-uses. Since there is no zoning in the County, increased traffic in primarily residential areas often precipitates a change to rental-occupancy, retail, commercial or industrial uses as noise and traffic make the housing less attractive for owner-occupancy and as deed restrictions, if any, are allowed to lapse by homeowner's association. Some concentrations of low-income housing are composed of large-multi-family housing projects and/or mobile home parks.

- (2) Are current zoning and other policies and procedures promoting this pattern or exerting a neutral effect on the existence of such concentrations?

Reason: Because zoning does not exist in most of the County it cannot be cited as a major determinant in the concentration of low-income housing. Fort Bend County is one of the fastest growing counties in the U.S. Thus, there is a great demand for housing at all income levels. Unfortunately, the private real estate market tends to gravitate to that segment of the market that maximizes financial return to the developer and/or builder. As a result, most of the new housing construction in the county is targeted to the higher priced home market. Affordable housing where the profit margin is much smaller can not compete against the construction of high-income luxury homes where the profit margin is much greater. The Fort Bend County no longer includes Sugar Land and Missouri City the two of the largest cities in the County with zoning. The County's service area is composed mainly of small cities with relatively small populations and very few city services. The majority of the areas do not have zoning.

An indicator of the large demand for affordable housing is the increase in mobile homes in the County. Within cities there is usually some regulation, if not prohibition, of mobile homes. In rural areas, there is no regulation of mobile homes; however, there does appear to be some concentrations of low-income mobile homes in the County, especially in the incorporated areas that allow them.

- (3) Is the jurisdiction aware of and has it evaluated the management policies and procedures of assisted housing providers (those providing housing to persons with disabilities and homeless persons) to determine if problems exist that have led or could lead to general public, specific neighborhood, or other types of opposition to such housing?

Reason: The jurisdiction has not evaluated the management policies and procedures of assisted housing providers to determine if problems with those providers has led to

opposition to such housing. The Rosenberg PHA was asked by the County to participate in a fair housing survey, but the agency declined. Most people have a very negative impression of assisted housing since it is equated with public housing. Public housing controversies in the City of Houston have negatively impacted the perception of assisted and/or subsidized housing throughout the Houston metropolitan area.

- (4) Has the jurisdiction adopted policies and procedures that promote the placement of new or rehabilitated housing for lower-income households (including minorities, families with children, and persons with physical or other disabilities) in a wide spectrum of neighborhoods?

Reason: The County does not target any of its housing programs to any neighborhood. The main determinants in the funding of HUD housing programs are the ability of the applicant to provide the matching funds required by HUD, total project costs and the financial feasibility of the project and the availability of public water and sewer services.

- (5) What is the impact of the jurisdiction's zoning ordinance(s), building codes, and other land-use or fiscal policies on the provision of lower-income housing?

Reason: Fort Bend County does not have the authority to regulate zoning, building codes, land-use or fiscal policies related to housing in the incorporated areas of the County. Thus, local government protections such as building code and land-use regulations do not exist in the unincorporated parts of the County. The amount of land-use and housing-related regulation varies greatly among the incorporated areas of the County.

- (6) If there is vacant or other land that can be developed within the jurisdiction's geographic area, do zoning regulations permit medium- and high-density residential development for such land, or only low-density housing (and accompanying high cost)?

Reason: There is a great deal of vacant land within Fort Bend County. The main impediment to the development of housing on vacant land is the availability and costs of public water and sewer service. Vacant property within incorporated areas that have existing public water and sewer service is often too expensive for the construction of affordable housing, especially if these services are provided by Municipal Utility Districts (MUDs). The construction of affordable housing on vacant land in the unincorporated areas of County where public systems do not exist would require the construction of private water wells and septic systems on parcels which must be greater than one (1) acre according to State and local regulations, which will add to the cost of housing.

- (7) Do zoning, subdivision, or occupancy regulations include provisions that permit group homes for persons with disabilities in a wide array of locations to prevent their concentration?

Reason: As stated previously, the County does not have any land-use or building code authority. In addition, the County does not target or restrict its HUD housing programs to

any areas. In some of the incorporated areas, there are some restrictions on multi-family homes which may preclude the establishment of group homes.

- (8) Should zoning, occupancy or building ordinances, or codes or regulations be changed to provide for more inclusive development of housing for lower-income people and families, including persons with disabilities?

Reason: As stated previously, the County does not have any land-use or building code authority. In addition, the County does not target or restrict its HUD housing programs to any areas. In some of the incorporated areas, there are some restrictions on multi-family homes which may preclude the establishment of group homes.

- (9) Should the jurisdiction adopt incentives to promote mixed-income housing development, such as increasing the number of new units that can be built in a given development in exchange for dedication of a certain percent of the units for low- and very-low income households?

Reason: As stated previously, the County does not have any zoning or land-use authority. Thus, there no incentives the County can offer since local government protections such as building code and land-use regulations do not exist in the unincorporated parts of the County. The amount of land-use and housing-related regulation varies greatly among the incorporated areas of the County. As part of the Sequoia Foundation homeownership project, the City of Rosenberg waived water and sewer fees as an incentive.

- (10) Should the jurisdiction use a transfer tax on the sale of property, or establish another dedicated revenue source or sources tied to development of higher-income housing or commercial property to raise funds for lower-income housing construction or rehabilitation?

Reason: The types of fees that the County can waive for housing and housing-related activities are very limited. There are local governments and water and other districts that tax property more heavily than the County government.

c. Neighborhood Revitalization, Municipal and Other Services, and the Employment-Housing-Transportation Linkage:

- (1) Where are municipal and other services (transportation, social services, schools, health services, hospitals, banks, and other lending institutions) located in the jurisdiction?

Reason: The provision of municipal and other services in the County varies. As stated previously, Fort Bend County contains seventeen (17) cities, over one hundred (100) water districts and numerous fire, emergency and special districts. Thus, the provision of municipal services within the County is extremely fragmented. Moreover, parts of Fort Bend County are more developed or urban than others. As a result, the developed areas have more services than the semi-rural or rural areas of the County.

- (2) Are such services equally distributed throughout the geographic area of the jurisdiction?

Reason: The provision of municipal and other services in the County varies. As stated previously, Fort Bend County contains seventeen (17) cities, over one hundred (100) water districts and numerous fire, emergency and special districts. Thus, the provision of municipal services within the County is extremely fragmented. Moreover, parts of Fort Bend County are more developed or urban than others. As a result, the developed areas have more services than the semi-rural or rural areas of the County.

d. PHA and Other Assisted/Insured Housing Provider Tenant Selection Procedures; Housing Choices for Certificate and Voucher Holders:

- (1) Is there a pattern in one or more assisted housing developments of concentration of tenants by race or ethnicity?

Reason: Most people have a very negative impression of assisted housing since it is equated with public housing. Public housing controversies in the City of Houston have negatively impacted the perception of assisted and/or subsidized housing throughout the Houston metropolitan area. Most people believe that assisted housing developments are full of poor, minority people who will not take care of property and that the location of such projects close to single-family neighborhoods will decrease property values and increase crime.

e. Property Tax Policies:

- (1) Has the jurisdiction adopted property tax relief policies and provisions in its local (or State) tax codes?

Reason: Fort Bend County provides standard property tax exemptions for senior citizens and nonprofit organizations. Tax abatements usually are only provided for businesses needing incentives to relocate in the County and promising employment opportunities for residents.

- (2) If so, do these policies and provisions benefit lower-income homeowners, particularly minority households including children or persons with disabilities?

Reason: The property tax relief policies and provisions provided by the County do primarily benefit lower-income homeowners since they target senior citizens, a segment of the population assumed by HUD to be low-income.

2. Public Sector

(a) Lending Policies and Practices

- (1) Are covenants that contain such restrictions recorded in deeds on file in jurisdiction's records office?

Reason: Restrictive covenants, trusts, and lease provisions which exclude group homes may exist in some of the master-planned and incorporated areas of the County.

- (2) Has the jurisdiction reviewed written rental and sales policies of real estate brokers and other members of the housing industry, such as large landlords or management companies, to determine whether they are consistent with applicable Federal, State, and local fair housing laws?

Reason: The County has not reviewed written rental and sales policies of real estate brokers and other members of the housing industry to determine whether they are consistent with applicable Federal, State, and local fair housing laws. The County may not have the authority to review rental and sales policies.

3. Public and Private Sector

a. Information Programs:

- (1) Has the jurisdiction implemented specific fair housing information programs for officials and employees having duties that impact on fair housing such as developing zoning policies, planning assisted housing, and community and economic development activities?

Reason: Most persons do not understand exactly what affordable housing and fair housing issues are. The general public and low-income persons and persons with disabilities need to become more aware of their rights and responsibilities as housing consumers. Since the County does not have land-use powers, the Community Development staff is the only group of County employees who have an impact on fair housing issues and in planning assisted housing and Community Development activities.

- (2) Are there areas in the jurisdiction where conflict between different racial or ethnic groups is evident? Between persons with and without a disability?

Reason: In some areas of the County, there are gang-related problems which coincide with differences in race and ethnicity in neighborhoods. Conflict between persons with and without disabilities has been reported in some neighborhoods, especially those with high priced housing.

- (3) Are there effective outreach, education, and information programs in the jurisdiction designed to create a good understanding among civic leaders, educators, and other citizens of all ages to reduce the adverse effects and force of negative attitudes among segments of the community concerning people who are different racially, ethnically, and culturally or who are disabled?

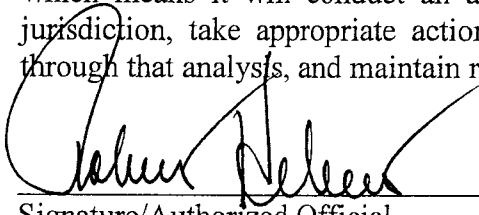
Reason: Currently, the only program which provides outreach or information program in Fort Bend County to reduce the adverse effects and force of negative attitudes among segments of the community concerning people who are different racially, ethnically, and culturally is Interfaith Ministries. The Association For Retarded Citizens, the ARC maintains a community presence with its retail outlet and provides information on persons with disabilities in Fort Bend County.

FHP Section III AI

AFFIRMATIVELY FURTHER FAIR HOUSING CERTIFICATION

In accordance with the applicable statutes and the regulations governing the Community Development Block Grant (CDBG), the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, 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.



Signature/Authorized Official

September 28, 2010

Date

Robert E. Hebert, Fort Bend County Judge

Title

Attachment 7

Public Notices

Memo to applicants	September 3, 2010
E-mail notice to applicants	September 3, 2010
Public Notice (Meeting and RFPs)	Posted Website September 3, 2010
Copy of newspaper notice/invoice	September 8, 2010
Public Notice Project	Posted Website September 21, 2010
Public Notice Project Spanish	Posted Website September 23, 2010
Fort Bend County Website:	www.co.fort-bend.tx.us
Public Notice City of Rosenberg	Posted Website September 15, 2010
Public Notice Rosenberg (Spanish)	Posted Website September 15, 2010
City of Rosenberg Website:	<u>www.ci.rosenberg.tx.us/us/default.cfm</u>



COMMUNITY DEVELOPMENT

Fort Bend County, Texas

Marilynn Kindell
Director

(281) 341-4410
Fax (281) 341-3762

TO: Interested Cities
FROM: Marilyn Kindell *mKindell*
DATE: September 3, 2010
RE: Texas Community Development Block Grant (CDBG) Program 2008
Supplemental Disaster Recovery Fund: Hurricane Ike
Non-Housing Activities Application Round 2

The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. Law 110-329), enacted on September 30, 2008, appropriates \$6.5 billion through the Community Development Block Grant (CDBG) program for "necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by hurricanes, floods, and other natural disasters occurring during 2008 for which the President declared a major disaster...".

The U.S. Department of Housing and Urban Development (HUD) was designated by Congress as the administering agency. In November 28, 2008, HUD made an allocation to Texas for \$1,314,990,193.

Fort Bend County has been designated a set-aside county under this program and expects to receive \$473,290 in CDBG Disaster Program funds.

The County must submit its Round 2 application to the State of Texas by October 1, 2010. Attached you will find a copy of the public notice, application and guidelines. The County is using the State application as its Request for Proposal (RFP). Proposals must be submitted by 3:00 p.m. Tuesday, Sept. 14, 2010 to the Community Development Department.

If you need additional information, please call Carol Borrego with this office.

Cities Memo CDBG IKE Round 2

From: Debra Watson
To: darrylhumphreysr.@pra2da6969@sbcglobal.net; dofford@fulsheartx.com; gg...
CC: Kayes@ci.rosenberg.tx.us
Date: 9/3/2010 3:16 PM
Subject: Hurricane Ike Non-Housing-Round 2
Attachments: Memo.pdf; DRSRound2AppGuide1_2_.pdf; TDRA Round 2 Application.pdf

Please see the attached documentation.

Thank you,
Debra Watson
Fort Bend County
Community Development
Phone: 281-341-4410
Fax: 281-341-3762

**PUBLIC NOTICE
FORT BEND COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT
FY 2008 SUPPLEMENTAL DISASTER RECOVERY FUND:
HURRICANES DOLLY AND IKE
NON-HOUSING ACTIVITIES
ROUND 2 – PHASE 1**

On November 26, 2008 the U.S. Department of Housing and Urban Development (HUD) announced the allocation of \$2.1 billion dollars in disaster recovery assistance to 13 States and Puerto Rico. The emergency funding is intended to help address unmet housing, economic and infrastructure needs following the natural disasters of 2008. HUD allocated the majority of the funding (\$1.3 billion dollars) to the State of Texas. The emergency funding is provided through HUD's Community Development Block Grant (CDBG) Program and will support the State's long-term disaster recovery. This is the second allocation of approximately \$6.5 billion dollars appropriated by Congress immediately following Hurricane Ike. These funds can be used to address infrastructure damage caused by Hurricane Ike. Fort Bend County expects to receive \$473,290 in CDBG Disaster Program funds for non-housing activities.

All eligible activities must have documented proof of an impact by a major natural disaster declared in 2008. There must be a clear and compelling need related to a major natural disaster (Hurricane Ike) declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure. All eligible activities will be allowed so long as the activity is directly related to Hurricane IKE through actual **damage** or a **failure to function** and is allowed under the State of Texas Plan Amendment No. 1 for Disaster Recovery. The potential project must benefit low and moderate income citizens. The number of low and moderate income beneficiaries must exceed 51 percent, according to HUD data, to be considered eligible.

A public meeting will be held on Friday, September 10, 2010, 10:00 a.m., at the Fort Bend County Rosenberg Annex, 4520 Reading Road, Rosenberg, Texas to receive comments from the public regarding the use of these funds and to provide information to potential applicants. The public is encouraged to attend and to submit comments by September 20, 2010 to Marilyn Kindell, Community Development Director, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. Comments will be incorporated into the FY 2008 CDBG application, as appropriate. Persons with vision or hearing impairments or other individuals with disabilities requiring auxiliary aids and services may contact the department at (281) 341-4410 regarding reasonable accommodations for the meeting.

Fort Bend County will use the Texas Community Development Block Grant Program 2008 Supplemental Disaster Recovery Fund: Hurricanes Dolly and Ike, Non-Housing Activities Application Round 2 as the County's Request for Proposals (RFPs). The application and application guide will be available on Friday, September 3, 2010. These documents also are available on the County website: co.fort-bend.tx.us. Questions from applicants will be answered at the September 10 meeting. Proposals must be submitted by 3:00 p.m. Tuesday, Sept. 14, 2010. Potential applicants are urged to call Carol Borrego at (281) 341-4410 for more information.

End child labor, Bangladesh court tells government

DHAKA

The high court here has directed the Bangladesh government to end within a year child labor in a number of industries across the country.

Judges Mohammed Imman Ali and Obaidul Hasan admitted a public interest litigation from several human rights groups to order the labor and employment ministry to stop the production of beedi (traditional hand-made low-cost tobacco rolls) factories engaging children in northern Rangpur district.

In the verdict given on a writ petition filed in 2004 by rights organisations Ai-o-Salish Kendra and Aparajeya Bangla, the court ordered the government to amend the Bangladesh Labor Act, 2006.

The programme of compulsory and free primary education is not enough to take child laborers to schools from factories, the court observed.

In March 2001, Bangladesh ratified an International Labor Organisation (ILO) convention related to the prohibition of and immediate action for the elimination of the worst forms of child labor. It then started implementation of the International Programme on the Elimination of Child Labor programme that aims at progressive elimination of child labor.

According to Bangladesh Shishu Adhikar Forum, chil-

557 swine flu cases in Bangladesh

A total of 557 swine flu cases have been detected in Bangladesh this year. The statistics, released here Sunday by the Institute of Epidemiology, Disease Control and Research, said 125 cases were detected in August, 129 in July, 62 in June, 56 in May and 98 in April, Xinhua reported. Two women died this year - one in April and another in August.

Bangladesh reports anthrax breakout

More than 200 people in Bangladesh contracted the deadly disease anthrax in the past month and a red alert was issued, health officials said. The outbreak was traced to a small village, where at least 26 people were infected, then to another area where an infected cow and buffalo were slaughtered and eaten, the country's BDNews24.com reported.

Since the outbreak was identified on Aug. 19, health officials have distributed 500,000 vials of vaccine to treat animals. Most forms of the disease are fatal, but victims may recover if treated with antibiotics or vaccine, the report said. Those affected develop lesions and swelling. The disease is often contracted by eating the flesh of animals that carry it.

children are involved in Bangladesh in 430 different types of works and among them 67 types are identified as the most hazardous, New Age newspaper said.

PUBLIC HEARING NOTICE
The Commissioners Court of Fort Bend County, Texas has set a public hearing at 1:00 p.m. on Tuesday, September 28, 2010 for Riverway Estates Sec. 1, Partial Replat No. 1, Pct. 3. The hearing will be held in the Commissioners Courtroom, William B. Travis Bldg., 309 S. Fourth St., Rm. 700, Richmond, Texas. Under state law, you the owner, have certain rights with respect to the proposed partial replat. Should you wish to exercise your right, you may be heard at the planned public hearing. You may contact Joyce Owens with Owens Management Systems at 713-643-6333 for information prior to the hearing.
Submitted by,
Dianne Nelson
Fort Bend County Clerk

LEGAL NOTICE
INVITATION TO BIDDERS
Sealed Bids will be received in the Office of Gilbert D. Jaleno, Jr., County Purchasing Agent, Fort Bend County, Rosenberg Annex, 4520 Reading Road, Suite A, Rosenberg, TX 77471 for the following until THURSDAY, SEPTEMBER 23, 2010 at 1:30 P.M. (CST). All bids will then be publicly opened and read in the Office of the Purchasing Agent, Rosenberg Annex, 4520 Reading Road, Suite A, Rosenberg, TX 77471. Bids received after the specified time will be returned unopened. BID 10-123-TRANSOM ROAD (PHASE II) FROM PILGRIM TO WILLIAMS WAY
A pre-bid conference will be conducted on Thursday, August 9, 2010 at 10:00 A.M. (CST). The pre-bid conference will be held at the Fort Bend County Purchasing Department located in the Rosenberg Annex at 4520 Reading Road, Rosenberg, Texas 77471. All vendors are encouraged to attend.
Unit pricing is required; payment will be by check after products/services are rendered. Bonds are required. Fort Bend County reserves the right to reject any or all bids.
Signed:
Gilbert D. Jaleno, Jr., Purchasing Agent
Fort Bend County, Richmond, Texas

LEGAL NOTICE
REQUEST FOR SEALED COMPETITIVE PROPOSALS
Sealed Competitive Proposals will be received in the Office of Gilbert D. Jaleno, Jr., County Purchasing Agent, Fort Bend County, Rosenberg Annex, 4520 Reading Road, Suite A, Rosenberg, TX 77471 for the following until THURSDAY, SEPTEMBER 16, 2010 at 1:30 P.M. (CST). All proposals will then be opened in the Office of the Purchasing Agent, Rosenberg Annex, 4520 Reading Road, Suite A, Rosenberg, TX 77471 and the names of the proposers made public. Proposals received after the specified time will be returned unopened.
RFP 10-122-FACILITIES ENERGY EFFICIENCY RETROFIT PROJECT #1;
RFP 10-124-PROPANE POWERED VEHICLE CONVERSION
Payment will be by check after products/services are rendered. Bonds are required for 10-122.
Fort Bend County reserves the right to reject any or all proposals.
Signed:
Gilbert D. Jaleno, Jr., Purchasing Agent
Fort Bend County, Richmond, Texas

THE STATE OF TEXAS
CITATION BY PUBLICATION
TO: DARRELL FRANCOIS
NOTICE:
You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on Monday next following the expiration of forty-two days from the date of issuance of this citation, same being October 11, 2010 a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 301 Jackson, Richmond, Texas 77469, or by bringing it to the office. Our street address is 401 Jackson Street. We are located on the first floor of the courthouse building. The case is presently pending before the 240TH JUDICIAL DISTRICT COURT of Fort Bend County sitting in Richmond, Texas, and was filed on November 26, 2009; it bears case number: 09-DCV-176281 and is styled: The Bank of New York Mellon FKA The Bank of New York As Trustee For The Certificate Holders OF CWABS 2004-05 V. Robert Francois, Jr., Jacquelyn Francois Lockett and Darrell Francois in Re: 8611 Quail Burg Lane, Missouri City, Texas 77489.
The name and address of the attorney for PLAINTIFF OR PETITIONER IS:
MARK G. TORABI, J. MICHAEL LYTLE
BARRETT DAFIN FRAPPIER TURNER & ENGEL LLP
15000 SURVEYOR BLVD SUITE 100
ADDISON TX 75001
ATTORNEY AT LAW
2116 THOMPSON HWY STE 116
RICHMOND TX 77469
972-386-5040; (281) 342-9119
The nature of the demand of said PLAINTIFF OR PETITIONER is as follows to-wit:
PLAINTIFF THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWABS 2004-05, ITS SUCCESSORS AND ASSIGNS BY AND THROUGH ITS ATTORNEY OF RECORD, MARK G. TORABI OF BARRETT DAFIN FRAPPIER TURNER & ENGEL LLP, 15000 SURVEYOR BLVD., ADDISON, TEXAS 75001, 972-386-5040, BROUGHT SUIT AGAINST DEFENDANTS ROBERT FRANCOIS, JR., JACQUELYN FRANCOIS LOCKETT AND DARRELL FRANCOIS, TO ENFORCE ITS SECURITY INTEREST RESERVED TO PLAINTIFF AS MORTGAGEE IN THE PROPERTY LOCATED AT 8611 QUAIL BURG LANE, MISSOURI CITY, TEXAS 77489 AND LEGALLY DESCRIBED AS: LOT THREE (3), IN BLOCK TWO (2), OF QUAIL GLEN, SECTION ONE (1), A SUBDIVISION IN FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 21, PAGE 16 OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS.
If this Citation is not served, it shall be returned unserved. Issued under my hand and seal of said Court, at Richmond, Texas on this 24th day of August, 2010.
DISTRICT CLERK ANNIE REBECCA ELLIOTT
Fort Bend County, Texas
Deputy District Clerk Sarah Storts
281-632-7632

No: 10-DCV-180847
TIMOTEO PEREZ
Plaintiff,
v.
DANIEL GOODWIN, KENNETH S. QUENNEVILLE, ZINESH GOLANI, MALIKE GOLANI, and ANITA MULLER.
Defendants.
IN THE DISTRICT COURT FORT BEND COUNTY, TEXAS
240TH JUDICIAL DISTRICT
BRIEF FOR SERVICE OF CITATION BY PUBLICATION
TO THE HONORABLE JUDGE OF SAID COURT:
COMES NOW, TIMOTEO PEREZ, Plaintiff in the above-entitled and numbered cause, and files this Brief for Service of Citation by Publication, pursuant to Rule 109 of the Texas Rules of Civil Procedure. THE STATE OF TEXAS - COUNTY OF FORT BEND
TO: MALIK GOLANI whose residence and whereabouts are unknown. You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk by 10:00 a.m. on the Monday next following the expiration of twenty days after service of this citation and petition, a default judgment may be taken against you. The original petition was filed on or about May 14, 2010, in the 240th Judicial District Court of Fort Bend County, Texas. This Court has authority in this suit and may enter a judgment which will be binding on you.
Issued and given under my hand and seal of said court at Richmond, Texas on this 19th day of August, 2010.

Honorable Annie Rebecca Elliott
Fort Bend County District Clerk
301 Jackson Street
Richmond, Texas 77469

No: 10-DCV-180847
TIMOTEO PEREZ
Plaintiff,
v.
DANIEL GOODWIN, KENNETH S. QUENNEVILLE, ZINESH GOLANI, MALIKE GOLANI, and ANITA MULLER.
Defendants.
IN THE DISTRICT COURT FORT BEND COUNTY, TEXAS
240TH JUDICIAL DISTRICT
BRIEF FOR SERVICE OF CITATION BY PUBLICATION
TO THE HONORABLE JUDGE OF SAID COURT:
COMES NOW, TIMOTEO PEREZ, Plaintiff in the above-entitled and numbered cause, and files this Brief for Service of Citation by Publication, pursuant to Rule 109 of the Texas Rules of Civil Procedure. THE STATE OF TEXAS - COUNTY OF FORT BEND
TO: ZINESH GOLANI whose residence and whereabouts are unknown. You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk by 10:00 a.m. on the Monday next following the expiration of twenty days after service of this citation and petition, a default judgment may be taken against you. The original petition was filed on or about May 14, 2010, in the 240th Judicial District Court of Fort Bend County, Texas. This Court has authority in this suit and may enter a judgment which will be binding on you.
Issued and given under my hand and seal of said court at Richmond, Texas on this 19th day of August, 2010.

Honorable Annie Rebecca Elliott
Fort Bend County District Clerk
301 Jackson Street
Richmond, Texas 77469

Legal Notices

PUBLIC NOTICE FORT BEND COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT FY 2008 SUPPLEMENTAL DISASTER RECOVERY FUND: HURRICANES DOLLY AND IKE NON-HOUSING ACTIVITIES ROUND 2 - PHASE 1

On November 26, 2008 the U.S. Department of Housing and Urban Development (HUD) announced the allocation of \$2.1 billion dollars in disaster recovery assistance to 13 states and Puerto Rico. The emergency funding is intended to help address unmet housing, economic and infrastructure needs following the natural disasters of 2008. HUD allocated the majority of the funding (\$1.3 billion dollars) to the State of Texas. The emergency funding is provided through HUD's Community Development Block Grant (CDBG) Program and will support the State's long-term disaster recovery. This is the second allocation of approximately \$6.5 billion dollars appropriated by Congress immediately following Hurricane Ike. These funds can be used to address infrastructure damage caused by Hurricane Ike. Fort Bend County expects to receive \$473,290 in CDBG Disaster Program funds for non-housing activities.

All eligible activities must have documented proof of an impact by a major natural disaster declared in 2008. There must be a clear and compelling need related to a major natural disaster (hurricane like) declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure. All eligible activities will be allowed so long as the activity is directly related to Hurricane Ike through actual damage or a failure to function and is allowed under the State of Texas Plan Amendment No. 1 for Disaster Recovery. The potential project must benefit low and moderate income citizens. The number of low and moderate income beneficiaries must exceed 51 percent, according to HUD data, to be considered eligible.

A public meeting will be held on Friday, September 10, 2010, 10:00 a.m., at the Fort Bend County Rosenberg Annex, 4520 Reading Road, Rosenberg, Texas to receive comments from the public regarding the use of these funds and to provide information to potential applicants. The public is encouraged to attend and to submit comments by September 20, 2010 to Marilyn Kindell, Community Development Director, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. Comments will be incorporated into the FY 2008 CDBG application, as appropriate. Persons with vision or hearing impairments or other individuals with disabilities requiring auxiliary aids and services may contact the department at (281) 341-4410 regarding reasonable accommodations for the meeting.

Fort Bend County will use the Texas Community Development Block Grant Program 2008 Supplemental Disaster Recovery Fund: Hurricanes Dolly and Ike, Non-Housing Activities Application Round 2 as the County's Request for Proposals (RFPs). The application and application guide will be available on Friday, September 3, 2010. These documents also are available on the County website: color-bend.bx.us. Questions from applicants will be answered at the September 10 meeting. Proposals must be submitted by 3:00 p.m. Tuesday, Sept. 14, 2010. Potential applicants are urged to call Carol Borrego at (281) 341-4410 for more information.

PUBLIC NOTICE FORT BEND COUNTY COMMUNITY DEVELOPMENT DEPARTMENT FY 2001, 2002, 2004, 2005, 2006, 2007, and 2008 CONSOLIDATED ACTION PLAN AMENDMENT

Fort Bend County proposes to amend its approved FY 2001, 2002, 2004, 2005, 2006, 2007, and 2008 Consolidated Action Plans. The Consolidated Plan regulations at 24 CFR 91.505 state that a jurisdiction shall amend its approved plan whenever it makes one of the following decisions:
(1) To make a change in its allocation priorities or a change in the method of distribution of funds;
(2) To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or
(3) To change the purpose, scope, location, or beneficiaries of an activity.

In addition, Fort Bend County has identified in its citizen participation plan the criteria it uses for determining what constitutes substantial amendments that are subject to a citizen participation process, in accordance with the County's citizen participation plan. The definitions and/or criteria for what constitutes a substantial change for the purpose of amending the consolidated plan are as follows:

- (1) Purpose: The purpose is substantially changed if the overall purpose for which a project is funded changes. Changing a specific objective without changing the overall purpose of the project will not be considered a substantial change.
- (2) Scope: The scope is substantially changed if the original estimated cost of the project is increased by twenty percent or more.
- (3) Location: The location is substantially changed if the service area of a project changes from the original service area.
- (4) Beneficiaries: The beneficiaries are substantially changed if there is a change in type or the number is increased by twenty percent or more.

The Fort Bend County FY 2001, 2002, 2004, 2005, 2006, 2007, and 2008 Consolidated Action Plan Amendment is available for public review and comment. The public is encouraged to submit written comments by Monday, October 11, 2010 to Marilyn Kindell, Community Development Director, at 4520 Reading Road, Suite A, Rosenberg, Texas 77471. Comments will be incorporated into the Consolidated Action Plan Amendments, as appropriate.

FORT BEND COUNTY, TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Funds are available to be reprogrammed from:	
FY 2001/2002 Four Corners Street Improvements	\$1,785.00
FY 2004 Housing Rehabilitation	\$65,776.00
FY 2004 FWSO No 2: Four Corners Water Improvements	\$30,022.00
FY 2005 Kendrick Sanitary Sewer Line Replacement	\$51,341.00
FY 2006 Pleak Comprehensive Plan	\$102.00
FY 2006 5th Street Waste Management Program	\$3,816.00
FY 2007 CDBG Program Administration	\$342.00
FY 2007 Housing Rehabilitation Administration	\$3,024.00
FY 2007 Richmond Water Improvements	\$47,518.00
FY 2007 Rosenberg Sewer Improvements	\$1,144.00
FY 2007 FB CORPS Home Minor Repair	\$3,750.00
FY 2007 Arcola Sanitary Sewer Improvements	\$5,247.00
FY 2008 Needville Sanitary Sewer Improvements	\$7,710.00
FY 2008 Housing Rehabilitation Administration	\$110,000.00
FY 2008 MUD No. 19 Sanitary Sewer Improvements	\$117,561.00
FY 2008 CDBG Contingency Funds	\$15,000.00
Total Available To Be Reprogrammed	\$486,230.00

Projects to be funded are:
FY 2007 Kendrick Wastewater Treatment Plant \$100,000.00
FY 2008 FBC Parks Department Homeless Prevention \$388,230.00
Total Reprogrammed Amount \$488,230.00

FORT BEND COUNTY, TEXAS EMERGENCY SHELTER GRANT (ESG) PROGRAM

Funds are available to be reprogrammed from:	
FY 2008 FBC Social Services Department Homeless Prevention	\$22,215.00
Total Available To Be Reprogrammed	\$22,215.00
Project to be funded are:	
FY 2008 Parks Youth Ranch Operations	\$22,215.00
Total Reprogrammed Amount	\$22,215.00

DATE
9/8/2010
INVOICE NUMBER
5594

BILL TO:
FBC Community Development Department Debra Watson 4420 Reading Road, Suite A Rosenberg, TX 77481

QTY	PERIOD	DESCRIPTION	AMOUNT
1	9/8/2010	FBC Community Development, Consolidated Action plan Amendment, 36 col. inches @\$4.70	\$169.20
1	9/8/2010	CDBG FY 2010 Supplemenal Disaster Recovery Fund, 24 col. inches	\$112.80
Current Invoice:			\$282.00

NEG# 120905

9-21-10

W. K. indell
9/21/00

o/g to Pay
PO47821
Act # 526-CABG ADMIT
Act Cat - 22300

RECEIVED
SEP 10 2010
BY: Am

**Public Notice
Fort Bend County
Request for Public Comment
Project: City of Rosenberg Water Plant No. 3 Generator
DISASTER RECOVERY SUPPLEMENTAL (DRS) PROGRAM**

Fort Bend County in consideration of its local recovery needs, fair housing goals, and citizen participation to date, plans to apply for \$437,829 in TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TxCDBG) FUNDS Non-Housing DISASTER RECOVERY SUPPLEMENTAL PROGRAM Round 2 Funds from the Texas Department of Rural Affairs (TDRA). The County will submit one project for consideration.

The City of Rosenberg's proposed project is a permanently affixed generator for Water Plant No. 3. The water plant failed to function due to an extended power outage during Hurricane Ike. This existing condition negatively impacts resident's health, safety, and welfare.

The priority project addresses local needs and fair housing concerns regarding access and equalized service delivery through the provision of substantially improved water services to residents, resulting in the reduction of risks associated with the loss of the public water supply and inadequate water pressure to provide a safe drinking supply and fire fighting capacity. This project is a priority since it improves the quality of life in an area with a concentration of persons in protected classes. The public is encouraged to submit comments from Tuesday, September 21, 2010 until Tuesday, September 28, 2010 to Marilyn Kindell, Director, Fort Bend County Community Development Department, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. Written comment also may be provided to Carol Borrego, Planner, Fort Bend County Community Development Department, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. (email: borrecar@co.fort-bend.tx.us)

Noticia Pública
Condado de Fort Bend
Solicitud de Comentarios del Publico
Proyecto: Generador de Planta No. 3 de la Ciudad de Rosenberg
Fondos Adicionales de Recuperación ante Desastres de la Subvención en Bloque
para el Desarrollo de la Comunidad

El Condado Fort Bend por medio de presente aviso se les informa que, a partir de los comentarios públicos recibidos acerca del la aplicación de \$437,829 en Fondos Adicionales de Recuperación ante Desastres de la Subvención en Bloque para el Desarrollo de la Comunidad (*Community Development Block Grant*) del Departamento de Asunto Rurales de Texas. El Condado propone usar los fondos para un proyecto.

La Cuidad de Rosenberg propone un generador par la planta de agua numero 3. La planta de agua no ha podido funcionar debido a un apagón extendido durante Huracán Ike. Esta condición existente impacto negativamente la salud, seguridad, y el bienestar de residentes.

Este proyecto de prioridad atender las necesidades locales y preocupaciones de vivienda justa sobre acceso y prestación de servicios ecualizado a través de la prestación de servicios de agua mejorada sustancialmente a los residentes, resultando en la reducción de los riesgos asociados con la pérdida del abastecimiento público de agua y presión del agua inadecuada para proporcionar un suministro seguro de beber y capacidad de combate de incendios. Este proyecto es una prioridad, ya que mejora la calidad de vida en una zona con una concentración de personas en las clases protegidas. El público se alienta a presentar observaciones desde el Martes, 21 de Septiembre de 2010 hasta el 28 de Septiembre de 2010 a Marilyn Kindell, Directora, Departamento de Desarrollo de la Comunidad del Condado de Fort Bend, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. Comentarios escritos pueden facilitarse al Departamento de Desarrollo de la Comunidad ser someter ha Carol Borrego, Planificador, Departamento de Desarrollo de la Comunidad del Condado de Fort Bend, 4520 Reading Road, Suite A, Rosenberg, Texas 77471. (email: borrecar@co.fort-bend.tx.us)



PUBLIC NOTICE

Intent to Apply for Water Plant Generator Funding from Fort Bend County CDBG Hurricane Ike Phase II Appropriation

On November 26, 2008, the U.S. Department of Housing and Urban Development (HUD) announced the allocation of \$2.1 billion dollars in disaster recovery assistance to 13 states and Puerto Rico. The emergency funding is intended to help address unmet housing, economic and infrastructure needs following the natural disasters of 2008. HUD allocated the majority of the funding (\$1.3 billion dollars) to the State of Texas. The emergency funding is provided through HUD's Community Development Block Grant (CDBG) Program to support the State's long-term disaster recovery. This is the second allocation of approximately \$6.5 billion dollars appropriated by Congress immediately following Hurricane Ike. These funds can be used to address infrastructure damage caused by Hurricane Ike. Fort Bend County expects to receive \$473,290 in CDBG Disaster Program funds for non-housing activities.

All eligible activities must have documented proof of an impact by a major natural disaster declared in 2008. There must be a clear and compelling need related to a major natural disaster (Hurricane Ike) declaration, hurricane disaster relief, long-term recovery and/or restoration of infrastructure. All eligible activities will be allowed so long as the activity is directly related to Hurricane Ike through actual damage or failure to function and is allowed under the State of Texas Plan Amendment No. 1 for Disaster Recovery. The potential project must benefit low and moderate income citizens, and the number of low and moderate income beneficiaries must exceed 51 percent, according to HUD data, to be considered eligible.

The City of Rosenberg will be applying for funds for an emergency generator to support Water Plant #3 on Grunwald Heights Boulevard, which services low to moderate income areas of Rosenberg, as identified in the 2000 Census.



NOTICIA PÚBLICA

INTENCIÓN DE SOLICITAR FONDOS DE LA APROPRIACIÓN (CDBG) DEL HURACÁN IKE, FASE II, DEL CONDADO DE FORT BEND PARA LA COMPRA DE UN GENERADOR PARA UNA PLANTA DE AGUA

El 26 de noviembre del 2008, el Department of Housing and Urban Development (HUD) anunció la asignación de \$2.0 billones de dólares en fondos para asistencia de recuperación de desastres a 13 estados y a Puerto Rico. Los fondos de emergencia se distribuyen a través del Community Development Block Grant (9CSBG) Program para apoyar la recuperación de largo plazo del estado, y son designados para necesidades de albergue, necesidades económicas y de infraestructura después de los desastres naturales de 2008. La mayor parte de los fondos (\$1.3 billones de dólares) fueron designados al estado de Texas. Éste es el segundo reparto de aproximadamente \$6.5 billones de dólares, los cuales fueron designados por el Congreso inmediatamente después del Huracán Ike. Dichos fondos pueden ser utilizados para reparar daños de infraestructura causados por el Huracán Ike. El Condado de Fort Bend espera recibir \$473,290 de los fondos CDBG Disaster Program para actividades que no son de albergue.

Todas las actividades elegibles deben tener prueba documentada del impacto del declarado desastre natural mayor de 2008. Debe existir una necesidad clara y contundente relacionada a: un declarado desastre natural mayor (Huracán Ike), o al alivio del desastre del huracán, o a la recuperación y/o la restauración de largo plazo de la infraestructura. Todas actividades elegibles serán permitidas siempre y cuando estén directamente relacionadas al huracán Ike a causa de daños reales o por falla de funcionamiento, y estén permitidas dentro del Enmienda nro. 1 del Plan del Estado de Texas para recuperación de un desastre. El proyecto potencial debe beneficiar a los ciudadanos de ingresos bajos y moderados, y el número de beneficiados debe exceder el 51 por ciento, según los datos del HUD, para estar considerado como elegible.

La Ciudad de Rosenberg presentará una solicitud para recibir fondos para la compra de un generador para sostener la planta de agua nro. 3, localizada en Grunwald Heights Boulevard, la cual es una planta que sirve a familias de ingresos bajos y moderados identificados en el Censo de 2000.