

# Community Development Block Grant – Mitigation

## Mitigation Grant Application

### General tab

#### General

**Program:** Hazard Mitigation Grant Program (HMGP): Supplemental - HUD MID

**Applicant:** Fort Bend County

**Application #:** CDR17-1252-APP

**County:** Fort Bend

**Application Type:** New

**FY End Date:** 9/30/2020

**Council of Governments:** Houston-Galveston Area Council (HGAC)

#### Related Contacts:

**Contact:** Egan, Caroline M

**Authorized Representative:** George, KP

**Grant Administrator:** Linthicum, Ann

#### Standard Form 424

**Application Title:** FortBendCo-HMGP\_Sup\_RainGaugeNetwork

**Applicant Delinquent on Federal Debt (no/yes):** No

**Construction Application (no/yes):** Yes

**Construction Pre-Application (no/yes):** No

**Program Not Selected by State for Review (no/yes):** No

## Mitigation Needs tab

### Addressed Risk

**Select the risk identified in the Action Plan that will be addressed. (select all that apply)**

- ☒ Hurricanes/Tropical Storms/Tropical Depressions
- ☐ Severe Coastal Flooding
- ☒ Riverine Flooding

### Hazard, Risk Description

**Describe how the risk(s) selected are impacting the proposed project area. Reference where adopted local mitigation efforts are planned or underway where appropriate.**

Fort Bend County has experienced multiple intense rain and flooding incidents since 2015 which has had impacts county-wide. These incidents include:

- DR 4223 (2015) - Memorial Day Floods that resulted in the flooding of homes, roads, creeks, and bayous across the county as well as the Brazos and San Bernard Rivers
- DR 4269 (2016) - Tax Day Floods that resulted in the flooding of homes, roads, creeks, and bayous across the county as well as the San Bernard River
- DR 4272 (2016) - May/June Floods that resulted in the flooding of homes, businesses, roads, creeks, and bayous across the county as well as the Brazos and San Bernard Rivers
- DR 4332 (2017) - Hurricane Harvey that resulted in the flooding of roads, creeks, and bayous across the county as well as the Brazos and San Bernard Rivers and the Barker Reservoir
- May Severe Weather (2019) that resulted in the flooding of roads, homes, and businesses. An SBA declaration was issued for this incident.

In all of these incidents, roadways have flooded, which caused dangerous conditions for people evacuating or traveling on these roads during and after the rain and flooding. Two fatalities occurred on a highway near a creek that flash flooded in the Memorial Day rains in 2015. In 2016 and 2017, roadways were

flooded and impassable, which hindered evacuation efforts. In 2018, intense rain over a short period of time caused roads to flash flood, resulting in cars stalling out on roads and residents seeking refuge on esplanades, parking lots, etc. overnight.

Flooded roads, creeks, bayous, and the rivers in Fort Bend County help provide an indicator of if and when homes and businesses will flood, however a lack of an accurate and timely system for tracking rain and flood levels has hindered response efforts. In all of the rain and flood incidents, homes and businesses were flooded.

## Hazard Mitigation Actions

**Describe how the proposed project will mitigate against the identified risks.**

**Reference where adopted local mitigation efforts are being enhanced where appropriate.**

This proposed project expand the regional Flood Warning System (FWS) in Fort Bend County (FBC) by adding 30 ALERT2 rain/flood gauging stations and two new repeaters. This will allow FBC to have access to accurate, real-time rainfall and stage data to facilitate crucial decision making before, during, and after flooding incident. In addition, the regional FWS now has the capability to provide real-time inundation mapping based on the information gathered from the flood/rain gauges. This data will allow the County to warn citizens of impending flood related hazards and to better coordinate evacuation efforts. There is a reasonable expectation that future loss of life or injury will be reduced or prevented by availability of the real-time data provided by these gauges. Currently, the County primarily relies on first responders or other County personnel in the field to report on road conditions. Having an online resource to compare stage data with roadway elevations will allow the County to more quickly and safely identify inundated roadways and reroute evaluation efforts. The benefits of this project will not be isolated to active incidents however. The FBC Drainage District is currently updating Master Drainage Plans and floodplain studies on all local watersheds. Archived rainfall and corresponding flood level data will be invaluable to these studies and ensuring public and private infrastructure is adequately designed to minimize localized flooding in the future. In addition, the data from the gauges could be utilized in the on-going implementation of NWS Atlas 14 rainfall updates. Finally, the stage elevation data provided by these stations will allow the FBC Drainage District to

better document rainfall-runoff elevation response in the watersheds. Other data captured by the stations will also be able to calibrate a variety of hydraulic and hydrologic models the FBC Drainage District uses to prioritize, site, design and construct flood mitigation projects in FBC.

### Local Adopted Plans

**Is the proposed project included in one or more locally adopted plans? Yes**

**Provide the title of the adopted plan being referenced.** Fort Bend County - Hazard Mitigation

**Provide the page number(s) in the adopted plan(s) where the proposed project is identified.** 142 (of 1042)

**Provide the date (Month, Year) the plan(s) was/ were adopted:** 2/15/2018

### Added Resiliency Measures

**Does the proposed project enhance mitigation efforts that are already completed or underway? Yes**

**If Yes, then provide a brief description.**

This project seeks to enhance mitigation efforts already underway in Fort Bend County by expanding the county's existing rain gauge network. The existing network of rain/flood gauges does not cover the county sufficiently and are owned/maintained by various entities. This project seeks to add 30 new locations to the rain gauge network. All of the locations were identified as areas with a high risk of flooding as well as near to high population areas or high traffic areas.

In addition, the existing Houston area repeater coverage does not extend to the southern and western parts of the county, and much of the rest of the county is only covered by the single repeater in Clodine, Texas. Therefore, current repeater coverage is not adequate and constitutes a single point of failure. This project proposes to add two new repeaters to expand repeater coverage to the western and southern areas of the county.

Select the type(s) of prior or current local efforts undertaken that, combined with the proposed project, will provide enhanced hazard mitigation:

- ☐ Prior capital improvement project(s)
- ☐ Current capital improvement project(s)
- ☐ Short-range planning efforts
- ☐ Long-range planning efforts
- ☐ Community engagement
- ☐ Educational outreach
- ☐ Implementation of enhanced building codes
- ☐ Code enforcement
- ☒ Other related work which enhances hazard mitigation and/or resiliency through the proposed project.

### Documentation:

**A copy of the Hazard Mitigation Plan with adoption documentation:**

Fort Bend County Hazard Mitigation Plan (<https://fbcoem.org/plans/hmap/>)

Fort Bend County HMP Adoption Documentation

## Citizen Participation tab

When did your jurisdiction post the project for public comment?

**From:** 8/2/2021

**To:** 8/16/2021

Although public hearings are not a program requirement, jurisdictions for whom public hearings are required by their citizen participation plan or choose to hold them, list the date(s) and attach the hearing documentation.

Fort Bend County held a public hearing on 8/3/2021.

### Documentation:

Upload an affidavit of public posting along with pictures that demonstrate the posting and documentation of public hearings held for citizen participation purposes, if applicable. Choose the applicable document type from the Citizen Participation Document Group.

Proof of Public Hearing Posting – FBC OEM Website

Proof of Public Hearing Posting – FBC Website

Publisher's Affidavit for Public Notice for CDBG-MIT HMGP Application

## Grant Management Plan tab

### Project Stakeholders and Responsible Parties

<u>Contact</u>	<u>Authorized Signatory</u>	<u>Financial Management</u>	<u>Procurement</u>	<u>Project Management</u>	<u>Explain Other Project Management</u>	<u>Time Commitment (1-40 hrs/ wk)</u>	<u>Years of CDBG Experience</u>
Egan, Caroline M.	Yes			Lead		5	
George, KP	Yes						
Janecek, Jeffrey				Alternate		5	
Kovar, Jaime			Lead			2	
Sturdivant, Robert "Ed"		Lead				3	

## Mitigation Projects

**Project Number:** GLO17-15280-P

**Project Title:** FBC-Rain Gauge Network

**Total Requested Amount:** \$624,744.63

## General tab

**Program:** Hazard Mitigation Grant Program (HMGP): Supplemental - HUD MID

**Subrecipient Application/Contract:** FortBendCo-HMGPSup\_RainGaugeNetwork

**Project Title:** FBC-Rain Gauge Network

### Project Summary:

Fort Bend County and the Fort Bend County Drainage District (FBCDD), in cooperation with the Harris County Flood Control District (HCFCD), would like to expand the existing Harris County ALERT2 Flood Warning System (FWS) (<https://www.harriscountyfws.org/>) in Fort Bend County.

Currently, there is an incomplete network of rain/flood gauging stations in Fort Bend County, which are owned/maintained by Fort Bend County, National Weather Service, City of Sugar Land, HCFCD, Texas Department of Transportation, and the Lower Colorado River Authority. This proposed project would add 30 ALERT2 rain/flood gauging stations and two new repeaters in Fort Bend County. (Since this HMGP project application was first submitted in 2018, Fort Bend County has added 10 gauges to the flood warning system.)

Expanding the FWS in Fort Bend County will allow the County to have access to accurate, real-time rainfall and stage data to facilitate crucial decision making before, during, and after flooding incident. The proposed gauging stations will be connected to the existing FWS website and will be used to inform residents of imminent and current flooding conditions along roads and bayous and to better coordinate evacuation efforts. Two of the proposed stations are located where fatalities have occurred during recent events. There is a reasonable expectation that future loss of life or injury will be reduced or prevented by availability of the real-time data provided by the installation of gauging stations in these and other

areas of Fort Bend County. Currently, the County relies on first responders or other County personnel in the field to report on road conditions. Many of the 30 gauging stations have been proposed near major roadways. Having an online resource to compare stage data with roadway elevations will allow the FBCDD to more quickly and safely identify inundated roadways and reroute evaluation efforts.

The 30 gauging stations will monitor stream and bayou water level with bubbler or radar sensors, or a pressure transducer. Rainfall data is transmitted every time 0.04 in. of rain is measured, while stage is transmitted every time level changes by 0.10 ft of water. Data from all stations in the FWS is transmitted from the gauging sites to three repeater stations in the Huffman, Galveston, and Clodine areas. The repeater stations pass the measurement data along to primary and backup base stations located at Houston Transtar and the Harris County Appraisal District. Once the data arrives at a base station it is ingested into the system's processing, archiving and dissemination software.

The locations of the proposed FBC rain/flood gauging stations were chosen based on a number of factors:

- Proximity to major roadway stream crossings;
- Geographic distribution for optimum rainfall characterization;
- Areas of high population growth;
- Locations where fatalities have occurred during recent flood events; and
- Proximity to main evacuation routes.

The project also includes proposed locations for two new repeaters in Fort Bend County. The existing Houston area repeater coverage does not extend to the southern and western parts of the county, and much of the rest of the county is only covered by the single repeater in Clodine. Therefore, current repeater coverage is not adequate and constitutes a single point of failure. A single repeater does not provide necessary redundancy if the Clodine site ceases functioning during an incident. The proposed repeaters would be installed at or near the following locations: the FBC Road & Bridge Facility in Needville and the Texas DPS tower in Pierce, Texas.

The benefits of this project will not be isolated to active incidents however. FBCDD is currently updating Master Drainage Plans and floodplain studies on all local watersheds. Archived rainfall and corresponding flood level data will be invaluable to these studies and ensuring public and private infrastructure is adequately designed to minimize localized flooding in the future. In addition, the data from the gauges could be utilized in the on-going implementation of NWS Atlas 14 rainfall updates. Finally, the stage elevation data provided by these stations will allow the FBCDD to better document rainfall-runoff elevation response in the watersheds. Other data captured by the stations will also be able to calibrate a variety of hydraulic and hydrologic models the FBCDD uses to prioritize, site, design and construct flood mitigation projects in Fort Bend County.

The proposed budget includes equipment for the ALERT2 gauging stations and repeaters, installation costs, and the labor costs to conduct the necessary performance assessment and calibration of equipment for two years. HCFCD has committed to doing the installation, performance assessment, and calibration on all installed equipment for a two-year period. HCFCD and FBCDD have an interlocal agreement on file that formalizes this arrangement.

## National Objectives Information tab

Does the proposed project principally benefit Low- and Moderate-Income Persons or Mitigation Urgent Need? Mitigation Urgent Need

Provide the proposed beneficiary data:

**Total Beneficiaries:** 652,615 (Number supplied by GLO)

**LMI Beneficiaries:** 173,740 (Number supplied by HUD)

**% LMI Beneficiaries:** 26.62%

## Beneficiary Information tab

(The following information on this tab was filled out by the GLO.)

Select the beneficiary identification method used to determine this National Objective. Census

### Census

Total Beneficiaries, Hispanic (System Calculated): 3,420

Total Beneficiaries, Non-Hispanic (System Calculated): 132,869

Total Beneficiaries (Hispanic and Non-Hispanic) (System Calculated): 136,289

Complete the race and ethnicity table. Ensure that all beneficiaries of the proposed project are identified.

<u>Name</u>	<u>Planned Response</u>
White	White: 337566; : 215944; : 121622
Black African American/White	Black African American/White: 133981; : 131285; : 2696
Asian	Asian: 131746; : 130665; : 1081
Asian/White	Asian/White: 5338; : 3394; : 1944
American Indian/Alaskan Native	American Indian/Alaskan Native: 2217; : 1461; : 756

<u>Name</u>	<u>Planned Response</u>
American Indian/Alaskan Native/Black African American	American Indian/Alaskan Native/Black African American: 210; : 133; : 77
Other Multi-Racial	Other Multi-Racial: 6809; : 4329; : 2480
Black African American	Black African American: 133981; # of Non-Hispanic Beneficiaries: 131285; # of Hispanic Beneficiaries: 2696
Native Hawaiian / Other Pacific Islander	Native Hawaiian / Other Pacific Islander: 348; # of Non-Hispanic Beneficiaries: 338; # of Hispanic Beneficiaries: 10
American Indian/Alaskan Native/White	American Indian/Alaskan Native/White: 1960; # of Non-Hispanic Beneficiaries: 1246; # of Hispanic Beneficiaries: 714

Complete the gender table. Ensure that all beneficiaries of the proposed project are identified.

<u>Name</u>	<u>Planned Response</u>
Total Project Beneficiaries	Total Project Beneficiaries: 652615; : 492743; : 159872

**REQUIRED: Census Geographic Area Data - Identify the census tract and block group(s) in which the project will take place**

Per the General Land Office, nothing needs to be uploaded here since this project application is county-wide and not limited to any specific census tracks or block groups.

## Procurement Detail tab

**If Professional or other services have been procured to work on this project, provide copies of executed contracts and procurement process details for each.**

Fort Bend County has not procured professional or other services for this project, however an agreement has been made with Harris County Flood Control District to install the gauges.

**Have you procured a third-party administrator to administer the proposed project?**

No. (Fort Bend County will administer this project on its own between FBC HS&EM and FBC Drainage District.)

**Have you procured a third-party environmental service provider for the proposed project?**

No. (Fort Bend County will perform all environmental services between FBC HS&EM and FBC Drainage District.)

**Have you procured a third-party engineer for the proposed project?**

No. (Fort Bend County will conduct all engineering services via the Drainage District.)

## Documentation:

Fort Bend County and Harris County Flood Control District interlocal agreement

## Environmental Clearance Information tab

**What is the current status of the project?** Not Yet Begun

**Provide a brief narrative regarding how CDBG-MIT funding is to be used.**

This project has not started, so therefore no environmental requirements have needed to be met. Fort Bend County understands that all environmental requirements must be met prior to starting any contraction work.

**Will the proposed project site have any negative impact(s) or effect(s) on the environment per HUD environmental regulations as described?** No.

**Is the proposed project site likely to require a historical resources/archaeological assessment?** No.

**Is the proposed project site listed on the National Register of Historic Places?** No.

**Is the proposed project site in a designated flood hazard area or a designated wetland?** Yes.

**Is the applicant participating in the National Flood Insurance Program?** Yes.

**Is the project in compliance with Executive Order 11990?** Unknown.

**Is the project in a designated Regulatory Floodway?** Yes.

**Is the project considered functionally dependent or a floodplain restoration activity?** Yes.

**Is the proposed project site located in a known critical habitat for endangered species?** Unknown.

**Is the proposed project site a known hazardous site?** No.

**Is the proposed project site located on federal lands or at a federal installation?** No.

**What level of environmental review is likely needed for the proposed project site?**  
Categorical Exclusion

## Affirmatively Furthering Fair Housing tab

Identify activities already achieved to further fair housing, and those activities to be undertaken if an award is made by CDBG-MIT and when that activity will be complete. Upload any backup documentation to support your efforts.

The activities listed below come from Fort Bend County Community Development's Consolidated Annual Action Plan 2021 for the CDBG program.

<b><u>Name</u></b>	<b>Comment Planned</b>
Activity 1	Conducts public education about the need to foster and maintain affordable housing: Provide Fair Housing brochures and/or referrals to 100 persons. (10 persons per year)
Activity 2	Conducts public education about the need to foster and maintain affordable housing: Provide Fair Housing brochures, posters and/or information to 20 local governments and/or districts. (500 Persons/100 persons per year)
Activity 3	Directs fair housing complaints to HUD field offices.

## Documentation:

Fort Bend County FY 21 Consolidated Annual Action Plan

## Project Budget tab

Minimum Total Amount Requested: \$1.00

Maximum Total Amount Requested: \$60,000,000.00

Maximum # of Activities per Project: Program does not impose limits on number of activities per project

Total Estimated/Original Project Budget: \$624,744.63

### Budget Activities

<u>Program Budget Code</u>	<u>Planned/Requested Amount</u>	<u>Total Other Funds</u>	<u>Activity Total</u>
Flood and Drainage		\$0.00	\$0.00
Flood and Drainage	\$624,744.63	\$0.00	\$624,744.63

## Documentation:

FBC Construction Budget Justification of Retail Costs

FBC Sole Source Letter from Harris County for Rain Gauge Equipment

## Project Schedule tab

The schedule requested here is the Project Level Schedule. Identify the time needed to complete every activity and ensure a full and eligible project. Activity Level schedules must be uploaded separately.

<b><u>Project Phase.</u> sort descending</b>	<b><u>Start Date .</u> sort ascending</b>	<b><u>Length (months).</u> sort descending</b>	<b><u>End Date (calculated).</u> sort ascending</b>	<b><u>Phase Status.</u> sort descending</b>
Contract Award	11/1/2021	1	11/30/2021	Not Executing
Broad Environmental Review	12/1/2021	1	1/1/2022	Not Executing
Engineering Design	1/1/2022	6	7/1/2022	Not Executing
Construction	1/1/2022	32	9/1/2024	Not Executing
Contract Closeout	9/1/2024	2	11/1/2024	Not Executing

## Documents tab

This tab lists out the additional documents that have been included as part of the grant application. These documents are required as noted in the application guide.

<b>Document Group (Program Document Template)</b>	<b>Document Type (Program Document Template)</b>	<b>Document Title</b>
General Eligibility	Single Audit or Annual Financial Statement	Fort Bend County FY2020 State Single Audit Report
General Eligibility	Single Audit or Annual Financial Statement	Fort Bend County FY2020 Federal Single Audit Report
General Eligibility	Local Procurement Policies and Procedures	Fort Bend County Purchasing Manual (Approved 07.06.2021)
Mitigation Needs	Scope of work information, maps, and other applicable documentation for each Local effort identified	Fort Bend County - Harris County Interlocal Agreement RE: Rain Gauge Network
Mitigation Needs	Scope of work information, maps, and other applicable documentation for each Local effort identified	Harris County Letter of Support of FWS Expansion 06.30.2021
Beneficiary Information	U.S. Census Bureau data and/or MIT-CDBG Survey documentation	FortBendCo_DP05-RaceEthnicityCalc

<b>Document Group (Program Document Template)</b>	<b>Document Type (Program Document Template)</b>	<b>Document Title</b>
Budget	Table 2 showing construction costs (completed, signed, and sealed by a professional engineer or architect licensed to work in the State of Texas)	FBC Construction Budget Justification of Retail Costs
Project	Maps indicating latitude and longitude for a proposed locations	Fort Bend County - Rain/Flood Gauge and Repeater Locations (Lat/Long)
Project	Maps indicating latitude and longitude for a proposed locations	Fort Bend County - Rain/Flood Gauge and Repeater Locations Map
Mitigation Needs	Scope of work information, maps, and other applicable documentation for each Local effort identified	FBC Sole Source Letter for Rain Gauge Equipment
General Eligibility	Fair Housing Activity Information	FBC FY 2021 Consolidated Annual Action Plan

# FBC Rain Gauge Network Mitigation Grant Application

## Grant Documentation

- Mitigation Needs
  - Fort Bend County Hazard Mitigation Plan (<https://fbcoem.org/plans/hmap/>)
    - The plan has not been included due to its size. The FBC hazard mitigation plan can be accessed online at the link.
  - Fort Bend County HMP Adoption Documentation
- Citizen Participation
  - Proof of Public Hearing Posting – FBC OEM Website
  - Proof of Public Hearing Posting – FBC Website
  - Publisher's Affidavit for Public Notice for CDBG-MIT HMGP Application
- Mitigation Project
  - Fort Bend County – Rain/Flood Gauge and Repeater Locations (Lat/Long)
  - Fort Bend County – Rain/Flood Gauge and Repeater Locations Map
  - Harris County Letter of Support of FWS Expansion 06.30.2021
- Beneficiary Information
  - U.S. Census Bureau data and/or MIT-CDBG Survey documentation (FortBendCo\_DP05-RaceEthnicityCalc)
- Procurement
  - Fort Bend County and Harris County Flood Control District interlocal agreement
  - Fort Bend County FY2020 State Single Audit Report
  - Fort Bend County FY2020 Federal Single Audit Report
  - Fort Bend County Purchasing Manual (Approved 07.06.2021)
- Affirmatively Furthering Fair Housing
  - Fort Bend County FY 21 Consolidated Annual Action Plan
- Project Budget
  - FBC Construction Budget Justification of Retail Costs
  - FBC Sole Source Letter from Harris County for Rain Gauge Equipment

## Fort Bend County

**WHEREAS**, Section 322 of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) requires local governments to develop a hazardous mitigation plan as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects; and,

**WHEREAS**, the Code of Federal Regulations (CFR) at Title 44, Chapter 1, part 201, requires the City to prepare and adopt a local mitigation plan every five years; and,

**WHEREAS**, a steering committee comprised of members of the County, and incorporated areas within, selected and deemed appropriate by the Commissioners Court in its authority to do so as granted by the people, was convened in order to assess the risks of hazards facing the County, and to make recommendations on actions to be taken to mitigate these hazards; and,

**WHEREAS**, the plan incorporates the comments, ideas and concerns of the community and of the public in general, which this plan is designed to protect, ascertained through a series of public meetings, publication of the draft plan, press releases, and other outreach activities; and

**NOW THEREFORE, BE IT RESOLVED** by the Commissioner's Court of Fort Bend County that the 2018 Fort Bend County, Texas Hazard Mitigation Plan is hereby approved and adopted by the Commissioner's Court of Fort Bend County and resolves to execute the actions in the plan.

This Resolution shall take effect immediately without reconsideration.

A copy of the plan is attached to this resolution.

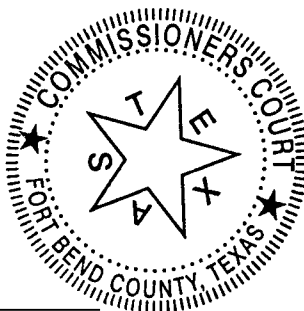
**ADOPTED** by the Commissioner's Court of Fort Bend County on this 6 day of February 2018.

APPROVED

  
County Judge Robert E. Hebert

ATTEST

  
Laura Richard, County Clerk



Recover – Fort Bend County HS8 x +

fbcoem.org/recover/

Apps Google EConnect WebEOC Jetty Houston UASI FBC OEM Boda boda TDEM Preparing Texas Click2 NWS Fort Bend Recovers SLACK Reading list

**Public Notice**

**PUBLIC NOTICE**

**FORT BEND COUNTY**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT**

**MITIGATION (CDBG-MIT) PROGRAM**

Fort Bend County is giving notice of the intent to submit an application to the Texas General Land Office (GLO) for a Hazard Mitigation Grant Program (HMGP) Supplemental grant under the Texas Community Development Block Grant – Mitigation (CDBG-MIT) Program. The proposed grant application is for \$624,744.63 to be used for a Fort Bend County Rain Gauge Network. This proposed grant application seeks to expand the regional ALERT2 Flood Warning System in Fort Bend County. This will help the County to mitigate the effects of flooding disasters by having access to accurate, real-time rainfall and flood data, which will aid with decision making before, during, and after flooding incident. The rain gauge network will be used to inform residents of imminent and current flooding conditions along roads and bayous.


Fort Bend County will request public comments on the draft Rain Gauge Network grant application from Monday, August 2 – Monday, August 16, 2021. A public hearing will be held on Tuesday, August 3, 2021 at 1:00 p.m., Fort Bend County Commissioners Court, 2nd Floor, Fort Bend County Courthouse, 401 Jackson Street, Richmond, Texas to receive comments from the public regarding the Rain Gauge Network application. The public is encouraged to attend and submit comments to Caroline Egan, Disaster Recovery Manager, at Fort Bend County Homeland Security & Emergency Management, 1521 Eugene Heimann Cir, Richmond, Texas, 77469 or via email at [caroline.egan@fortbendcountytx.gov](mailto:caroline.egan@fortbendcountytx.gov). All input must be received by 12:00pm on August 16, 2021. Comments will be incorporated into the draft application, as appropriate. The application is available for review during regular business hours at Fort Bend County Homeland Security & Emergency Management – 1521 Eugene Heimann Cir,

Windows taskbar: Outlook 2... Blue Oyst... Recover – ... 2021-08-0... Chat | Mic... i-INFO Meeting 1 Public Co... IA Data 4:31 PM 8/2/2021

Legal Notices | Fort Bend County

fortbendcountytx.gov/your-county/legal-notices

AppsGoogleEConnectWebEOCJettyHouston UASIFBC OEMBoda-bodaTDEMPreparing TexasClick2NWSFort Bend RecoversSLACKReading list



**Fort Bend County**  
TEXAS

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## Legal Notices


Font Size:  [Share & Bookmark](#)  [Print](#)

Compatible browsers: [Internet Explorer](#) 10 and above; [Chrome](#), [Firefox](#), [Opera](#) and [Safari](#).

**Your Search Results**

08/24/2021 @ 1:00 PM - Traffic - Proposed Street Name Change from Sansbury Boulevard to Manford Boulevard between Williams Way Boulevard and Grand Estates Drive - Date Posted July 30, 2021

08/03/2021 @ 1:00 PM - Public Hearing Notice For Community Development Block Grant - Mitigation (CDBG-MIT) Program - Date Posted July 28, 2021



Save PDF file

08/03/2021 @ 1:00 PM - Edward Byrne Memorial Justice Assistance Grant FY 2021 Public Meeting - Date Posted July 27, 2021

08/10/2021 @ 1:00 PM - Traffic Control Plan For Silver Ranch Section 5, Precinct 3 - Date Posted July 16, 2021


08/10/2021 @ 1:00 PM - Traffic Control Plan For Tamarron Section 15, Precinct 3 - Date Posted July 16, 2021

08/10/2021 @ 1:00 PM - Traffic Control Plan For Sienna Section 34B, Precinct 1 - Date Posted July 16, 2021

08/10/2021 @ 1:00 PM - Traffic Control Plan For Grand Vista Sec 18, Precinct 2 - Date Posted July 16, 2021

08/10/2021 @ 1:00 PM - Traffic Control Plan For Sunset Crossing Section Three, Precinct 1 - Date Posted July 16, 2021

08/03/2021 @ 1:00 PM - Traffic Control Plan For Winfield Lakes North, Section 6, Precinct 2 - Date Posted July 9, 2021



4:40 PM  
8/2/2021

8-1

# PUBLISHER'S AFFIDAVIT

The Honorable  
KP George

CD BG - MIT

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

ON BACK

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

8-1

, A.D. 2021



Lee Hartman  
Publisher

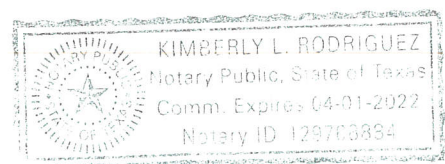
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

\_\_\_\_\_ b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 3 day of August, A.D. 2021  
to certify which witness my hand and seal of office.

  
Notary Public, State of Texas



**PUBLIC NOTICE**

**FORT BEND COUNTY**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT  
MITIGATION (CDBG-MIT) PROGRAM**

Fort Bend County is giving notice of the intent to submit an application to the Texas General Land Office (GLO) for a Hazard Mitigation Grant Program (HMGP) Supplemental grant under the Texas Community Development Block Grant - Mitigation (CDBG-MIT) Program. The proposed grant application is for \$624,744.63 to be used for a Fort Bend County Rain Gauge Network. This proposed grant application seeks to expand the regional ALERT2 Flood Warning System in Fort Bend County. This will help the County to mitigate the effects of flooding disasters by having access to accurate, real-time rainfall and flood data, which will aid with decision making before, during, and after flooding incident. The rain gauge network will be used to inform residents of imminent and current flooding conditions along roads and bayous.

Fort Bend County will request public comments on the draft Rain Gauge Network grant application from Monday, August 2 – Monday, August 16, 2021. A public hearing will be held on Tuesday, August 3, 2021 at 1:00 p.m., Fort Bend County Commissioners Court, 2nd Floor, Fort Bend County Courthouse, 401 Jackson Street, Richmond, Texas to receive comments from the public regarding the Rain Gauge Network application. The public is encouraged to attend and submit comments to Caroline Egan, Disaster Recovery Manager, at Fort Bend County Homeland Security & Emergency Management, 1521 Eugene Heimann Cir, Richmond, Texas, 77469 or via email at [caroline.egan@fortbendcountytexas.gov](mailto:caroline.egan@fortbendcountytexas.gov). All input must be received by 12:00pm on August 16, 2021. Comments will be incorporated into the draft application, as appropriate. The application is available for review during regular business hours at Fort Bend County Homeland Security & Emergency Management – 1521 Eugene Heimann Cir, Richmond TX 77469. For more information, contact Caroline Egan at 281-342-6185.

Persons with disabilities that wish to attend the public hearing should contact the County at (281) 342-6185 regarding reasonable accommodations for the meeting. This venue is accessible for persons with physical disabilities. Persons requiring language translators must contact the department at least 48 hours prior to the meeting at (281) 342-6185 to request translation services for the meeting.

## PUBLISHER'S AFFIDAVIT

The Honorable  
K P George

CDBG-MIT

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

ON Back

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

8-1

\_\_\_\_\_, A.D. 2021



Lee Hartman  
Publisher

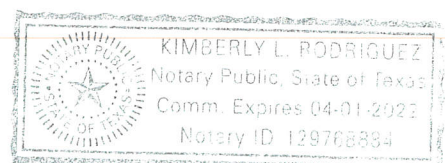
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

\_\_\_\_\_ b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 3 day of August, A.D. 2021  
to certify which witness my hand and seal of office.

  
Notary Public, State of Texas



**PUBLIC NOTICE**

**FORT BEND COUNTY**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT  
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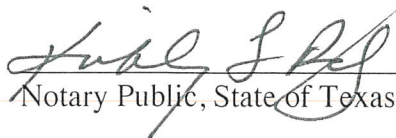
Lee Hartman  
Publisher

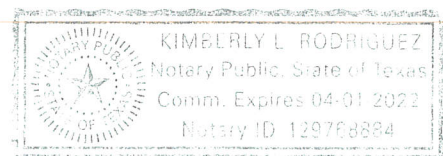
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 3 day of August, A.D. 2021  
to certify which witness my hand and seal of office.

  
Notary Public, State of Texas



**PUBLIC NOTICE**

**FORT BEND COUNTY**

**TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT  
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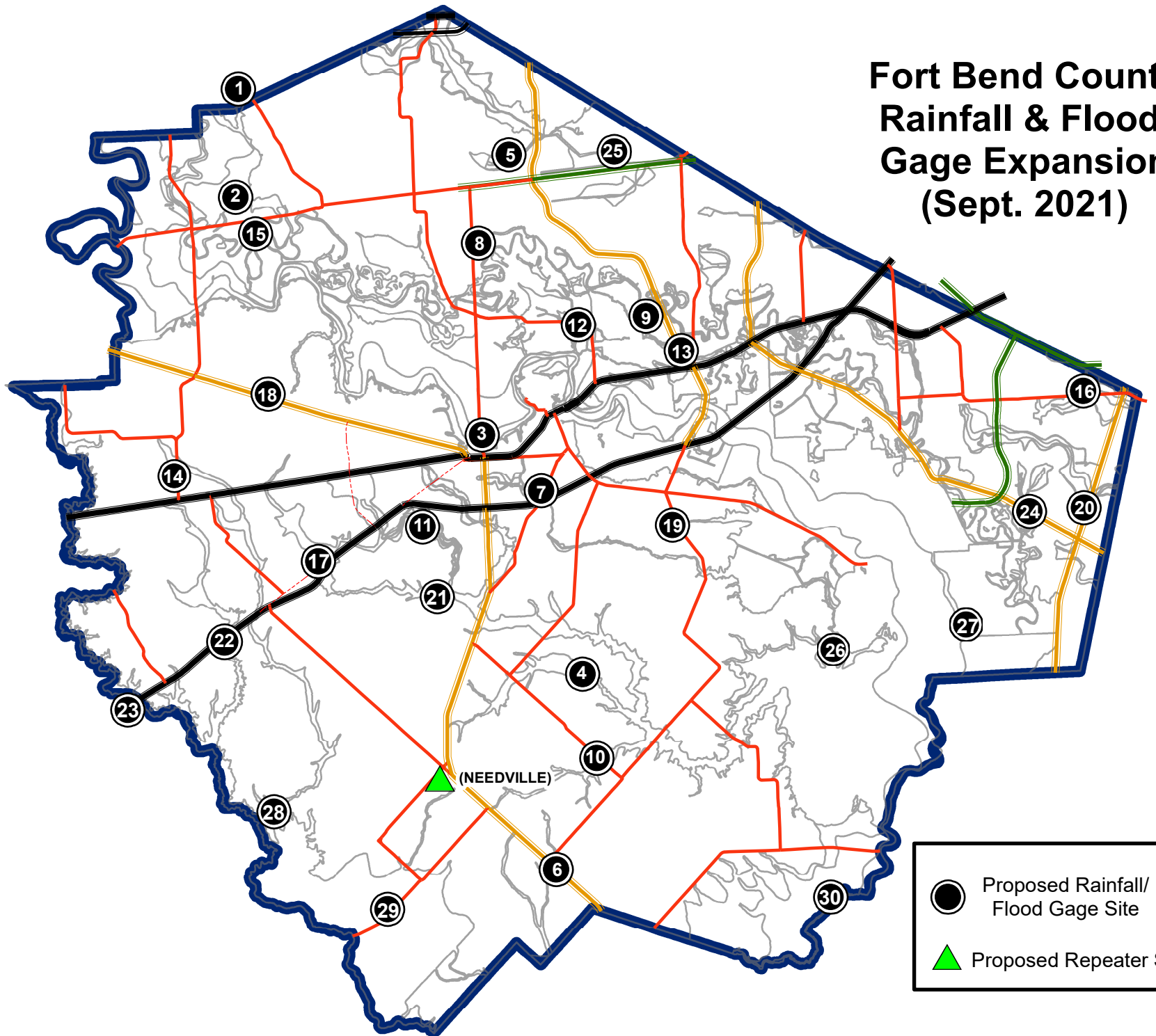
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## Fort Bend County Proposed (30) ALERT2 Gauges and (2) Repeater Locations

Site No.	Description (30 Total)	Lat	Long	Additional Notes:
1	Brookshire Creek at FM 359	29.45.10	95.56.45	Major road, located just beyond county line in Waller Co.
2	Bessie's Creek at Pool Hill Rd.	29.42.18	95.56.40	Fatality at this location during Harvey.
3	Brazos River at FM 723	29.34.01	95.48.38	Provide Brazos River flood elevation data on major north/south thoroughfare and within city limits of Rosenberg.
4	Fairchilds Creek at Fairchilds Rd.	29.26.47	95.45.42	Significantly impacted, including structural flooding, during May 2019 flood event.
5	Little Prong at Gaston Rd.	29.42.43	95.47.57	Provide flow data along a major lateral of Willow Fork of Buffalo Bayou that is currently ungaged.
6	Guy Creek at SH36	29.20.50	95.46.31	Provide rainfall data in the south portion of the County where we have little data. Area experienced significant flooding during recent events.
7	Dry Creek at FM 2218	29.32.19	95.46.27	Provide rainfall and flood data within a significant watershed within city limits of Rosenberg.
8	Andrus Creek at FM 723	29.40.03	95.48.44	Provide stage data along a major lateral of Jones Creek that is experiencing significant development. Structural flooding has occurred nearby.
9	Oyster Creek at Harlem Rd.	29.37.51	95.42.52	Major watershed rapidly developing. Harlem is a major north/south thoroughfare. No current data points in Upper Oyster Creek.
10	Deer Creek at FM 361	29.23.53	95.44.31	Major lateral to Big Creek and area significantly impacted during May 2019 flood.
11	Coon Creek at Kroesche Rd.	29.31.48	95.50.47	Major lateral to Big Creek in an area experiencing significant development.
12	Jones Creek at FM 359	29.37.36	95.45.17	Major road and rapidly developing watershed. Evacuation route for Pecan Grove. Would provide Brazos elevation data point.
13	Bullhead Bayou at Hwy 99	29.36.25	95.41.14	Major road and rapidly developing watershed. Would provide critical Brazos elevation data for New Territory during extreme events.
14	Snake Creek at FM 1489	29.33.35	95.59.23	Major roadway. No available rainfall data in the vicinity.
15	Orchard Creek at Weston Dr.	29.40.59	95.56.08	Main entrance and access point for City of Weston Lakes. Roadway has been inundated during previous events.
16	Clear Creek at FM 2234	29.34.52	95.27.34	Significant watershed and flooding occurs in the vicinity of the gage.
17	Cottonwood Creek at Hwy 59	29.30.35	95.53.52	Large upstream watershed and major road.
18	Duval Ditch at SH36	29.35.35	95.56.27	Provide rainfall and elevation data to a major outfall channel serving the City of Orchard.
19	Gapps Slough at FM 762	29.31.18	95.41.48	Major roadway, significant development in the watershed.
20	Mustang Bayou at FM 521	29.31.48	95.27.08	Major roadway. Densely populated in the vicinity of the gage.
21	Cottonwood Creek at Spur 10	29.29.23	95.49.58	Fatality at this location during Memorial Day 2015. Major evacuation route for hurricanes.
22	Turkey Creek at Hwy 59	29.28.09	95.57.46	Large upstream watershed and major road.
23	San Bernard River at Hwy 59	29.26.14	96.01.01	Important data point between East Bernard and Boling USGS gages.
24	Long Point Creek at SH6	29.31.18	95.29.20	Significant development in the area. Major regional evacuation route.
25	Willow Fork Diversion at Mason Rd.	29.42.45	95.44.36	Area of significant structural flooding during Harvey. Provides critical data related to Barker Reservoir elevations.
26	Lower Dry Creek at Gubbels Rd.	29.28.06	95.36.21	Lower end of major watershed. Would provide Brazos backwater data point.
27	Lower Oyster Creek at Sienna South	29.27.55	95.31.55	Lower end of major watershed. Would provide Brazos backwater data point.
28	Snake Creek at Tierra Grande	29.22.03	95.55.52	Significant development that becomes inaccessible with major flood events on San Bernard and Snake Creek.
29	Buffalo Creek at FM 442	29.20.26	95.51.15	Significant watershed draining Needville. Would also provide San Bernard backwater data.
30	Cow Creek at Cow Creek Rd.	29.19.21	95.36.53	No available rainfall data in the vicinity. Major access road between Fort Bend & Brazoria Co. Would provide Cow Creek and Brazos data.
Repeater 1	Texas DPS Office at Pierce, TX	29.14.21	96.12.37	Would provide repeater coverage to the western side of Fort Bend County that currently does not have coverage.
Repeater 2	FBC Road & Bridge Needville Location	29.23.38	95.50.30	Would provide repeater coverage to the southern side of Fort Bend County that currently does not have coverage.

# Fort Bend County Rainfall & Flood Gage Expansion (Sept. 2021)



- Proposed Rainfall/  
Flood Gage Site
- ▲ Proposed Repeater Site



Mr. Mark A. Vogler, P.E.  
Fort Bend County Drainage District  
1124 Blume Rd.  
Rosenberg, TX 77471

RE: Letter of Support for the Fort Bend County Flood Warning System Expansion –  
Hazard Mitigation Grant Program Funding

Dear Mr. Vogler,

This letter is to confirm that the Harris County Flood Control District is in support of Fort Bend County's flood warning system expansion application for funding under the Hazard Mitigation Grant Program. The proposed project will serve as an expansion of rainfall and flood stage information across the region in order to further reduce flood risk to property, public safety, and critical infrastructure during future flood events. Harris County Flood Control District support of the project will include entering into interlocal agreements with the Fort Bend County Drainage District to assist in the installation and maintenance of proposed flood gages and the display of gage data on the existing Harris County Flood Control District Flood Warning System website.

Harris County Flood Control District looks forward to partnering with Fort Bend County in the expansion of their flood warning system in order to further reduce flood risk throughout the region.

Sincerely,

A handwritten signature in black ink that reads 'Jeff Lindner'.

Jeff Lindner  
Director Hydrologic Operations Division/Meteorologist  
Harris County Flood Control District  
9900 Northwest Freeway  
Houston, Texas 77092

# TxCDBG RACE AND ETHNICITY / GENDER CALCULATOR

## INSTRUCTIONS AND DATA SOURCE

**Data Source:** Most Recent ACS 5-year Est. - Table DP05

**City Applicants:** Enter city-wide data as reflected on Table DP05

**County Applicants:** Enter census tract data as reflected on Table DP05

<b>APPLICANT:</b>		FORT BEND COUNTY	
<b>Sex and Age</b>		<b>ENTER DP05 DATA HERE</b>	
Male:		375912	
Female:		389482	
<b>One Race</b>			
White:		395904	
Black or African American:		157134	
American Indian and Alaska Native:		2600	
Asian:		154513	
Native Hawaiian and Other Pacific Islander:		408	
Some Other Race:		33215	
Two or more races:		21620	
-White and Black or African American:		4831	
-White and American Indian and Alaska Native:		2298	
-White and Asian:		6260	
-Black or African American and American Indian and Alaska Native:		246	
<b>Hispanic or Latino and Race</b>			
Hispanic or Latino (of any race):		187500	
Not Hispanic or Latino:		577894	
-White alone:		253263	
-Black or African American alone:		153972	
-American Indian and Alaska Native alone:		1713	
-Asian alone:		153245	
-Native Hawaiian and Other Pacific Islander alone:		396	
-Some other race alone:		1559	
-Two or more races:		13746	
<b>Enter Number of Project Beneficiaries:</b>		652615	
<b>Gender of Project Beneficiaries</b>			
Male		320522	
Female		332093	
<b>Race and Ethnicity of Project Beneficiaries</b>		<b>Hispanic</b>	<b>Non-Hispanic</b>
337566	White	121622	215944
133981	Black/African American	2696	131285
2217	American Indian/Alaska Native	756	1461
131746	Asian	1081	130665
348	Native Hawaiian/Other Pacific Islander	10	338
28321	Some Other Race	26992	1329
4119	White and Black/African American	1500	2619
1960	White and American Indian/Alaska Native	714	1246
5338	White and Asian	1944	3394
210	Black/African American and American Indian/Alaska Native	77	133
6809	Other multi racial	2480	4329
<b>Total:</b>		<b>652615</b>	

Table: ACSDP5Y2019.DP05

	Fort Bend County, Texas			
Label	Estimate	Margin of Error	Percent	Percent Margin of Error
SEX AND AGE				
Total population	765,394	*****	765,394	(X)
Male	375,912	±200	49.1%	±0.1
Female	389,482	±200	50.9%	±0.1
Sex ratio (males per 100 females)	96.5	±0.1	(X)	(X)
Under 5 years	52,818	±63	6.9%	±0.1
5 to 9 years	59,899	±2,029	7.8%	±0.3
10 to 14 years	61,388	±2,005	8.0%	±0.3
15 to 19 years	56,823	±211	7.4%	±0.1
20 to 24 years	44,255	±208	5.8%	±0.1
25 to 34 years	93,615	±168	12.2%	±0.1
35 to 44 years	117,048	±211	15.3%	±0.1
45 to 54 years	107,505	±61	14.0%	±0.1
55 to 59 years	46,580	±1,494	6.1%	±0.2
60 to 64 years	44,117	±1,501	5.8%	±0.2
65 to 74 years	54,028	±199	7.1%	±0.1
75 to 84 years	20,518	±644	2.7%	±0.1
85 years and over	6,800	±660	0.9%	±0.1
Median age (years)	36.3	±0.2	(X)	(X)
Under 18 years	211,669	±63	27.7%	±0.1
16 years and over	578,238	±781	75.5%	±0.1
18 years and over	553,725	±63	72.3%	±0.1
21 years and over	524,573	±1,013	68.5%	±0.1
62 years and over	107,288	±1,303	14.0%	±0.2
65 years and over	81,346	±211	10.6%	±0.1
18 years and over	553,725	±63	553,725	(X)
Male	267,741	±148	48.4%	±0.1
Female	285,984	±96	51.6%	±0.1
Sex ratio (males per 100 females)	93.6	±0.1	(X)	(X)
65 years and over	81,346	±211	81,346	(X)
Male	37,301	±189	45.9%	±0.1
Female	44,045	±83	54.1%	±0.1
Sex ratio (males per 100 females)	84.7	±0.5	(X)	(X)
RACE				
Total population	765,394	*****	765,394	(X)
One race	743,774	±2,590	97.2%	±0.3
Two or more races	21,620	±2,590	2.8%	±0.3
One race	743,774	±2,590	97.2%	±0.3
White	395,904	±4,470	51.7%	±0.6
Black or African American	157,134	±2,057	20.5%	±0.3
American Indian and Alaska Native	2,600	±617	0.3%	±0.1

Table: ACSDP5Y2019.DP05

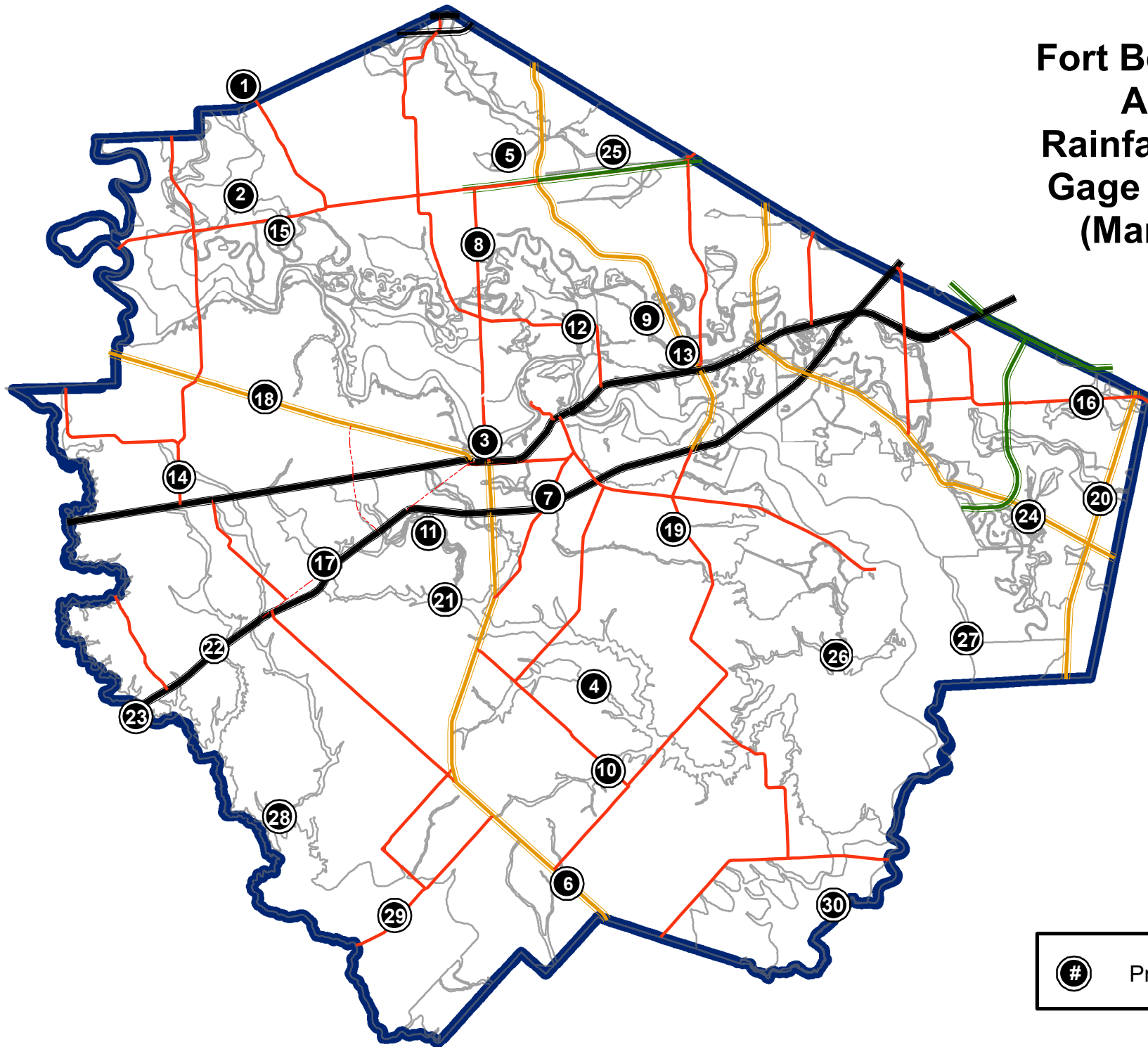
	Fort Bend County, Texas			
Label	Estimate	Margin of Error	Percent	Percent Margin of Error
Cherokee tribal grouping	1,177	±725	0.2%	±0.1
Chippewa tribal grouping	0	±32	0.0%	±0.1
Navajo tribal grouping	37	±68	0.0%	±0.1
Sioux tribal grouping	31	±46	0.0%	±0.1
Asian	154,513	±1,338	20.2%	±0.2
Asian Indian	63,720	±3,498	8.3%	±0.5
Chinese	34,377	±2,525	4.5%	±0.3
Filipino	12,425	±1,589	1.6%	±0.2
Japanese	835	±325	0.1%	±0.1
Korean	2,959	±950	0.4%	±0.1
Vietnamese	18,931	±2,266	2.5%	±0.3
Other Asian	21,266	±2,750	2.8%	±0.4
Native Hawaiian and Other Pacific Islander	408	±72	0.1%	±0.1
Native Hawaiian	100	±161	0.0%	±0.1
Guamanian or Chamorro	22	±34	0.0%	±0.1
Samoan	39	±57	0.0%	±0.1
Other Pacific Islander	247	±225	0.0%	±0.1
Some other race	33,215	±4,035	4.3%	±0.5
Two or more races	21,620	±2,590	2.8%	±0.3
White and Black or African American	4,831	±1,319	0.6%	±0.2
White and American Indian and Alaska Native	2,298	±888	0.3%	±0.1
White and Asian	6,260	±1,105	0.8%	±0.1
Black or African American and American Indian and Alaska Native	246	±211	0.0%	±0.1
Race alone or in combination with one or more other races				
Total population	765,394	*****	765,394	(X)
White	412,840	±4,687	53.9%	±0.6
Black or African American	164,914	±1,638	21.5%	±0.2
American Indian and Alaska Native	6,302	±1,114	0.8%	±0.1
Asian	164,177	±1,272	21.4%	±0.2
Native Hawaiian and Other Pacific Islander	1,123	±311	0.1%	±0.1
Some other race	39,372	±4,206	5.1%	±0.5
HISPANIC OR LATINO AND RACE				
Total population	765,394	*****	765,394	(X)
Hispanic or Latino (of any race)	187,500	*****	24.5%	*****
Mexican	128,800	±3,334	16.8%	±0.4
Puerto Rican	3,950	±1,186	0.5%	±0.2

Table: ACSDP5Y2019.DP05

	Fort Bend County, Texas			
Label	Estimate	Margin of Error	Percent	Percent Margin of Error
Cuban	3,529	±1,112	0.5%	±0.1
Other Hispanic or Latino	51,221	±3,272	6.7%	±0.4
Not Hispanic or Latino	577,894	*****	75.5%	*****
White alone	253,263	±447	33.1%	±0.1
Black or African American alone	153,972	±1,517	20.1%	±0.2
American Indian and Alaska Native alone	1,713	±582	0.2%	±0.1
Asian alone	153,245	±1,151	20.0%	±0.2
Native Hawaiian and Other Pacific Islander alone	396	±70	0.1%	±0.1
Some other race alone	1,559	±540	0.2%	±0.1
Two or more races	13,746	±2,032	1.8%	±0.3
Two races including Some other race	1,474	±679	0.2%	±0.1
Two races excluding Some other race, and Three or more races	12,272	±1,896	1.6%	±0.2
Total housing units	251,641	±177	(X)	(X)
CITIZEN, VOTING AGE POPULATION				
Citizen, 18 and over population	466,249	±3,590	466,249	(X)
Male	225,781	±1,876	48.4%	±0.2
Female	240,468	±2,113	51.6%	±0.2

GEOTYPE	STATE	COUNTY	NAME	STUSAB	LOW	LOWMOD	LOWMODUNIV	LOWMOD_PCT
COUNTY	48	157	Fort Bend County	TX	91,945	173,740	652,615	26.62%

**Fort Bend County  
ALERT2  
Rainfall & Flood  
Gage Expansion  
(March 2021)**



Proposed Gage Site

## Fort Bend County Proposed (30) ALERT2 Gages - March 2021

Site No.	Description (30 Total)	Lat	Long	Additional Notes:
1	Brookshire Creek at FM 359	29.752778	95.945833	Major road, located just beyond county line in Waller Co.
2	Bessie's Creek at Pool Hill Rd.	29.705	95.944444	Fatality at this location during Harvey.
3	Brazos River at FM 723	29.566944	95.810556	Provide Brazos River flood elevation data on major north/south thoroughfare and within city limits of Rosenberg.
4	Fairchilds Creek at Fairchilds Rd.	29.446389	95.761667	Significantly impacted, including structural flooding, during May 2019 flood event.
5	Little Prong at Gaston Rd.	29.711944	95.799167	Provide flow data along a major lateral of Willow Fork of Buffalo Bayou that is currently ungaged.
6	Guy Creek at SH36	29.347222	95.775278	Provide rainfall data in the south portion of the County where we have little data. Area experienced significant flooding during recent events.
7	Dry Creek at FM 2218	29.538611	95.774167	Provide rainfall and flood data within a significant watershed within city limits of Rosenberg.
8	Andrus Creek at FM 723	29.6675	95.812222	Provide stage data along a major lateral of Jones Creek that is experiencing significant development. Structural flooding has occurred nearby.
9	Oyster Creek at Harlem Rd.	29.630833	95.714444	Major watershed rapidly developing. Harlem is a major north/south thoroughfare. No current data points in Upper Oyster Creek.
10	Deer Creek at FM 361	29.398056	95.741944	Major lateral to Big Creek and area significantly impacted during May 2019 flood.
11	Coon Creek at Kroesche Rd.	29.53	95.846389	Major lateral to Big Creek in an area experiencing significant development.
12	Jones Creek at FM 359	29.626667	95.754722	Major road and rapidly developing watershed. Evacuation route for Pecan Grove. Would provide Brazos elevation data point.
13	Bullhead Bayou at Hwy 99	29.606944	95.687222	Major road and rapidly developing watershed. Would provide critical Brazos elevation data for New Territory during extreme events.
14	Snake Creek at FM 1489	29.559722	95.989722	Major roadway. No available rainfall data in the vicinity.
15	Orchard Creek at Weston Dr.	29.683056	95.935556	Main entrance and access point for City of Weston Lakes. Roadway has been inundated during previous events.
16	Clear Creek at FM 2234	29.581111	95.459444	Significant watershed and flooding occurs in the vicinity of the gage.
17	Cottonwood Creek at Hwy 59	29.509722	95.897778	Large upstream watershed and major road.
18	Duvall Ditch at SH36	29.593056	95.940833	Provide rainfall and elevation data to a major outfall channel serving the City of Orchard.
19	Gapps Slough at FM 762	29.521667	95.696667	Major roadway, significant development in the watershed.
20	Mustang Bayou at FM 521	29.53	95.452222	Major roadway. Densely populated in the vicinity of the gage.
21	Cottonwood Creek at Spur 10	29.489722	95.832778	Fatality at this location during Memorial Day 2015. Major evacuation route for hurricanes.
22	Turkey Creek at Hwy 59	29.469167	95.962778	Large upstream watershed and major road.
23	San Bernard River at Hwy 59	29.437222	96.016944	Important data point between East Bernard and Boling USGS gages.
24	Long Point Creek at SH6	29.521667	95.488889	Significant development in the area. Major regional evacuation route.
25	Willow Fork Diversion at Mason Rd.	29.7125	95.743333	Area of significant structural flooding during Harvey. Provides critical data related to Barker Reservoir elevations.
26	Lower Dry Creek at Gubbels Rd.	29.468333	95.605833	Lower end of major watershed. Would provide Brazos backwater data point.
27	Lower Oyster Creek at Sienna South	29.465278	95.531944	Lower end of major watershed. Would provide Brazos backwater data point.
28	Snake Creek at Tierra Grande	29.3675	95.931111	Significant development that becomes inaccessible with major flood events on San Bernard and Snake Creek.
29	Buffalo Creek at FM 442	29.340556	95.854167	Significant watershed draining to Needville. Would also provide San Bernard backwater data.
30	Cow Creek at Cow Creek Rd.	29.3225	95.614722	No available rainfall data in the vicinity. Major access road between Fort Bend & Brazoria Co. Would provide Cow Creek and Brazos data.

FBC have two main hurricane evacuation routes that run through the county:  
 Highway 6 N to I-69 S to Hwy 99 N  
 State Highway 36 N to Spur 10 N to SH 36 N to I-10

**INTERLOCAL AGREEMENT FOR INSTALLATION AND MAINTENANCE  
OF GAGE STATIONS  
BETWEEN FORT BEND COUNTY DRAINAGE DISTRICT AND  
THE HARRIS COUNTY FLOOD CONTROL DISTRICT**

This interlocal agreement ("Agreement") is made and entered into between **Fort Bend County Drainage District**, a conservation and reclamation district created and operating under the provisions of Article XVI, Section 59 of the Texas Constitution and Chapter 6604 of the Texas Special District and Local Laws Code and located in Fort Bend County, Texas ("FBCDD"), and the **Harris County Flood Control District**, a body corporate and politic under the laws of the State of Texas ("HCFCD").

RECITALS:

**WHEREAS**, pursuant to the Interlocal Cooperation Act, Texas Government Code Chapter 791, as amended, cities, counties, special districts and other legally constituted political subdivisions of the State of Texas are authorized to enter into local contracts and agreements with each other regarding governmental functions and services; and

**WHEREAS**, the natural resources and functions of rivers, streams, bayous and channels help maintain the integrity of natural and manmade systems and provide multiple benefits such as the conveyance and storage of flood waters, recreation, the improvement of surface water quality, and the provision of habitats for fish and wildlife; and

**WHEREAS**, the periodic flows from rainwater have the potential to cause extensive damage to property and loss of life; and

**WHEREAS**, local goals for flood warning, flood damage reduction, and efficient drainage can be better achieved through cooperative management; and

**WHEREAS**, FBCDD desires that HCFCD install five (5) gage stations and maintain a total of ten (10) gage stations that will be owned by FBCDD that measure rainfall amounts and water levels in channels; and

**WHEREAS**, the ten (10) gage stations will transmit their data to HCFCD's base station for reporting on the public Harris County Flood Warning System website; and

**WHEREAS**, FBCDD may request additional gage stations to be installed and maintained at any time during this Agreement by submitting a written request to HCFCD; and

**WHEREAS**, the HCFCD has determined that maintaining FBCDD owned gage stations would increase the efficiency and effectiveness of a HCFCD purpose, and benefit the citizens of Harris County and within the jurisdiction of FBCDD.

**NOW THEREFORE**, in consideration of the mutual covenants contained herein and subject to the conditions herein set forth, FBCDD and HCFCD hereby agree as follows:

## I. Gage Stations

FBCDD owns and HCFCD maintains five (5) gage stations installed by HCFCD under the authority of a previous interlocal agreement between the parties. The parties have agreed upon the terms, provided below, whereby HCFCD will install an additional five (5) gage stations, and will then maintain the existing five (5) gage stations and the newly installed five (5) gage stations.

During the term of this Agreement, the parties may, but shall not be obligated to, by an exchange of letters between the FBCDD and the HCFCD, agree to the installation and maintenance of additional gage stations, subject to the encumbrance and payment of additional funds.

## II. HCFCD Responsibilities

HCFCD will:

- A. Conduct an initial inspection and assessment of each installation site within sixty (60) days of the Effective Date of this Agreement, and provide FBCDD a brief report of the condition of each new gage location.
- B. Install five (5) new gage stations at locations as jointly agreed to by the parties. HCFCD may install additional gage stations upon request by FBCDD during the term of this Agreement for additional consideration, as agreed to by the parties and as provided herein.
- C. Provide preventative maintenance labor to the ten (10) gage stations on a bi-annual schedule (such maintenance to occur approximately six months apart). Preventative maintenance on transmitters, rain gage tipping buckets, water level devices, and solar panels will be to HCFCD standards. Additionally, recommendations will be provided for future site and system wide upgrades.
- D. Add the sites to their publically available Flood Warning System (FWS) website once the gage stations are operational. Data provided by these gages will remain on the FWS website until such time this Agreement is terminated.
- E. Provide FBCDD with a written summary report of the work performed within two (2) work weeks of completing a maintenance cycle, including items such as problems noted and fixed equipment settings, and calibrations from the preventative maintenance performed.
- F. Review FBCDD gage station data to verify timely and accurate data flow and determine any potential sensor concerns.
- G. Troubleshoot and provide repair as needed between preventative maintenance upon validation of equipment failure or other problem at the gage stations as weather and site conditions safely permit. HCFCD has forty-eight (48) hours to acknowledge the problem or equipment failure and determine how to correct it. HCFCD will alert FBCDD of the problem, the anticipated course of action for correction, and when the gage station is successfully repaired.

- H. Maintain an accurate survey of gage station site elevations using determined benchmark elevations.
- I. Perform these same services for each additional gage station installed by HCFCD at FBCDD's request, if any.
- J. Not incur any financial commitment under this Agreement.

### III. FBCDD Responsibilities

FBCDD will:

- A. Maintain an inventory of replacement parts for the gage stations at FBCDD and be prepared to provide HCFCD access to the inventory within a forty-eight (48) hour notice. FBCDD will provide an inventory status report of the replacement parts to HCFCD quarterly. Should HCFCD require a part that is not within the FBCDD inventory to repair a gage station, FBCDD will purchase the required part and provide to HCFCD for installation, within fourteen (14) days of notice by HCFCD of the needed part.
- B. Pay HCFCD Fifteen Thousand Two Hundred Fifty and No/100 Dollars (\$15,250.00) within thirty (30) days of the Effective Date of this Agreement as consideration for HCFCD's effort to install five (5) gage stations.
- C. Pay HCFCD an annual maintenance fee within thirty (30) days of each anniversary of the Effective Date of this Agreement for each FBCDD gage station that will be maintained by HCFCD that year at a cost of Seven Hundred Dollars and No/100 per gage (\$700) per gage station on the first anniversary, but which cost may be adjusted yearly thereafter at the discretion of HCFCD to reflect increased expenses.
- D. Pay additional installation fees and maintenance fees as agreed upon by the parties within two (2) weeks of each newly requested gage station being installed to cover all HCFCD expenses not covered by the prepaid annual maintenance fee.
- E. FBCDD will remit all payments to:  
  
Harris County Flood Control District  
9900 Northwest Freeway  
Houston, Texas 77092  
Attn: Financial Manager
- G. Retain full ownership of the gage stations and provide any necessary replacement parts for lost, damaged, or destroyed gages.
- H. Provide HCFCD access to perform required work and maintenance.
- I. Keep gage sites mowed, free of debris to support proper gage function, and accessible for HCFCD.

#### IV. Term of Agreement

This Agreement shall be for a period of one year beginning on the Effective Date. Thereafter, this Agreement shall automatically renew annually for a period of ten years unless terminated as provided herein.

This Agreement may be terminated by either party, without cause, by sending thirty (30) days' advance written notice to the other party. Within sixty (60) days of termination by either party, HCFCD shall return FBCDD funds provided under this Agreement, if any, less costs incurred by HCFCD for services performed prior to the effective date of such termination.

#### V. Notice

Any notice required to be given by one party to another must be given in writing addressed to the party by: (a) delivering the notice in person; (b) depositing the notice in the U.S. Mail, certified or registered, return receipt requested, postage prepaid; (c) by depositing the notice with Federal Express or another nationally recognized courier service for next day delivery; or (d) sending the notice by telefax with confirming copy sent by mail. Notice is deemed effective when received by the party to be notified. Any address for notice may be changed by written notice as provided herein. Notice shall be given to the parties at the following addresses:

For the FBCDD: Fort Bend County Drainage District  
P.O. BOX 1028  
Rosenberg, Texas 77471  
Attn: Mark Vogler, P.E.

With a copy to: Fort Bend County  
Attn: County Judge  
401 Jackson Street  
Richmond, Texas 77469

For HCFCD: Harris County Flood Control District  
9900 Northwest Freeway  
Houston, Texas 77092  
Attn: Jeff Lindner, Director Hydrologic Operations Division

With a copy to: Harris County Flood Control District  
9900 Northwest Freeway  
Houston, Texas 77092  
Attn: Executive Director, Harris County Flood Control District

VI. Miscellaneous

- A. It is expressly understood and agreed by the parties to this Agreement that no party shall be held liable for the actions of another party to this Agreement while in any manner furnishing services hereunder. Further, nothing herein shall be construed as a waiver of sovereign immunity by either party.
- B. In the event the HCFCD fails or refuses to perform any of its obligations herein, FBCDD's sole remedy shall be to terminate this Agreement.
- C. Each party to this Agreement shall be solely responsible for defending against and liable for paying any claim, suit, or judgment for damages, loss, or costs, arising from that party's negligence in the performance of this Agreement in accordance with applicable law.
- D. This Agreement shall be construed under and in accord with the laws of the State of Texas. Any and all legal action necessary to enforce the Agreement will be held in Harris County.
- E. If any provision of the Agreement shall be held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to serve the purposes and objectives of both parties.
- F. This Agreement represents the entire understanding between the parties and supersedes all other negotiations, representations, or agreement, written or oral, relating to this Agreement.
- G. This Agreement may be amended only by the mutual written consent of the parties.

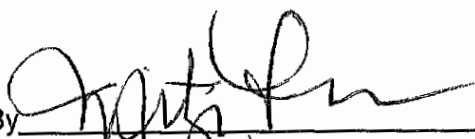
IN WITNESS WHEREOF, the parties hereto have entered into this Agreement effective as of the last date written below (Effective Date).

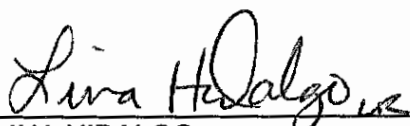
Date: FEB 11 2020

APPROVED AS TO FORM:

HARRIS COUNTY FLOOD CONTROL  
DISTRICT

VINCE RYAN  
Harris County Attorney

By:   
MITZI TURNER  
Assistant County Attorney

By:   
LINA HIDALGO  
County Judge

APPROVED AS TO FORM:

FORT BEND COUNTY DRAINAGE  
DISTRICT

ROY CORDES

Fort Bend County Attorney

By: HA

HUMA AHMED

Assistant County Attorney

By: KP George

KP GEORGE, County Judge

ATTEST:

Laura Richard

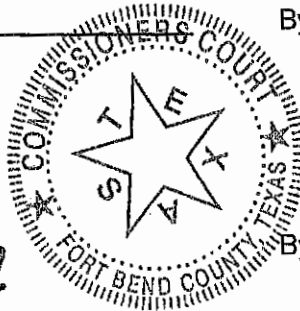
Name Laura Richard, County Clerk

County Clerk

Title

1-07-2020

Date



By: Mark Vogler

Mark Vogler  
Chief Engineer

THE STATE OF TEXAS     §  
                                      §  
 COUNTY OF HARRIS     §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the County of Houston, Texas, on FEB 11 2020, with the following members present, to-wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct No. 1
Adrian Garcia	Commissioner, Precinct No. 2
Steve Radack	Commissioner, Precinct No. 3
R. Jack Cagle	Commissioner, Precinct No. 4

and the following members absent, to-wit: none, constituting a quorum, when among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT  
 FOR INSTALLATION OF GAGE STATIONS  
 BETWEEN THE HARRIS COUNTY FLOOD CONTROL DISTRICT  
 AND THE FORT BEND COUNTY DRAINAGE DISTRICT**

Commissioner Ellis introduced an order and made a motion that the same be adopted. Commissioner A. Garcia seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

		Yes	No	Abstain
AYES:	Judge Lina Hidalgo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAYS:	Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTENTIONS:	Comm. Adrian Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Comm. Steve Radack	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Comm. R. Jack Cagle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

**WHEREAS**, pursuant to the Interlocal Cooperation Act, Texas Government Code Chapter 791, as amended, cities, counties, special districts and other legally constituted political subdivisions of the State of Texas are authorized to enter into local contracts and agreements with each other regarding governmental functions and services; and

**WHEREAS**, the natural resources and functions of rivers, streams, bayous and channels help maintain the integrity of natural and manmade systems and provide multiple benefits such as the conveyance and storage of flood waters, recreation, the improvement of surface water quality, and the provision of habitats for fish and wildlife; and

**WHEREAS**, local goals for flood warning, flood damage reduction, and efficient drainage can be better achieved through cooperative management; and

**Presented to Commissioners Court**

FEB 11 2020  
 APPROVE E/G  
 Recorded Vol \_\_\_\_\_ Page \_\_\_\_\_

**WHEREAS**, FBCDD desires that HCFCDD install five (5) additional gage stations and maintain a total of ten (10) gage stations that will be owned by FBCDD that measure rainfall amounts and water levels in channels; and

**WHEREAS**, the ten (10) gage stations will transmit their data to the HCFCDD's base station for reporting on the public Harris County Flood Warning System website; and

**WHEREAS**, FBCDD may request additional gages to be installed and maintained at any time by submitting a written request to HCFCDD; and

**WHEREAS**, the HCFCDD has determined that maintaining FBCDD owned gage stations would increase the efficiency and effectiveness of a HCFCDD purpose, and benefit the citizens of Harris County and within the jurisdiction of the Fort Bend County Drainage District.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS THAT:

Section 1: The recitals set forth in this order are true and correct.

Section 2: County Judge Lina Hidalgo is hereby authorized to execute for and on behalf of the Harris County Flood Control District, an Interlocal Agreement by and between the Harris County Flood Control District and Fort Bend County Drainage District, for the installation of five (5) gage stations to gather, disseminate and relay stream elevation and rainfall data through the Harris County Flood Control District's Flood Warning System, said Agreement being incorporated herein by reference for all purposes as though fully set forth verbatim herein.

Section 3: The Executive Director of the Harris County Flood Control District or his designee is hereby authorized to perform any and all necessary acts within the scope of the terms and conditions of the Agreement to accomplish the purpose of this order.

**FORT BEND COUNTY, TEXAS**  
**STATE SINGLE AUDIT REPORT**  
**For the Year Ended September 30, 2020**



**FORT BEND COUNTY, TEXAS**  
**TABLE OF CONTENTS**

	<u><b>Page</b></u>
Report of Independent Auditors on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With <i>Government Auditing Standards</i>	1
Report of Independent Auditors on Compliance for Each Major State Program; Report on Internal Control over Compliance; and Report on Schedule of Expenditures of State Awards Required by the <i>Texas Single Audit Circular (Uniform Grant Management Standards)</i>	3
Schedule of Findings and Questioned Costs	6
Schedule of Expenditures of State Awards	8
Notes to Schedule of Expenditures of State Awards	11
Summary Schedule of Prior Audit Findings	12
Corrective Action Plan	13



**REPORT OF INDEPENDENT AUDITORS ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Fort Bend County, Texas (the “County”), as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the County’s basic financial statements and have issued our report thereon dated April 29, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the County’s internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County’s internal control. Accordingly, we do not express an opinion on the effectiveness of the County’s internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity’s financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the County's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purposes.

A handwritten signature in black ink that reads "Whitley Penn LLP". The signature is written in a cursive, flowing style.

Houston, Texas  
April 29, 2021

**REPORT OF INDEPENDENT AUDITORS ON COMPLIANCE FOR EACH MAJOR STATE PROGRAM; REPORT ON INTERNAL CONTROL OVER COMPLIANCE; AND REPORT ON SCHEDULE OF EXPENDITURES OF STATE AWARDS REQUIRED BY THE TEXAS SINGLE AUDIT CIRCULAR (UNIFORM GRANT MANAGEMENT STANDARDS)**

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

**Report on Compliance for Each Major State Program**

We have audited Fort Bend County, Texas' (the "County") compliance with the types of compliance requirements described in the *State of Texas Single Audit Circular (Uniform Grant Management Standards)* that could have a direct and material effect on each of the County's major state programs for the year ended September 30, 2020. The County's major state programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

**Management's Responsibility**

Management is responsible for compliance with state statutes, regulations, and the terms and conditions of its state awards applicable to its state programs.

**Auditor's Responsibility**

Our responsibility is to express an opinion on compliance for each of the County's major state programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the *Texas Single Audit Circular (Uniform Grant Management Standards)*. Those standards, and the *Texas Single Audit Circular (Uniform Grant Management Standards)* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major state program occurred. An audit includes examining, on a test basis, evidence about the County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major state program. However, our audit does not provide a legal determination of the County's compliance.

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

### **Opinion on Each Major State Program**

In our opinion, the County complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major state programs for the year ended September 30, 2020.

### **Report on Internal Control over Compliance**

Management of the County is responsible for establishing and maintaining effective internal control over compliance with the types of compliance referred to above. In planning and performing our audit of compliance, we considered the County's internal control over compliance with the types of requirements that could have a direct and material effect on each major state program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance and to test and report on internal control over compliance in accordance with the *Texas Single Audit Circular (Uniform Grant Management Standards)*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the County's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the *Texas Single Audit Circular (Uniform Grant Management Standards)*. Accordingly, this report is not suitable for any other purpose.

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

### **Schedule of Expenditures of State Awards**

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the County's basic financial statements. We have issued our report thereon dated April 29, 2021, which contained unmodified opinions on those financial statements. Our audit was performed for the purpose of forming our opinions on the financial statements that collectively comprise the basic financial statements. The accompanying Schedule of Expenditures of State Awards is presented for purposes of additional analysis as required by the *Texas Single Audit Circular (Uniform Grant Management Standards)* and is not a required part of the basic financial statements.

Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain other procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Expenditures of State Awards is fairly stated, in all material respects in relation to the basic financial statements taken as a whole.

  
Houston, Texas  
April 29, 2021

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
*For The Year Ended September 30, 2020*

**I. Summary of Auditors' Results**

**Financial Statements**

Type of auditors' report issued:	Unmodified
Internal control over financial reporting:	
Material weakness(es) identified?	No
Significant deficiency(ies) identified that are not considered to be material weaknesses?	None reported
Noncompliance material to financial statements noted?	No

**State Awards**

Internal control over major programs:	
Material weakness(es) identified?	No
Significant deficiency(ies) identified that are not considered to be material weaknesses?	None reported
Type of auditors' report issued on compliance with major programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with <i>Texas Single Audit Circular (Uniform Grant Management Standards)</i> section 510(a)?	No

Identification of major programs:

<b>Name of State Program:</b>	<b>State Identifying Number</b>
Texas Department of Criminal Justice Community Justice Assistance Division	
PreTrial Intervention-Diversion	008
Treatment Alternative to Incarceration	010
Mental Health Initiative Caseload	015
Felony Drug Court	016
Substance Abuse Treatment Caseload	018
Special Sanctions Court	019
Aftercare Caseload	023
Texas Indigent Defense Commission	
Formula Grant	212-20-079
Supplemental Capital Defense Formula Grant	212-20-79SC
Fort Bend County Public Defender Program	212-20-D05
Texas Veterans Commission General Assistance 2019	
Texas Veterans Commission General Assistance 2020	.....

**FORT BEND COUNTY, TEXAS**

***SCHEDULE OF FINDINGS AND QUESTIONED COSTS (continued)***

***For The Year Ended September 30, 2020***

**I. Summary of Auditors' Results (continued)**

Dollar Threshold Considered Between Type A and Type B State Programs	\$300,000
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Auditee qualified as low-risk auditee?	Yes
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**II. Financial Statement Findings**

None noted

**III. State Award Findings and Questioned Costs**

None noted

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF STATE AWARDS**  
**For the Year Ended September 30, 2020**

Page 1 of 3

State Grantor/Pass-Through Grantor/Program Title	Grantor or Pass-Through Entity Identifying Number	State Expenditures
<b>Texas Department of Transportation</b>		
<u>Direct Program:</u>		
Section 5311 State/Local Rural Public Transportation	RUR 1902 (11)	\$ 171,283
Section 5311 State/Local Rural Public Transportation	RUR 2001 (12)	226,428
<b>Total Texas Department of Transportation</b>		<b>397,711</b>
<b>Texas Department of Criminal Justice - Community Justice Assistance Division</b>		
<u>Direct Programs:</u>		
Diversion Programs		
PreTrial Intervention-Diversion	008	304,289
PreTrial Intervention-Diversion	008	19,491
Mental Health Initiative Caseload	015	182,917
Mental Health Initiative Caseload	015	10,284
Felony Drug Court	016	116,199
Felony Drug Court	016	7,148
Substance Abuse Treatment Caseload	018	151,615
Substance Abuse Treatment Caseload	018	6,635
Special Sanctions Court	019	363,840
Special Sanctions Court	019	19,577
Aftercare Caseload	023	136,786
Aftercare Caseload	023	6,955
Total Diversion Programs		1,325,736
Treatment Alternative to Incarceration		
Treatment Alternative to Incarceration	010	495,040
Treatment Alternative to Incarceration	010	37,021
Total Treatment Alternative to Incarceration		532,061
<b>Total Texas Department of Criminal Justice - Community Justice Assistance Division</b>		<b>1,857,797</b>
<b>Texas Juvenile Justice Department</b>		
<u>Direct Programs:</u>		
State Aid	TJPC-A-2020-079	2,179,784
State Aid	TJPC-A-2021-079	111,669
Special Needs Program M	TJPC-M-2020-079	50,757
Special Needs Program M	TJPC-M-2021-079	3,972
Discretionary State Aid - R	TJPC-R-2020-079	127,261
Prevention and Intervention Demonstration Project - S	TJPC-S-2020-079	58,210
<b>Total Texas Juvenile Justice Department</b>		<b>2,531,653</b>

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF STATE AWARDS (continued)**  
**For the Year Ended September 30, 2020**

Page 2 of 3

State Grantor/Pass-Through Grantor/Program Title	Grantor or Pass-Through Entity Identifying Number	State Expenditures
<b>Office of the Governor - Criminal Justice Division</b>		
<u>Direct Programs:</u>		
<i>Felony Drug Court (CARD), Misdemeanor DWI Court (JAG) (CSCD)</i>	SF-1919113	\$ 129,999
<i>District Attorney Testing of Forensic Evidence</i>	FC-3932401	480
<i>County Innovations to Prevent Commercial Sexual Exploitation</i>	SF-3944601	47,301
<b>Total Office of the Governor - Criminal Justice Division</b>		<b>177,780</b>
<b>Texas Education Agency</b>		
<i>Juvenile Justice Alternative Education Program (JJAEP)</i>	TJPC P-2020-079	64,898
<i>Juvenile Justice Alternative Education Program (JJAEP)</i>	TJPC P-2019-079	98,794
<b>Total Texas Education Agency</b>		<b>163,692</b>
<b>Texas Veterans Commission</b>		
<u>Direct Programs:</u>		
<i>Texas Veterans Commission General Assistance-2019</i>		134,789
<i>Texas Veterans Commission General Assistance-2020</i>		34,567
<b>Total Texas Veterans Commission</b>		<b>169,356</b>
<b>Texas Department of State Health Services</b>		
<u>Direct Programs:</u>		
<i>Tuberculosis Prevention and Control - State</i>	537-18-0034-00001 Amendment 1	164,501
<i>Tuberculosis Prevention and Control - State</i>	537-18-0034-00001 Amendment 1	11,219
<i>Immunization Cooperative Agreement - Locals</i>	HHS000103000001 Amendment 1	144,770
<i>CDC - HIV/PREVF HIV-Prevention Services</i>	HHS000077800023	93,863
<i>Preventive Health Block Grant - RLSS-Local Public Health System</i>	HHS000485600014	8,750
<i>Infectious Disease Control Unit/Surveillance Epidemiology</i>	HHS000436300012	160,157
<b>Total Direct Programs</b>		<b>583,260</b>
<u>Passed-Through Texas State University:</u>		
<i>Texas State School Safety Center Tobacco - Sheriff</i>	790000	21,359
<i>Texas State School Safety Center Tobacco - Constable #1</i>	790000	18,116
<i>Texas State School Safety Center Tobacco - Sheriff</i>	790000	11,345
<b>Total Passed-Through Texas State University</b>		<b>50,820</b>
<b>Total Texas Department of State Health Services</b>		<b>634,080</b>
<b>Office of the Attorney General</b>		
<u>Direct Programs:</u>		
<i>Texas VINE Program (SAVNS)</i>	1989946	34,239
<b>Total Office of the Attorney General</b>		<b>34,239</b>

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF STATE AWARDS (continued)**  
**For the Year Ended September 30, 2020**

Page 3 of 3

State Grantor/Pass-Through Grantor/Program Title	Grantor or Pass-Through Entity Identifying Number	State Expenditures
<b>Texas Indigent Defense Commission</b>		
<u>Direct Program:</u>		
<i>Formula Grant</i>	212-20-079	\$ 589,291
<i>Supplemental Capital Defense Formula Grant</i>	212-20-79SC	28,440
<i>Fort Bend County Public Defender Program</i>	212-20-D05	99,207
<b>Total Texas Indigent Defense Commission</b>		<b>716,938</b>
<b>Texas Department of Family and Protective Services</b>		
<u>Direct Program:</u>		
<i>Concrete Services</i>	23355842	1,149
<b>Total Passed-through Texas Department of Family &amp; Protective Services</b>		<b>1,149</b>
<b>Texas Secretary of State</b>		
<u>Direct Programs:</u>		
<i>Chapter 19 Election Funds - 2018</i>	079	49,185
<i>Chapter 19 Election Funds - 2019</i>		13,422
<b>Total Texas Secretary of State</b>		<b>62,607</b>
<b>Texas Division of Emergency Management</b>		
<u>Direct Programs:</u>		
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW03864	3,121
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW03878	762
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW03958	12,440
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW04527	317
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW04621	1,483
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW05221	785
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW05252	1,019
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW05545	520
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW06053	10,353
<i>Texas Infrastructure Resiliency Fund - Hurricane Harvey Public Assistance</i>	TDEM-4332 PA-PW06120	4,702
<b>Total Texas Division of Emergency Management</b>		<b>35,502</b>
<b>Total Expenditure of State Awards</b>		<b>\$ 6,782,504</b>

## **FORT BEND COUNTY, TEXAS**

### ***NOTES TO SCHEDULE OF EXPENDITURES OF STATE AWARDS***

***For The Year Ended September 30, 2020***

#### **Note 1 - Basis of Presentation**

The accompanying schedule of expenditures of state awards (the “Schedule”) includes the state grant activity of Fort Bend County, Texas (the “County”) under programs of the state government for the year ended September 30, 2020. The information in this Schedule is presented in accordance with the requirements of the *Texas Single Audit Circular (Uniform Grant Management Standards)*. Because the Schedule presents only a selected portion of the operations of the County, it is not intended to and does not present the financial position, changes in net position or cash flows of the County.

#### **Note 2 - Summary of Significant Accounting Policies**

The County accounts for all state awards under programs of the state government in the General and Special Revenue Funds. These programs are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities are generally included on the balance sheet. Operating statements of these funds present increases (i.e. revenues and other financing sources) and decreases (i.e. expenditures and other financing uses) in net current assets.

The modified accrual basis of accounting is used for these funds. This basis of accounting recognizes revenues in the accounting period in which they become susceptible to accrual, i.e. both measurable and available, and expenditures in the accounting period in which the liability is incurred, if measurable, except for certain compensated absences and claims and judgments, which are recognized when the obligations are expected to be liquidated with expendable available financial resources.

State grant funds for governmental funds are considered to be earned to the extent of expenditures made under the provisions of the grant. When such funds are advanced to the County, they are recorded as unearned revenues until earned. Otherwise, state grant funds are received on a reimbursement basis from the respective state program agencies. Generally, unused balances are returned to the grantor at the close of specified project periods.

**FORT BEND COUNTY, TEXAS**  
***SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS***  
***For The Year Ended September 30, 2020***

The *State of Texas Single Audit Circular (Uniform Grant Management Standards)* states that the auditee is responsible for follow-up and corrective action on all audit findings. As part of this responsibility, the auditee shall prepare a summary schedule of prior audit findings. The summary schedule of prior audit findings shall report the status of the following:

- All audit findings included in the prior audit's schedule of findings and questioned costs and
- All audit findings reported in the prior audit's summary schedule of prior audit findings except audit findings listed as corrected.

**I. Prior Audit Findings**

None reported

**FORT BEND COUNTY, TEXAS**  
***CORRECTIVE ACTION PLAN***  
***For The Year Ended September 30, 2020***

The *State of Texas Single Audit Circular (Uniform Grant Management Standards)* states that at the completion of the audit, the auditee shall prepare, in a document separate from the auditor's findings, a corrective action plan to address each audit finding included in the current year auditor's reports.

**I. Corrective Action Plan**

Not applicable

**FORT BEND COUNTY, TEXAS**  
**FEDERAL SINGLE AUDIT REPORT**  
**For the Year Ended September 30, 2020**



**FORT BEND COUNTY, TEXAS**  
**TABLE OF CONTENTS**

	<b><u>Page</u></b>
Report of Independent Auditors on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With <i>Government Auditing Standards</i>	1
Report of Independent Auditors on Compliance for Each Major Federal Program; Report on Internal Control over Compliance; and Report on Schedule of Expenditures of Federal Awards Required by the <i>Uniform Guidance</i>	3
Schedule of Findings and Questioned Costs	6
Schedule of Expenditures of Federal Awards	10
Notes to Schedule of Expenditures of Federal Awards	14
Summary Schedule of Prior Audit Findings	15
Corrective Action Plan	16



**REPORT OF INDEPENDENT AUDITORS ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH  
GOVERNMENT AUDITING STANDARDS**

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Fort Bend County, Texas (the "County"), as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the County's basic financial statements and have issued our report thereon dated April 29, 2021. The financial statements of the Fort Bend County Housing Finance Corporation and the East Fort Bend County Development Authority were not audited in accordance with *Government Auditing Standards*, and accordingly, this report does not include reporting on internal control over financial reporting or compliance and other matters associated with these two discretely presented component units.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the County's internal control over financial reporting (internal control) as a basis for designing the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the County's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

  
Houston, Texas  
April 29, 2021

**REPORT OF INDEPENDENT AUDITORS ON COMPLIANCE FOR EACH MAJOR  
FEDERAL PROGRAM; REPORT ON INTERNAL CONTROL OVER COMPLIANCE;  
AND REPORT ON SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
REQUIRED BY THE *UNIFORM GUIDANCE***

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

**Report on Compliance for Each Major Federal Program**

We have audited Fort Bend County, Texas' (the "County") compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the County's major federal programs for the year ended September 30, 2020. The County's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

**Management's Responsibility**

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

**Auditor's Responsibility**

Our responsibility is to express an opinion on compliance for each of the County's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*. Those standards and the *Uniform Guidance* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the County's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the County's compliance.

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

### **Opinion on Each Major Federal Program**

In our opinion, the County complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2020.

### **Other Matters**

The results of our auditing procedures disclosed instances of noncompliance which are required to be reported in accordance with the Uniform Guidance and which are described in the accompanying schedule of findings and questioned costs as findings #2020-001 and #2020-002. Our opinion on each major federal program is not modified with respect to these matters.

The County's response to the noncompliance finding identified in our audit is described in the accompanying corrective action plan. The County's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

### **Report on Internal Control over Compliance**

Management of the County is responsible for establishing and maintaining effective internal control over compliance with the types of compliance referred to above. In planning and performing our audit of compliance, we considered the County's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance and to test and report on internal control over compliance in accordance with the *Uniform Guidance*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the County's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we did identify certain deficiencies in internal control over compliance, described in the accompanying schedule of findings and questioned costs as items #2020-001 and #2020-002 to be significant deficiencies.

The County's response to the internal control over compliance findings identified in our audit is described in the accompanying schedule of findings and questioned costs. The County's response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

To the Honorable KP George, County Judge  
and Members of Commissioners Court  
Fort Bend County, Texas

### **Report on Schedule of Expenditures of Federal Awards**

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise The County's basic financial statements and have issued our report thereon dated April 29, 2021, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying Schedule of Expenditures of Federal Awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Expenditures of Federal Awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

### **Purpose of this Report**

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the *Uniform Guidance*. Accordingly, this report is not suitable for any other purpose.

  
Houston, Texas  
April 29, 2021

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
*For The Year Ended September 30, 2020*

**I. Summary of Auditors' Results**

**Financial Statements**

Type of auditors' report issued:	Unmodified
Internal control over financial reporting:	
Material weakness(es) identified?	No
Significant deficiency(ies) identified that are not considered to be material weaknesses?	None reported
Noncompliance material to financial statements noted?	No

**Federal Awards**

Internal control over major programs:	
Material weakness(es) identified?	No
Significant deficiency(ies) identified that are not considered to be material weaknesses?	Yes, #2020-001 and #2020-002
Type of auditors' report issued on compliance with major programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with section 2 CFR 200.516(a)?	Yes, #2020-001 and #2020-002

Identification of major programs:

<b>Name of Federal Program or Cluster:</b>	<b>CFDA Numbers</b>
--	---------------------

Emergency Watershed Protection Program	10.923
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Federal Transit Cluster:

Section 5307 Urban Public Transportation	20.507
CMAQ – Westpark P&R	20.507
CMAQ Flexible Funding – Transportation	20.507
Section 5307 CARES Act (Covid-19)	20.507
Section 5339 Bus and Facilities Program	20.526

Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") (Covid-19)	21.019
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**FORT BEND COUNTY, TEXAS*****SCHEDULE OF FINDINGS AND QUESTIONED COSTS (continued)******For the Year Ended September 30, 2020***

<b>Name of Federal Program or Cluster (continued):</b>	<b>CFDA Numbers</b>
Community Preparedness	97.067
Hazmat Sustainment/Enhancement	97.067
Houston Regional Intelligence Service Center – Analyst	97.067
Collapse Search and Rescue	97.067
SWAT Sustainment/Enhancement	97.067
EOC Technology	97.067
Regional Planners	97.067
Management and Administration	97.067
Emergency Public Information System Sustainment	97.067
Continuity of Operations Plan Update	97.067
 Dollar Threshold Considered Between Type A and Type B Federal Programs	 \$2,771,332
 Auditee qualified as low-risk auditee?	 Yes

## **FORT BEND COUNTY, TEXAS**

### ***SCHEDULE OF FINDINGS AND QUESTIONED COSTS (continued)***

***For the Year Ended September 30, 2020***

## **II. Financial Statement Findings**

None noted

## **III. Federal Award Findings and Questioned Costs**

**Finding** #2020-001 - Subrecipient Certification (M. Subrecipient Monitoring)

**Program Information** CFDA 21.019, Coronavirus, Aid, Relief, and Economic Security Act (CARES Act") (Covid-19);

**Criteria:** Under Uniform Guidance, 2 CFR Part 200.415, to assure that expenditures are proper and in accordance with the terms and conditions of the Federal award and approved project budgets, the annual and final fiscal reports or vouchers requesting payment under the agreements must include a *certification*, signed by an official who is authorized to legally bind the non-Federal entity, which reads as follows:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.”

**Condition:** During discussions of operating procedures and policies for Subrecipient Monitoring we noted that there is not a *certification clause* included in subrecipient reporting submissions that is a part of the procedure of ensuring subrecipients are compliant with proper reporting with grant guidelines and CFR 2, Part 200.

**Recommendation:** We recommend that the County include *certification clause* within their required reporting in order to comply with CFR 200.415 requirements.

**Cause:** Oversight on the part of County personnel of this requirement to comply with CFR 200.415

**Effect:** Non-compliance in certification reports for subrecipients.

**Questioned Costs:** None

**Repeat Finding:** No

**View of Responsible Official:** Agree with the finding and see Corrective Action Plan

**FORT BEND COUNTY, TEXAS**

***SCHEDULE OF FINDINGS AND QUESTIONED COSTS (continued)***

***For the Year Ended September 30, 2020***

<b>Finding</b>	<b>#2020-002 – M. Subrecipient Monitoring</b>
<b>Program Information</b>	<b>CFDA 21.019, Coronavirus, Aid, Relief, and Economic Security Act (CARES Act”) (Covid-19)</b>
<b>Criteria:</b>	2 CFR Part 200.332 requires pass-through entities (PTE) to properly monitor subrecipients for compliance with grant requirements.
<b>Condition:</b>	The County does not have formal written procedures documenting the subrecipient monitoring process to include risk evaluation and monitoring the activities of subrecipients to guide personnel through the appropriate steps to ensure subrecipients’ compliance with grant requirements.
<b>Cause:</b>	County personnel have typically relied on internal discussions and third-party monitoring of compliance requirements including subrecipient monitoring.
<b>Effect:</b>	Without formal written procedures for subrecipient monitoring and a lack of consistent application of monitoring procedures could result in subrecipient noncompliance occurring that is not being detected by management in a timely manner.
<b>Questioned Costs:</b>	None
<b>Repeat Finding:</b>	No
<b>Recommendation:</b>	We recommend that the County prepare written policies and procedures to ensure grant subrecipients monitoring are in compliance with grant and regulations.
<b>View of Responsible Official:</b>	Agree with the finding and see Corrective Action Plan

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**  
**For the Year Ended September 30, 2020**

Page 1 of 4

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Entity Identifying Number	Federal Expenditures	Passed through to Subrecipients
<b>U.S. Department of Agriculture</b>				
<u>Passed-through the Texas Department of Agriculture - Food and Nutrition Division:</u>				
Child Nutrition Cluster:				
Non-cash assistance:				
Food Donation (Program Year 2020: 10/1/19 - 9/30/20 )	10.558	806780706	\$ 3,661	\$ -
Cash assistance:				
School Breakfast Program 2019-2020 (CE ID# 01298)	10.558	806780706	34,692	-
School Breakfast Program 2020-2021	10.558	806780706	9,232	-
National School Lunch Program 2018-2020	10.558	806780706	50,379	-
National School Lunch Program 2020-2021	10.558	806780706	14,321	-
Total Child Nutrition Cluster			112,285	-
<u>Passed-through the Natural Resources Conservation Service:</u>				
Emergency Watershed Protection Program	10.923	NR197442XXXXC002	214,015	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC033	2,408,814	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC041	3,199,137	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC036	3,420,034	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC035	2,365,603	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC031	5,644,935	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC034	103,955	-
Emergency Watershed Protection Program	10.923	NR197442XXXXC042	107,989	-
Total Passed-through the Natrual Resources Conservation Service			17,464,482	-
<b>Total U.S. Department of Agriculture</b>			<b>17,576,767</b>	<b>-</b>
<b>U.S. Department of Housing and Urban Development</b>				
<u>Direct Programs:</u>				
CDBG - Entitlement Grants Cluster:				
Community Development Block Grants/Entitlement Grants 2014	14.218	B-14-UC-48-0004	5,024	-
Community Development Block Grants/Entitlement Grants 2016	14.218	B-16-UC-48-0004	20,404	-
Community Development Block Grants/Entitlement Grants 2017	14.218	B-17-UC-48-0004	300,665	-
Community Development Block Grants/Entitlement Grants 2018	14.218	B-18-UC-48-0004	803,452	58,590
Community Development Block Grants/Entitlement Grants 2019	14.218	B-18-UC-48-0004	337,177	177,098
Community Development Block Grants/CARES ACT 2020 CDBG-CV (Covid-19)	14.218	B-20-UW-48-0004	11,546	-
Total CDBG - Entitlement Grants Cluster			1,478,268	235,688
Homeless Emergency Assistance and Rapid Transition Housing (HEARTH) Program 2017	14.231	E-17UC-48-0003	34,030	-
Homeless Emergency Assistance and Rapid Transition Housing (HEARTH) Program 2018	14.231	E-18UC-48-0003	48,989	28,259
Homeless Emergency Assistance and Rapid Transition Housing (HEARTH) Program 2018	14.231	E-18UC-48-0003	95,859	95,859
Emergency Solutions Grants Program – CARES Act Funding (Covid-19)	14.231	E-20-UW-48-0004	68,726	51,038
Total CFDA # 14.231			247,604	175,156
Home Investment Partnerships Program 2016	14.239	M-16-UC-48-0216	167,788	-
Home Investment Partnerships Program 2017	14.239	M-16-UC-48-0217	253,806	-
Total CFDA # 14.239			421,594	-
Total Direct Programs			2,147,466	410,844
<u>Passed-through the Texas General Land Office</u>				
Disaster Assistance - 2016 & 2017 Floods	14.228	18-523-000-B264	6,122	-
Disaster Assistance - 2016 & 2017 Floods	14.228	18-523-000-B264	110,231	-
Disaster Assistance - Harvey Hurricane	14.228	20-066-006-C038	8,700	-
Total Passed-through Texas General Land Office			125,053	-
<b>Total U.S. Department of Housing and Urban Development</b>			<b>2,272,519</b>	<b>410,844</b>

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (continued)**  
**For the Year Ended September 30, 2020**

Page 2 of 4

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Entity Identifying Number	Federal Expenditures	Passed through to Subrecipients
<b>U.S. Department of Justice</b>				
<u>Direct Programs:</u>				
Edward Byrne Justice Assistance Grant FY17	16.738	2017-DJ-BX-0852	\$ 6,289	\$ -
Edward Byrne Justice Assistance Grant FY18	16.738	2018-DB-BX-0409	6,955	-
Edward Byrne Justice Assistance Grant FY19	16.738	2019-DJ-BX-0231	49,245	-
Total CFDA # 16.738			62,489	-
Coronavirus Emergency Supplemental Funding Program (Covid-19)	16.034	2020-VD-BX-1582	49,380	-
State Criminal Alien Assistance Program FY2019	16.606	2020-AP-BX-1083	404,276	-
Justice and Mental Health Collaboration Program FY19	16.745	2019-MO-BX-0026	58,443	-
Total Direct Programs			574,588	-
<u>Passed-through the Office of the Governor Criminal Justice Division:</u>				
The IRIS Women's Program	16.575	VA-3024003	119,476	-
Infant Toddler Court:Healing the Youngest Victims	16.575	VA-3334302	40,771	-
Crime Victim Assistance -Victim Witness Staff Expansion-(VOCA) (District Atty)	16.575	VA-1364518	101,728	-
Crime Victim Assistance -Victim Services Program-Victim of Crime Act (VOCA) (CSCD)	16.575	VA-1364818	53,651	-
Victim Case Coordination Program	16.575	VA-3058303	43,387	-
Total CFDA # 16.575			359,013	-
Violence Against Women Formula Grant - Prosecutor (District Atty)	16.588	WF-1344722	193,107	-
Violence Against Women Formula Grant - Prosecutor (District Atty)	16.588	WF-1344723	8,483	-
Total CFDA # 16.588			201,590	-
Total Passed-through the Office of the Governor Criminal Justice Division			560,603	-
<u>Passed-through the City of Houston:</u>				
Internet Crimes Against Children Task Force Program: District Atty	16.543	2018-MC-FX-K066	100,838	-
Total Passed-through the City of Houston			100,838	-
<u>Passed-through the Office of the Governor Criminal Justice Division:</u>				
(TCFV) Domestic Violence High Risk Team: District Atty	16.575	2018-V2-GX-0040	28,963	-
Total Passed-through the Office of the Governor Criminal Justice Division			28,963	-
<b>Total U.S. Department of Justice</b>			<b>1,264,992</b>	<b>-</b>
<b>U.S. Department of Transportation</b>				
<u>Direct Programs:</u>				
Federal Transit Cluster:				
Section 5307 Urban Public Transportation	20.507	TX-90-Y120	1,185	-
Section 5307 Urban Public Transportation	20.507	TX-2018-007	397,293	-
Section 5307 Urban Public Transportation	20.507	TX-2018-003	497,296	-
Section 5307 Urban Public Transportation	20.507	TX-2018-058	1,673,913	-
Section 5307 Urban Public Transportation	20.507	TX-2019-088	596,349	-
CMAQ - Westpark P&R	20.507	TX-95-X080	14,288	-
CMAQ Flexible Funding - Transportation Facility	20.507	TX-2020-085	592,200	-
Section 5307 CARES Act (Covid-19)	20.507	TX-2020-093	842,970	-
Total CFDA # 20.507			4,615,494	-
Section 5339 Bus and Facilities Program	20.526	BBF 1902 (11) 45	179,889	-
Total Federal Transit Cluster			4,795,383	-
Transit Services Programs Cluster:				
Section 5310 Elderly & Disabled Transportation Program	20.513	TX-2017-083	34,055	-
Section 5310 Elderly & Disabled Transportation Program	20.513	TX-2020-138	1,052,376	-
Total Transit Services Programs Cluster			1,086,431	-
Total Direct Programs			5,881,814	-

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (continued)**  
**For the Year Ended September 30, 2020**

Page 3 of 4

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Entity Identifying Number	Federal Expenditures	Passed through to Subrecipients
<b>U.S. Department of Transportation (continued)</b>				
<u>Passed-through Texas Department of Transportation:</u>				
Section 5311 State/Local Rural Public Transportation	20.509	RPT 1802 (11) 030_18	\$ 183,394	\$ -
Section 5311 State/Local Rural Public Transportation	20.509	RPT 2101 (11) 030_18	616,808	-
Section 5311 State/Local Rural Public Transportation	20.509	RPT 1903 (12) 39_19	884,064	-
Section 5311 State/Local Rural Public Transportation	20.509	DIS 1902 (12) 028_19	155,000	-
Section 5311 CARES Act (Covid-19)	20.509	CAF 2002 (11) 072_20	250,141	-
Total CFDA # 20.509			2,089,407	-
Selective Traffic Enforcement Program- Commercial Vehicle	20.614	2020-FBCoCP4-S-CMV-00019	3,466	-
Selective Traffic Enforcement Program- Comprehensive	20.614	2020-FBCoCP4-S-1-YG-00040	6,684	-
Selective Traffic Enforcement Program- TxDOT	20.614	2020-FBCoCP3-S-1YG-00093	19,413	-
Total CFDA # 20.614			29,563	-
Total Passed-through Texas Department of Transportation:			2,118,970	-
<u>Passed-through Metropolitan Transit Authority of Harris County:</u>				
Transit Services Programs Cluster:				
Section 5316 Job Access/Reverse Commute Federal Funds	20.516	TX-37-X059	35,044	-
Section 5317 New Freedom Federal Funds	20.521	TX-57-X006	57,645	-
Total Transit Services Programs Cluster			92,689	-
<b>Total U.S. Department of Transportation</b>			<b>8,093,473</b>	<b>-</b>
<b>Executive Office of the President</b>				
<u>Direct Programs:</u>				
Office on National Drug Control Policy				
High Intensity Drug Trafficking Areas (HIDTA) (Sheriff's Office)	95.001	G19HN0010A	1,477,747	-
High Intensity Drug Trafficking Areas (HIDTA) (Sheriff's Office)	95.001	G20HN0010A	2,102,245	-
<b>Total Executive Office of the President</b>			<b>3,579,992</b>	<b>-</b>
<b>U.S. Department of Treasury</b>				
<u>Direct Program:</u>				
Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") (Covid-19)	21.019	20-1892-0-1-806	47,698,854	1,997,732
<b>Total U.S. Department of Treasury</b>			<b>47,698,854</b>	<b>1,997,732</b>
<b>U.S. Department of Health &amp; Human Services</b>				
<u>Direct Program:</u>				
Public Health and Social Services Emergency Fund/CARES Act Provider Relief Fu	93.003		15,868	-
Total Direct Programs			15,868	-
<u>Passed-through Texas Department of Family &amp; Protective Services:</u>				
Foster Care Title IV-E FY '20 (Legal Services) ARRA	93.658	24735584	87,518	-
Foster Care Title IV-E FY '20 (CWS) ARRA	93.658	24735586	25,084	-
Total Passed-through Texas Department of Family & Protective Services			112,602	-
<u>Passed-through Texas Department of State Health Services:</u>				
Public Health Emergency Preparedness (PHEP) (Hazards)	93.069	537-18-0117-00001 Amendment 4	211,068	-
Public Health Emergency Preparedness (PHEP) (Hazards)	93.069	537-18-0117-00001 Amendment 5	113,695	-
Public Health Emergency Preparedness - CRI - Cities Readiness Initiative	93.069	537-18-0187-00001 Amendment 3	123,280	-
Public Health Emergency Preparedness - CRI - Cities Readiness Initiative	93.069	537-18-0187-00001 Amendment 4	17,302	-
Total CFDA # 93.069			465,345	-
Preventive Health Block Grant - RLSS-Local Public Health System	93.991	HHS000485600014	18,647	-
Immunization Cooperative Agreement - Locals	93.268	HHS000103000001 Amendment 1	78,820	-
Immunization Cooperative Agreement - Locals	93.268	HHS000103000001 Amendment 1	17,311	-
Total CFDA # 93.268			96,131	-
CDC - HIV/PRFV HIV-Prevention Services	93.940	2016-004093-05	73,879	-
CDC - HIV/PRFV HIV-Prevention Services	93.940	HHS000077800023	100,764	-
Total CFDA # 93.940			174,643	-

**FORT BEND COUNTY, TEXAS**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (continued)**  
**For the Year Ended September 30, 2020**

Page 4 of 4

Federal Grantor/Pass-Through Grantor/Program Title	Federal CFDA Number	Pass-Through Entity Identifying Number	Federal Expenditures	Passed through to Subrecipients
<i>CDC - Coronavirus 2019-COVID-19</i>	93.354	HHS000768800001 Amendment #1	\$ 512,591	\$ -
<i>2017 Hurricane Public Health Crisis Response Cooperative Agreement</i>	93.354	HHS00037150017	231,611	-
<i>Total CFDA # 93.354</i>			744,202	-
<i>Tuberculosis Prevention &amp; Control - Federal</i>	93.116	HHS000686100015	17,681	-
<i>Tuberculosis Prevention &amp; Control - Federal</i>	93.116	HHS000686100015	57,369	-
<i>Total CFDA # 93.116</i>			75,050	-
Total Passed-through Texas Department of State Health Services			1,574,018	-
<u>Passed-through Texas Health and Human Services Commission:</u>				
Medicaid Cluster:				
<i>Medical Assistance Program - Ambulance Services</i>	93.778	NPI 1457322885/TP1 086395301	978,705	-
<i>Medical Assistance Program 1115 Waiver</i>	93.778	2967606-01	4,549,363	-
<i>Total Medicaid Cluster</i>			5,528,068	-
<b>Total U.S. Department of Health &amp; Human Services</b>			<b>7,230,556</b>	<b>-</b>
<b>U.S. Department of Homeland Security</b>				
<u>Passed-through United Way of Greater Houston:</u>				
<i>Emergency Food &amp; Shelter - National Board Program</i>	97.024	782800-006	1,346,381	-
<i>Total Passed-through United Way of Greater Houston</i>			1,346,381	-
<u>Passed-through Texas Department of Public Safety - Division of Emergency Management:</u>				
<i>Disaster Assistance - Hurricane Harvey 4332</i>	97.036	PA-006-TX-4332-PW06053	124,234	-
<i>Fort Bend County Elevation Project</i>	97.039	DR-4272-0026	31,750	-
<i>Fort Bend County Acquisition/Demolition of 33 Properties</i>	97.039	DR-4269-006	494,446	-
<i>Fort Bend County Acquisition/Demolition of 9 Properties</i>	97.039	DR-4269-007	81,841	-
<i>Total CFDA # 97.039</i>			608,037	-
<i>Emergency Management Performance Grant</i>	97.042	17TX-EMPG-0511	67,224	-
Total Passed-through Texas Department of Public Safety - Division of Emergency Management			799,495	-
<b>U.S. Department of Homeland Security (continued)</b>				
<u>Passed-through the Office of the Governor Homeland Security Grants Division:</u>				
<i>Hazmat Sustainment/Enhancement</i>	97.067	HS-2971004	1,087,943	-
<i>SWAT Sustainment/Enhancement</i>	97.067	HS-2971504	198,997	-
<i>Community Preparedness</i>	97.067	HS-2970905	140,295	-
<i>Continuity of Operations Plan Update</i>	97.067	HS-3910801	42,813	-
<i>EOC Technology</i>	97.067	HS-2971705	47,654	-
<i>Emergency Public Information System Sustainment</i>	97.067	HS-3415803	62,000	-
<i>Hazmat Sustainment/Enhancement</i>	97.067	HS-2971005	4,659	-
<i>Houston Regional Intelligence Service Center - Analyst</i>	97.067	HS-2971205	55,632	-
<i>Management and Administration</i>	97.067	HS-2985405	58,801	-
<i>Regional Planners</i>	97.067	HS-2971805	183,232	-
<i>SWAT Sustainment/Enhancement</i>	97.067	HS-2971505	248,344	-
<i>Collapse Search and Rescue</i>	97.067	HS-2971405	59,106	-
<i>Total Passed-through the Office of the Governor Homeland Security Grants Division</i>			2,189,476	-
<b>Total U.S. Department of Homeland Security</b>			<b>4,335,352</b>	<b>-</b>
<b>U.S. Elections Assistance Commission</b>				
<u>Passed-through the Texas Secretary of State:</u>				
<i>2020 Help America Vote Act (HAVA) Cares Act (Covid19)</i>	90.404	TX20101CARES-079	319,861	-
<i>Total Passed-through Texas Secretary of State</i>			319,861	-
<b>Total U.S. Elections Assistance Commission</b>			<b>319,861</b>	<b>-</b>
<b>National Endowment for the Humanities</b>				
<u>Passed-through the Texas State Library and Archives Commission</u>				
<i>Interlibrary Loan Lends</i>	45.310	LS-00-15-0044-15	5,372	-
<i>Total Passed-through Texas State Library and Archives Commission</i>			5,372	-
<b>Total National Endowment for the Humanities</b>			<b>5,372</b>	<b>-</b>
<b>Total Expenditures of Federal Awards</b>			<b>\$92,377,738</b>	<b>\$ 2,408,576</b>

## **FORT BEND COUNTY, TEXAS**

### **NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

*For The Year Ended September 30, 2020*

#### **Note 1 - Basis of Presentation**

The accompanying schedule of expenditures of federal awards (the “Schedule”) includes the federal grant activity of Fort Bend County, Texas (the “County”) under programs of the federal government for the year ended September 30, 2020. The information in this Schedule is presented in accordance with the requirements of Office of Management and Budget (OMB) *Uniform Guidance*. Because the Schedule presents only a selected portion of the operations of the County, it is not intended to and does not present the financial position, changes in net position or cash flows of the County.

#### **Note 2 - Summary of Significant Accounting Policies**

The County accounts for all federal awards under programs of the federal government in the General and Special Revenue Funds. These programs are accounted for using a current financial resources measurement focus. With this measurement focus, only current assets and current liabilities are generally included on the balance sheet. Operating statements of these funds present increases (i.e. revenues and other financing sources) and decreases (i.e. expenditures and other financing uses) in net current assets.

The modified accrual basis of accounting is used for these funds. This basis of accounting recognizes revenues in the accounting period in which they become susceptible to accrual, i.e. both measurable and available, and expenditures in the accounting period in which the liability is incurred, if measurable, except for certain compensated absences and claims and judgments, which are recognized when the obligations are expected to be liquidated with expendable available financial resources.

Federal grant funds for governmental funds are considered to be earned to the extent of expenditures made under the provisions of the grant. When such funds are advanced to the County, they are recorded as unearned revenues until earned. Otherwise, federal grant funds are received on a reimbursement basis from the respective federal program agencies. Generally, unused balances are returned to the grantor at the close of specified project periods. The County has elected not to use the 10 percent de minimis indirect cost rate allowed under the *Uniform Guidance*.

**FORT BEND COUNTY, TEXAS**  
***SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS***  
***For The Year Ended September 30, 2020***

Federal regulations, Title 2 U.S. Code of Federal Regulations Section 200.511 states, "The auditee is responsible for follow-up and corrective action on all audit findings. As part of this responsibility, the auditee must prepare a summary schedule of prior audit findings." The summary schedule of prior audit findings must report the status of the following:

- All audit findings included in the prior audit's schedule of findings and questioned costs and
- All audit findings reported in the prior audit's summary schedule of prior audit findings except audit findings listed as corrected.

**I. Prior Audit Findings**

None reported

## **FORT BEND COUNTY, TEXAS**

### ***CORRECTIVE ACTION PLAN***

***For The Year Ended September 30, 2020***

Federal regulations, Title 2 U.S. Code of Federal Regulations §200.511 states, “At the completion of the audit, the auditee must prepare, in a document separate from the auditor's findings described in §200.516 Audit findings, a corrective action plan to address each audit finding included in the current year auditor's reports.”

As part of this responsibility, the County’s corrective action plans are presented below.

#### **I. Corrective Action Plan**

##### **Finding #2020-001 – CFDA 21.019, Coronavirus, Aid, Relief, and Economic Security Act (CARES Act”) (Covid-19); M. Subrecipient Monitoring**

###### Corrective Action Planned:

The County will include a “*certification clause*” for reporting to comply with CFR 200.415.

###### Anticipated Completion Date:

May 2021

###### Auditee Contact Person:

County Auditor – Robert Ed Sturdivant

##### **Finding #2020-002 – CFDA 21.019, Coronavirus, Aid, Relief, and Economic Security Act (CARES Act”) (Covid-19); M. Subrecipient Monitoring**

###### Corrective Action Planned:

The County will prepare written policies and procedures to ensure controls and compliance with grant regulations.

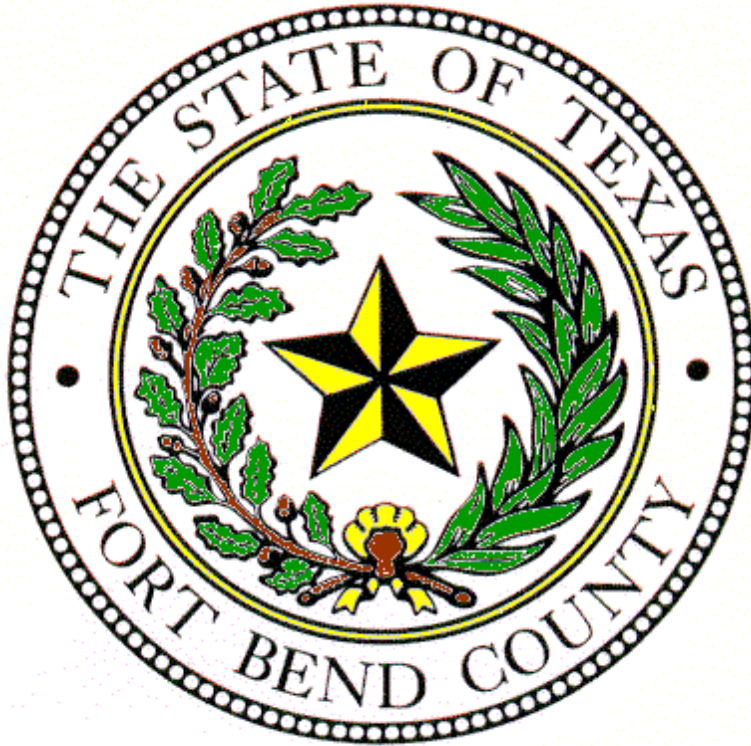
###### Anticipated Completion Date:

September 2021

###### Auditee Contact Person:

County Auditor - Robert Ed Sturdivant

# ***FORT BEND COUNTY PURCHASING DEPARTMENT***



## ***PURCHASING MANUAL***

***Approved Commissioners Court: 27 SEPTEMBER 2011***

***Amended Commissioners Court: 02 June 2015–Effective 01 August 2015***

***Amended Commissioners Court: 28 July 2015 – Effective 01 August 2015***

***Amended Commissioners Court: 26 July 2016 – Effective 01 August 2016***

***Amended Commissioners Court: 28 March 2017 – Effective 01 April 2017***

***Amended Commissioners Court: 12 December 2017 – Effective 01 January 2018***

***Amended Commissioners Court: 07 August 2018 – Effective 08 August 2018***

***Amended Commissioners Court: 05 March 2019 – Effective 05 March 2019***

***Amended Commissioners Court: 06 July 2021 – Effective 06 July 2021***

## **TABLE OF CONTENTS**

Forward	ii
Relationships	1
Responsibilities	1
The Purchasing Policy	2
The Requisition	3
Purchase Orders	4
Invoices	7
Inspecting, Testing and Receiving	7
The Competitive Solicitation Process	8
Audit Services	28
Standards of Conduct and Conflict of Interest	28
Credit Applications	30
Debarment	30
Protest Procedures	30
State Law Requirements for Contracts	30
Training	31
Fixed Asset Policy and Procedures	31
Appendices	
County Auditor Forms 1059A, 1059B, Inventory Action Notice	
Annex A: Procurement Card Policy	
Annex B: Travel Policy	
Annex C: Requirements of Fort Bend County Commissioners Court for Participation	

## **FORWARD**

### **THE COUNTY PURCHASING AGENT HAS A TWO-FOLD MISSION:**

To work in concert with the County Auditor as part of the system of checks and balances to ensure the proper expenditure of taxpayer's dollars.

To develop policies and procedures to ensure the proper, prompt and responsive purchase of all supplies, materials, equipment, and services required or used, and to contract for all repairs to property used by the County or employees of the County, and to implement such policies and procedures in the operation of his or her office.

This manual explains the policies and procedures to be followed in the implementation of the duties of the County Purchasing Agent.

## **1.0 RELATIONSHIPS:**

### **1.1 Relationship of the County Purchasing Agent and County Elected Officials and Department Heads:**

1.1.1 The County Purchasing Agent directs the activities of the County Purchasing Department, a service organization representing the procurement requirements of each County Office/Department. To successfully represent the best interest of the County, it is essential to have a strong working relationship with all County Offices/Departments. The intent of this section is to guide and assist in identifying the responsibilities and obligations required in the procurement process.

1.1.2 Hereinafter, the following apply:

County Purchasing Department will be referred to as "Purchasing".  
County Office/Departments will be referred to as "Office".  
Fort Bend County, Texas will be referred to as "County".

### **1.2 Relationship with vendor's representative:**

1.2.1 The buyer-seller relationship is one of mutuality. The responsibility of establishing and maintaining a professional relationship between the County and its suppliers lies with Purchasing. For this reason, it is imperative that Purchasing be made aware of all proposed transactions involving the County.

1.2.2 It is the responsibility of Purchasing to represent County Offices in the purchasing process. This includes the contact normally associated with sales calls. By observing the policies and procedures outlined in this manual the time of both the County and its suppliers will be maximized.

1.2.3 The relationship between the Purchasing and vendor representatives will be as follows:

1.2.3.1 Representatives of vendors will be received by Purchasing promptly and courteously with scheduled appointment.

1.2.3.2 All correspondence with suppliers will originate in Purchasing. Should an Office find it necessary to correspond with a vendor for any reason, a copy of the correspondence should be sent to Purchasing.

1.2.3.3 All Offices must keep themselves free from the image of conflict of interest by not accepting favors, gifts or entertainment offered by any supplier of the County.

## **2.0 RESPONSIBILITIES:**

2.1 PURCHASING AGENT: The County Purchasing Agent is responsible for:

- 2.1.1 Assisting all Offices in meeting their needs for operating equipment, supplies, materials, and services.
- 2.1.2 Acquainting with, and endeavoring to know, the needs of all the Offices of the County.
- 2.1.3 Securing products that meet the requirements of the Office at the lowest and best price to the County.
- 2.1.4 Knowing the sources and availability of needed products.
- 2.2 **REQUISITIONER:** The Requisitioner is responsible for:
  - 2.2.1 Allowing Purchasing sufficient time to shop each requisition submitted, select the vendor, place the order and allow the vendor to make delivery.
  - 2.2.2 Preparing detailed specifications.
  - 2.2.3 Supplying in advance, as requested, a list of anticipated purchases.
  - 2.2.4 Notifying Purchasing of any abnormal or unusual demands.
  - 2.2.5 Under no circumstances, obligating the County.
  - 2.2.6 Participating in avoiding illegal purchases.
  - 2.2.7 Providing Purchasing with a complete, clear, concise description of the item(s) or service(s) requested to ensure each requisitioner receives proper item(s) or service(s).

### **3.0 THE PURCHASING POLICY:**

- 3.1 The County Purchasing Agent shall purchase all supplies, materials and equipment required or used, and contract for all repairs to property used, by the County or a subdivision, officer, or employee of the County, except purchases and contracts required by law to be made on competitive solicitation. A person other than the County Purchasing Agent may not make the purchase of the supplies, materials or equipment or make the contract for repairs (§262.011(d) Texas Local Government Code).
- 3.2 The County Purchasing Agent shall supervise all purchases made on competitive solicitation and shall see to it that all purchased supplies, materials, and equipment are delivered to the proper county officer or department in accordance with the purchase contract (§262.011(e) Texas Local Government Code).
- 3.3 A purchase made by the County Purchasing Agent shall be paid for by an electronic transfer, check, or warrant drawn by the County Auditor on funds in the county treasury in the manner provided by law. The County Auditor may not draw and the County Treasurer may not honor a warrant for a purchase unless the purchase is made by the County Purchasing Agent or on competitive solicitation as provided by law (§262.011(f) Texas Local Government Code).

- 3.4 All purchases will be of a quality suitable for the purpose intended at the best value possible to the County.
- 3.5 All purchases require the use of a requisition from the requesting Office.
- 3.6 Purchase Orders will be prepared and issued only by the County Purchasing Agent.
- 3.7 It is a punishable offense for any person other than the County Purchasing Agent to make purchases or enter into contracts.
- 3.8 Selection of vendor on non-bid purchases rests exclusively with the County Purchasing Agent. The County Purchasing Agent has neither the duty, power, authority, nor desire to determine whether or not a purchase should be made; his or her authority extends only to selection of vendor. This duty is zealously guarded.
- 3.9 No purchase order will be issued after the fact. There are two reasons for this policy:
  - 3.9.1 The Texas Local Government Code is clear on the point that the County Purchasing Agent makes all purchases (except those made on competitive solicitation).
  - 3.9.2 Should the County Purchasing Agent issue a purchase order, after a County employee has already made the purchase, dual deliveries may result.

#### **4.0 THE REQUISITION:**

- 4.1 The purpose of a Requisition is to inform Purchasing of the needs of the requesting Office, and to correctly identify the material requested.
- 4.2 A Requisition is required for all purchases regardless of dollar value, except those purchases made by procurement card (see Annex A).
- 4.3 The Requisition must be prepared far enough in advance of the required delivery date to enable Purchasing to perform his or her duties, and to allow time for delivery by the vendor.
- 4.4 The elected official/department head, or duly authorized person within the Office prepares the on-line requisition.
- 4.5 On-line requisitions must contain all required data, as follows:
  - 4.5.1 Complete description of desired item(s)
  - 4.5.2 Quantity of desired item(s)
  - 4.5.3 Unit of measure

- 4.5.4 Delivery date
- 4.5.5 Suggested vendor
- 4.5.6 Ship to address
- 4.5.7 Funding source
- 4.5.8 Estimated unit cost
- 4.5.9 Commodity code
- 4.5.10 Fixed asset category (if applicable)
- 4.6 When possible please refer Purchasing to a particular vendor whose product has been used previously and has been found to be satisfactory. The vendor suggested will be contacted by Purchasing.
- 4.7 If a trade-in is involved, requisitions must show the County tag number, serial number, make, model and any other pertinent information of the equipment to be traded.

## **5.0 PURCHASE ORDERS:**

### **5.1 THE ROUTINE PURCHASE ORDER:**

- 5.1.1 The Purchase Order is the sellers' authorization to invoice and deliver the equipment, materials, supplies or service specified. All Purchase Orders will be written concisely and clearly to avoid misunderstandings and unnecessary correspondence with vendors.
- 5.1.2 The Purchase Order will be issued by the County Purchasing Agent only. The using Office will submit all requisitions to Purchasing and will not enter into negotiations with any vendor for the purchase of equipment, materials, supplies or services except as outlined in the "Expedited Purchase Order" procedure (see section 5.3) or Procurement Card policy (see Annex A). Purchasing will transmit all Purchase Orders to the vendor.

### **5.2 THE BLANKET PURCHASE ORDERS:**

- 5.2.1 The Blanket Purchase Order (sometimes referred to as an open purchase order) is a cost cutting tool used in the more advanced purchasing departments throughout Texas and the remaining United States. The Blanket P.O. is used to reduce time, reaction time, effort, and paperwork; it is not, however designed as a means to circumvent the competitive pricing system employed in sound purchasing departments.
- 5.2.2 Blanket Purchase Orders are appropriate in the following situations:

5.2.2.1 When the vendor and price of the desired item is set by competitive bid or contract and various quantities may be needed during the period of the contract.

5.2.2.2 As determined by Purchasing, for specific products or services with established vendors (i.e. Utilities, equipment repairs, etc.).

5.2.2.3 Equipment rental when length of rental period is unknown. Total must not exceed \$50,000 (bid limit).

5.2.2.4 When a remodeling project is planned and the logical material suppliers are known but the purchase of all required materials at one time would be impractical.

5.2.2.5 At the discretion of the County Purchasing Agent when to do so would be in the best interest of the County.

5.2.3 Blanket Purchase Orders are inappropriate for the following:

5.2.3.1 "Going Shopping". The taxpayers of the County deserve the best planning of which we are capable. The rationale that "I have \$200.00 left and I need a blanket purchase order to XYZ Supply Company to use it up" is contrary to the trust placed in each of us.

5.2.3.2 "Just in Case". Requesting Blanket Purchase Orders to a number of vendors on a regular basis "just in case we may need them" is a direct reflection on the planning capabilities of the end user. Moreover, with the encumbrance system in place each Blanket Purchase Order withdraws the appropriate amount of money from the appropriate line item and places it in escrow pending payment to the vendor.

5.2.4 Blanket Purchase Orders must be requisitioned as with any other purchase and must contain the same information listed in 4.5 above.

5.2.5 When a Blanket Purchase Order is issued to an Office it will be the responsibility of that Office to keep a running total of their purchases. Payment for purchases in excess of the amount authorized by the Purchase Order will be the responsibility of the offending office.

### 5.3 THE EXPEDITED PURCHASE ORDER

5.3.1 The Expedited Purchase Order is used to lessen the downtime of equipment when idleness of that equipment would result in unnecessary hardship or expense to the County. An Expedited Purchase Order may also be used for extreme emergency cases involving public health, safety, or welfare.

5.3.2 Expedited Purchase Orders must be requisitioned as with any other purchase and must contain the same information listed in 4.5 above. The using Office will notify Purchasing of the nature of the urgency, and

requesting a Purchase Order number. As deemed appropriate by Purchasing a Purchase Order number will be issued. The Office will give this number to the vendor and secure an invoice for the material. The Office will then forward the invoice to the County Auditor for processing. Ensure that the appropriate purchase order number is on the face of the invoice(s) submitted.

- 5.3.3 When an emergency arises during a time when Purchasing is closed, the Office will use the same procedure as above, except the Purchase Order number cannot be obtained and cannot be given to the supplier at the time of purchase. Contact Purchasing the next working day to obtain a purchase order.

#### 5.4 EXCEPTIONS THAT REQUIRE NO PURCHASE ORDER:

- 5.4.1 Payments to government entities for fees, fines and taxes (IRS, Cities, Counties, State Agencies).
- 5.4.2 Court ordered expenditures by County Court at Law or District Courts related to official court activities.
- 5.4.3 Public Assistance payments (Social Services, Indigent Health, Community Development).
- 5.4.4 Deposit Refunds (Rentals).
- 5.4.5 EMS Overpayment Refunds.
- 5.4.6 Employee Reimbursements for business travel.
- 5.4.7 Bond payments related to the issuance of bonds.
- 5.4.8 Worthless Check and Commissary Funds.
- 5.4.9 Component Units – Toll Road, Flood Control, Industrial Development but not Drainage District.
- 5.4.10 Payroll Related distributions.
- 5.4.11 Internal Service fund payments.
- 5.4.12 Payments to jurors.
- 5.4.13 Fee Officer and Non-Fee Officer Distributions (Co. Clerk, District Clerk, JPs, Sheriff, Constables).
- 5.4.14 Replenishment of missing funds pursuant to audit findings.
- 5.4.15 Petty Cash and Change Fund allocations.
- 5.4.16 Payments on credit accounts.

5.4.17 Child Protective Service Payments.

5.4.18 Any specific funds expressly stated by law excluding the requirement of a purchase order.

5.5 VARIANCES:

Any request for a variance, prior to the expenditure, must be submitted to the County Attorney to issue an opinion on whether the variance can be allowed by Commissioners Court.

**6.0 PROCUREMENT CARD PURCHASE:**

See Annex A

**7.0 INVOICES:**

7.1 The invoice is an itemized statement of merchandise delivered or services rendered and is a guide for the County in settling financial obligations incurred. Invoices are based upon Purchase Orders and therefore should contain the same information.

7.2 Information an invoice should contain:

7.2.1 The Purchase Order number.

7.2.2 An itemized list of merchandise received or services rendered.

7.2.3 The prices, terms, quantities, and other pertinent information on the Purchase Order.

7.2.4 Charges for delivery, freight, etc., must be listed separately if listed separately on Purchase Order.

**8.0 CONTRACT MANAGEMENT INCLUDING INSPECTING, TESTING AND RECEIVING:**

8.1 All equipment, materials and supplies received will be inspected by a designated individual from each Office to determine whether or not they conform to the specifications set forth in the Purchase Order or contract. The designated individual will be appointed by the head of each Office. Review shall include ensuring that:

- (a) Quantities specified are made available and delivered;
- (b) Delivery times and schedules are being met per contract terms;
- (c) Product deliveries and/or services are occurring at the correct location if multiple locations are part of the awarded contract;
- (d) Products and/or services are meeting the specifications as described in the solicitation and/or Purchase Order or contract;
- (e) Products and/or services pricing listed on invoices matches pricing amounts

- listed in the Purchase Order or contract;
- (f) Substitutions of products are being handled as outlined in the Terms and Conditions and are adequate to the specified product;
- (g) Vendor response time to product or service issues is appropriate in regard to each situation, if any.

Each Office will ensure that qualified personnel within each Office are fully aware of their responsibility to perform such inspections and review of product delivery or services.

- 8.2 Upon receipt of merchandise, and after inspection and testing, the Office will create a receiver online through financial system.
- 8.3 If the Office refuses to accept the merchandise because of a failure to meet the specifications, they will immediately contact Purchasing, and state their reasons for withholding acceptance. Purchasing will then take immediate action to compel replacement by the vendor, cancel the order, or otherwise take action to supply the Office with the needed merchandise.
- 8.4 If for any reason only partial shipments are received, Purchasing should be notified immediately. Purchasing will then contact the supplier to determine the reason for delay and the date of delivery of the balance of the order.
- 8.5 If an instance arises requiring outside testing laboratories to be utilized, the necessary arrangements will be made by Purchasing. Payment for testing will normally be made from the Office's Fees & Services budget line; however, if the test reveals non-spec materials have been supplied, the vendor will pay for the testing or face possible disqualification from future bidding.

## **9.0 THE COMPETITIVE SOLICITATION PROCESS:**

- 9.1 Statutorily Purchasing is not the responsible agency to conduct the competitive solicitation process; however, it is the desire of Commissioners Court, approved by the Purchasing Agent Appointment Board, that the County Purchasing Agent be the chief coordinator and operator of the solicitation system. The County Purchasing Agent takes no exception to this duty.
- 9.2 Purchasing shall:
  - 9.2.1 Seek Commissioners Court authorization to advertise for sealed competitive bids, requests for proposals, statements of qualification, with the Office present should any Court member have questions or comments.
  - 9.2.2 Prepare, with technical assistance from the responsible Office, the solicitation.
  - 9.2.3 As deemed appropriate, submit specifications to Commissioners Court for approval.
  - 9.2.4 Advertise as required by law.

- 9.2.5. Post solicitation packages on website and notify potential vendors.
- 9.2.6 Open the responses on the proper date at the indicated time.
- 9.2.7 Prepare analysis of responses to include cost and price analysis
- 9.2.8 Consult with requesting Office when deemed necessary and submit recommendations and analysis to Commissioners Court.
- 9.2.9 In concert with the County Attorney prepare contracts as required.
- 9.2.10 Obtain signed contract from successful vendor.
- 9.2.11 Advise requesting Office when the above has been completed.
- 9.2.12 Present to Commissioners Court for approval.
- 9.2.13 Obtain performance and payment bonds, if required in solicitation.
- 9.2.14 Issue the Purchase Order.
- 9.3 Any solicitations utilizing Federal Transit Administration (FTA) funds shall follow the process as approved in the most current "Fort Bend County Guidelines for FTA Funded Procurements".
- 9.4 Any solicitations utilizing Federal funds other than FTA shall follow the process detailed in Section 9.2 above and all requirements as stated in 2 CFR 200 to include but not limited to the following:
  - 9.4.1 § 200.318 General procurement standards. (a) The non-Federal entity must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this section.(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.(c)(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of

conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. (2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest mean that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. (d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. (e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. (f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs. (g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost. (h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. (i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. (j)(1) The non-Federal entity may use time and material type contracts only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and material type contract means a contract whose cost to a non-Federal entity is the sum of: (i) The actual cost of materials; and (ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit. (2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls. (k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound

business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

- 9.4.2 § 200.319 Competition. (a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. (b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to: (1) Placing unreasonable requirements on firms in order for them to qualify to do business; (2) Requiring unnecessary experience and excessive bonding; (3) Noncompetitive pricing practices between firms or between affiliated companies; (4) Noncompetitive contracts to consultants that are on retainer contracts; (5) Organizational conflicts of interest; (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and (7) Any arbitrary action in the procurement process. (c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. (d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations: (1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and (2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals. (e) The non-Federal

entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

- 9.4.3 § 200.320 Methods of procurement to be followed. The non-Federal entity must use one of the following methods of procurement. (a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable. (b) Procurement by small purchase procedures. The small purchase method is an "Informal Procurement Method" for purchases that exceed the micro-purchase threshold but have an aggregate amount no greater than the Simplified Acquisition Threshold of \$50,000. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. (c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply. (1) In order for sealed bidding to be feasible, the following conditions should be present: (i) A complete, adequate, and realistic specification or purchase description is available; (ii) Two or more responsible bidders are willing and able to compete effectively for the business; and (iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price. (2) If sealed bids are used, the following requirements apply: (i) The invitation for bids will be publicly advertised and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids; (ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond; (iii) All bids will be publicly opened at the time and place prescribed in the invitation for bids; (iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and (v) Any or all bids may be rejected if there is a sound documented reason. (d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is

used, the following requirements apply: (1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;(2) Proposals must be solicited from an adequate number of qualified sources;(3) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;(4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and(5) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort. (e) [Reserved](f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:(1) The item is available only from a single source;(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;(3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or(4) After solicitation of a number of sources, competition is determined inadequate.

9.4.4. § 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.(b) Affirmative steps must include:(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

9.4.5 § 200.323 Domestic preferences for procurements. (a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced

in the United States (including but not limited to iron, aluminum, steel, cement, and other manufacturer products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award. (b) For purposes of this section: (1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States. (2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

- 9.4.6 § 200.324 Procurement of recovered materials. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
- 9.4.7 § 200.324 Contract cost and price. (a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals. (b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles. (d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.
- 9.4.8 § 200.325 Federal awarding agency or pass-through entity review. (a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on

proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis; (2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

- 9.4.9 § 200.326 Bonding requirements. For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of

the bid, execute such contractual documents as may be required within the time specified. (b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract. (c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

9.4.10 2 C.F.R. § 200.327 and 2 C.F.R. Part 200, Appendix II, Required Contract Clauses:

Requirements under the Uniform Rules. A non-Federal entity's contracts must contain the applicable contract clauses described in Appendix II to the Uniform Rules (Contract Provisions for non-Federal Entity Contracts Under Federal Awards), which are set forth below. 2 C.F.R. § 200.326. For some of the required clauses we have included sample language or a reference a non-Federal entity can go to in order to find sample language. Please be aware that this is sample language only and that the non-Federal entity alone is responsible ensuring that all language included in their contracts meets the requirements of 2 C.F.R. § 200.326 and 2 C.F.R. Part 200, Appendix II. We do not include sample language for certain required clauses (remedies, termination for cause and convenience, changes) as these must necessarily be written based on the non-Federal entity's own procedures in that area.

1. Remedies.
  - a. Standard: Contracts for more than the simplified acquisition threshold (\$250,000) must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate. See 2 C.F.R. Part 200, Appendix II, ¶ A.
2. Termination for Cause and Convenience.
  - a. All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement. See 2 C.F.R. Part 200, Appendix II, ¶ B.
3. Equal Employment Opportunity.
  - a. Standard. Except as otherwise provided under 41 C.F.R. Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. § 60-1.4(b), in accordance with Executive Order 11246, Equal Employment Opportunity (30 Fed. Reg. 12319, 12935, 3 C.F.R. Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, Amending Executive Order 11246 Relating to Equal Employment Opportunity, and implementing regulations at 41 C.F.R. Part 60 (Office of Federal Contract Compliance Programs, Equal

Employment Opportunity, Department of Labor). See 2 C.F.R. Part 200, Appendix II, ¶ C.

b. Key Definitions.

(1) Federally Assisted Construction Contract. The regulation at 41 C.F.R. § 60-1.3 defines a “federally assisted construction contract” as any agreement or modification thereof between any applicant and a person for construction work which is paid for in whole or in part with funds obtained from the Government or borrowed on the credit of the Government pursuant to any Federal program involving a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, or any application or modification thereof approved by the Government for a grant, contract, loan, insurance, or guarantee under which the applicant itself participates in the construction work.

(2) Construction Work. The regulation at 41 C.F.R. § 60-1.3 defines “construction work” as the construction, rehabilitation, alteration, conversion, extension, demolition or repair of buildings, highways, or other changes or improvements to real property, including facilities providing utility services. The term also includes the supervision, inspection, and other onsite functions incidental to the actual construction.

c. The regulation at 41 C.F.R. Part 60-1.4(b) requires the insertion of the following contract clause:

“During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

(3) The contractor will send to each labor union or

representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States."

#### 4. Davis Bacon Act and Copeland Anti-Kickback Act.

- a. All prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with

the Davis-Bacon Act (40 U.S.C. §§ 3141-3144 and 3146-3148) as supplemented by Department of Labor regulations at 29 C.F.R. Part 5 (Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction)). See 29 C.F.R. Part 200, Appendix II, ¶ D.

b. In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors' must be required to pay wages not less than once a week.

c. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

d. In contracts subject to the Davis-Bacon Act, the contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. §3145), as supplemented by Department of Labor regulations at 29 C.F.R. Part 3 (Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States). The Copeland AntiKickback Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency,

e. The regulation at 29 C.F.R. § 5.5(a) does provide the required contract clause that applies to compliance with both the Davis-Bacon and Copeland Acts. However, as discussed in the previous subsection, the Davis-Bacon Act does not apply to Public Assistance recipients and subrecipients. In situations where the Davis-Bacon Act does not apply, neither does the Copeland "Anti-Kickback Act." However, for purposes of grant programs where both clauses do apply, FEMA requires the following contract clause:

"Compliance with the Copeland "Anti-Kickback" Act.

(1) Contractor. The contractor shall comply with 18 U.S.C. § 874, 40 U.S.C. § 3145, and the requirements of 29 C.F.R. pt. 3 as may be applicable, which are incorporated by reference into this contract.

(2) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clause above and such other clauses as the FEMA may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of

these contract clauses.

(3) Breach. A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 C.F.R. § 5.12.”

5. Contract Work Hours and Safety Standards Act.

a. Where applicable (see 40 U.S.C. § 3701), all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations at 29 C.F.R. Part 5. See 2 C.F.R. Part 200, Appendix II, ¶ E.

b. Under 40 U.S.C. § 3702, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week.

c. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

d. The regulation at 29 C.F.R. § 5.5(b) provides the required contract clause concerning compliance with the Contract Work Hours and Safety Standards Act:

“Compliance with the Contract Work Hours and Safety Standards Act”

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (1) of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such

territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (1) of this section, in the sum of \$27 for each calendar day of the workweek on which such individual was required or permitted to work

in excess of forty hours without payment of the overtime wages required by the clause set forth in paragraph (1) of this section.

(3) Withholding for unpaid wages and liquidated damages. (write in the name of the Federal agency or the loan or grant recipient) shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (2) of this section. (4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in paragraph (1) through (4) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs (1) through (4) of this section.”

#### 6. Rights to Inventions Made Under a Contract or Agreement.

a. Stafford Act Disaster Grants. This requirement does not apply to the Public Assistance, Hazard Mitigation Grant Program, Fire Management Assistance Grant Program, Crisis Counseling Assistance and Training Grant Program, Disaster Case Management Grant Program, and Federal Assistance to Individuals and Households – Other Needs Assistance Grant Program, as FEMA awards under these programs do not meet the definition of “funding agreement.”

b. If the Federal award meets the definition of “funding agreement” under 37 C.F.R. § 401.2(a) and the non-Federal entity wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the non-Federal entity must comply with the requirements of 37 C.F.R. Part 401 (Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and

Cooperative Agreements). See 2 C.F.R. Part 200, Appendix II, ¶ F. c. The regulation at 37 C.F.R. § 401.2(a) currently defines “funding agreement” as any contract, grant, or cooperative agreement entered into between any Federal agency, other than the Tennessee Valley Authority, and any contractor for the performance of experimental, developmental, or research work funded in whole or in part by the Federal government. This term also includes any assignment, substitution of parties, or subcontract of any type entered into for the performance of experimental, developmental, or research work under a funding agreement as defined in the first sentence of this paragraph.

7. Clean Air Act and the Federal Water Pollution Control Act. Contracts of amounts in excess of \$150,000 must contain a provision that requires the contractor to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. §§ 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. §§ 1251-1387). Violations must be reported to the awarding Federal agency and the Regional Office of the Environmental Protection Agency. See 2 C.F.R. Part 200, Appendix II, ¶ G.

a. The following provides a sample contract clause concerning compliance for contracts of amounts in excess of \$150,000:

“Clean Air Act”

(1) The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq.

(2) The contractor agrees to report each violation to the (name of the state agency or local or Indian tribal government) and understands and agrees that the (name of the state agency or local or Indian tribal government) will, in turn, report each violation as required to assure notification to the (name of recipient), Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

(3) The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance.

“Federal Water Pollution Control Act”

(1) The contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq.

(2) The contractor agrees to report each violation to the (name of the state agency or local or Indian tribal government) and understands and agrees that the (name of the state agency or local or Indian tribal government) will, in turn, report each violation as required to assure notification to the (name of recipient), Federal Emergency Management Agency, and the appropriate Environmental Protection Agency Regional Office.

(3) The contractor agrees to include these requirements in each subcontract exceeding \$150,000 financed in whole or in part with Federal assistance.”

8. Debarment and Suspension.

a. Non-federal entities and contractors are subject to the debarment and suspension regulations implementing Executive Order 12549, Debarment and Suspension (1986) and Executive Order 12689, Debarment and Suspension (1989) at 2 C.F.R. Part 180 and the Department of Homeland Security’s regulations at 2 C.F.R. Part 3000 (Nonprocurement Debarment and Suspension).

b. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs and activities. See 2 C.F.R. Part 200, Appendix II, ¶ H; and Procurement Guidance for Recipients and Subrecipients Under 2 C.F.R. Part 200 (Uniform Rules): Supplement to the Public Assistance Procurement Disaster Assistance Team (PDAT) Field Manual Chapter IV, ¶ 6.d, and Appendix C, ¶ 2 [hereinafter PDAT Supplement]. A contract award must not be made to parties listed in the SAM Exclusions. SAM Exclusions is the list maintained by the General Services Administration that contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. SAM exclusions can be accessed at [www.sam.gov](http://www.sam.gov). See 2 C.F.R. § 180.530; PDAT Supplement, Chapter IV, ¶ 6.d and Appendix C, ¶ 2.

c. In general, an “excluded” party cannot receive a Federal grant award or a contract within the meaning of a “covered transaction,” to include subawards and subcontracts. This includes parties that receive Federal funding indirectly, such as contractors to recipients and subrecipients. The key to the exclusion is whether there is a “covered transaction,” which is any nonprocurement transaction (unless excepted) at either a “primary” or “secondary” tier. Although “covered transactions” do not include contracts awarded by the Federal Government for purposes of the nonprocurement common rule and DHS’s implementing regulations, it does include some contracts awarded by recipients and subrecipient.

d. Specifically, a covered transaction includes the following contracts for goods or services:

(1) The contract is awarded by a recipient or subrecipient in the amount of at least \$25,000.

(2) The contract requires the approval of the Federal funding agency, regardless of amount.

(3) The contract is for federally-required audit services.

(4) A subcontract is also a covered transaction if it is awarded by the contractor of a recipient or subrecipient and requires either the approval of the Federal funding agency or is in excess of \$25,000.

d. The following provides a debarment and suspension clause. It incorporates an optional method of verifying that contractors are

not excluded or disqualified:

“Suspension and Debarment

(1) This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

(2) The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

(3) This certification is a material representation of fact relied upon by (insert name of subrecipient). If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to (name of state agency serving as recipient and name of subrecipient), the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

(4) The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.”

9. Byrd Anti-Lobbying Amendment.

a. Contractors that apply or bid for an award of \$100,000 or more must file the required certification. See 2 C.F.R. Part 200, Appendix II, ¶ I; 44 C.F.R. Part 18; PDAT Supplement, Chapter IV, 6.c; Appendix C, ¶ 4.

b. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. § 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award. See PDAT Supplement, Chapter IV, ¶ 6.c and Appendix C, ¶ 4.

c. The following provides a Byrd Anti-Lobbying contract clause: “Byrd Anti-Lobbying Amendment, 31 U.S.C. § 1352 (as amended) Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds

to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient.”

#### APPENDIX A, 44 C.F.R. PART 18 – CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements (To be submitted with each bid or offer exceeding \$100,000) The undersigned [Contractor] certifies, to the best of his or her knowledge, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not

more than \$100,000 for each such failure.

The Contractor, \_\_\_\_\_ certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date

10. Procurement of Recovered Materials.

a. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act at 42 U.S.C. § 6962). See 2 C.F.R. Part 200, Appendix II, ¶ J; 2 C.F.R. § 200.322;

b. The requirements of Section 6002 include procuring only items designated in guidelines of the EPA at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

c. The following provides the clause that a state agency or agency of a political subdivision of a state and its contractors can include in contracts meeting the above contract thresholds:

“(1) In the performance of this contract, the Contractor shall make maximum use of products containing recovered materials that are EPA designated items unless the product cannot be acquired—

- (i) Competitively within a timeframe providing for compliance with the contract performance schedule;
- (ii) Meeting contract performance requirements; or
- (iii) At a reasonable price.

(2) Information about this requirement, along with the list of EPA designated items, is available at EPA's Comprehensive Procurement Guidelines web site, <https://www.epa.gov/smm/comprehensiveprocurement-guideline-cpg-program>.”

11. Additional FEMA Requirements.

a. The Uniform Rules authorize FEMA to require additional

provisions for nonfederal entity contracts. FEMA, pursuant to this authority, requires or recommends the following:

b. Changes. To be eligible for FEMA assistance under the non-Federal entity's FEMA grant or cooperative agreement, the cost of the change, modification, change order, or constructive change must be allowable, allocable, within the scope of its grant or cooperative agreement, and reasonable for the completion of project scope. FEMA recommends, therefore, that a non-Federal entity include a changes clause in its contract that describes how, if at all, changes can be made by either party to alter the method, price, or schedule of the work without breaching the contract. The language of the clause may differ depending on the nature of the contract and the end-item procured.

c. Access to Records. All non-Federal entities must place into their contracts a provision that all contractors and their successors, transferees, assignees, and subcontractors acknowledge and agree to comply with applicable provisions governing Department and FEMA access to records, accounts, documents, information, facilities, and staff. See DHS Standard Terms and Conditions, v 3.0, ¶ XXVI (2013).

d. The following provides a contract clause regarding access to records:

“Access to Records. The following access to records requirements apply to this contract:

(1) The contractor agrees to provide (insert name of state agency or local or Indian tribal government), (insert name of recipient), the FEMA Administrator, the Comptroller General of the United States, or any of their authorized representatives access to any books, documents, papers, and records of the Contractor which are directly pertinent to this contract for the purposes of making audits, examinations, excerpts, and transcriptions.

(2) The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

(3) The contractor agrees to provide the FEMA Administrator or his authorized representatives access to construction or other work sites pertaining to the work being completed under the contract.”

## 12. DHS Seal, Logo, and Flags.

a. All non-Federal entities must place in their contracts a provision that a contractor shall not use the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials without specific FEMA pre-approval. See DHS Standard Terms and Conditions, v 3.0, ¶ XXV (2013).

b. The following provides a contract clause regarding DHS Seal, Logo, and Flags: “The contractor shall not use the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS

agency officials without specific FEMA preapproval.”

13. Compliance with Federal Law, Regulations, and Executive Orders.

a. All non-Federal entities must place into their contracts an acknowledgement that Federal financial assistance will be used to fund the contract along with the requirement that the contractor will comply with all applicable federal law, regulations, executive orders, and Federal funding agency policies, procedures, and directives.

b. The following provides a contract clause regarding Compliance with Federal Law, Regulations, and Executive Orders: “This is an acknowledgement that FEMA financial assistance will be used to fund the contract only. The contractor will comply will all applicable federal law, regulations, executive orders, FEMA policies, procedures, and directives.”

14. No Obligation by Federal Government.

a. The non-Federal entity must include a provision in its contract that states that the Federal Government is not a party to the contract and is not subject to any obligations or liabilities to the non-Federal entity, contractor, or any other party pertaining to any matter resulting from the contract.

b. The following provides a contract clause regarding no obligation by the Federal Government: “The Federal Government is not a party to this contract and is not subject to any obligations or liabilities to the non-Federal entity, contractor, or any other party pertaining to any matter resulting from the contract.”

15. Program Fraud and False or Fraudulent Statements or Related Acts.

a. The non-Federal entity must include a provision in its contract that the contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to its actions pertaining to the contract.

b. The following provides a contract clause regarding Fraud and False or Fraudulent or Related Acts: “The contractor acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to the contractor’s actions pertaining to this contract.”

16. Buy American.

Purchasing shall adhere to the Buy American provision (7 CFR 210.21) for the purchase of commercial food products to be served in SNP meals.

Per Section 104(d) of the William F. Goodling Child Nutrition Reauthorization Act of 1998 {Public Law 105-336} added a provision, Section 12(n) to the NSLA (42 USC 1760(n)}, requiring School Food Authorities (SFA’s) to purchase, to the maximum extent practicable, domestic commodity or product. Section 12(n) of the NSLA defines “domestic commodity or product” as an agricultural commodity that is produced in the United States and a

food product that is processed in the United States using substantial agricultural commodities that are produced in the United States. Substantial” means that over 51 percent of the final processed product consists of agricultural commodities that were grown domestically. Products from Guam, American Samoa, Virgin Islands, Puerto Rico, and the Northern Mariana Islands are allowed under this provision as territories of the United States. The Buy American provision (7 CFR Part 210.21(d)) is one of the procurement standards SFA’s must comply with when purchasing commercial food products served in the school meals programs.

The following provision will be included in all solicitations for food to be used in the school nutrition programs:

Contractor certifies that the food product was processed in the U.S. and certifies the percentage of U.S. content, by weight or volume, in the food component of processed food products supplied to County.

Purchasing will purchase domestic food products per the Buy American Provision unless:

1. The product needed is not produced or manufactured in the U.S. in sufficient and reasonable available quantities of a satisfactory quality; or
2. Competitive bids reveal the costs of a U.S. product are significantly higher than the non-domestic product

Purchasing will maintain all documentation provided by the Office in regard to any food purchases that are deemed “non-domestic” to include cost comparisons if the product is available as a “domestic” product that is seen as unreasonable in cost; or if not available as a U.S. grown product the documentation will include the “country of origin.”

9.4.10 Procedures for Federal purchases follows Section 9.2 in addition Purchasing obtains an Independent Cost Estimate (ICE) from the requesting department and solicitation must include any and all required Federal clauses and language.

## **10.0 AUDIT SERVICES:**

The Purchasing Department will solicit for professional audit services in accordance with the U.S. General Accounting Office’s (GAO) *Government Auditing Standards*, the provisions of the federal Single Audit Act of 1984, and U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of State and Local Governments*. Agreement will be for a three (3) year term with an optional two-year extension.

## **11.0 STANDARDS OF CONDUCT AND CONFLICT OF INTEREST:**

This section defines responsibility to identify and prevent a real or apparent conflict of interest.

- 11.1 Conflict of Interest: In order to promote governmental integrity and to guard against even the appearance of impropriety, all County employees engaged in any vendor-related activity shall comply with the following standards of ethical conduct:
  - 11.1.1 County employees shall discharge their duties impartially so as to assure fair access to governmental procurement by responsible vendors and service providers and to foster public confidence in the integrity of the County procurement system.
  - 11.1.2 County employees shall not solicit, demand, accept or agree to accept a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement, specification, standard or contract.
  - 11.1.3 The following groups shall not participate in or attempt to use their official position to influence any purchasing decisions in which they or persons related to them have a financial interest:
    - 11.1.3.1 The employee, officer, or agent
    - 11.1.3.2 Any member of his/her immediate family
    - 11.1.3.3 His or her partner, or
    - 11.1.3.4 An organization that employs, or is about to employ, any of the above.
  - 11.1.4 In cases where there may be a benefit, either direct or indirect, there is a responsibility to report in writing such benefit to the County. If anyone fails to report such benefit, he or she may be subject to disciplinary proceedings deemed appropriate by the County, as may be permitted by law.
- 11.2 Gratuities, Kickbacks, and Contingent Fees: No member of the groups listed in item (11.1.3) above shall solicit, demand or accept from any person, contractor, potential contractor, or potential subcontractors, any gifts that have an aggregate value of more than \$100 in the preceding 12-month period. Exception: Food accepted as a guest of a vendor. Anyone failing to adhere to the above may be subject to disciplinary proceedings deemed appropriate by the County, as may be permitted by law.
- 11.3 Confidential Information: No member of the groups listed in item (11.1.3) above shall use confidential information for his or her actual or anticipated personal gain, or the actual or anticipated personal gain of any other person related to them by blood, marriage, or by common commercial or financial interest. Anyone failing to adhere to the above may be subject to any disciplinary proceeding deemed appropriate by the County, including possible dismissal, as may be permitted by law.

11.4 Organizational Conflict of Interest: Each entity that enters into a contract with the County is required, prior to entering into such contract, to inform the County of any real or apparent organizational conflict of interest. Such organizational conflicts of interest exist when the nature of the work to be performed under a contract may, without some restriction on future activities, result in an unfair competitive advantage to the contractor, or may impact the contractor's objectivity in performing the contract work.

11.5 In the case of any illegal acts or irregularities utilizing federal agency funds the Purchasing Department will immediately notify the federal funding agency in writing with a full detailed explanation.

## **12.0 CREDIT APPLICATIONS:**

All credit applications will be completed by Purchasing.

## **13.0 DEBARMENT:**

Purchasing shall ensure to the best of its knowledge and belief that none of its purchases involve contractors debarred, suspended, ineligible, or voluntarily excluded from participation in federally assisted transactions or procurements.

## **14.0 PROTEST PROCEDURE:**

Any vendor objecting to an award recommendation must contact the Purchasing Agent in writing on company letterhead with the vendor's contact information prior to award.

14.1 The written formal protest must contain a minimum of the following:

- Identification number of the solicitation.
- A specific identification of the statutory or regulatory provision(s) that the Purchasing staff member or department is alleged to have violated.
- A specific description of each act alleged to have violated the statutory or regulatory provision(s) identified above
- A precise statement of the relevant facts that include time lines and all involved parties.
- An identification of the issue or issues that need to be resolved that support the protest.

14.2 The Purchasing Agent shall:

- Gather information and prepare documentation outlining the County's process.
- Determine to contact the County Attorney's Office concerning the protest, if necessary.
- Issue a written decision which states the reasons for the action taken and send to the aggrieved vendor.

A decision shall be final and conclusive, unless otherwise directed by Court Order.

## **15.0 STATE LAW REQUIREMENTS FOR CONTRACTS:**

The contents of this section are required by Texas Law and are included by FBC regardless of content.

- 15.1 Agreement to Not Boycott Israel Chapter 2271 Texas Government Code: By signature on vendor form, Contractor verifies that if Contractor employs ten (10) or more full-time employees and this Agreement has a value of \$100,000 or more, Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement.
- 15.2 Texas Government Code Section 2251.152 Acknowledgment: By signature on vendor form, Contractor represents pursuant to Section 2252.152 of the Texas Government Code, that Contractor is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153.

## **16.0 TRAINING:**

Purchasing Department conducts in-house training quarterly to cover requisitions, purchase orders, contracts, insurance, bonds, federally funded procurements, etc. On an ongoing basis, Purchasing offers training classes for all County department for the financial software.

## **17.0 FIXED ASSET POLICY AND PROCEDURES:**

### **17.1 RESPONSIBILITIES FOR ASSET PROCUREMENT AND DOCUMENTATION:**

- 17.1.1 Definition: "Fixed Asset" includes County personal property that falls under the "Capital Asset" definition as well as all "Tracking Assets".
- 17.1.2 Definition: "Capital Asset" is any real or personal property that has a value of \$10,000 or more and an estimated useful life of at least two (2) years.
- 17.1.3 Definition: "Tracking Asset" is any tangible personal property that has a value of \$5,000 or more, but under the capitalization threshold of \$10,000 that the County has established the need to track the security and use of. These assets include, but are not limited to office equipment, computers, furniture, and road equipment. Tasers and weapons will be tracked regardless of value.
- 17.1.4 Definition: "Betterment" includes all costs incurred during the year of acquisition that are components that make the equipment operate as one unit. Any such component costs that are incurred in subsequent years will be added to the existing equipment only if the component cost is \$10,000 or more and the additional costs improve or extend the functionality of the equipment. Betterments exclude repairs and replacement parts, which restore an asset to

regular functioning status.

- 17.1.5 Definition: "Vehicle Betterment" includes equipment purchased with an individual value of \$5,000 or more that is affixed to the vehicle at the time of purchase for a permanent use and improves or extends the vehicle's functionality beyond its' original state (examples: light bars, radios, radars, MDT's, video systems, etc.). The individual values of the additional equipment will need to be added to the unit cost of the vehicle for a complete asset value of that vehicle. Any parts or services under \$5,000 added to the vehicle (examples: consoles, partitions, storage boxes, window tinting, decals, etc.) will not be added to the value of the vehicle.
- 17.1.6 The County Purchasing Agent is the person responsible for the acquisition, tagging, inventory, and disposal of all County fixed assets and surplus property working with the County Auditor to ensure the correctness of all records and reports as reflected on the County's general ledger relating to general fixed assets of the County, in accordance with laws of the State of Texas (§ 262.011(i) Texas Local Government Code) and instructions of the Commissioners' Court.
- 17.1.7 The County Auditor is the person responsible for maintenance of property records. All transactions having to do with fixed assets of the County must flow through the County Auditor who is responsible for monitoring and maintaining fixed assets records. County Auditor will supply County Offices with all necessary forms and information concerning the transfer and accountability of fixed assets assigned to the various County Offices.

## **17.2 FIXED ASSET PURCHASE PROCEDURES:**

- 17.2.1 When an Office generates a request for an item that qualifies as a fixed asset the Office must select proper fixed asset category code resulting in automatic notification to the County Auditor. This process introduces the asset into the fixed assets records.
- 17.2.2 The County Auditor initiates an Inventory Action Notice for Tag Number form. An asset barcode number is assigned, printed and affixed to the form.
- 17.2.3 The County Auditor makes a copy of the Inventory Action Notice for Tag Number form and forwards to the ordering department. The County Auditor sends the original form with the barcode tag to Purchasing.
- 17.2.4 Purchasing receives the Inventory Action Notice.
- 17.2.5 Office receives a copy of the Inventory Action Notice from the County Auditor. This alerts the Office of their responsibility to notify Purchasing when the new asset arrives.

- 17.2.6 Purchasing monitors expected delivery dates by reviewing purchase orders on file and by periodic contact with the ordering Office.
- 17.2.7 When the new asset arrives at the ordering Office, the Office is responsible for contacting Purchasing to schedule asset tagging.
- 17.2.8 On the scheduled date, Purchasing arrives at the ordering Office, and identifies the asset to determine whether the asset meets specifications. Once specifications are verified, Purchasing will affix the assigned barcode tag to the asset, and complete the original Inventory Action Notice. A representative of the Office signs the Inventory Action Notice thus accepting responsibility for the new asset.
- 17.2.9 The Inventory Action Notice is completed and executed. Copy is sent to Purchasing, copy is retained by originating Office and original sent to the Auditor.
- 17.2.10 County Auditor updates fixed asset database.

### **17.3 INVENTORY OF FIXED ASSETS:**

- 17.3.1 100% physical inventory of all fixed assets will be conducted annually under the supervision of the County Purchasing Agent. The purpose of the inventory is to verify the accuracy of the fixed assets records.
- 17.3.2 Prior to the start of the annual inventory, Purchasing will decide the inventory schedule for the next inventory cycle. Dates are assigned for each Office. After the schedule is established, Purchasing will send notification to each Office with their assigned date. Two (2) weeks prior to the Office's scheduled date, the County Auditor will forward their current inventory with instruction to review by a predetermined date. The Offices are to forward all corrections to the County Auditor to update the database prior to the start of their physical inventory.
- 17.3.3 Following the database updates by the County Auditor, Purchasing will go through the Office conducting a physical inventory, scanning each asset with a barcode scanner. Scanning with the barcode reader ensures the identification and accuracy of the inventory based on all fixed assets identified in the County Auditor's fixed asset property records. Any corrections identified during the physical inventory process will be sent to the County Auditor to update the database.
- 17.3.4 If during the inventory there are items in the Office, which are not listed on the Office's inventory, those items will be documented and turned in with the inventory to the County Auditor so that the

assets may be added to the inventory records.

- 17.3.5 Immediately following the physical search, the barcode scanner data is downloaded into the fixed asset property records by Purchasing and is acknowledged by the County Auditor. All assets that have been located are acknowledged within the system and those not located are identified. The County Auditor will update all records and create a list of missing assets. The list is provided to Purchasing who in turn forwards to the Office. A one-week deadline is established for locating unaccounted items.
- 17.3.6 The Office is required to account for the missing assets within one week of receiving the list and forward their findings to Purchasing for verification. Purchasing will return to the Office to physically verify the item(s) located. Any outstanding assets will be reported to the County Auditor for action.
- 17.3.7 The County Auditor will give the Office a one-week period for explanation of the missing asset. After this time frame, the unaccounted for assets will be presented to Commissioner's Court for their action.
- 17.3.8 Commissioner's Court will be provided with a full detailed report of the missing asset(s). This report will include the original purchase price, the acquired date, and the depreciated value of the asset(s) to current date, etc. At the discretion of the Commissioner's Court, the elected official/department head may be required to reimburse the County for the missing asset(s).
- 17.3.9 When the inventory is completed, the elected official/department head will sign a final copy of their inventory printout denoting their acceptance of the findings on the inventory.
- 17.3.10 A final inventory of all County property will be provided to each member of the Purchasing Agent Appointment Board and the County Auditor on July 1<sup>st</sup> of each year.

#### **17.4 FIXED ASSET DISPOSAL AND TRANSFER PROCEDURES:**

- 17.4.1 Definition: "Salvage property" means personal property, other than items routinely discarded as waste that because of use, time, accident, or other cause is so worn, damaged, or obsolete that it has no value for the purpose for which it was originally intended.
- 17.4.2 Definition: "Surplus property" means personal property that: Is not salvage property or items routinely discarded as waste; Is not currently needed by it's owner; Is not required for the owner's foreseeable needs; and Possesses some usefulness for the purpose for which it was intended.
- 17.4.3 Definition: "Redistribution" means to prevent unnecessary

purchases, the County Purchasing Agent, with the approval of Commissioners Court, shall transfer County supplies, materials and equipment from a subdivision, department, officer, or employee of the County that are not needed or used to another subdivision, department, officer, or employee requiring supplies or materials or the use of the equipment. The County Purchasing Agent shall furnish to the County Auditor a list of transferred supplies, materials and equipment. § 262.011(j) Texas Local Government Code.

- 17.4.4 All transfers and dispositions of assets will be directly transferred to Purchasing with the proper paperwork. Examples are as follows: assets sent to auction, assets to be transferred to another County Office, or destroyed assets. All transfers and dispositions must go to or through Purchasing. Offices are to continue to complete paperwork with both releasing Office and accepting Office, which will always be Purchasing.
- 17.4.5 All disposals and transfers of County fixed assets require the use of Fort Bend County's Auditor's Form 1059-B, Revised 12/03.
- 17.4.6 All forms must be completed, indicating the specific request or action, and signed by the requesting Office. Purchasing will sign as the accepting Office.
- 17.4.7 County property, which is broken or no longer needed by an Office, will be transferred to the County Surplus Property Warehouse located at 9110 Long Street, Needville. The warehouse accepts these items on Fridays from 8:00 am – 3:00 pm. Purchasing will arrange for pickup and delivery of such property.
- 17.4.8 Two copies of the completed Form 1059-B are made. The original is sent to the County Auditor for recording into the fixed asset records, one copy is sent to Purchasing for the disposal files, and one copy is kept on file within the Office.
- 17.4.9 County Purchasing Agent will periodically request that Commissioners' Court declare property "surplus" (in excess of needs - - useful) or "salvage" (has no value -- not useful). Surplus and salvage property shall be disposed of according to State laws on disposition of property. County employees will be allowed to bid on surplus property offered to the public, just as any other citizen of the County.
- 17.4.10 Any stolen, abandoned or confiscated property seized by a peace officer may be disposed of in accordance with Article 18.17, Texas Code of Criminal Procedures.
- 17.4.11 The County Auditor shall determine the required entries in the general ledger to reflect the disposition of an asset.

- 17.4.12 The County Auditor will conduct “exit” inventories when a change in an elected official/department head responsibility occurs.
- 17.4.13 Conclusion: While all issues pertaining to fixed assets cannot be addressed in this manual, the intent is to provide sufficient direction for the daily operations of the County. Any issue not specifically addressed by this manual should be directed to the County Purchasing Agent or the County Auditor prior to any action being taken.

**FORT BEND COUNTY, TEXAS**  
**FY 2021**  
**CONSOLIDATED ANNUAL ACTION PLAN**

**SEPTEMBER 1, 2021- AUGUST 31, 2022**

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**  
**HOME PROGRAM**  
**EMERGENCY SOLUTIONS GRANT PROGRAM**



**COMMUNITY DEVELOPMENT DEPARTMENT**  
**301 Jackson Street**  
**Suite 602**  
**Richmond, Texas 77469**  
**(281) 341-4410**

## **Executive Summary**

### **AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)**

#### **1. Introduction**

Each year the County must submit a Consolidated Annual Action Plan to discuss the activities Fort Bend County will undertake to address priority needs and local objectives with the anticipated resources it will receive during the program year. These resources include the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG) Programs and other U.S. Department of Housing and Urban Development (HUD) programs, as well as, all local resources it will receive and/or allocate to these activities. The Annual Action Plan also includes the Standard Form 424 for the County's CDBG, HOME, and ESG Programs, program certifications, and other required HUD documentation.

#### **2. Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Fort Bend County will receive \$3,498,938 in FY 2021 Community Development Block Grant (CDBG) Program funds from HUD. The County will receive \$916,596 in HOME Investment Partnerships (HOME) Program funds and \$282,488 in Emergency Solutions Grant (ESG) Program funds directly from the U.S. Department of Housing and Urban Development (HUD) for program year 2021 (September 1, 2021 to August 31, 2022).

The projects to be funded in FY 2021 are listed below by funding source.

CDBG: \$2,495,123 in public facility/improvements; \$374,000 in public services; \$629,815 in program administration.

HOME: \$824,937 FBC Housing Rehabilitation Program; \$91,659 in program administration.

ESG: \$169,478 for emergency shelter operations and services; \$91,824 available for rapid rehousing, housing prevention and stabilization services; \$21,186 for program administration.

#### **3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The County's FY 2020 program year ends on August 31, 2021 and FY 2021 begins on September 1, 2021. The FY 2021 Consolidated Annual Action Plan is the second year of the 2020 Consolidated Plan. A review of the first year activities will not be available until November 2021, with the submission of the FY 2020 Consolidated Annual Performance and Evaluation Report (CAPER) to HUD. Several five (5) year goals and objectives were not addressed in the FY 2015 - 2020 Annual Action Plans. These goals remain to be addressed in future Consolidated and Annual Action Plans.

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

Fort Bend County published public notices on the County's website and in a newspaper of general circulation during the planning process announcing the dates and times of public meetings and the availability of the FY 2021 Request for Proposals for the CDBG, HOME, and ESG Programs. According to Fort Bend County's regular schedule, the FY 2021 Consolidated Annual Action Plan is due to HUD on July 18, 2021

In February of 2021, HUD's Community Planning and Development (CPD) Notice 21-01 stated that any grantee with a program year start date prior to, or up to 60 days after HUD's announcement of the FY 2021 formula program funding allocations was advised not to submit its Consolidated Plan or Annual Action Plan until the FY 2021 formula allocations had been announced. The FY 2021 allocations were announced by HUD in May of 2021. Fort Bend County's plan is due to HUD by July 18, 2021. The County has over 60 days to submit its plan from the date of this announcement, so the procedures in CPD Notice 21-01 do not apply to Fort Bend County for FY 2021. Fort Bend County's thirty (30) day comment period was from June 2, 2021 to July 2, 2021.

#### **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Any written comments received during the development of the FY 2021 Consolidated Annual Action Plan will be included in Appendix A.

#### **6. Summary of comments or views not accepted and the reasons for not accepting them**

No comments were submitted and no comments not accepted. See Appendix A

#### **7. Summary**

Fort Bend County will receive \$3,498,938 in FY 2021 Community Development Block Grant (CDBG) Program funds from HUD. The County will receive \$916,596 in HOME Investment Partnerships (HOME) Program funds and \$282,488 in Emergency Solutions Grant (ESG) Program funds directly from the U.S. Department of Housing and Urban Development (HUD) for program year 2021 (September 1, 2021 to August 31, 2022).

## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role		Name	Department/Agency
CDBG Administrator	FORT BEND COUNTY		Fort Bend County Community Development Department
HOME Administrator	FORT BEND COUNTY		Fort Bend County Community Development Department
ESG Administrator	FORT BEND COUNTY		Fort Bend County Community Development Department

Table 1 – Responsible Agencies

### Narrative (optional)

The Fort Bend County Community Development Department (FBCCDD) was created by Fort Bend County Commissioners Court in 1992 to administer the Community Development Block Grant (CDBG) program for the County. The CDBG program was authorized under Title I of the Housing and Community Development Act of 1974. For a county to receive CDBG program funds directly from the U.S. Department of Housing and Urban Development (HUD), the combined population in both the unincorporated and incorporated areas that entered into an interlocal agreement with the county, must be at least 200,000 persons. The 1990 Census indicated that Fort Bend County's population increased to more than 200,000 persons. As a result, Fort Bend County was designated as an urban county by HUD and was entitled to receive CDBG Program funds directly from HUD. In 1994, Fort Bend County became a participating jurisdiction for the HOME Program and was entitled to receive HOME Program funds directly from HUD. In 1995, Fort Bend County became an Emergency Shelter Grant (ESG) Entitlement Area and received ESG Program funds directly from HUD. In 2004, Fort Bend County became a PJ for the American Dream Downpayment Initiative Program and received allocations of FY 2003 and FY 2004 ADDI Program funds. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) amended the McKinney-Vento Homeless Assistance Act, including major revisions to the Emergency Shelter Grant (ESG) Program, now the Emergency Solutions Grant (ESG) Program. During FY 2011, the U.S. Department of Housing and Urban Development (HUD) implemented the transition to the Emergency Solutions Grant Program for FY 2012.

The Fort Bend County Community Development Department is the lead agency in the Consolidated Planning Process required by HUD. The service area for the Fort Bend County FY 2021 Consolidated Annual Action Plan includes the unincorporated areas of the County and the incorporated areas of Arcola, Beasley, Fairchilds, Fulshear, Kendleton, Meadows Place, Needville, Orchard, Pleak, Richmond, Rosenberg, Simonton, Stafford, Sugar Land and Thompsons. The County's service area does not include the cities of Houston, Katy, Missouri City, or Weston Lakes.

### **Consolidated Plan Public Contact Information**

Fort Bend County Community Development Department, 301 Jackson Street, Suite 602, Richmond, Texas 77469, (281) 341-4410.

## **AP-10 Consultation – 91.100, 91.200(b), 91.215(l)**

### **1. Introduction**

For FY 2021, the service area for Fort Bend County will include the unincorporated areas of the County and the incorporated areas of Arcola, Beasley, Fairchilds, Fulshear, Kendleton, Meadows Place, Needville, Orchard, Pleak, Richmond, Rosenberg, Simonton, Stafford, Sugar Land and Thompsons. The County's service area does not include the cities of Houston, Katy, Missouri City, or Weston Lakes located within the County. As an urban county, Fort Bend County coordinates and consults with most of the incorporated areas/cities/towns in the County including, Missouri City and the City of Houston. In addition, the County consults with water districts especially FBC MUD No. 19 and FWSD No. 1. The County also consults with non-profits especially the Coalition for the Homeless, Fort Bend Connect, Fort Bend Recovers and other local groups.

### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))**

The staff of the Fort Bend County Community Development Department continues to work with other County departments, local governments, non-profits, neighborhood groups, and interested individuals to improve communication, consultation, and coordination among groups. In addition, the department maintains a mailing list of individuals and organizations interested in various housing and community development issues.

The department continues to provide information to interested individuals and organizations, and to work with groups with similar interests in the development of projects. The public and assisted housing providers include the Attack Poverty, the FBC Women's Center, the Rosenberg Public Housing Authority, and FB Habitat for Humanity. The private and governmental health, mental health and services agencies include Texana Mental Health, the local mental health services provider.

During FY 2020, in person meetings were cancelled and most groups created virtual meetings using Zoom, Go To Meeting or Webex. The staff of the FBC Community Development Department participated in these virtual meetings on a regular basis.

As a result of the flooding disasters of 2015, 2016, and 2017 and their associated CDBG-DR Program funds, the staff of the FBC Community Development Department continues to coordinate with the FBC Office of Emergency Management (OEM) and representatives of the State of Texas General Land Office (GLO).

During FY 2020, Fort Bend County Community Development coordinated the distribution of CDBG-CV Program funds with the County Auditor and Treasurer's office. Also, the County worked closely with homeless shelters and service providers to distribute the ESG-CV Program funds to prevent, prepare for and to respond the Coronavirus Pandemic. This increased coordination will continue during FY 2021.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

During FY 2021, the County in coordination with the Continuum of Care will address the needs of homeless persons and persons at risk of homelessness. The County used the standardized ESG guidelines in the FY 2021 ESG RFP. The County will provide funding for emergency shelter operations and services to the FBC Women's Center and the Parks Youth Ranch. The FBCWC provides assistance to women and children who are victims of domestic violence. The Parks Youth Ranch provides assistance to homeless youth. The County also will allocate FY 2021 ESG Program funds for Rapid Re-Housing and Homelessness Prevention during FY 2021 to the Salvation Army.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

During FY 2021, the County will continue to work with the service providers implementing the ESG Rapid Re-housing and Homeless Prevention assistance to increase their capacity to provide services to program participants. In addition, the County will work with the Coalition for the Homeless Houston/Harris County to implement the centralized and/or coordinated assessment system required by the ESG Program regulation and improve participation in the HMIS by County service providers. Fort Bend County CDD staff participated in monthly meetings regarding CoC projects. This group has merged with the Funders Workgroup that established the Continuum-wide ESG program guidelines and standards. In addition, the FBC Community Development Department Director serves on the Coalition for the Homeless Houston/Harris County/Fort Bend County's Steering Committee.

The County will continue to work with Carrie Rai, the Director of Strategic Planning for the Coalition for the Homeless to provide training to increase the capacity of local homeless organizations regarding non-profit financial management, permanent supportive housing (PSH) and HMIS participation.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY
	<b>Agency/Group/Organization Type</b>	Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Coalition for the Homeless for Houston, Harris County and Fort Bend County administers the Continuum of Care (CoC) for the area. The FBCCDD Director serves on the Coalition for the Homeless Houston/Harris County/Fort Bend County's Steering Committee. Fort Bend County used the CoC written standards and business rules for the ESG Program and is working with the CoC to provide training to increase the capacity of local homeless organizations regarding non-profit financial management, permanent supportive housing (PSH) and HMIS participation.
2	<b>Agency/Group/Organization</b>	FORT BEND COUNTY WOMEN'S CENTER
	<b>Agency/Group/Organization Type</b>	Services-Victims of Domestic Violence
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The FBC Women's Center provides shelter and services to victims of domestic violence. The COVID pandemic has increased demand for the FBCWC's services and required increased coordination of funding including CDBG, CDBG-CV, ESG, and ESG-CV programs.

3	<b>Agency/Group/Organization</b>	Expose Excellence Youth Program
	<b>Agency/Group/Organization Type</b>	Services-homeless Youth programs
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Expose Excellence Youth Program/Advocacy Now Institute has planned a homeless service facility. Pastor David Sincere is exploring funding opportunities. Currently, they are working with the Coalition for the Homeless to improve the non-profit capacity of local non-profits. They want to participate in the Coalition's programs including HMIS and apply for funding through HUD competitive homeless programs.
4	<b>Agency/Group/Organization</b>	HOPE Fort Bend Clubhouse
	<b>Agency/Group/Organization Type</b>	Services-Persons with Disabilities
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Developmentally Disabled Adults
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Fort Bend Clubhouse has proposed a work program for developmentally disabled adults. However, the HUD definition of disabled includes the inability to work. Their proposed project is not CDBG Program eligible as proposed.

### Identify any Agency Types not consulted and provide rationale for not consulting

During the development of the FY 2021 Consolidated Annual Action Plan, the staff of the FBC Community Development Department has continual communication with existing housing, social service agency and local government subrecipients. The Department receives inquiries regarding the availability of CDBG, HOME and ESG Program funds from various individuals, housing and social service organizations and local governments through the program year. During FY 2021, new requests for information and/or RFPs were received from individuals, and non-

profits and groups regarding the availability of funds to address the COVID Pandemic. Many organizations will not apply for federal funds because of the various regulations that must be followed. Small organizations often do not have the organizational capacity to carry-out their programmatic responsibilities in addition to the extra burden of federal eligibility, reporting and record-keeping requirements. Other organization's service areas do not align with the County's service area and they choose not to apply for funding.

#### Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Coalition For the Homeless Houston, Harris County, Fort Bend County	The Way Home is the guiding planning document for homeless services in the Houston Metropolitan Area. FBC uses the ESG Written Guidelines, Performance Standards, and Business Rules for its programs

Table 3 – Other local / regional / federal planning efforts

#### Narrative (optional)

During the process of the developing the FY 2021 Consolidated Annual Action Plan, FBCCDD staff was contacted by individuals and organizations regarding assistance to address the COVID Pandemic. Individuals seeking housing assistance were referred to the Texas Department of Housing and Community Affairs website and the County website for COVID Assistance through to the Fort Bend County Treasury-funded Rental Assistance Program, small business program and childcare program.

Broadband: The organizations engaged in narrowing the digital divide in Fort Bend County are the school districts and the medical providers. The COVID pandemic has exposed the discrepancies in the provision of broadband services in communities. It has become apparent that broadband services are a necessity for the delivery of educational, employment, healthcare and governmental services. Homeless shelters and service providers including the FBCWC and the Parks Youth Ranch (PYR), were awarded ESG-CV Program funds to pay for the increased costs of internet and computers for staff and clients.

## **AP-12 Participation – 91.105, 91.200(c)**

### **1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting**

The development of the FY 2021 Fort Bend County Consolidated Annual Action Plan began in February of 2021. The County published a public notice on Sunday, March 14, 2021 regarding the availability of the FY 2021 Requests For Proposals (RFPs) and the date of public meetings. The FY 2021 CDBG, HOME and ESG Request for Proposals (RFPs) were emailed on March 15, 2021. The County maintains a mailing list of individuals, non-profit organizations, and local governments interested in various housing and community development issues.

These individuals, organizations, and local governments are emailed or mailed the requests for proposals (RFPs) they requested. In addition, the department also emails and mails out notices of meetings, workshops, and conferences that provide information and training on various issues. The County provided in-person and zoom access to the FY 2021 Public Meetings. These meetings were held on:

Wednesday, March 17, 2021 at 10:00 am in the Travis Building, 6th Floor Meeting Room, Richmond, Texas

Tuesday, March 23, 2021 at 10:00 am in the Travis Building, 6th Floor Meeting Room, Richmond, Texas

Tuesday, March 23, 2021 at 2:00 pm in the Travis Building, 6th Floor Meeting Room, Richmond, Texas

Thursday, March 25, 2021 at 10:00 am in the Travis Building, 6th Floor Meeting Room, Richmond, Texas.

In addition, a special introductory meeting was held on Saturday, April 10, 2021 on Zoom for members of the Advocacy New Life Center.

A public hearing was conducted on Tuesday, May 4, 2021 by Fort Bend County Commissioners Court to obtain public comments regarding community needs.

The County received seventeen (17) proposals from organizations and local governments. These applications totaled \$4,162,646 in CDBG Program funding requests and \$355,734 in ESG Program funding requests. No proposals were submitted for HOME Program funds. A public

meeting was held on June 16, 2021 at 2 p.m. at the William B. Travis Building 301 Jackson Street, 6th Floor Meeting Room, Richmond, Texas to receive public comments regarding the draft FY 2021 Consolidated Annual Action Plan.

During the thirty-day public review period from June 2, 2021 to July 2, 2021, draft copies of Fort Bend County's Consolidated Annual Action Plan will be available for review at the office of Fort Bend County Community Development Department. The Fort Bend County Commissioners Court approved the FY 2021 Consolidated Annual Action Plan on Tuesday, July 13, 2021. Any written comments received during the development of the FY 2021 Consolidated Annual Action Plan process are included in Appendix A: Summary of Citizen Comments.

The citizen participation process impacted plan goal-setting through the participation of local governments and non-profits. The local governments advocate for water, sewer, and drainage projects. Local non-profits continue to advocate for special needs population especially given the impact of the COVID pandemic. The pandemic limited the provision of services to special needs population that have difficulty accessing services under normal conditions.

#### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Newspaper Ad	Non-targeted/broad community	Public Notice: Announced Public Meetings and availability of Request for Proposals. Also posted on FBC Community Development Department website.		Newspaper notice published March 14, 2021	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Meeting	Non-targeted/broad community	Public Meeting, March 17, 2021 at 10:00 am: In person and zoom. No one attended.	No comments received.		
3	Public Meeting	Non-targeted/broad community	Public Meeting, March 23, 2021 at 10:00 am: In person and zoom. One person attended in person and three persons attended via zoom.	Comments related to Request for Proposals (RFP), electronic submissions, and deadline for submissions.	All comments accepted.	
4	Public Meeting	Non-targeted/broad community	Public Meeting, March 23, 2021 at 2:00 pm: In person and zoom. One person attended in person and four persons attended via zoom.	Comments related to Request for Proposals (RFP), electronic submissions, and deadline for submissions.	All comments accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
5	Public Meeting	Non-targeted/broad community	Public Meeting, March 25, 2021 at 10:00 am: In person and zoom. Four persons attended in person and five persons attended via zoom.	Comments related to Request for Proposals (RFP), electronic submissions, HUD census data and deadline for submissions.	All comments accepted.	
6	Public Hearing	Non-targeted/broad community	Public Hearing, May 4, 2021 at 1:00 pm: In person and live streaming and recorded. Public Notice published April 18, 2021.	No comments were received.	n/a	
7	Newspaper Ad	Non-targeted/broad community	Public Notice: Announced proposed project funding, draft of Consolidated Annual Action Plan, public meeting and thirty day comment period. Also posted on FBC Community Development Department website.		Newspaper notice published June 1, 2021	

**Table 4 – Citizen Participation Outreach**

Annual Action Plan  
2021

## Expected Resources

### AP-15 Expected Resources – 91.220(c)(1,2)

#### Introduction

Fort Bend County will receive \$4,647,210 directly from HUD for program year 2021 (September 1, 2021 to August 31, 2020). The majority of these program funds are \$3,498,938 in FY 2021 CDBG Program funds. This amount also includes \$916,596 in HOME and \$282,488 in ESG Program funds.

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	3,498,938	0	0	3,498,938	0	

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	916,596	0	0	916,596	0	
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	282,488	0	0	282,488	0	

Table 5 - Expected Resources – Priority Table

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

CDBG: Fort Bend County encourages the leveraging/matching of funds for CDBG Program funds. In the proposal review process, Fort Bend County gives proposals with leveraged/matching funds points based on the percentage of matching or leveraged funds to total project costs.

Each applicant must describe how matching funds for their proposed project will be provided and provide proof of match funds through letters of commitment. During FY 2021, \$2,410,530 in leveraged/match funds will be provided by CDBG subrecipients through their projects.

HOME: The use of HOME Program funds requires a match of local or private funds of twenty-five percent. No proposals were submitted for the FY 2021 HOME Program funds. The FY 2021 HOME Program funds will be committed to one activity the County's Housing Rehabilitation Program. Match for County's Housing Rehabilitation Program is provided through Fort Bend County General Revenue Funds.

ESG: The Emergency Solutions Grant (ESG) Program funds require a one-hundred percent match. During the RFP process, each applicant for ESG Program funds must describe how matching funds for their proposed project will be provided. The projects awarded FY 2021 ESG Program funds have all committed to providing match. During FY 2021, \$240,052 in match funds will be provided by ESG Emergency Shelter Subrecipient projects.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

The CDBG Program is administered from the FBC Travis Building, 301 Jackson Street, Suite 602, Richmond, Texas. Publicly owned property will be used for the public infrastructure projects in Arcola, Kendleton, Orchard, Pleak, Richmond, Rosenberg, and MUD 19. The Fort Bend Seniors lease space in the County's Bud O'Sheiles Community Center, 1330 Band Road in Rosenberg, and uses other County community centers to provide services to the elderly residents of the Richmond-Rosenberg area. The Literacy Council uses FBC libraries for some of its tutoring sessions. No other FY 2021 CDBG Projects will use publicly owned property during FY 2021.

**Discussion**

During FY 2021, Fort Bend County will receive \$4,647,210 directly from HUD. During the development of the FY 2017 Fort Bend County Consolidated Annual Action Plan, the County was informed that it was eligible for \$17,022,677 in Community Development Block Grant Disaster Recovery (CDBG-DR) Program funds from the State of Texas. The CDBG-DR Program funds are for damage as a result of two disasters in 2016. The first disaster from April 18-22, 2016 is referred to as the Tax Day Floods. This disaster caused flash, street, and river flooding along the Brazos and San Bernard Rivers. The County was included in Presidential Disaster Declaration DR-4269. The second disaster, the Memorial Day Flood occurred from May 27 to June 10, 2016. The County experienced record breaking flooding along the Brazos River. The County was included in Presidential Disaster Declaration DR-4272. The County submitted a CDBG-DR application to the State of Texas General Land Office (GLO) in July of 2017. Fort Bend County also submitted an application to the Federal Emergency Management Agency (FEMA) for disaster assistance. Unfortunately, in September of 2017, Fort Bend County suffered another disaster, Hurricane Harvey, caused more severe flooding and widespread damage throughout Texas. At the time of this report, Fort Bend County is processing the buyout properties and beginning the Housing Assistance Program (HAP). In addition, the County is marketing the 2017 Hurricane Harvey buyout program and awaiting the Environmental Review for the Hurricane Harvey Infrastructure Program improvements for Big Creek. During FY 2020, Fort Bend County was allocated \$2,321,233 in ESG-CV and \$4,584,858 in CDBG-CV Program funds to prevent, prepare for, and respond to the coronavirus pandemic. Fort Bend County will continue to administer these funds during FY 2020.

## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Decent Housing (DH) 2.1	2020	2025	Affordable Housing	Fort Bend County Service Area	Housing: Homeowners	HOME: \$824,937	Homeowner Housing Rehabilitated: 10 Household Housing Unit
2	Decent Housing (DH) 3.2	2020	2025	Affordable Housing Homeless	Fort Bend County Service Area	Homeless Persons and Households	ESG: \$14,188	Tenant-based rental assistance / Rapid Rehousing: 5 Households Assisted
3	Decent Housing (DH) 3.3	2020	2025	Homeless	Fort Bend County Service Area	Homeless Persons and Households	ESG: \$169,492	Homeless Person Overnight Shelter: 100 Persons Assisted
4	Decent Housing (DH) 3.6	2020	2025	Homeless	Fort Bend County Service Area	Housing: Renters	ESG: \$70,560	Homelessness Prevention: 5 Persons Assisted
5	Decent Housing (DH) 3.4	2020	2025	Homeless	Fort Bend County Service Area	Homeless Persons and Households	ESG: \$0	Public service activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	Decent Housing (DH) 4.2	2020	2025	Affordable Housing Non-Homeless Special Needs	Fort Bend County Service Area	Housing: Renters	HOME: \$0	Tenant-based rental assistance / Rapid Rehousing: 3 Households Assisted
7	Decent Housing (DH) 4.3	2020	2025	Affordable Housing	Fort Bend County Service Area	Housing: Homeowners	HOME: \$0	Homeowner Housing Rehabilitated: 3 Household Housing Unit
8	Suitable Living Environment (SLE) 1.2	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Public Facilities/Improvements	CDBG: \$482,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted
9	Suitable Living Environment (SLE) 1.3	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Public Facilities/Improvements	CDBG: \$2,013,123	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
10	Suitable Living Environment (SLE) 2.1	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Housing: Special Needs	CDBG: \$65,000	Public service activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted
11	Suitable Living Environment (SLE) 2.3	2020	2025	Non-Homeless Special Needs	Fort Bend County Service Area	Housing: Special Needs	CDBG: \$60,000	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
12	Suitable Living Environment (SLE) 2.4	2020	2025	Non-Homeless Special Needs	Fort Bend County Service Area	Housing: Special Needs	CDBG: \$60,000	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted
13	Suitable Living Environment (SLE) 2.5	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Housing: Special Needs	CDBG: \$49,000	Public service activities other than Low/Moderate Income Housing Benefit: 100 Persons Assisted
14	Suitable Living Environment (SLE) 2.6	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Housing: Special Needs	CDBG: \$95,000	Public service activities other than Low/Moderate Income Housing Benefit: 40 Persons Assisted
15	Economic Opportunity (EO) 1.1	2020	2025	Non-Homeless Special Needs	Fort Bend County Service Area	Housing: Special Needs	CDBG: \$60,000	Public service activities other than Low/Moderate Income Housing Benefit: 20 Persons Assisted
16	Economic Opportunity (EO) 2.2	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Public Facilities/Improvements	CDBG: \$0	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted
17	Economic Opportunity (EO) 2.3	2020	2025	Non-Housing Community Development	Fort Bend County Service Area	Public Facilities/Improvements	CDBG: \$0	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted

Table 6 – Goals Summary

## Goal Descriptions

1	<b>Goal Name</b>	Decent Housing (DH) 2.1
	<b>Goal Description</b>	DH2.1: Provide owner occupied rehabilitation assistance to fifty (50) extremely-low-income, very-low-income, and low-income households (10 housing units per year)
2	<b>Goal Name</b>	Decent Housing (DH) 3.2
	<b>Goal Description</b>	DH 3.2: Provide rental assistance for five (5) homeless persons (1 person/housing unit per year)
3	<b>Goal Name</b>	Decent Housing (DH) 3.3
	<b>Goal Description</b>	DH 3.3: Provide operating funds to two (2) homeless shelters (100 persons/20 persons per year)
4	<b>Goal Name</b>	Decent Housing (DH) 3.6
	<b>Goal Description</b>	DH 3.6: Prevent homelessness by providing emergency rent, and utility assistance to at least five (5) persons. (1 person/housing unit per year)
5	<b>Goal Name</b>	Decent Housing (DH) 3.4
	<b>Goal Description</b>	DH 3.4: Provide essential or supportive services to at least fifty (50) homeless persons (10 persons per year)
6	<b>Goal Name</b>	Decent Housing (DH) 4.2
	<b>Goal Description</b>	DH 4.2: Provide rental assistance for five (5) housing units accessible to the special needs population, especially elderly persons and persons with disabilities. (1 housing units per year)
7	<b>Goal Name</b>	Decent Housing (DH) 4.3
	<b>Goal Description</b>	DH 4.3: Repair or rehabilitate ten (10) housing units for accessibility purposes especially elderly persons and persons with disabilities. (2 housing units per year.)

8	<b>Goal Name</b>	Suitable Living Environment (SLE) 1.2
	<b>Goal Description</b>	SLE 1.2: Construction of flood drainage improvements in at least one (1) community. (50 persons/10 persons per year)
9	<b>Goal Name</b>	Suitable Living Environment (SLE) 1.3
	<b>Goal Description</b>	SLE 1.3: Water and/or sewer improvements in at least five (5) communities. (500 persons/100 persons per year)
10	<b>Goal Name</b>	Suitable Living Environment (SLE) 2.1
	<b>Goal Description</b>	SLE 2.1: Provide meals to at least one-hundred (100) extremely-low-income, very-low-income, and low-income persons. (20 persons per year.)
11	<b>Goal Name</b>	Suitable Living Environment (SLE) 2.3
	<b>Goal Description</b>	SLE 2.3: Provide assistance to 500 illiterate persons. (100 persons per year)
12	<b>Goal Name</b>	Suitable Living Environment (SLE) 2.4
	<b>Goal Description</b>	SLE 2.4: Provide support or recreational services to fifty (50) handicapped or disabled persons (10 persons per year)
13	<b>Goal Name</b>	Suitable Living Environment (SLE) 2.5
	<b>Goal Description</b>	SLE 2.5: Provide services to one hundred (100) abused and/or neglected children. (20 children per year)
14	<b>Goal Name</b>	Suitable Living Environment (SLE) 2.6
	<b>Goal Description</b>	SLE 2.6: Provide case management and other related services to twenty-five (25) disabled, incapacitated and/or elderly persons. (5 persons per year)
15	<b>Goal Name</b>	Economic Opportunity (EO) 1.1
	<b>Goal Description</b>	EO 1.1: Provide assistance to 500 illiterate persons in the County. (100 persons per year)

<b>16</b>	<b>Goal Name</b>	Economic Opportunity (EO) 2.2
	<b>Goal Description</b>	EO 2.2: Construction of flood drainage improvements in at least one (1) community. (50 persons/10 persons per year)
<b>17</b>	<b>Goal Name</b>	Economic Opportunity (EO) 2.3
	<b>Goal Description</b>	EO 2.3: Construction of new water and/or sewer improvements in at least one (1) community (25 persons/5 persons per year.)

## Projects

### AP-35 Projects – 91.220(d)

#### Introduction

Fort Bend County will receive \$3,498,938 FY 2021 Community Development Block Grant (CDBG) Program funds from HUD. The County also will receive \$916,596 in HOME Investment Partnerships (HOME) Program funds and \$282,488 in Emergency Solutions Grant (ESG) Program funds directly from the U.S. Department of Housing and Urban Development (HUD) for program year 2021 (September 1, 2021 to August 31, 2022). The projects to be funded in FY 2021 are listed below by funding source.

CDBG: \$2,495,123 in public facility/improvements; \$374,000 in public services; and \$629,815 in administration.

HOME: \$824,937 FBC Housing Rehabilitation Program and \$91,659 in administration.

ESG: \$169,478 for emergency shelter operations and services; \$91,824 for rapid rehousing, housing prevention and stabilization services; \$21,186 for administration.

#### Projects

#	Project Name
1	FY 2021 CDBG: Program Administration
2	FY 2012 CDBG: Arcola Water Treatment Plant Section 108 Loan Repayment
3	FY 2012 CDBG: Kendleton Sanitary Sewer Generators
4	FY 2021 CDBG: City of Orchard Wastewater Plant Improvements
5	FY 2021 CDBG: Village of Pleak Water Line Improvements
6	FY 2021 CDBG: City of Richmond Ferry Street Water and Wastewater Line Improvements
7	FY 2021 CDBG: City of Rosenberg Blume Road Sanitary Sewer Improvements
8	FY 2021 CDBG: FBC MUD No. 19: Riverwood Drainage Improvements
9	FY 2021 CDBG: Arc of FBC Social and Recreational Program
10	FY 2021 CDBG: Brazos Bend Guardianship Services: Corporate Guardianship Program
11	FY 2021 CDBG: Catholic Charities: Integrated Case Management for Seniors
12	FY 2021 CDBG: Child Advocates Children's Advocacy Center Operational Support
13	FY 2021 CDBG: FBC Women's Center: Shelter: Operations and Services
14	FY 2021 CDBG: Fort Bend Seniors: Meals on Wheels Program: Homebound Nutrition
15	FY 2021 CDBG: Literacy Council of Fort Bend: Literacy Tutoring.
16	FY 2021 HOME: Program Administration
17	FY 2021 HOME: FBC Housing Rehabilitation Program

#	Project Name
18	FY 2021 ESG: Program Admin. Shelter, Rapid ReHousing, Homelessness Prevention & Services

**Table 7 - Project Information**

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

Fort Bend County's FYs 2020-2025 Consolidated Plan identified water and sewer improvements as a very high priority. This priority is based on the needs in the unincorporated area of the County and the needs of the small cities and towns in the County's service area. The main obstacle to addressing the underserved needs is the lack of funding. Infrastructure and facility costs far exceed the amount of CDBG Program funds available to serve low- and moderate-income communities. The County usually divides infrastructure and facility projects into phases and funds part of these projects on an annual basis. Thus, most of the public improvement projects are multi-year and/or multi-phase projects. Fort Bend County's FYs 2020-2025 Consolidated Plan also identified special needs populations as a very high priority. This priority is based on the public service and housing needs of special needs persons in the unincorporated area of the County and the small cities and towns in the County's service area. There are few or no local services available for these populations and the lack of mass transportation services in these areas makes access to services difficult. The continued growth in population has increased development throughout the County. The small cities and towns struggle to maintain existing services and to increase services.

**AP-38 Project Summary**  
**Project Summary Information**

1	<b>Project Name</b>	FY 2021 CDBG: Program Administration
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Decent Housing (DH) 2.1 Decent Housing (DH) 3.2 Decent Housing (DH) 3.3 Decent Housing (DH) 3.4 Decent Housing (DH) 3.6 Decent Housing (DH) 4.3 Suitable Living Environment (SLE) 1.2 Suitable Living Environment (SLE) 1.3 Suitable Living Environment (SLE) 2.1 Suitable Living Environment (SLE) 2.3 Suitable Living Environment (SLE) 2.4 Suitable Living Environment (SLE) 2.5 Suitable Living Environment (SLE) 2.6 Economic Opportunity (EO) 1.1 Economic Opportunity (EO) 2.2 Economic Opportunity (EO) 2.3
	<b>Needs Addressed</b>	Homeless Persons and Households Public Services: Special Needs Elderly Public Services: Special Needs Abused Children Public Services: Special Needs Illiterate Persons Public Services: Special Needs Disabled Public Facilities/Improvements Economic Development: Illiterate persons Economic Development: Facilities/Improvements Public Services: Victims of Domestic Violence
	<b>Funding</b>	CDBG: \$629,815
	<b>Description</b>	General Program Administration: Overall program administration, including (but not limited to) salaries, wages, and related costs for grantee staff or others engaged in program management, monitoring, and evaluation. These activities, along with planning activities, are subject to the 20 percent limitation under 24 CFR 570.200(g) and 570.489(a)(3).
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	
	<b>Location Description</b>	CDBG Program administered from Fort Bend County Community Development Department, 301 Jackson Street, Suite 602, Richmond, Texas 77469.
	<b>Planned Activities</b>	21A General Program Administration.
<b>2</b>	<b>Project Name</b>	FY 2012 CDBG: Arcola Water Treatment Plant Section 108 Loan Repayment
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.3 Economic Opportunity (EO) 2.3
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$309,000
	<b>Description</b>	City of Arcola Water Treatment Plant construction financed with a Section 108 Loan Guarantee. Repaid annually with CDBG Program funds.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	City of Arcola total population is 2,640 persons and 1,580 are low and moderate income. The City of Arcola is 59.85 percent low- and moderate-income.
	<b>Location Description</b>	This project is citywide. The Arcola Water Treatment Plant will be located next to the City Arcola City Hall on Highway 6.
<b>3</b>	<b>Planned Activities</b>	03J: Water/Sewer Improvements 19F: Planned Repayment of Section 108 Loans 24A: Payment of Interest on Section 108 Loans 24B: Payment of Costs of Section 108 Financing
	<b>Project Name</b>	FY 2012 CDBG: Kendleton Sanitary Sewer Generators
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.3
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$300,000

	<b>Description</b>	Install four generators, three at lift stations and one at waste water treatment plant.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	This project is community-wide. The City of Kendleton has a total population on 295 persons, 215 persons are low- and moderate-income and the City is 72.88 percent low- and moderate-income.
	<b>Location Description</b>	Project will be located in the City of Kendleton, Lift Station No. 1, Lift Station No. 2, Lift Station No. 3 and the wastewater treatment plant.
	<b>Planned Activities</b>	03J Water/Sewer Improvements: install generators at lift stations and wastewater treatment plant.
4	<b>Project Name</b>	FY 2021 CDBG: City of Orchard Wastewater Plant Improvements
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.3
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$273,003
	<b>Description</b>	Wastewater Plant Improvements including installation of back-up generator and addition of drying bed.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The City of Orchard total population is 320 persons. 250 persons are low- and moderate-income and the City of Orchard is 78.13 percent low- and moderate-income.
	<b>Location Description</b>	This project is citywide. The City of Orchard plant is located along Highway 36 in Fort Bend County.
5	<b>Planned Activities</b>	03J Water/Sewer Improvements: Install generator at wastewater plant and addition of drying beds.
	<b>Project Name</b>	FY 2021 CDBG: Village of Pleak Water Line Improvements
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.3 Economic Opportunity (EO) 2.3
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$300,000

	<b>Description</b>	Construction of new water lines in the Village of Pleak.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	This project is community wide. The Village of Pleak total population is 1,500 persons. 965 persons are low- and moderate-income and the Village of Pleak is 64.33 percent low- and moderate-income.
	<b>Location Description</b>	This project is community-wide. The water lines will be constructed from the water plant along the street in the public right-of-way.
	<b>Planned Activities</b>	03J Water/Sewer Improvements: New water lines.
6	<b>Project Name</b>	FY 2021 CDBG: City of Richmond Ferry Street Water and Wastewater Line Improvements
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.3
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$170,350
	<b>Description</b>	Replacement of water and wastewater line on Ferry Street.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Ferry Street is located within the City of Richmond in 2010 Census Tract 6749, block group 3. This 2010 Census Tract Block Group is 79.51 percent low- and moderate-income and includes 2,050 persons.
	<b>Location Description</b>	The improvements will be located on Ferry Street between Fleming Street and Union Street
7	<b>Planned Activities</b>	03J Water/Sewer Improvements: replacement of undersized lines to six inch lines.
	<b>Project Name</b>	FY 2021 CDBG: City of Rosenberg Blume Road Sanitary Sewer Improvements
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.3
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$660,770
	<b>Description</b>	Replace sanitary sewer lines along Blume Road.
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Blume Road is located within the City of Rosenberg in 2010 Census Tract 6753, block group 4. This 2010 Census Tract block group is 60.70 percent low- and moderate-income and includes 2,010 persons.
	<b>Location Description</b>	Blume Road is located within the City of Rosenberg. The streets include Prairie Lane, Mebane, Vera Cruz, Matamoros, Jefferson, and Washington Streets.
	<b>Planned Activities</b>	03J Water/Sewer Improvements: Replacement of sanitary sewer lines along Blume Road.
8	<b>Project Name</b>	FY 2021 CDBG: FBC MUD No. 19: Riverwood Drainage Improvements
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 1.2
	<b>Needs Addressed</b>	Public Facilities/Improvements
	<b>Funding</b>	CDBG: \$482,000
	<b>Description</b>	Drainage improvements in the Riverwood Subdivision in the unincorporated area of the County.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Riverwood Subdivision is located with FBC MUD No. 19. It is located within 2010 Census Tract 6750, block group 2. This 2010 Census Tract block group is 47.07 percent low and moderate income. Qualifies through exception criteria of 45.93 percent. This 2010 Census Tract population is 1,880 persons.
	<b>Location Description</b>	Riverwood Subdivision in the unincorporated area of the County north of the City of Rosenberg. The drainage improvements will be along Riverwood Drive, Quebec Blvd, Vancouver Blvd, and Winnipeg Blvd.
	<b>Planned Activities</b>	03I Flood Drainage Improvements: Include replacing and upgrading aging drainage system.
9	<b>Project Name</b>	FY 2021 CDBG: Arc of FBC Social and Recreational Program
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 2.4
	<b>Needs Addressed</b>	Public Services: Special Needs Disabled
	<b>Funding</b>	CDBG: \$40,000
	<b>Description</b>	Provide social and recreational activities for sixty (60) disabled adults.
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Arc Social and Recreational Program will provide social and recreational activities to forty adults.
	<b>Location Description</b>	This program is countywide. The Arc of Fort Bend County, 123 Brooks Street, Sugar Land, Texas 77478
	<b>Planned Activities</b>	05B Services for Persons with Disabilities: Adult Social Activities.
<b>10</b>	<b>Project Name</b>	FY 2021 CDBG: Brazos Bend Guardianship Services: Corporate Guardianship Program
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 2.6
	<b>Needs Addressed</b>	Public Services: Special Needs Disabled
	<b>Funding</b>	CDBG: \$45,000
	<b>Description</b>	Provide guardianship services for eighteen (18) disabled adults.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Brazos Bend Guardianship Services will provide assistance to eighteen (18) disabled adults.
	<b>Location Description</b>	This program is countywide. Brazos Bend Guardianship Services, 830 3rd Street, #209, Rosenberg, Texas 77471
	<b>Planned Activities</b>	05B Services for Persons with Disabilities. Guardianship services for 18 disabled and/or incapacitated adults.
<b>11</b>	<b>Project Name</b>	FY 2021 CDBG: Catholic Charities: Integrated Case Management for Seniors
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 2.6
	<b>Needs Addressed</b>	Public Services: Special Needs Elderly
	<b>Funding</b>	CDBG: \$50,000
	<b>Description</b>	Case Management Services for twenty (20) seniors.
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Catholic Charities will provide services to twenty (20) senior persons
	<b>Location Description</b>	This project is countywide. Catholic Charities, 1111 Collins Road, Richmond, Texas 77469.
	<b>Planned Activities</b>	05A Senior Services: Case Management to twenty (20) low-income senior citizens.
12	<b>Project Name</b>	FY 2021 CDBG: Child Advocates Children's Advocacy Center Operational Support
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 2.5
	<b>Needs Addressed</b>	Public Services: Special Needs Abused Children
	<b>Funding</b>	CDBG: \$49,000
	<b>Description</b>	Provide salaries for staff of Children's Advocacy Center to provide services to 800 abused and neglected children.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Child Advocates will provide services to 800 abused children.
	<b>Location Description</b>	This program is countywide. Child Advocates of Fort Bend, 5403 Avenue N, Rosenberg, Texas 77471.
13	<b>Planned Activities</b>	05N Abused and Neglected Children Services: Provide services to 800 neglected and abused children.
	<b>Project Name</b>	FY 2021 CDBG: FBC Women's Center: Shelter: Operations and Services
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Decent Housing (DH) 3.3 Decent Housing (DH) 3.4
	<b>Needs Addressed</b>	Homeless Persons and Households
	<b>Funding</b>	CDBG: \$65,000
	<b>Description</b>	Shelter Services and Operating Costs for domestic violence shelter.
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Provide shelter and service to 50 homeless persons, victims of domestic abuse.
	<b>Location Description</b>	This program is county-wide. The Fort Bend Women's Center is a domestic violence shelter. The location is confidential.
	<b>Planned Activities</b>	05G Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Operating and service costs for fifty (50) persons.
<b>14</b>	<b>Project Name</b>	FY 2021 CDBG: Fort Bend Seniors: Meals on Wheels Program: Homebound Nutrition
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 2.1
	<b>Needs Addressed</b>	Public Services: Special Needs Elderly
	<b>Funding</b>	CDBG: \$65,000
	<b>Description</b>	Provide meals for eighty (80) home-bound seniors.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Fort Bend Seniors will provide assistance to eighty (80) seniors.
	<b>Location Description</b>	This program is countywide. Fort Bend Seniors Meals, 1330 Band Road, Rosenberg, Texas 77471.
	<b>Planned Activities</b>	05A Senior Services: Provide meals to homebound seniors.
<b>15</b>	<b>Project Name</b>	FY 2021 CDBG: Literacy Council of Fort Bend: Literacy Tutoring.
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Suitable Living Environment (SLE) 2.3 Economic Opportunity (EO) 1.1
	<b>Needs Addressed</b>	Public Services: Special Needs Illiterate Persons
	<b>Funding</b>	CDBG: \$60,000
	<b>Description</b>	Provide literacy tutoring for 250 illiterate persons.
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Program will provide assistance to 250 illiterate persons.
	<b>Location Description</b>	This program is countywide. Literacy Volunteers, 12530 Emily Court, Sugar Land, Texas 77478.
	<b>Planned Activities</b>	05H: Employment Training. Literacy tutoring for 250 illiterate persons.
<b>16</b>	<b>Project Name</b>	FY 2021 HOME: Program Administration
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Decent Housing (DH) 2.1 Decent Housing (DH) 4.3
	<b>Needs Addressed</b>	Housing: Homeowners Housing: Special Needs
	<b>Funding</b>	HOME: \$91,659
	<b>Description</b>	General Administration of the HOME Program.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Ten persons assisted through Housing Rehabilitation Program.
	<b>Location Description</b>	The HOME Program is administered from the offices of the Fort Bend County Community Development Department, 301 Jackson Street, Suite 602, Richmond, Texas 77469.
	<b>Planned Activities</b>	HOME Program Administration
<b>17</b>	<b>Project Name</b>	FY 2021 HOME: FBC Housing Rehabilitation Program
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Decent Housing (DH) 2.1 Decent Housing (DH) 4.3
	<b>Needs Addressed</b>	Housing: Homeowners Housing: Special Needs
	<b>Funding</b>	HOME: \$824,937
	<b>Description</b>	Provide housing rehabilitation assistance to low income homeowners.
	<b>Target Date</b>	8/31/2022

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Provide assistance to ten homeowners.
	<b>Location Description</b>	This program is countywide. The program is administered from the offices of the Fort Bend County Community Development Department, 301 Jackson Street, Suite 602, Richmond, Texas 77469.
	<b>Planned Activities</b>	14A: Rehabilitation: Single-Unit Residential
<b>18</b>	<b>Project Name</b>	FY 2021 ESG: Program Admin. Shelter, Rapid ReHousing, Homelessness Prevention & Services
	<b>Target Area</b>	Fort Bend County Service Area
	<b>Goals Supported</b>	Decent Housing (DH) 3.2 Decent Housing (DH) 3.3 Decent Housing (DH) 3.4 Decent Housing (DH) 4.2
	<b>Needs Addressed</b>	Homeless Persons and Households Housing: Renters Public Services: Victims of Domestic Violence
	<b>Funding</b>	ESG: \$282,488
	<b>Description</b>	Emergency Solutions Grant (ESG) Program: Program Administration, \$21,186; Parks Youth Ranch Emergency Shelter, \$80,578; FBC Women's Center, \$88,914; Salvation Army Rapid ReHousing, Homelessness Prevention, & Stabilization Services, \$70,560; Rapid ReHousing, Homelessness Prevention, & Stabilization Services, \$21,264.
	<b>Target Date</b>	8/31/2022
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	The Parks Youth Ranch will provide assistance to 100 persons. The FBC Women's Center will provide assistance to 50 persons. The Salvation Army will provide assistance to 10 persons.
	<b>Location Description</b>	The FBCWC is a domestic violence shelter the location is confidential. The Parks Youth Ranch is located in Fairchilds, Texas. The Salvation Army program is administered from the United Way Fort Bend Service Center.
	<b>Planned Activities</b>	03C: Homeless Facilities 05G: Services for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking.

## AP-50 Geographic Distribution – 91.220(f)

### Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

According to the 2017 HUD low and moderate income summary date (LMISD) , the CDBG Program infrastructure projects are all located in low and moderate income areas.

Arcola: 59.85% low and moderate income 17.8 % white alone  
Kendleton: 72.88% low and moderate income 2.8% white alone  
Orchard 78.13% low and moderate income 62.4% white alone  
Pleak 64.33% low and moderate income 36.6% white alone  
Richmond: 54.65% low and moderate income 22.8% white alone  
Rosenberg: 56.66% low and moderate income 21.7% white alone  
Riverwood\*: 47.07% low and moderate income 41.94% white alone

(This project qualifies under the exception criteria.)

Source: 2019 ACS, 5-year estimates and 2010 Census, P6.

The County's public service and housing programs target low- and moderate-income persons throughout the county.

### Geographic Distribution

Target Area	Percentage of Funds
Fort Bend County Service Area	100

Table 8 - Geographic Distribution

### Rationale for the priorities for allocating investments geographically

Fort Bend County does not allocate investments geographically. The CDBG Program requires that infrastructure improvement activities have a service area that is at least 51% low-and moderate-income, according to HUD data. All the FY 2021 CDBG public improvement projects: Arcola, Kendleton, Orchard,

Pleak, Richmond, Rosenberg and Riverwood are located in low and moderate income areas according to HUD.

All the County's public service and housing activities are Countywide and provide assistance to low--income clients within the County's service area.

### **Discussion**

During FY 2021, Fort Bend County will provide CDBG assistance to six cities and one MUD for water/sewer and drainage projects. The County also will provide CDBG assistance to seven public service programs.

Note: Geographic areas dialogue box is not showing all the entry. It is included below:

According to the 2017 HUD low and moderate-income summary data (LMISD), the CDBG Program infrastructure projects are all located in low and moderate-income areas.

Arcola:	59.85% low and moderate-income	17.8 % white alone
Kendleton:	72.88% low and moderate-income	2.8% white alone
Orchard	78.13% low and moderate-income	62.4% white alone
Pleak	64.33% low and moderate-income	36.6% white alone
Richmond:	54.65% low and moderate-income	22.8% white alone
Rosenberg:	56.66% low and moderate-income	21.7% white alone
Riverwood*:	47.07% low and moderate-income	41.94% white alone

(This project qualifies under the exception criteria.)

Source: 2019 ACS, 5-year estimates and 2010 Census, P6.

The County's public service and housing programs target low- and moderate-income persons throughout the county.

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

Fort Bend County addresses the need for affordable housing in Decent Housing Objective 1: Provide assistance to increase the availability of standard quality housing to extremely low income, low income and moderate income households; Decent Housing Objective 2: Provide housing rehabilitation to owner-occupied and renter-occupied households; Decent Housing Objective 3: Provide a Continuum of Care to potential homeless and homeless persons; and Decent Housing Objective 4: Provide housing assistance to special needs persons and families.

One Year Goals for the Number of Households to be Supported	
Homeless	5
Non-Homeless	10
Special-Needs	0
Total	15

**Table 9 - One Year Goals for Affordable Housing by Support Requirement**

One Year Goals for the Number of Households Supported Through	
Rental Assistance	5
The Production of New Units	0
Rehab of Existing Units	10
Acquisition of Existing Units	0
Total	15

**Table 10 - One Year Goals for Affordable Housing by Support Type**

#### Discussion

Table 9: The total in Table 9 includes the five households provided Rapid ReHousing rental assistance during FY 2021 and the ten (10) non-homeless households that are expected to be provided assistance through the County's Housing Rehabilitation Program or through the Texas General Land Office (GLO) FY 2016 Housing Assistance Program (HAP). The number of special needs persons is zero since any special needs persons provided assistance would be rental assistance or housing rehabilitation clients. Table 10: The total in table 10 includes the ten (10) homeowners provided assistance through the County Housing Rehabilitation Program or the GLO and the five (5) households provided ESG Rapid ReHousing and/or Homelessness Prevention assistance.



## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

Fort Bend County does not have a public housing authority. The City of Rosenberg has a small housing authority that does not own any public housing units.

### **Actions planned during the next year to address the needs to public housing**

Not applicable. There are no public housing units in Fort Bend County's service area.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

Not applicable. There are no public housing units in Fort Bend County's service area.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not applicable. There are no public housing units in Fort Bend County's service area.

### **Discussion**

Not applicable. There are no public housing units in Fort Bend County's service area.

## **AP-65 Homeless and Other Special Needs Activities – 91.220(i)**

### **Introduction**

During FY 2021, Fort Bend County will use both CDBG, ESG, CDBG-CV, and ESG-CV Program funds to address homeless and other special needs activities. The County's homeless goals and objectives are listed under Decent Housing Objective 3: Provide a Continuum of Care (CoC) to potential homeless and homeless persons and the Special Needs Housing goals and objectives are listed under Decent Housing Objective 4: Provide housing assistance to special needs persons and families. There are six (6) goals under Objective 3 and three (3) goals under Objective 4.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

During FY 2021, Fort Bend County will address several homeless and other special needs goals. The County will address emergency shelter housing needs by providing CDBG and ESG assistance to the FBC Women's Center (Projects 13 and 18) and the Parks Youth Ranch (Project 18) for operating and services. The County will continue to provide homeless prevention and rapid rehousing with previous year's ESG Program funds through the Salvation Army. In addition, the County will continue to administer the CDBG-CV and ESG-CV Programs. The CDBG-CV Program is providing six months of rental assistance to persons and households behind in their rent and facing eviction. The ESG-CV Program funds are being used to prevent, prepare for, or respond to coronavirus. These funds were awarded to the FBCWC, the Parks Youth Ranch and Texas Mental Health shelters for provide increased services to homeless persons and households and persons at risk of becoming homeless during the pandemic. During FY 2021, Fort Bend County will continue to participate in CoC Coordinated Access Process during FY 2021.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

The County will address emergency shelter housing needs by providing FY 2021 CDBG and ESG assistance to the FBC Women's Center (Projects 13 and 18) and the Parks Youth Ranch (Project 18) for operating and services. These projects address goals DH 3.3 and DH 3.4. The ESG-CV Program funds were awarded to the FBCWC, the Parks Youth Ranch and Texana Mental Health shelters for provide increased services to homeless persons and households and persons at risk of becoming homeless during the pandemic. The administration of ESG-CV Program funds will continue during FY 2021.

#### **Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to**

**permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The County will fund homeless prevention and rapid rehousing with previous year's ESG Program funds. These project activities address goals DH 3.2, DH 3.6 and DH 4.2. The County will continue to work with the Continuum of Care (CoC) to develop a coordinated access system to provide assistance in the Fort Bend County service area. The Salvation Army (Project 18) will provide Rapid ReHousing and Homelessness Prevention assistance with ESG Program funds. The ESG-CV Program funds are being used to prevent, prepare for, or respond to coronavirus. These funds were awarded to the FBCWC, the Parks Youth Ranch and Texana Mental Health shelters for provide increased services to homeless persons and households and persons at risk of becoming homeless during the pandemic. The CDBG-CV Program funds are being used to provide up to six months of rental assistance to persons and households behind in their rent and facing eviction.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

During FY 2021, the County will fund homeless prevention and rapid rehousing with ESG Program funds. The Salvation Army will provide Rapid ReHousing and Homelessness Prevention assistance with ESG Program funds. The ESG-CV Program funds are being used to prevent, prepare for, or respond to coronavirus. These funds were awarded to the FBCWC, the Parks Youth Ranch and Texas Mental Health shelters for provide increased services to homeless persons and households and persons at risk of becoming homeless during the pandemic. The County is working with the Continuum of Care to implement the coordinated access system in the Fort Bend County Service area. Part of this system is an updated and Continuum-wide discharge policy that addresses the needs of persons discharged from publicly funded institutions and providing training to local non-profits.

## **Discussion**

During FY 2021, Fort Bend County will fund several public service programs that address limited clientele, presumed benefit activities for persons with special needs. These projects include Project No. 9: the ARC; Project No. 10: Brazos Bend Guardianship; Project No.11: Catholic Charities; Project No. 12: FBC Child Advocates; Project No. 13: FBC Women's Center; Project No.14: FB Seniors, and Project No.15: Literacy Volunteers. All these projects provide assistance to vulnerable special needs populations to prevent these low-income persons and their families from becoming homeless.



## **AP-75 Barriers to affordable housing – 91.220(j)**

### **Introduction:**

In its FY 2020-2025 Consolidated Plan, the County identified the major barrier to the development of affordable housing as the high cost of developable land with adequate water and sanitary sewer services. The County encourages local communities with existing water and sanitary sewer services to participate in affordable housing programs. There are several areas in the County without public water and sewer systems or with no or inadequate private water and sewer service. In addition, the County has encountered difficulty in finding safe and affordable rental housing units for the Rapid ReHousing, Homelessness Prevention and CoC project clients. Many landlords do not want clients with government rent assistance. Landlords and property managers have implemented application fees and minimum income requirements that many low-income clients cannot meet. As a result, low-income clients can be denied housing. Application and/or other fees are not eligible federal program costs.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

Six of the infrastructure projects the County will assist during FY 2021 are water and sewer projects and one project is a drainage project. The projects include Project 2: Arcola Water Treatment Plant Project, Project 3: Kendleton Sanitary Sewer Generators; Project 5: Village of Pleak Water Line Improvements; Project 6: Richmond Ferry Street Water and Wastewater Improvements; Project 7: City of Rosenberg, Blume Road Sanitary Sewer Improvements; and Project 8: FBC MUD No. 19 Drainage Improvements. The flooding disasters of 2015, 2016 and 2017 have severely impacted the supply of affordable housing the Houston Metropolitan Area. There is a critical shortage of affordable rental and homeowner properties in Fort Bend County. As stated in the introduction, the County has encountered difficulty in finding safe and affordable rental housing units for the Rapid ReHousing, Homelessness Prevention and CoC project clients. Many landlords do not want clients with government rent assistance. This has led to application fees and minimum income requirements that many low-income clients cannot meet. These fees are not eligible federal program costs. This problem and/or barrier has now expanded to include persons and families displaced by the flooding disaster of 2015, 2016, and 2017. Unfortunately, the State of Texas allows landlords to deny housing to persons and families with government assistance. As a result, the providers of government housing assistance have to expend a great deal of staff time in cultivating relationships with landlords in the hopes of accessing rental housing in good condition for recipients of government housing assistance of any kind. Currently, it takes more than 60 days to find rental housing for clients with government assistance

### **Discussion:**

Texas county government structure is expressly listed in the Texas Constitution, which makes counties functional agents of the state. Counties are limited in their actions to areas of responsibility specifically spelled out in laws passed by the Legislature. Texas counties have no land use controls, zoning, or building codes in the unincorporated areas. The County has some subdivision control. Unfortunately, tax policies affecting land are limited, also. There are independent taxing districts that administer services in the unincorporated area of the County including MUDs, levee districts, and emergency services districts. These districts have their own board of directors and are not part of County government. One of the other major barriers to affordable housing especially in the unincorporated areas of the County are contracts for deed used for the purchase of land and housing. These contracts are legal with conditions within the State of Texas; however, they do not convey ownership until the last payment is made. As a result, the residents of these properties are not eligible for HUD Program housing assistance. Unfortunately, many low- and moderate-income persons are paying on property, homes and/or mobile homes that they do not legally own through contracts for deed.

## **AP-85 Other Actions – 91.220(k)**

### **Introduction:**

During FY 2021, Fort Bend County will undertake several actions to implement goals and objectives of the five year Consolidated Plan. These actions are discussed below.

### **Actions planned to address obstacles to meeting underserved needs**

The CDBG regulation requires that program funds spent on public services be restricted to new services or quantifiable increases in services above the levels previously funded. During the County's evaluation process, funds are not awarded to public service activities if they do not increase the level of service or maintain the level of service previously funded with federal funds for County residents. The implementation of the Emergency Solutions Grant (ESG) Programs requires consultation with the Continuum of Care (CoC) in the determination of how to allocate ESG funds for eligible activities, updating written guidelines and performance standards for activities funded under ESG, and updating funding, policies and procedures for the operation and administration of the HMIS. Discussions with representatives of the Coalition for the Homeless Houston/Harris County, the City of Houston, City of Pasadena, and Harris County resulted in the targeting of specific groups for Rapid Re-housing assistance. These groups include victims of domestic violence, persons who may be eligible for SSI/SSDI and families with children. In the past, the Harris County representative stated that the Harris County Judge wanted persons being released from jail and/or prison to be targeted for the Rapid Re-Housing assistance program as well. Fort Bend County's underserved persons include youth aging out of foster care, persons with disabilities, victims of domestic violence and families with children. For FY 2021 the CoC is emphasizing families with children, homeless youth and the chronically homeless including ex-offenders. Fort Bend County is emphasizing families with children involved in the criminal justice and/or foster care system, families with a member with a mental illness or other disabilities. The County has only two emergency shelters the Fort Bend County Women's Center and the Parks Youth Ranch. The FBC Women's Center provides assistance to victims of domestic abuse and the Parks Youth Ranch provides assistance to unaccompanied youth. These two shelter populations represent the majority of underserved populations that the County will serve with ESG assistance during FY 2021. During FY 2021, Fort Bend County is allocating a large portion of the CDBG Program allocation to water and sewer improvements in five communities. Most of these projects are multi-year projects to provide water and sewer service improvements to older underserved communities.

### **Actions planned to foster and maintain affordable housing**

Texas counties do not have any land-use powers, as a result, Fort Bend County is limited to educating the public about the need to foster and maintain affordable housing and directing fair housing complaints to HUD field offices. The County will encourage local governments, social service providers,

neighborhood groups, and developers interested in affordable housing to continue to work together. The County will continue to provide these groups with technical assistance in the preparation of proposals and applications for HOME Program funds and other sources of housing funds. One of the overall goals of the community planning and development programs covered by the consolidated plan are to develop viable communities by providing decent housing. The County's priority under this goal is increasing the supply of affordable housing to extremely low-income, low-income, and moderate-income households. The first objective under this priority is to provide assistance to increase the availability of standard quality housing to extremely low-income, very low-income, and low-income families. Accordingly, the County's five-year objectives include providing down payment and closing costs assistance, rental assistance, and assisting neighborhood groups to become CHDOs. The second objective under this priority is to provide housing rehabilitation to extremely low-income, low-income, and moderate-income owner-occupied households. The County's five-year objectives include providing owner-occupied rehabilitation assistance, owner-occupied housing rehabilitation housing repairs, water and sewer connections, and demolition and reconstruction assistance. The County will use HOME Program funds for the County's Housing Rehabilitation Program (Project 17). This program will address goals DH 2.1 and DH 4.3.

#### **Actions planned to reduce lead-based paint hazards**

In this section, the jurisdiction must describe the actions it plans to take during the next year to evaluate and reduce the number of housing units containing lead-based paint hazards in order to increase the inventory of lead-safe housing available to extremely low-income, low-income, and moderate-income families. During FY 2021, the County will continue to comply with HUD's lead-based paint regulation and keep abreast of any changes proposed regarding lead-based paint. The County will continue to contract with a certified contractor to perform lead assessments on properties built before 1978 that may contain lead-based paint for the County's Housing Rehabilitation Program (Project 17). The County also will conduct lead based paint inspections of properties provided assistance through the CoC and ESG Rapid Re-Housing and Homeless Prevention program activities. In addition, the County will continue to provide educational material regarding lead-based paint hazards and to use CDBG, HOME and ESG Program funds to evaluate and reduce lead-based paint hazards in homes and facilities.

#### **Actions planned to reduce the number of poverty-level families**

In this section the jurisdiction must describe the actions it plans to take during the next year to reduce the number of poverty level families (as defined by the Office of Management and Budget and revised annually), taking into consideration factors over which the jurisdiction has control. Fort Bend County has very little control over the factors that affect the number of poverty level families within its jurisdiction. The County is a rapidly growing community and, as a result, the number of poverty-level families is increasing as the overall population of the County continues to grow. The COVID pandemic has created serious economic problems for many low-income persons in the County. During FY 2021, the County may use the ESG Homeless Prevention to provide assistance to households with income

below 30% of MFI. In addition, the County will encourage existing networks of social service providers to expand their efforts to coordinate referrals and services to address the needs of poverty-level families. The County also will encourage local social service providers, like Catholic Charities, to establish and expand case management systems for poverty-level families. The main programmatic action by the County to reduce the number of poverty-level families is the continued funding of the Literacy Council FBC Literacy Tutoring program (Project 15). This program improves the literacy of adults throughout the County. In addition, the County will continue to emphasize the need to serve individuals and families with incomes below thirty (30) percent of MFI. Unfortunately, the majority of individuals and families in this income category have incomes below the poverty level.

### **Actions planned to develop institutional structure**

During FY 2021, the County will continue to work with the service providers implementing the ESG Rapid Re-housing and Homeless Prevention assistance to increase their capacity to provide services to program participants. In addition, the County also will work with Coalition for the Homeless Houston/Harris County to continue to implement the centralized and/or coordinated assessment system required by the ESG Program regulation and improve participation in the HMIS by County service providers. During FY 2021, Fort Bend County also will continue to administer CDBG-DR program funds related to the flooding disasters of 2016 and 2017. Many of the local non-profits are providing services to victims of flooding and are realizing the need for providing housing assistance to the households that sustained damage to their housing. The County is and will continue to provide information to these groups regarding the availability of CDBG-DR assistance for their clients. The County will work with the Coalition for the Homeless and the CoC to build the capacity of local non-profits that provide services to the homeless and low-income persons at risk of becoming homeless. Specifically, the County will continue to work with Carrie Rai, the Director of Strategic Planning for the Coalition for the Homeless to provide training to increase the capacity of local homeless organizations regarding non-profit financial management, permanent supportive housing (PSH) and HMIS participation.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The staff of the Fort Bend County Community Development Department will continue to work with other County departments, local governments, non-profits, neighborhood groups, and interested individuals to improve communication and coordination among groups. The department also maintains a mailing list of individuals and organizations interested in various housing and community development issues. The department will continue to provide information to interested individuals and organizations, and to work with groups with similar interests in the development of projects. The Community Development Department staff participates in the Fort Bend Connect, a network of service organizations that meet to share information and resources that benefit the citizens of Fort Bend County. The alliance is a United Way network of educational, religious, governmental law enforcement, and human service organizations throughout the County. The Community Development Department Director continues to

serve as an ex-officio member of the Board of Directors of the Fort Bend County Housing Finance Corporation. The Community Development Department Director also serves on the Houston Area Emergency Shelter and Food Program (ESFP) Coordinating Board and the Coalition for the Homeless Coordinating Council. During FY 2021, the County will continue to work with Coalition for the Homeless Houston/Harris County to implement the centralized and/or coordinated assessment system required by the ESG Program regulation and improve participation in the HMIS by County service providers. The implementation of the coordinated system will require increased coordination between local governments, the Coalition and eventually all homeless service providers.

#### **Discussion:**

Fort Bend County continues to take several actions to implement the goals and objectives listed in the five year Consolidated Action Plan. The population of the County continues to increase rapidly. This makes progress difficult to measure since the needs and the demand for services continues to increase. The flooding disasters of 2016 and 2017 caused many of the local non-profits that are providing social services to the victims of flooding to realize the need for providing housing assistance to the households that sustained damage to their housing. The County will continue to provide information to these groups regarding training and funding opportunities. During FY 2020, the COVID pandemic made the delivery of services difficult especially to vulnerable populations. Local service providers changed and adapted the delivery of services to provide some assistance to their clients during the increased isolation caused by the pandemic. During FY 2021, service providers will increase services to their clients as the pandemic lessens.

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

#### Introduction:

During FY 2021, Fort Bend County expects to receive \$4,698,022 from HUD. CDBG Program funds are the largest part of this funding, \$3,498,938.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

**HOME Investment Partnership Program (HOME)**  
**Reference 24 CFR 91.220(l)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The County will not use any other forms of investment beyond those identified in Section 92.205.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

The County will not fund down payment assistance or homebuyer activities with HOME Program funds for FY 2021.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

The County will not fund down payment assistance or homebuyer activities with HOME Program funds for FY 2021.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The County will not fund any multifamily housing with HOME Program funds during FY 2021.

**Emergency Solutions Grant (ESG)**  
**Reference 91.220(l)(4)**

1. Include written standards for providing ESG assistance (may include as attachment)

The ESG written standards are included as Appendix D. The written guidelines, standards and outcomes were developed in cooperation with the Coalition for the Homeless, Harris County, the City of Houston, and the City of Pasadena.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

The Continuum of Care is in the process of expanding the coordinated assessment system that meets HUD requirements. The current coordinated access system includes a standardized intake/application form on the HMIS system. The Continuum is in the process of reviewing the HMIS

data entered by subrecipients and increasing the accuracy of this data. The Continuum also is continuing the process of expanding this system from CoC and ESG subrecipients to all subrecipients of federal, state, and local assistance. In the future, every homeless service and shelter provider will have access to this system.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

The development of the FY 2021 Fort Bend County Consolidated Annual Action Plan began in March of 2021. On March 14, 2021, a public notice regarding the availability of the FY 2021 RFPs and the dates of the public meetings were published in a local newspaper. The FY 2021 CDBG, ESG and HOME Request for Proposals (RFPs) were emailed and mailed out on March 15, 2021.

The County maintains a mailing list of individuals and organizations interested in various housing and community development issues. These individuals, organizations, and local governments are emailed or mailed the requests for proposals (RFPs) they requested. In addition, the department emails and mails out notices of meetings, workshops, and conferences that provide information and training on various issues.

Public meetings were held on March 17, March 23, and March 25 for the public, local governments, and non-profits interested. A public hearing was held on May 4, 2021 at Fort Bend County Commissioners Court.

The deadline for the submission of RFPs was 12:00 p.m. on Friday, April 16, 2021. The County received five (5) proposals from organizations totaling \$355,734.

The ESG Program proposals were evaluated by Fort Bend County Community Development Department staff using a standardized evaluation sheet. The evaluation sheets were totaled and all the sheet totals were averaged. The proposals were ranked in descending order, from the highest average score to the lowest. The highest ranked proposals were fully funded if possible given ESG Statutory maximums and the provision of the required match.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The funding decision regarding ESG projects is made by the Fort Bend County Commissioner's Court, the elected governing body of the County. Fort Bend County requires that every applicant for ESG complete a Homeless Participation Plan Form. This form certifies that at least one homeless

individual or formerly homeless individual serves on the subrecipient's board of directors, and/or that at least one homeless individual or formerly homeless individual participates in the subrecipient's formal review process and/or grievance process in terminating assistance for a program participant. (See 24 CFR 576.402(2)).

Fort Bend County has a Homeless Participation Form that must be submitted by ESG Subrecipients as part of their application packet. The County also has an appeal process for the funding of ESG projects. This includes the review of any disputed ESG Program allocation by a reviewer who is homeless or was previously homeless and does not have a conflict of interest with the activity or project under review.

5. Describe performance standards for evaluating ESG.

The ESG written performance standards are included as Appendix D. The written guidelines, standards and outcomes were developed and are updated in cooperation with the Coalition for the Homeless, Harris County, the City of Houston, the City of Pasadena and Fort Bend County. During FY 2021, the County will continue to fund Rapid Rehousing, Homelessness Prevention, and Housing Stabilization Services with previous year's ESG Program funds.

The County will continue to work with the Coalition For the Homeless to provide technical assistance to local homeless service and shelter providers.



## **SF 424 and CERTIFICATIONS**

**Application for Federal Assistance SF-424**

**\* 1. Type of Submission:**

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

**\* If Revision, select appropriate letter(s):**

**\* Other (Specify):**

**\* 3. Date Received:**

12/15/2021

**4. Applicant Identifier:**

TX489157

**5a. Federal Entity Identifier:**

B-21-UC-48-0004

**5b. Federal Award Identifier:**

**State Use Only:**

**6. Date Received by State:**

**7. State Application Identifier:**

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

Fort Bend County Texas

**\* b. Employer/Taxpayer Identification Number (EIN/TIN):**

74-6001969

**\* c. Organizational DUNS:**

0000081497075

**d. Address:**

**\* Street1:**

301 Jackson Street

**Street2:**

Suite 602

**\* City:**

Richmond

**County/Parish:**

Fort Bend County

**\* State:**

TX: Texas

**Province:**

**\* Country:**

USA: UNITED STATES

**\* Zip / Postal Code:**

77469-3108

**e. Organizational Unit:**

**Department Name:**

Community Development

**Division Name:**

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

**Prefix:**

Ms.

**\* First Name:**

Carol

**Middle Name:**

**\* Last Name:**

Borrego

**Suffix:**

**Title:**

Community Development Director

**Organizational Affiliation:**

**\* Telephone Number:**

281-341-4410

**Fax Number:**

281-341-3762

**\* Email:**

carol.borrego@fortbendcountytexas.gov

**Application for Federal Assistance SF-424**

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

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

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

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

14.218

CFDA Title:

Community Development Block Grant Program

**\* 12. Funding Opportunity Number:**

\* Title:

**13. Competition Identification Number:**

Title:

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

Add Attachment

Delete Attachment

View Attachment

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

Community Development Block Grant Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**

\* a. Applicant TX-022

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date: 09/01/2021

\* b. End Date: 08/31/2022

**18. Estimated Funding (\$):**

* a. Federal	3,498,938.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	3,498,938.00

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☒ a. This application was made available to the State under the Executive Order 12372 Process for review on

7/17/2021

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☐ c. Program is not covered by E.O. 12372.**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

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

☒ \*\* I AGREE

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

**Authorized Representative:**

Prefix: Honorable

\* First Name: KP

Middle Name:

\* Last Name: George

Suffix:

\* Title: County Judge

\* Telephone Number: 281-341-8608

Fax Number: 281-341-8609

\* Email: county.judge@fortbendcountytexas.gov

\* Signature of Authorized Representative:



\* Date Signed: 07/13/2021

### Application for Federal Assistance SF-424

**\* 1. Type of Submission:**

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

**\* If Revision, select appropriate letter(s):**

**\* Other (Specify):**

**\* 3. Date Received:**

**4. Applicant Identifier:**

TX489157

**5a. Federal Entity Identifier:**

M21-UC480216

**5b. Federal Award Identifier:**

**State Use Only:**

**6. Date Received by State:**

**7. State Application Identifier:**

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

Fort Bend County Texas

**\* b. Employer/Taxpayer Identification Number (EIN/TIN):**

74-6001969

**\* c. Organizational DUNS:**

0000081497075

**d. Address:**

**\* Street1:**

301 Jackson Street

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**County/Parish:**

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**\* State:**

TX: Texas

**Province:**

**\* Country:**

USA: UNITED STATES

**\* Zip / Postal Code:**

77469-3108

**e. Organizational Unit:**

**Department Name:**

Community Development

**Division Name:**

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

**Prefix:**

Ms.

**\* First Name:**

Carol

**Middle Name:**

**\* Last Name:**

Borrego

**Suffix:**

**Title:**

Community Development Director

**Organizational Affiliation:**

**\* Telephone Number:**

281-341-4410

**Fax Number:**

281-341-3762

**\* Email:**

carol.borrego@fortbendcountytexas.gov

**Application for Federal Assistance SF-424**

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

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

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

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

14.218

CFDA Title:

HOME Investment Partnerships Program

**\* 12. Funding Opportunity Number:**

\* Title:

**13. Competition Identification Number:**

Title:

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

Add Attachment

Delete Attachment

View Attachment

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

HOME Investment Partnership Grant Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**

\* a. Applicant

TX-022

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

09/01/2021

\* b. End Date:

08/31/2022

**18. Estimated Funding (\$):**

* a. Federal	916,596.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	916,596.00

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☒ a. This application was made available to the State under the Executive Order 12372 Process for review on

07/17/2021

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☐ c. Program is not covered by E.O. 12372.**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

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

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**Authorized Representative:**

Prefix:

Honorable

\* First Name:

KP

Middle Name:

\* Last Name:

George

Suffix:

\* Title:

County Judge

\* Telephone Number:

281-341-8608

Fax Number:

281-341-8609

\* Email:

county.judge@fortbendcountytexas.gov

\* Signature of Authorized Representative:



\* Date Signed:

07/13/2021

# Application for Federal Assistance SF-424

## \* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

## \* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

## \* If Revision, select appropriate letter(s):

## \* Other (Specify):

## \* 3. Date Received:

## 4. Applicant Identifier:

TX489157

## 5a. Federal Entity Identifier:

E-21-UC-48-0004

## 5b. Federal Award Identifier:

## State Use Only:

## 6. Date Received by State:

## 7. State Application Identifier:

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0000081497075

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Province:

\* Country: USA: UNITED STATES

\* Zip / Postal Code: 77469-3108

## e. Organizational Unit:

## Department Name:

Community Development

## Division Name:

## f. Name and contact information of person to be contacted on matters involving this application:

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Ms.

## \* First Name:

Carol

## Middle Name:

## \* Last Name:

Borrego

## Suffix:

Title: Community Development Director

## Organizational Affiliation:

\* Telephone Number: 281-341-4410

Fax Number: 281-341-3762

\* Email: carol.borrego@fortbendcountytexas.gov

**Application for Federal Assistance SF-424**

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B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

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

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

14.218

CFDA Title:

Emergency Solutions Grant Program

**\* 12. Funding Opportunity Number:**

\* Title:

**13. Competition Identification Number:**

Title:

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

Add Attachment

Delete Attachment

View Attachment

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

Emergency Solutions Grant Program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

# Application for Federal Assistance SF-424

## 16. Congressional Districts Of:

\* a. Applicant

TX-022

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

## 17. Proposed Project:

\* a. Start Date:

09/01/2021

\* b. End Date:

08/31/2022

## 18. Estimated Funding (\$):

* a. Federal	282,488.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	282,488.00

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

☒ a. This application was made available to the State under the Executive Order 12372 Process for review on

7/17/2021

☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.

☐ c. Program is not covered by E.O. 12372.

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

☐ Yes

☒ No

If "Yes", provide explanation and attach

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

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Honorable

\* First Name:

KP

Middle Name:

\* Last Name:

George

Suffix:

\* Title:

County Judge

\* Telephone Number:

281-341-8608

Fax Number:

281-341-8609

\* Email:

county.judge@fortbendcountytexas.gov

\* Signature of Authorized Representative:

*George*

\* Date Signed:

07/13/2021

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

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

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

**Consistency with plan** --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

  
\_\_\_\_\_  
Signature of Authorized Official  
County Judge KP George

7.13.2021  
Date

KP George, County Judge  
\_\_\_\_\_  
Title

## **Specific Community Development Block Grant Certifications**

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2021 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

**Compliance with Laws** -- It will comply with applicable laws.

  
\_\_\_\_\_  
Signature of Authorized Official  
County Judge KP George

7.13.2021  
\_\_\_\_\_  
Date

KP George, County Judge  
\_\_\_\_\_  
Title

## OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

  
\_\_\_\_\_  
Signature of Authorized Official  
County Judge KP George

7.13.2021  
Date

KP George, County Judge  
Title

## Specific HOME Certifications

The HOME participating jurisdiction certifies that:

**Tenant Based Rental Assistance** -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

**Eligible Activities and Costs** -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

**Subsidy layering** -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

  
\_\_\_\_\_  
Signature of Authorized Official  
County Judge KP George

7.13.2021  
Date

KP George, County Judge  
\_\_\_\_\_  
Title

## **Emergency Solutions Grants Certifications**

The Emergency Solutions Grants Program recipient certifies that:

**Major rehabilitation/conversion/renovation** – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

**Essential Services and Operating Costs** – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

**Renovation** – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

**Supportive Services** – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for these individuals.

**Matching Funds** – The recipient will obtain matching amounts required under 24 CFR 576.201.

**Confidentiality** – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

**Homeless Persons Involvement** – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

**Consolidated Plan** – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

**Discharge Policy** – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

  
\_\_\_\_\_  
Signature of Authorized Official  
County Judge KP George

7.13.2021  
Date

KP George, County Judge  
Title

## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:**

#### **Lobbying Certification**

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

**APPENDICES  
TABLE OF CONTENTS**

<b>APPENDIX A:</b>	<b>SUMMARY OF CITIZEN COMMENTS</b>
<b>APPENDIX B:</b>	<b>CITIZEN PARTICIPATION PLAN</b>
<b>APPENDIX C:</b>	<b>FBC MONITORING PROCESS</b>
<b>APPENDIX D:</b>	<b>EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM: WRITTEN GUIDELINES, STANDARDS AND PERFORMANCE STANDARDS</b>
<b>APPENDIX E:</b>	<b>HOME PROGRAM RECAPTURE GUIDELINES.</b>

**APPENDIX A  
SUMMARY OF CITIZEN COMMENTS**

Fort Bend County's Consolidated Annual Action Plan process involved at least two public notices and one public hearing and five public meetings. The dates of the public notices and meetings are listed below.

First Public Notice	March 14, 2021
First Public Meeting/ Needs Assessment (Travis Building, 6th Floor Meeting Room, 10:00 a.m.)	Wednesday, March 17, 2021
Second Public Meeting/ Proposer's Conference (Travis Building, 6th Floor Meeting Room, 10:00 a.m.)	Tuesday, March 23, 2021
Third Public Meeting/Proposer's Conference 2:00 p.m.)	Tuesday, March 23, 2021
Fourth Public Meeting (Travis Building, 6th Floor Meeting Room, 10:00 a.m.)	Thursday, March 25, 2021
Public Notice Public Hearing	April 18, 2021
Public Hearing	Tuesday, May 4, 2021
Beginning of Thirty-Day Comment Period	Wednesday, June 2, 2021
Public Meeting (Travis Building, 6th Floor Meeting Room, 2:00 p.m.)	Wednesday, June 16, 2021
End of Thirty-Day Comment Period	Friday, July 2, 2021

The thirty-day public comment for the draft Consolidated Annual Action Plan began on June 2, 2021 and ended on July 1, 2021. No written comments were received during the comment period. The FY 2021 Fort Bend County Consolidated Annual Action Plan is scheduled to be approved by Fort Bend County Commissioners Court on Tuesday, July 6, 2021.

**SUMMARY OF MEETING COMMENTS:**

Most of the questions and comments received during the public meetings were related to items in the Request for Proposals, deadlines, and census data.

No comments were provide during the May 4, 2021 public hearing.

**All comments received during the development of the FY 2021 Consolidated Plan were accepted.**

**FORT BEND COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
FY 2021 CONSOLIDATED ANNUAL ACTION PLAN  
PUBLIC NOTICE**

To build and strengthen new partnerships with State and local governments and the private sector, the U.S. Department of Housing and Urban Development (HUD) requires a single consolidated submission for the planning and application aspects of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnerships (HOME) Programs. Fort Bend County is in the process of developing its FY 2021 Consolidated Annual Action Plan.

HUD has allocated Fort Bend County \$3,448,126 in Community Development Block Grant (CDBG) Program funds, \$916,596 in HOME Investment Partnership (HOME) Program funds, and \$282,488 in Emergency Solutions Grant (ESG) Program funds for FY 2021.

Due to recommended social distancing and limiting public gatherings for COVID public health reasons, Fort Bend County is holding limited public meetings in the development of the County's Consolidated Annual Action Plan. Public Meetings to receive comments from the public regarding the housing and community development needs of low- and moderate-income persons such as homeless individuals and families; persons with special needs (the elderly, frail elderly, severely mentally ill, developmentally disabled, physically disabled, persons with alcohol/other drug addictions, and persons with HIV/AIDS); the housing needs of renters and owners; community needs such as anti-crime, economic development, infrastructure, planning and administration, public facilities, public services, senior programs, youth programs; and other nonhousing community development needs will be held on the date listed below:

**Public Meeting/Needs Assessment  
(Travis Building, 6th Floor Meeting Room, 10:00 a.m.)**

**Wednesday, March 17, 2021**

The Fort Bend County CDBG, HOME, and ESG Request for Proposals (RFPs) will be available on Monday, March 15, 2021. Proposals must be submitted by 12:00 p.m. Friday, **April 16, 2021**. The information sessions for CDBG, HOME, and ESG Program applicants are listed below. Questions from applicants will be answered at these meetings.

**Public Meeting/Proposer's Conference:  
CDBG Local Government RFP  
(Travis Building, 6th Floor Meeting Room, 10:00 a.m.)**

**Tuesday, March 23, 2021**

**Public Meeting/Proposer's Conference  
CDBG Non-Profit RFP  
(Travis Building, 6th Floor Meeting Room, 2:00 p.m.)**

**Tuesday, March 23, 2021**

**Public Meeting/Needs Assessment/Proposer's  
Conference: CDBG, HOME and ESG RFPs  
(Travis Building, 6th Floor Meeting Room, 10:00 a.m.)**

**Thursday, March 25, 2021**

In-person meeting attendance will be limited to twelve persons. Attendees must contact the department to register for the on-site meetings or zoom access at [communitydevelopment@fortbendcountytexas.gov](mailto:communitydevelopment@fortbendcountytexas.gov) or contact Jalissa Scott at (281) 341-4410. Attendance is limited to one person per local government or non-profit organization. Persons are also encouraged to attend via Zoom.

The public is encouraged to submit comments to Carol Borrego, Community Development Director, 301 Jackson St., Suite 602, Richmond, Texas 77469 or [communitydevelopment@fortbendcountytexas.gov](mailto:communitydevelopment@fortbendcountytexas.gov). Comments will be incorporated into the draft FY 2021 Consolidated Annual Action Plan, 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. This venue is accessible for persons with physical disabilities. Spanish language translators are available at the meeting for persons with Limited English Proficiency. Persons requiring other language translators must contact the department at least 48 hours prior to the meeting at (281) 341-4410 to request translation services for the meeting.

**FORT BEND COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
FY 2021 CONSOLIDATED ANNUAL ACTION PLAN  
NOTICE OF PUBLIC MEETING**

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3-14

FBC Community  
Development

# PUBLISHER'S AFFIDAVIT

188637

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)  
ON BACK

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

3-14

\_\_\_\_\_, A.D. 2021



Lee Hartman  
Publisher

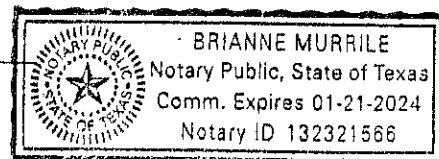
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

\_\_\_\_\_ b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 15th day of March, A.D. 2021  
to certify which witness my hand and seal of office.

Brianne Murrile  
Notary Public, State of Texas



**FORT BEND COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT  
FY 2021 CONSOLIDATED ANNUAL ACTION PLAN  
NOTICE OF PUBLIC HEARING**

To build and strengthen new partnerships with State and local governments and the private sector, the U.S. Department of Housing and Urban Development (HUD) requires a single consolidated submission for the planning and application aspects of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), HOME Investment Partnerships (HOME), and Housing Opportunities for Persons with AIDS (HOPWA) Programs. Fort Bend County is in the process of developing its FY 2021 Consolidated Annual Action Plan.

A Public Hearing will be held on Tuesday, May 4, 2021 at 1:00 p.m., Fort Bend County Commissioners Court, 2<sup>nd</sup> Floor, Fort Bend County Courthouse, 401 Jackson Street, Richmond, Texas to receive comments from the public regarding the housing and community development needs of low- and moderate-income persons such as homeless individuals and families; persons with special needs (the elderly, frail elderly, severely mentally ill, developmentally disabled, physically disabled, persons with alcohol/other drug addictions, and persons with HIV/AIDS); the housing needs of renters and owners; community needs such as anti-crime, economic development, infrastructure, planning and administration, public facilities, public services, senior programs, youth programs; and other nonhousing community development needs. The public is encouraged to attend and to submit comments to Carol Borrego, Community Development Director, 301 Jackson St., Suite 602, Richmond, Texas 77469. Comments will be incorporated into the draft FY 2021 Consolidated Annual Action Plan, as appropriate.

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4-18

The Honorable  
K.P. George

## PUBLISHER'S AFFIDAVIT

Action Plan

THE STATE OF TEXAS §  
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

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(CLIPPING) (S)  
ON Back

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4-18

\_\_\_\_\_, A.D. 2021

*LH*

Lee Hartman  
Publisher

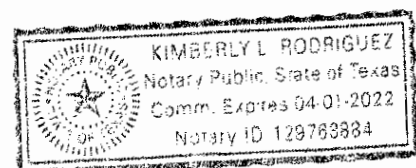
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

\_\_\_\_\_ b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 19 day of April, A.D. 2021  
to certify which witness my hand and seal of office.

*Kimberly L. Rodriguez*  
Notary Public, State of Texas



**PUBLIC NOTICE**  
**FORT BEND COUNTY COMMUNITY DEVELOPMENT DEPARTMENT**  
**FY 2021 CONSOLIDATED ANNUAL ACTION PLAN DRAFT**

To build and strengthen new partnerships with State and local governments and the private sector, the U.S. Department of Housing and Urban Development (HUD) requires a single consolidated submission for the planning and application aspects of the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) Programs.

The overall goals of the community development and planning programs covered by the Consolidated Plan are to strengthen partnerships with jurisdictions and to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and nonprofit organizations, to enable them:

- to provide decent housing;
- to establish and maintain a suitable living environment; and
- to expand economic opportunities for every American, particularly for very low-income and low-income persons.

The purpose of the Consolidated Plan is to require the County to state in one document its plan to pursue these goals for all the community planning and development programs, as well as for housing programs. The FY 2020 Consolidated Plan serves the following functions:

1. A planning document for the jurisdiction, which builds on a participatory process at the lowest levels;
2. An application for federal funds under HUD's formula grant programs;
3. A strategy to be followed in carrying out HUD programs; and,
4. An action plan that provides a basis for assessing performance.

The Consolidated Plan Final Rule requires that local government jurisdictions submit to HUD the five-year Consolidated Plans containing a housing and homeless needs assessment, a housing market analysis, a strategic plan, an action plan, and the required HUD certifications. The FY's 2020-2025 Consolidated Plan includes Fort Bend County's revised housing and homeless needs assessment and housing market analysis. The strategic plan sets forth program goals and specific objectives in a manner that helps local governments and citizens keep track of programmatic results.

The FY 2021 Consolidated Annual Action Plan includes the proposed projects to be funded during FY 2021, September 1, 2021 to August 31, 2022. These projects are listed below by program funding source. The recommended amount of funding for each project also is listed.

**Community Development Block Grant (CDBG) Program:**

Amount of Assistance Available for FY 2021:		<b>\$3,498,938</b>
Countywide	CDBG Program Administration and Planning (20% max)	\$629,815
Arcola	Water Treatment Plant Section 108 Loan Guarantee Repayment	\$309,000
Kendleton	Sanitary Sewer Facility Generators	\$300,000
Orchard	Wastewater Plant Improvements	\$273,003
Pleak	Water Line Improvements	\$300,000
Riverwood	FBC MUD No. 19 Drainage Improvements	\$482,000
Richmond	Ferry Street: Water and Wastewater Line Replacement	\$170,350
Rosenberg	Blume Road: Sanitary Sewer Improvements	\$660,770
Countywide	Arc of FBC Social and Recreational Program	\$40,000
Countywide	Brazos Bend Guardianship Services: Corporate Guardianship Program	\$45,000
Countywide	Catholic Charities Integrated Case Management for Seniors	\$50,000
Countywide	Child Advocates Children's Advocacy Center Operational Support	\$49,000
Countywide	FBC Women's Center Shelter Services	\$65,000
Countywide	Fort Bend Seniors: Meals on Wheels Program: Homebound Nutrition	\$65,000
Countywide	Literacy Council of Fort Bend: Literacy Tutoring	\$60,000

**HOME Investment Partnership Program:**

Amount of Assistance Available for FY 2021:		<b>\$916,596</b>
Countywide	HOME Program Administration (10% max.)	\$91,659
Countywide	FBC Housing Rehabilitation Program	\$824,937

**Emergency Solutions Grant (ESG) Program:**

Amount of Assistance Available for FY 2021:		<b>\$282,488</b>
Countywide	ESG Program Administration (7.5% max)	\$28,248
Countywide	Parks Youth Ranch Emergency Shelter	\$80,578
Countywide	FBC Women's Center Emergency Shelter	\$88,914
Countywide	Salvation Army ReHousing/Homelessness Prevention/Stabilization	
Services	\$70,560	
	ReHousing/Homelessness Prevention/Stabilization Services	\$14,188

The Fort Bend County FY 2021 Consolidated Annual Action Plan Draft will be available for public review and comment from Wednesday, June 2, 2021 to Friday, July 2, 2021. The public is encouraged to review this document and submit comments. The Consolidated Plan Executive Summary can be reviewed on the Fort Bend County Community Development Department website: <http://www.fortbendcountytexas.gov/> In addition, copies of the Consolidated Annual Action Plan are available from the Fort Bend Community Development Department, 301 Jackson St., Suite 602, Richmond, Texas, 77469. Please call the department at (281) 341-4410 or email comments to [communitydevelopment@fortbendcountytexas.gov](mailto:communitydevelopment@fortbendcountytexas.gov)

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## PUBLISHER'S AFFIDAVIT Action Plan

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(CLIPPING) (S)

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06/01

\_\_\_\_\_, A.D. 2021

*Lee Hartman*

Lee Hartman  
Publisher

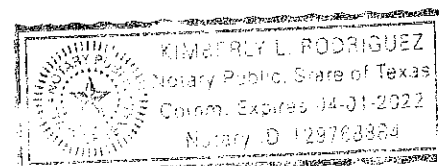
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

\_\_\_\_\_ b) provided the following evidence to establish his/her identity, \_\_\_\_\_

on this the 7 day of June, A.D. 2021  
to certify which witness my hand and seal of office.

*Kimberly L. Rodriguez*  
Notary Public, State of Texas



## **APPENDIX B CITIZEN PARTICIPATION PLAN FORT BEND COUNTY, TEXAS**

### **INTRODUCTION**

This Citizen Participation Plan describes the process whereby citizens, organizations, local governments and agencies may take part in the development of the Consolidated Plan, Annual Action Plans, Substantial Amendments to plans, the Consolidated Annual Performance Report (CAPER), and the submission of loan guarantee fund applications. This Citizen Participation Plan is required in the regulations for the Consolidated Plan (CFR 91.105). The plan provides for:

- giving citizens timely notice of local meetings and reasonable and timely access to local meetings, information, and records;
- giving citizens access to technical assistance in developing proposals;
- holding the minimum number of public meetings and/or hearings;
- meeting the needs of non-English speaking residents;
- providing affected citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously included in an application and activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location, or beneficiaries;
- responding to citizen complaints and grievances in a timely manner; and
- encouraging citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas, and other areas in which loan guarantee funds are to be used.

#### **1. Encouragement of Citizen Participation**

Fort Bend County encourages the participation of local and regional institutions, the Continuum of Care and other organizations in developing and implementing the consolidated plan. Fort Bend County will explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance.

#### **2. Timely Notice and Access to Meetings, Information, and Records.**

The Fort Bend County Community Development Department will give citizens timely notice of the opportunity to make written or verbal comments pertaining to the use of CDBG, ESG, and HOME funds or loan guarantee funds. Prior to the preparation, approval and submission of the Consolidated Plan or Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD), the Department will publish notices in one or more local newspapers of general circulation and will post notices on the County's website: <http://www.fortbendcountytexas.gov/> In addition, the Department will maintain a contact list of interested citizens, organizations, and agencies and identify and notify potential and actual beneficiaries (e.g., cooperative cities, non-profit organizations, public agencies) of the opportunity to make recommendations pertaining to the use of funds. The contact list will be used to notify interested persons of the Department's intent to hold public meetings to allow citizens to identify community needs and make recommendations for how funds may be used.

Citizens will be given an opportunity to make verbal and written recommendations pertaining to the use of funds. Draft copies of the Consolidated Plan, Annual Action Plans and CAPERs, loan guarantees will be available for review at the office of the Fort Bend County Community Development Department and copies will be available for anyone requesting a copy. An electronic copy will be made available for anyone requesting an electronic copy of the Consolidated Plan, Annual Action Plan, or CAPER. Citizens and other affected parties will be provided an opportunity to examine the contents of the plan and report and submit comments and recommendations (1) at public meetings held for that purpose, (2) by mail, (3) by email, and (4) by delivery to the office of the Fort Bend County Community Development Department. Citizens and other affected parties will be encouraged to submit written recommendations to the Department for documentation and evaluation purposes. Comments and recommendations received at the public meetings will be reviewed by the Department and will be taken into consideration when the Consolidated Plan, Annual Action Plan, CAPER, or loan guarantee applications are prepared.

Citizens will be given at least 30 days to comment on the draft Consolidated Plan or Annual Action Plan before the final plans are completed. Citizens will be provided at least 15 days to submit comments regarding the CAPER before the final report is completed. A summary of the proposed plans and/or reports will be published as a public notice in one or more local newspapers. In addition, a summary of the proposed plans and/or reports may be posted on the County's website. A summary of any comments received will be attached to the final plans. The final Consolidated Plan and Annual Action Plan will be reviewed by Fort Bend County Commissioners Court. Upon approval, the final Consolidated Plan, Annual Action Plan and/or loan guarantee applications will be available to the public upon request.

The Fort Bend County Community Development Department will give citizens timely access to local meetings. Public meetings and/or public hearings will be held at times and places that are convenient for potential and actual beneficiaries. Meetings and hearings will be held in facilities that are accessible to the disabled. The Department will make a reasonable effort to accommodate disabled persons and when possible, provide auxiliary aids upon request. Spanish language translators will be available for persons with limited English Proficiency. Persons requiring other language translators may request translation services from the Department (See Section 5).

The Fort Bend County Community Development Department will provide reasonable and timely access to information and records pertaining to projected and actual use of funds and to information, and records relating to the County's projected and actual use of loan guarantee funds (See Section 7). The public may be required to provide reasonable notice and to pay for the cost of reproduction of multiple copies of written materials.

### **3. Technical Assistance.**

Upon request, the Fort Bend County Community Development Department will provide technical assistance to groups representing persons of low- and moderate-income that request such assistance in developing proposals before the release of the County's annual request for proposals (RFPs). The Fort Bend County Community Development Department will provide this assistance

at a level and type commensurate with its staff capabilities and resources. The provision of technical assistance does not include the provision of funds to such groups.

In addition, the Fort Bend County Community Development Department will provide information to groups regarding technical assistance being provided or sponsored by HUD or other organizations.

#### **4. Minimum Number of Public Hearings.**

The Fort Bend County Community Development Department will hold a minimum of one public hearing during the development of the Consolidated Plan. At least one other public hearing will be held during the program year to obtain citizens' views and to respond to proposals and questions. In addition, public meetings will be held during the Consolidated Plan, Annual Plan and CAPER processes, each at different stages of its program, for the purpose of obtaining the views of citizens and formulating or responding to proposals and questions. All together, these meetings and/or hearings will address community development and housing needs, development of the Consolidated Plan, Annual Action Plan, loan guarantee applications, and review of program performance in the CAPER. At least one of these meetings and/or hearings will be held before submission of the Consolidated Plan and/or Annual Action Plan to obtain the view of citizens on community development and housing needs and program funding recommendations. Reasonable notice of meetings and/or hearings will be provided and the meetings and/or hearings will be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the disabled.

#### **5. Needs of Non-English Speaking Residents.**

In the case of public meetings and/or hearings where a significant number of non-English speaking residents can reasonably be expected to attend and participate, Spanish speaking FBC Community Development Department staff will be available to provide translation assistance and public information to persons with Limited English Proficiency. Persons requiring other language translators must contact the department at least 48 hours prior to the meeting at (281) 341-4410 to request translation services for the public meeting and/or hearing.

#### **6. Reasonable Advance Notice.**

The Fort Bend County Community Development Department will provide affected citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously included in an application and activities which are proposed to be deleted or substantially changed in terms of purpose, scope, locations, or beneficiaries. The criteria that the Fort Bend County Community Development Department will use to determine what constitutes a substantial change for this purpose is described below.

A Consolidated Plan is submitted to the U.S. Department of Housing and Urban Development (HUD) prior to receiving annual entitlement funds. Amendments to the Consolidated Plan are required whenever it is decided:

- (a) not to carry out an activity described in the Consolidated Plan;
  - (b) to carry out an activity not previously described in the Consolidated Plan; or
  - (c) to substantially change the purpose, scope, location, or beneficiaries of an activity.
- 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.

Citizens will be provided at least 30 days to comment on the substantial amendment to the Consolidated Plan before the amendment is implemented unless otherwise allowed by the U.S. Department of Housing and Urban Development (HUD)

## 7. Loan Guarantees

The CDBG Program Loan Guarantees regulation at 24 CFR 570.704 (a)(2) Citizen Participation plan requires that the citizen plan required for the Consolidated Plan be modified to include loan guarantee funds. The regulation states that:

The plan must be completed and available before the application is submitted to HUD. The plan may be the citizen plan required for the consolidated plan, modified to include loan guarantee funds. The public entity is not required to hold a separate public hearing for its consolidated plan and for the loan guarantee funds to obtain citizens' views on community development and housing needs. The plan must set forth the public entity's policies and procedures for:

- (i) Giving citizens timely notice of local meetings and reasonable and timely access to local meetings, information, and records relating to the public entity's proposed and actual use of loan guarantee funds, including, but not limited to:
  - (A) The amount of loan guarantee funds expected to be made available for the coming year, including program income anticipated to be generated by the activities carried out with loan guarantee funds;
  - (B) The range of activities that may be undertaken with loan guarantee funds;
  - (C) The estimated amount of loan guarantee funds (including program income derived therefrom) proposed to be used for activities that will benefit low and moderate income persons;
  - (D) The proposed activities likely to result in displacement and the public entity's plans, consistent with the policies developed under §570.606 for minimizing displacement of persons as a result of its proposed activities.
- (ii) Providing technical assistance to groups representative of persons of low and moderate income that request assistance in developing proposals. The level and type of assistance to

- be provided is at the discretion of the public entity. Such assistance need not include the provision of funds to such groups.
- (iii) Holding a minimum of two public hearings, each at a different stage of the public entity's program, for the purpose of obtaining the views of citizens and formulating or responding to proposals and questions. Together the hearings must address community development and housing needs, development of proposed activities and review of program performance. At least one of these hearings must be held before submission of the application to obtain the views of citizens on community development and housing needs. Reasonable notice of the hearing must be provided and the hearing must be held at times and locations convenient to potential or actual beneficiaries, with accommodation for the handicapped. The public entity must specify in its plan how it will meet the requirement for a hearing at times and locations convenient to potential or actual beneficiaries.
  - (iv) Meeting the needs of non-English speaking residents in the case of public hearings where a significant number of non-English speaking residents can reasonably be expected to participate.
  - (v) Providing affected citizens with reasonable advance notice of, and opportunity to comment on, proposed activities not previously included in an application and activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location, or beneficiaries. The criteria the public entity will use to determine what constitutes a substantial change for this purpose must be described in the citizen participation plan.

Fort Bend County's Public Participation Plan requirements for loan guarantees will follow the same public participation process for the Consolidated Plan with the following additions:

If a proposed loan guarantee project is located within an incorporated area in the County's service area, the local government of the incorporated area will conduct public meetings and/or hearings regarding the proposed project before the County holds the County's public hearing on the proposed project.

If a proposed loan guarantee project is located in the unincorporated area in the County's service area, the County may hold a public meeting at a suitable meeting place near the site of the proposed project before the County holds the County's public hearing on the proposed project.

Public Comment: The County will publish community-wide its proposed application so that the affected citizens will have the opportunity to examine the application's contents and to provide comments on the proposed application. The proposed application will be available on the County website during at least a thirty (30) day comment period. The County will schedule any public meetings and/or hearings within the comment period. The County will consider any comments and views received and, if the County deems appropriate, modify the proposed application. Upon completion, the County will make the final proposed application available to the public.

## **8. Responses to Grievances and Complaints.**

The Fort Bend County Community Development Department will make every effort to respond to written complaints and grievances within fifteen (15) working days of the receipt of the written complaint where practicable.

## **9. Citizen Participation.**

The Fort Bend County Community Development Department will make every effort to encourage citizen participation, particularly by low- and moderate-income persons who reside in slum and blighted areas, and other areas in which funds are proposed to be used.

## **10. Disasters and Emergencies.**

In the event of a national disaster or emergency, HUD may allow Fort Bend County to expedite the citizen participation process in order to quicken the County's ability to respond to the disaster or emergency. On March 31, 2020, HUD issued a memorandum explaining the availability of waivers of certain regulatory requirements associated with several Community and Planning Development (CPD) grant programs to prevent the spread of COVID-19 to facilitate assistance to eligible communities and households economically impacted by COVID-19.

Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i) as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirements to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the purposed uses of CDBG, HOME, and ESG funds.

The 30-day minimum for the required public comment period is waived for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment. The waiver is available through the end of the County's 2020 program year (August 31, 2021).

HUD also recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances. This authority is in effect through the end of the County's 2020 program year (August 31, 2021). Fort Bend County defines public hearing also to include virtual hearings and public meeting also to include virtual meetings for purposes of this Citizen Participation Plan as well as meeting the requirements for public hearings under the CDBG regulations (24 CFR Part 91.105(e)(1)).

**APPENDIX C  
FORT BEND COUNTY  
MONITORING PROCESS**

## FORT BEND COUNTY MONITORING PROCESS

Fort Bend County's monitoring process is viewed as a tool for avoiding problems and improving performance. It emphasizes positive feedback to subrecipients about what they have done well, in addition to pointing out areas for improvement. Built into the process are opportunities for dialogue with subrecipients to develop a better appreciation of their perspectives and to identify and resolve points of miscommunication or misunderstanding.

### THE MONITORING PROCESS

Fort Bend County's monitoring process is an on-going procedure of planning, implementation, communication and follow-up. Fort Bend County conducts four types of monitoring – programmatic, fiscal, desk audits and construction/rehabilitation monitoring. On-site monitoring is conducted annually unless the subrecipient is considered high-risk after analyzing the following: 1) the subrecipient is new to the CDBG, HOME, or ESG programs, 2) the subrecipient has previous compliance or performance problems, 3) the subrecipient has timeliness problems, or 4) if the agency has a history of turnovers in key staff positions. For these agencies, a more frequent monitoring schedule is developed. Staff also performs monthly desk audits that consist of reviewing client data reports, cost control reports and invoices.

The Community Development Department staff has the responsibility to ensure that CDBG, HOME, ESG, NSP, CDBG-DR and CARES Act funds are used in accordance with all applicable requirements. This strategy will cover the key components of the monitoring process.

### PROGRAMMATIC MONITORING PROCESS

Schedule appointment: The Community Development monitor will contact the agency to arrange for the monitoring visit. The monitoring visit will be confirmed in writing at least one week prior to the scheduled visit. Each agency will be monitored a minimum of once annually. Programmatic and fiscal monitoring may or may not be scheduled concurrently. In some cases it may be necessary to perform a follow up monitoring visit.

Entrance Conference: Monitors meet with agency director or a board member to answer any questions regarding the monitoring process. Monitors will also meet staff responsible for the intake process, preparation for reports of units of service and direct service providers

#### Review of Records:

Records will be selected and reviewed. Copies of certain documents and records may be made for purposes of preparing the report. Records that will be reviewed by the monitor include but are not limited to:

- Units of service reports sent to CD for the period under review.
- Daily logs, time sheets, or other documents used to derive the number of units reported.
- Any back up documents to support the tally number, such as manual worksheets.

- A list of client records will be requested after review of the unit tallies, these client records should include eligibility documentation and records of services provided.
  - The agency's liability insurance policy (with the pages marked), in compliance with the required limits of liability specified in the contract and a 30-day prior notice of insurance coverage cancellation.
- A. Monitors will review monthly reports that are submitted by the agency. Agencies will be required to submit a monthly report to include:
- Reimbursement Request, including backup information  
Employee Monthly Time Report  
Client Data Reports  
Employee Data Report
- B. The monitor will check the agency records against CD records for the following:
- To determine if amounts in agency records reported for each month match amounts noted in CD records.
  - To determine if the report is presented in a timely manner.
  - To determine if the report is completed in a satisfactory manner.
  - To determine if the quantity of units provided is comparable to the amount of funds expended.
- C. The monitor will review the documents used by the agency to derive the number of units reported to CD.
- Check system of tallies to make certain it is sound and workable.
  - Determine the method used to distinguish CD clients from clients not billed to the CD contract. Determine if this method is usable and satisfactory.
  - Determine whether the number of units reported in sample months matches the number in the backup documents.
  - Determine if units are in keeping with the contract definition.
  - If units are differentiated between types, determine that only units of the types listed in the contract are billed for CD clients.
  - Develop a list of client files to be reviewed from the sample months, listing client number, client name, date of service, number of units served and type of service.
  - Present list to staff and allow a reasonable length of time for client files to be pulled for review.

The monitor will review client files for:

- Documentation of eligibility that is dated within twelve months of the sample service date:
- Documentation of residence within Fort Bend County, excluding the cities of Houston, Katy, Missouri City, Simonton, Sugar Land or Weston Lakes.

- Documentation of income equal to or lower than 80% of the median income for Fort Bend County for CDBG and HOME and 30% of the median for ESG.
- Documentation of the provision of services which meet the terms of the contract
- Determination of date of service and type of service provided which was taken from the tally log is also recorded in the client file and appears to be reasonable.
- Determination of whether services being provided are in accordance with the contract, whether client is in contract's target population and whether there is information in the client's file which conflicts with the documentation.
- Determination if client notes are dated, reflect the units provided, are signed by the caseworker, complete and informative as to the client's progress.

Throughout the course of the on-site visit, the monitor will observe interactions between staff and clients and the condition of the facility.

The monitor will observe whether the Equal Employment Opportunity placard has been posted as required by law:

- Observe whether official placard has been posted
- Determine if it is available for viewing by employees
- Determine if it is available for viewing by applicants for employment

#### Exit Conference:

At the end of the visit, the monitor will meet with agency director to discuss the results of the monitoring. Director may invite staff and/or board members as deemed appropriate to:

- Discuss findings, if any, and methods of correcting each individual deficiency
- Discuss concerns, if any, and methods of correcting concerns
- Discuss any observations made regarding the agency and offer technical assistance where applicable
- Answer any questions agency director or staff may have

#### Monitoring Report:

A monitoring report will be sent to the agency 1) to formally recognize the agency for doing a good job; 2) to create a permanent written record of what was found during the monitoring review and 3) to advise the agency of the monitoring visit findings or concerns. The report will set a deadline for the agency's response and request that the agency indicate how any findings or concerns will be addressed.

### **FISCAL MONITORING PROCESS**

Schedule appointment: The Community Development monitor will contact the agency to arrange for the monitoring visit. The monitoring visit will be confirmed in writing at least one week prior to the scheduled visit. Programmatic and fiscal monitoring may or may not be scheduled

concurrently. Each agency will be monitored a minimum of once annually. In some cases it may be necessary to perform a follow up monitoring visit.

Entrance Conference: Monitors meet with agency director or a board member to answer any questions regarding the monitoring process. Monitors will also meet staff responsible for the intake process, preparation for reports of units of service and direct service providers.

Records will be selected and reviewed. Copies of certain documents and records may be made for purposes of preparing the report. Records that will be reviewed by the monitor include, but are not limited to:

Time and attendance reports (time sheets or time cards)

- Payroll register
- Cash receipts journal
- Check disbursement journal or check register
- Employer's payroll tax reports – quarterly federal tax return (941), annual federal unemployment report (940), quarterly state unemployment reports (C-3 & C-4), and deposit records (8109, etc.)
- Bank statements and/or cancelled checks
- General ledgers
- Invoices and purchase orders
- Bank reconciliation
- Any additional item (vouchers, documents, financial reports, records, etc.) needed to verify transactions

Review Records - Personnel:

A. Salaries – The monitor will:

- Review time and attendance reports for time billed to Community Development and verification of reports by supervisor.
- Check to see if there is a clear audit trail between the time and attendance reports, payroll register, general ledger accounts and federal and state reports.
- Test computation for gross amounts, deductions, and net payments.
- Verify cancelled checks for amounts and endorsements.
- Verify employees' time from time reports to the time reported to Community Development on Employee Monthly Time Report.
- Verify that the salary costs requested for reimbursement are allowable under the terms of the contract.

B. Fringe Benefits – The monitor will:

- Verify employer's quarterly tax reports.
- Verify payments made to the bank for payroll taxes.
- Verify health insurance policy

- Select insurance invoices to verify that the amounts requested for reimbursement apply only to Community Development-funded employees.
- Verify fringe benefits costs from payroll register to general ledger accounts.

C. Property and Equipment files (if applicable) – The monitor will:

- Verify invoices and payments.
- Verify purchase of equipment is in agreement with general ledger account and financial reports.
- Ensure that purchased equipment is allowable.
- Verify calculation of depreciation (if applicable).
- Make physical inspection of equipment (if applicable).

D. General/Other Operating Expenses – The monitor will:

- Examine invoices and related canceled checks.
- Review invoices for approvals and account distribution.
- Determine if the costs are allowable.
- Verify agency's line item costs to amounts requested for reimbursement.
- Verify that amounts requested for reimbursement agree with posting to general ledger.

E. Financial Records/Revenue – The Monitor will:

- Prove footings of cash journals and trace posting to general ledger accounts.
- Verify bank activity with cash receipts journal.
- Verify check payable to cash or to bearer.
- Compare cash receipts month end journal totals posted to general ledger account.
- Verify amounts disbursed by the County to reconcile with funds received by the agency.

F. Overall Accounting Review – The monitor will:

- Review the process used to record the various transactions and determine if it is effective.
- Review the actual transactions and their supporting documentation, determining eligible reimbursement expenses. In order for an expenditure to be considered eligible for reimbursement, the following requirements must be met:
- An expenditure must be for the current funding period.
- Be a line item on the proposed budget
- Have available funds for that line item
- Be an expenditure related to CD activity
- Review the overall agency performance to determine if it is within compliance according to the contractual terms and conditions.

- Conduct an analysis to determine if the prior year's monitoring findings have been corrected and are not being repeated.

#### Exit Conference:

At the end of the visit, the monitor will meet with agency director to discuss the results of the monitoring. Director may invite staff and/or board members as deems appropriate to:

- Discuss findings, if any, and methods of correcting each individual deficiency
- Discuss concerns, if any, and methods of correcting concerns
- Discuss any observations made regarding the agency and offer technical assistance where applicable
- Answer any questions agency director or staff may have

#### Monitoring Report:

A monitoring report will be sent to the agency to 1) formally recognize the agency for doing a good job; 2) create a permanent written record of what was found during the monitoring review and 3) advise the agency of the monitoring visit findings or concerns. The report will set a deadline for the agency's response and request that the agency indicate how the findings will be addressed. A written response will not be required for concerns noted in the report.

### **DESK AUDIT PROCESS**

Monthly during the program year the monitor conducts a desk review of the agency's client data reports, cost control reports and invoices. The monitor may require the Agency to submit additional documentation to the office for examination. The monitor may contact the agency by telephone or email or meet with agency director or appropriate staff to discuss any inconsistencies and/or problems. The monitor may offer technical assistance to resolve any issues. Upon completion of the desk audit, the monitor will determine if the invoice is approved for payment. When the invoice is approved for payment the monitor will submit the invoice for payment processing.

### **CONSTRUCTION MONITORING PROCESS**

Fort Bend County Community Development staff is also responsible for monitoring all construction and rehabilitation projects for compliance with HUD regulations and acceptable industry standards. Staff shall be responsible for the following:

- Identifying the required and desired work to be done;
- Consult with, advise and review with appropriate professionals and other personnel the work to be done and the bid proposal;

- Conduct compliance inspections, on a regular basis, to assure that the construction or rehabilitation work is being completed in accordance with the construction contract and appropriate specifications;
- Review contractor invoices and pay requests prior to approving payments to the contractors; and
- Conduct a final inspection to determine that the construction or rehabilitation work has been completed in accordance with the contract and all local, state and federal codes and regulations.

### **NEIGHBORHOOD STABILIZATION PROCESS**

Fort Bend County Community Development staff is responsible for monitoring the NSP Program for continued affordability. Staff will use tax records and other documents obtained from subrecipients or official county records to determine if the occupants remain eligible for the program. Any documents obtained will be placed in the appropriate program files.

Staff will also monitor the expiration date of all liens and process a release when appropriate.

### **CDBG-DISASTER RECOVERY**

Fort Bend County will monitor and provide oversight to ensure that buyout assistance is being provided to eligible owners, for eligible properties, and receiving the proper assistance amounts. The County will also provide oversight to ensure that all properties are being added to the County's maintenance schedule and that all properties are being maintained to standard.

Fort Bend County will work to ensure records are complete, that all affordability requirements are adhered to and that the County has performed all subrogation monitoring processes. The County will create project and grant closeout checklists that will be maintained with the project file.

### **CDBG AND ESG COVID 19**

Fort Bend County will monitor and provide oversight for programs using CDBG and ESG COVID 19 funds allocated through the CARES ACT in accordance with the above monitoring process. Any additional guidance from HUD will be incorporated into the process.

July 2020

Monitoring process 07 2020

**APPENDIX D  
EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM  
WRITTEN GUIDELINES, STANDARDS AND PERFORMANCE STANDARDS**

**APPENDIX D**  
**EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM**  
**WRITTEN GUIDELINES**

The Emergency Solutions Grant regulation at 24 CFR 576.400(e) requires written standards for providing Emergency Solutions Grant (ESG) assistance. These standards must consistently be applied to all program participants.

At minimum these written standards must include:

- (i) Standard policies and procedures for evaluating individuals and families eligibility for assistance under Emergency Solutions Grant (ESG);
- (ii) Standards for targeting and providing essential services related to street outreach;
- (iii) Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, e.g. victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest;
- (iv) Policies and procedures for assessing prioritizing and reassessing individuals' and families' needs for essential services related to emergency shelter;
- (v) Policies and procedures for coordination among emergency shelter providers, essential service providers, homelessness prevention, and rapid re-housing assistance providers; and mainstream service and housing providers (see 576.400(b) and (c) for a list of programs with which ESG-funded activities must be coordinated and integrated to the maximum extent practicable);
- (vi) Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance;
- (vii) Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
- (viii) Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time; and
- (ix) Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participant receives assistance; or the maximum number of times the program participant may receive assistance.

The following written guidelines were developed in consultation with the Coalition for the Homeless Houston/Harris County, the City of Houston, Harris County, and Fort Bend County.

# THE WAY HOME CONTINUUM OF CARE EMERGENCY SOLUTIONS GRANTS WRITTEN STANDARDS

The Way Home Continuum of Care Steering Committee, as the decision-making body for The Way Home Continuum of Care (TX-700) has approved these Written Standards as of April 9, 2020.

## TABLE OF CONTENTS

INTRODUCTION .....	4
DEFINITIONS.....	4
STANDARDS APPLICABLE TO ALL PROGRAM COMPONENTS.....	7
ELIGIBLE ESG PROGRAM COMPONENTS .....	7
ESG SERVICE PROVIDER REQUIREMENTS.....	7
COORDINATED ACCESS .....	7
VERIFICATION OF HOMELESS STATUS.....	7
COC PROVIDER INPUT FORUM.....	8
PARTICIPATE IN ANY STANDARDIZED TRAINING .....	8
PARTICIPATION IN THE WAY HOME ANNUAL POINT IN TIME COUNT .....	8
COORDINATING WITH MAINSTREAM AND TARGETED HOMELESS PROVIDERS.....	8
FAIR HOUSING ACT COMPLIANCE.....	9
EQUAL ACCESS TO HOUSING FINAL RULES .....	9
WAIVERS.....	10
FMR WAIVER FOR HURRICANE HARVEY-IMPACTED HOUSEHOLDS REGISTERED WITH FEMA.....	10
TEXAS PROPERTY CODE OCCUPANCY LIMITS.....	10
STANDARDS SPECIFIC TO EMERGENCY SHELTER .....	12
ELIGIBILITY: HOMELESS STATUS .....	12
ELIGIBILITY: INTAKE AND ASSESSMENT.....	12
ELIGIBILITY: PRIORITIZATION & REFERRAL POLICIES .....	12
ELIGIBILITY: STATUS AS HOMELESS OR AT-RISK OF HOMELESSNESS.....	13
HOMELESSNESS PREVENTION .....	13
RAPID REHOUSING.....	13
ELIGIBILITY: INTAKE AND ASSESSMENT .....	14
TARGETED POPULATIONS: CLIENT PRIORITIZATION .....	14
HOMELESSNESS PREVENTION .....	14
RAPID REHOUSING.....	14
FINANCIAL ASSISTANCE .....	15
DURATION AND AMOUNT OF ASSISTANCE.....	15
PARTICIPANT SHARE.....	15
HOUSING STABILIZATION AND RELOCATION RELATED ASSISTANCE AND SERVICES .....	16
ELIGIBILITY: PERIODIC RE-CERTIFICATION.....	18
ELIBILITY: HOMELESS STATUS .....	19

TARGET POPULATION .....	19
ENGAGEMENT/COLLABORATION.....	19
ELIGIBILITY: INTAKE AND ASSESSMENT .....	19
APPENDIX A: HUD DEFINITION FOR HOMELESS .....	20
APPENDIX B: HUD DEFINITION FOR AT RISK OF HOMELESSNESS .....	22
APPENDIX C: CROSS WALK OF HUD HOMELESS AND AT RISK DEFINITIONS AND ELIGIBILITY TO ESG PROGRAM COMPONENTS.....	23
APPENDIX D: ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PREVENTION SYSTEM.....	24
ATTACHMENT A: HOMELESS PREVENTION INCOME LIMITS ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PRIORITIZATION .....	25
ATTACHMENT B: HOMELESS PREVENTION TRIGGER CRISIS ANALYSIS .....	26
ATTACHMENT C: OTHER DEFINITIONS OF HOMELESSNESS.....	27
<i>Violence Against Women Act of 1994; subtitle N (42 U.S.C. 14043e et seq.)</i> .....	27
<i>Public Health Service Act; section 330 (42 U.S.C. 254b)</i> .....	27
<i>Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)</i> .....	27
<i>Child Nutrition Act of 1966; section 17 (42 U.S.C. 1786)</i> .....	28
.....	28
ATTACHMENT D: HOMELESS PREVENTION PRIORITIZATION SCORING.....	29

## INTRODUCTION

The Way Home Continuum of Care has developed the following standards for providing assistance with Emergency Solutions Grants (ESG) funds as required by 24 CFR 576.400 (e). These standards were created in coordination with representatives of The Way Home Continuum of Care including Harris, Fort Bend and Montgomery County and the cities of Houston, Pasadena and Conroe repenetrates. They are in accordance with the interim rule for the Emergency Solutions Grants Program released by the U.S. Department of Housing and Urban Development on December 4, 2011 and the final rule for the definition of homelessness also released by the U.S. Department of Housing and Urban Development on December 4, 2011.

The Way Home Continuum of Care expects that the standards will adjust through gained experience and data is collected from services provided with the Emergency Solutions Grants program. The Standards serve as the guiding principles for funding programs. These Written Standards outline the operations and process for carrying out each program component.

## DEFINITIONS

***Chronically Homeless*** – a homeless individual with a disability who lives either in a place not meant for human habitation, a safe haven, or in an emergency shelter, or in an institutional care facility if the individual has been living in the facility for fewer than 90 days and had been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility. In order to meet the “chronically homeless” definition, the individual also must have been living as described above continuously for at least 12 months, or on at least 4 separate occasions in the last 3 years, where the combined occasions total a length of time of at least 12 months. Each period separating the occasions must include at least 7 nights of living in a situation other than a place not meant for human habitation, in an emergency shelter, or in a safe haven.

***Continuum of Care (CoC)*** – the group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing;

transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

**Emergency Shelter** – any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.

**Homeless Management Information System (HMIS)** – the information system designated by the Continuum of Care to comply with the HUD’s data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at-risk of homelessness.

**Homelessness Prevention** – Housing relocation and stabilization services and short-and/or medium-term rental assistance as necessary to prevent the individual or family from moving to an emergency shelter, a place not meant for human habitation, or another place described in Homeless Category 1 of Appendix A: HUD Definition for Homeless.

**Private Nonprofit Organization** – a private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.

**Program Participant** – an individual or family who is assisted under ESG program.

**Rapid Rehousing**– Housing relocation and stabilization services and/or short-and/or medium- term rental assistance as necessary to help individuals or families living in shelters or in places not meant for human habitation move as quickly as possible into permanent housing and achieve stability in that housing.

**Service Area (applicable to Homelessness Prevention only)** – The Way Home Continuum of Care supports any agencies or services operated within the CoC’s jurisdiction of Harris, Fort Bend & Montgomery Counties and the cities of Houston, Pasadena and Conroe.

**Street Outreach** – Essential Services related to reaching out to unsheltered homeless individuals and families, connecting them with emergency shelter, housing, or critical services, and providing them with urgent, non-facility-based care.

**Subrecipient** – a unit of general-purpose local government or private nonprofit organization to which a recipient makes available ESG funds.

**Victim Service Provider** – a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term

includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

# STANDARDS APPLICABLE TO ALL PROGRAM COMPONENTS

## ELIGIBLE ESG PROGRAM COMPONENTS

There are five (5) ESG Program Components:

1. Rapid Rehousing
2. Emergency Shelter
3. Homeless Management Information System
4. Homelessness Prevention and
5. Street Outreach.

Funds for ESG can be used to support any of the eligible components. The Way Home Continuum of Care gives priority to funding that supports securing housing options for homeless households and to support the expansion of rapid rehousing.

## ESG SERVICE PROVIDER REQUIREMENTS

### COORDINATED ACCESS

The Way Home Continuum of Care expects that all providers participate in the coordinated assessment system or approved comparable system for Domestic Violence (DV) providers. The system consists of an electronic assessment system housed in the HMIS and is managed by a dedicated Project Manager through the CoC Lead Agency. Coordinated assessment uses a common housing assessment and triage tool to ensure that all homeless individuals are referred to the appropriate housing intervention. Coordinated assessment will be used as each housing intervention supported by ESG is fully integrated into the system referral process. Prior to full implementation of coordinated assessment, agencies may continue to accept direct referrals from individuals and other agencies.

### VERIFICATION OF HOMELESS STATUS

Project level staff are required to obtain documentation at project intake of homeless or at-risk of homelessness status. This status must be maintained in the client's file and available for monitoring as schedules. These Standards establish the order of priority for obtaining evidence [per 24 CFR 576.500 (b)] as:

1. Third-party documentation,
2. Intake worker observations, and
3. Certification from the person seeking assistance.

## COC PROVIDER INPUT FORUM

Each agency will assign two representatives to the input forum, in addition to one member (CEO/ED) who has decision making capacity for the program. CoC Provider Input Forums will meet quarterly, or more often as required by current CoC policies. The Provider Input Forum is the venue where providers give and receive information regarding CoC strategies and policies.

## PARTICIPATE IN ANY STANDARDIZED TRAINING

The CoC will provide a vetted and standardized training curriculum for all housing stability case managers. Training will be available for all agencies providing case management for housing-based services. The curriculum and standards will be developed as part of and in partnership with the Continuum of Care Technical Assistance plan from the Department of Housing and Urban Development. This will focus on the requirements of maintaining stable housing and ensure access to mainstream resources that will provide ongoing, necessary supportive services for households.

## PARTICIPATION IN THE WAY HOME ANNUAL POINT IN TIME COUNT

Any Emergency Solutions Grant Recipient agrees to participate in the Annual Point-In-Time Count by:

- Dedicating agency staff to perform the unsheltered count (at least two (2) agency representatives per day for agencies with more than 20 employees. Agencies with 20 staff or below, (1) agency representative per day is required)
- Completing the Housing Inventory Chart for the shelter count
- Participating in Gaps Analysis and Needs Assessment

## COORDINATING WITH MAINSTREAM AND TARGETED HOMELESS PROVIDERS

The Way Home Continuum of Care expects that every agency that is funded through ESG will coordinate with and access mainstream and other targeted homeless resources. The Way Home Continuum of Care will evaluate performance of each provider based on outcomes achieved. Outcomes are outlined and updated in the housing models adopted by the CoC Steering committee. These outcome measures will be used to evaluate program success annually. The Way Home Continuum of Care will use this and other performance metrics to guide funding

decisions for ESG funded programs. Required outcomes for each intervention will match the outcomes approved by the CoC Steering Committee annually.

## FAIR HOUSING ACT COMPLIANCE

The Department of Housing and Urban Development ("HUD") is responsible for enforcing the federal Fair Housing Act (the "Act"), which prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, and disability. One type of disability discrimination prohibited by the Act is the refusal to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling. HUD and DOJ frequently respond to complaints alleging that housing providers have violated the Act by refusing reasonable accommodations to persons with disabilities. State and federal laws require entities to make reasonable changes to policies, practices, procedures and/or physical changes to housing units and/or buildings if such changes are necessary to enable a person with a disability to have equal access to the housing and/or building. Please note that such changes must be necessary as a result of the person's disability. To read more about what this policy entails refer to the link below:

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/fair\\_housing\\_act\\_overview](https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview).

Agencies receiving ESG Funds must have a policy in place for program recipients to request reasonable accommodations.

## EQUAL ACCESS TO HOUSING FINAL RULES

On February 3, 2012, HUD published a final rule in the Federal Register entitled Equal Access to Housing in HUD Programs regardless of Sexual Orientation or Gender Identity. The rule creates a new regulatory provision that generally prohibits considering a person's marital status, sexual orientation, or gender identity (a person's internal sense of being male or female) in making housing assistance available. Lesbian, gay, bisexual, and transgender people are guaranteed equal access to all housing for all types of housing (affordable, permanent, transitional and emergency) funded through HUD.

In addition to the final rule on Equal Access to Housing, HUD published a final rule in the Federal Register entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs". This rule was published on September 21, 2016. This rule ensures that each individual in accordance with their gender identity will have equal access to housing and shelter programs administered by HUD. This rule creates a new regulatory provision that requires those entities that are receiving any HUD funding grant equal access to

facilities, benefits, accommodations and services to individuals in accordance with the individual's gender identity and in a manner that affords equal access to the individual's family.

## WAIVERS

A Fair Market Rent Waiver is permission from an authorized HUD office to assist with rent payments above the established Fair Market Rent (FMR). It is considered an "exception" to established requirements. FMRs are used as a guide to determine the level of HUD subsidy for various programs such as the Emergency Solutions Grant (ESG). However, the FMR is not in itself the standard used for determining eligible rents. Each HUD rental assistance program is governed by its own set of statutes and regulations which determine how much rent HUD will pay.

Emergency Solutions Grant short- and medium-term rental assistance can be provided to eligible program participants only when the rent, including utilities (gross rent) for the housing unit does not exceed the FMR established by HUD for the MSA and complies with HUD's standard of rent reasonableness. HUD may consider waiver requests from ESG grantees to increase these rent limits. Subrecipients such as ACAM have requested and received waivers, but it should be noted that these waivers are time-limited (often, but not always, one year) and the requirement for rent reasonableness is not waived even when there is an FMR Waiver in place.

### FMR WAIVER FOR HURRICANE HARVEY-IMPACTED HOUSEHOLDS REGISTERED WITH FEMA:

The restriction of rental assistance to units with rent at or below Fair Market Rent (FMR) is waived for households that have registered with FEMA as affected by Hurricane Harvey that are renting or execute a lease for any rent amount that 1) meets the rent reasonableness standard and that 2) becomes due between October 30, 2017, and the earlier of the end of the term of the vendor organization's ESG agreement or October 12, 2019, where the unit is located in an individual assistance county under FEMA-DR-4322 (Hurricane Harvey), or where the family was displaced by Hurricane Harvey, Irma or Maria. Case Managers must obtain a copy of the FEMA application and must document that the unit meets the rent reasonableness standard.

## TEXAS PROPERTY CODE OCCUPANCY LIMITS

### Texas Property Code Section 92.10 Occupancy Limits

Except as provided by Subsection (b), the maximum number of adults that a landlord may allow to occupy a dwelling is three times the number of bedrooms in the dwelling.

(b) A landlord may allow an occupancy rate of more than three adult tenants per bedroom:

(1) to the extent that the landlord is required by a state or federal fair housing law to allow a higher occupancy rate; or

(2) if an adult whose occupancy causes a violation of Subsection (a) is seeking temporary sanctuary from family violence, as defined by Section 71.004 (Family Violence), Family Code, for a period that does not exceed one month.

(c) An individual who owns or leases a dwelling within 3,000 feet of a dwelling as to which a landlord has violated this section, or a governmental entity or civic association acting on behalf of the individual, may file suit against a landlord to enjoin the violation. A party who prevails in a suit under this subsection may recover court costs and reasonable attorney's fees from the other party. In addition to court costs and reasonable attorney's fees, a plaintiff who prevails under this subsection may recover from the landlord \$500 for each violation of this section.

(d) In this section:

(1) "Adult" means an individual 18 years of age or older.

(2) "Bedroom" means an area of a dwelling intended as sleeping quarters. The term does not include a kitchen, dining room, bathroom, living room, utility room, or closet or storage area of a dwelling.

## STANDARDS SPECIFIC TO EMERGENCY SHELTER

### ELIGIBILITY: HOMELESS STATUS

Homeless clients entering into the shelter system must meet the HUD criteria for homelessness as either literally homeless (Homeless Category 1), at imminent risk of homelessness (Homeless Category 2), homeless under another federal statute (Homeless Category 3), or fleeing/attempting to flee domestic violence (Homeless Category 4).

For additional details related to the HUD definition of Homeless and applicability to each program component, see Appendix A and Appendix C.

### ELIGIBILITY: INTAKE AND ASSESSMENT

As already indicated above under Coordinating Assessment & Services, case managers will use the Continuum wide assessment tool to review client situation, understand eligibility, and begin the process of determining length of assistance.. The tool may include an assessment form for diversion. Providers must enter data into HMIS or a comparable database for DV providers.

### ELIGIBILITY: PRIORITIZATION & REFERRAL POLICIES

Emergency shelters will prioritize individuals/families that:

- Cannot be diverted
- Are literally homeless
- Can be safely accommodated in the shelter
- Are not in need of emergency medical or psychiatric services or are a danger to self or others
- Emergency Shelters cannot discriminate per HUD regulations
- There are no requirements related to ID, income or employment
- Transgender placement is based on self-identification of gender

## STANDARDS SPECIFIC TO HOMELESSNESS PREVENTION AND RAPID REHOUSING

### ELIGIBILITY: STATUS AS HOMELESS OR AT-RISK OF HOMELESSNESS

#### HOMELESSNESS PREVENTION

Individuals/families, who meet the HUD criteria for the following definitions, are eligible for Homelessness Prevention assistance:

- At Risk of Homelessness
- Homeless Category 2: Imminently at-risk of homelessness
- Homeless Category 3: Homeless under other federal statute and
- Homeless Category 4: Fleeing/attempting to flee DV (as long as the individuals/families fleeing or attempting to flee DV are **not** also literally homeless. If the individuals/families are also literally homeless they would actually qualify for Rapid Re-Housing instead. See below.)

Additional eligibility requirements related to Homelessness Prevention include:

- **Proof of residence** within The Way Home Continuum of Care service area.
- **Total household income below 30 percent of Area Median Income (AMI)** for the area at initial assessment. Clients must provide documentation of household income, including documentation of unemployment and zero income affidavit for clients without income.
  - For the most updated AMI information, please see this link:

#### RAPID REHOUSING

Individuals/families, who meet the HUD criteria for the following definitions, are eligible for Rapid Rehousing assistance:

- Homeless Category 1: Literally homeless
- Homeless Category 4: Fleeing/attempting to flee DV (as long as the individuals/families fleeing or attempting to flee DV are **also** literally homeless).

For additional details related to the HUD definition of Homeless and At Risk of Homelessness and applicability of these definitions to each program component, see Appendix A, B and C.

## ELIGIBILITY: INTAKE AND ASSESSMENT

Once Coordinated Access is available for all housing interventions, all clients must have an initial eligibility assessment and triage for appropriate housing by a specially trained housing assessor. All clients come through Coordinated Access and are assessed using the housing triage in HMIS. Housing triage will identify, based on the standard assessment, individuals who are best suited for rapid rehousing. The standard assessment accounts for length and frequency of homelessness, physical and mental health status, criminal history, veteran status, domestic violence experience, substance abuse conditions and employment history.

## TARGETED POPULATIONS: CLIENT PRIORITIZATION

### HOMELESSNESS PREVENTION

Note that all targeted individuals and families described below have to meet the minimum HUD requirements for eligibility to HP.

The Way Home Continuum of Care will use a shared assessment form that will target those clients with the most barriers to housing. Each barrier will have an allotment of points, and the higher score (and more barriers) the more likely the client will receive services. The assessment of barriers is based on an objective review of each client's current situation using the tool rather than the subjective opinion of a case manager assessing each client's needs. All clients must have a minimum score of 20 to receive assistance. See Appendix D for a copy of the assessment form.

Additionally, The Way Home Continuum of Care prioritizes and assists households who have previously received Rapid Rehousing assistance and are at risk of becoming homeless again regardless of barrier assessment score. These households will be identified and triaged through the Coordinated Access system.

### RAPID REHOUSING

Coordinated Access will prioritize individuals who are currently homeless but not in need of permanent supportive housing as eligible for rapid rehousing. This can include, but is not limited to individuals and households who,

- are firsttime homeless;
- have few recent episodes of homelessness; or

- are part of a family that is homeless.

It should be noted, rapid rehousing funds are directed to individuals with income or work history and skills that indicate employability.

## FINANCIAL ASSISTANCE

### DURATION AND AMOUNT OF ASSISTANCE

The Way Home Continuum of Care has adopted the CoC approved Housing Models and Business Rules to measure community outcomes for all housing interventions. The CoC requires that all subrecipients for ESG Rapid Rehousing funds use the CoC-wide assessment tools to assist in determining the duration and amount of assistance. The tools do not dictate the amount of assistance that each household receives, but guides the case manager and client to determine the appropriate amount of assistance for each household.

- All clients are assessed to determine initial need and create a budget to outline planned need for assistance.
- Agencies cannot set organizational maximums or minimums but must rely on the CoC standardized tools located in The Way Home CoC Rapid Rehousing Business Rules to evaluate household need.
- Through case management, client files are reviewed monthly to ensure that planned expenditures for the month validate the financial assistance request.
- The Way Home Continuum of Care expects that households will receive the minimum amount of assistance necessary to stabilize in housing.

Clients cannot exceed 24 months of assistance in a 36-month period. The Rapid Rehousing Business Rules outline processes that may require supervisory approval.

## PARTICIPANT SHARE

Participant share will be determined by use of common assessment and budgeting tools approved through The Way Home Continuum of Care. These tools will assist in determining the monthly assistance and client contribution amounts. Clients will participate in the development of their individual housing plan with a case manager. The housing plan will be based on client goals and shared goals for achieving housing stability. Case managers will use the housing plan to assist in determining the client contribution toward rent. Clients are expected to contribute a

portion of their income based on budgeting to ensure housing stability. Financial assistance is available for households with zero income. Details of when clients are terminated or redirected to a more appropriate intervention are outlined in the The Way Home Rapid Rehousing Business Rules.

## HOUSING STABILIZATION AND RELOCATION RELATED ASSISTANCE AND SERVICES

### REQUIRED SERVICES: CASE MANAGEMENT & CASE LOADS

The Way Home Continuum of Care requires that all clients are referred to a case manager through the Coordinated Access system. Coordinated Access will triage homeless clients for rapid rehousing that are in need of short to medium term assistance based on individual circumstances and vulnerability. Coordinated Access will refer to a rapid rehousing service provider. The case manager will perform an individual assessment and create a housing plan using the common assessment tools. This begins the process to rapidly re-house the homeless household as quickly and efficiently as possible.

Homelessness prevention clients must have an initial home visit when first approved for assistance and subsequent house visits with each recertification every three months. It is expected that case managers will conduct office visits with homelessness prevention clients between home visits, at least once per month. Case managers and program managers are encouraged to provide more than the minimum required services through case management.

Rapid rehousing case managers will maintain an average case load as identified in The Way Home Rapid Rehousing Business Rules. This will allow case managers to provide quality case management and ensure that services are targeted to individuals most likely to be successful with rapid rehousing assistance. As the rapid rehousing program for the continuum expands, this number may change.

Case management includes, but is not limited to:

- housing assistance
- home
- office visits determined by client need and other supportive services required by the housing plan.

Case management staff must communicate with the landlord and ensure that the landlord has an updated copy of the Rental Assistance Agreement. The agency paying rent will have the most updated Rental Agreement and work with all parties to ensure all are aware of anticipated

changes to the participant rent share.

## **REQUIRED SERVICES: HOUSING LOCATION SERVICES**

Any subrecipient of ESG assistance must also agree to utilize and may contribute to the function of housing specialist for households receiving rapid rehousing. This role may be a part of standard case management duties or it may be a specialized position. Any subrecipient of ESG assistance must have staff, as part or all of their duties are, to find appropriate housing and develop relationships with affordable housing providers so that ESG clients have greater access to housing choice, rather than expecting clients to navigate the system on their own.

## **REQUIRED SERVICES: INSPECTION AND LANDLORD AGREEMENT**

Any unit that receives financial assistance through rapid rehousing must pass a Housing Quality Standards Inspection as outlined in the ESG regulations. The inspections will be conducted by a qualified agency with expertise in inspection and the process for identifying units and conducting an inspection is outlined in the rapid rehousing business rules.

Any unit that receives rental assistance payments through rapid rehousing must have an agreement in place between the rental assistance provider and the property. The rental assistance agreement details the terms under which rental assistance will be provided. The rental assistance agreement outlines the requirements for rental payment as well as terms regarding any notice to vacate or eviction by the owner.

## **INELIGIBLE SERVICES: CREDIT REPAIR AND LEGAL SERVICES**

While regulations do allow these services, The Way Home Continuum of Care will not allow ESG funds to be used for credit repair or legal services but can be used as match for ESG programs. These services are deemed ineligible activities locally. The Way Home Continuum of Care has found limited access to this resource by clients and providers and will instead encourage the use mainstream service providers and establish them as part of the system of providers with formal relationship.

## OPTIONAL SERVICES: SECURITY/UTILITY DEPOSITS

Rental and utility deposits can be included in housing stabilization services as dictated by the housing stabilization plan. Rental and utility deposits can be included in lieu of or in combination with rental assistance for a unit. Requirements for inspections and rental assistance agreements for units with only security deposits are outlined in the rapid rehousing business rules.

- Security deposits can cover up to two months of rent.
- Deposits may remain with the client if they are stably housed as outlined in the case management and caseloads section.
- Security and utility deposit transactions will be managed through the case management fiscal agent and are outlined in the business rules.

## OPTIONAL SERVICES: RENTAL APPLICATION FEES

The Way Home Continuum of Care expects that rapid rehousing location specialists will work closely with housing providers and establish trusting relationships among landlords in a way that will encourage property owners and managers to waive application fees for rental properties. To that end, application fees can only be provided for one application at a time. Case managers and housing specialists can and should work with clients and landlords to process as many free applications as possible.

## ELIGIBILITY: PERIODIC RE-CERTIFICATION

All case managers are required to re-certify clients based on the following schedule. At that time, a case manager may decide to extend, decrease or discontinue providing assistance.

Program Component	Schedule	Re-certification Criteria
Homelessness Prevention	Every 3 months	For both HP and RRH, to continue to receive assistance, clients must <ul style="list-style-type: none"><li>• be at or below 30% AMI AND</li><li>• lack sufficient resources and support networks necessary to retain housing without ESG assistance.</li></ul>
Rapid Rehousing	Annually	

## STANDARDS SPECIFIC TO STREET OUTREACH

### ELIBILITY: HOMELESS STATUS

Individuals/families who meet the HUD criteria for the following definitions are eligible for Street Outreach services:

- Homeless Category 1: Literally Homeless
- Homeless Category 4: Fleeing/attempting to flee DV (where the individuals/families also meet the criteria for Category 1)

In addition, individuals and families must be living on the streets or other places not meant for human habitation **and** be unwilling or unable to access services in an emergency shelter.

### TARGET POPULATION

Although the homeless population is considered a vulnerable population, street outreach activities should target those who are extremely vulnerable including youth and chronically homeless persons.

### ENGAGEMENT/COLLABORATION

The Way Home Continuum of Care requires that agencies conducting street outreach activities must engage with unsheltered homeless persons for the purpose of providing immediate support, intervention or connections with mainstream social service programs. The connection of any unsheltered person to an emergency shelter, supportive housing, and/or referral to social service agencies will serve as immediate support and intervention for housing stabilization or critical services.

Agencies are encouraged to use evidenced based practices for their street outreach efforts; including the Housing First Model that quickly connects individuals to permanent housing in the face of acute barriers to entry into housing programs. Additionally, the agencies will participate in the local Continuum of Care's Street Outreach Workgroup and utilize the Coordinated Access Assessment to identify barriers to housing.

### ELIGIBILITY: INTAKE AND ASSESSMENT

The Way Home Continuum of Care requires that agencies conducting street outreach activities must provide individuals and families with an assessment and enter data into HMIS or a comparable database for DV providers. The Way Home CoC encourages providers to develop relationships with unsheltered homeless persons that will help connect them with emergency shelter and housing services primarily through a referral to Coordinated Access.

## APPENDIX A: HUD DEFINITION FOR HOMELESS

HUD CRITERIA FOR DEFINING HOMELESS	Category 1	Literally Homeless	<p>Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> <li>• Has a primary nighttime residence that is a public or private place not meant for human habitation;</li> <li>• Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); <u>or</u></li> <li>• Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution</li> </ul>
	Category 2	Imminent Risk of Homelessness	<p>Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> <li>• Residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>• No subsequent residence has been identified; <u>and</u></li> <li>• The individual or family lacks the resources or support networks needed to obtain other permanent housing</li> </ul>
	Category 3	Homeless under other Federal statutes	<p>Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> <li>• Are defined as homeless under the other listed federal statutes;</li> <li>• Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;</li> <li>• Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and</li> <li>• Can be expected to continue in such status for an extended period of time due to special needs or barriers</li> </ul>

	<b>Category 4</b>	Fleeing/ Attempting to Flee DV	Any individual or family who: <ul style="list-style-type: none"> <li>• Is fleeing, or is attempting to flee, domestic violence;</li> <li>• Has no other residence; <u>and</u></li> <li>• Lacks the resources or support networks to obtain other permanent housing</li> </ul>
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## APPENDIX B: HUD DEFINITION FOR AT RISK OF HOMELESSNESS

<b>HUD CRITERIA FOR DEFINING AT RISK OF HOMELESSNESS</b>	<b>Category 1</b>	Individuals and Families	<p>An individual or family who:</p> <ul style="list-style-type: none"> <li>(i) Has an annual income below <u>30%</u> of median family income for the area; <u>AND</u></li> <li>(ii) Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the "homeless" definition; <u>AND</u></li> <li>(iii) Meets one of the following conditions: <ul style="list-style-type: none"> <li>A. Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; <u>OR</u></li> <li>B. Is living in the home of another because of economic hardship; <u>OR</u></li> <li>C. Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; <u>OR</u></li> <li>D. Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; <u>OR</u></li> <li>E. Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; <u>OR</u></li> <li>F. Is exiting a publicly funded institution or system of care; <u>OR</u></li> <li>G. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved Con Plan</li> </ul> </li> </ul>
	<b>Category 2</b>	Unaccompanied Children and Youth	A child or youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under another Federal statute
	<b>Category 3</b>	Families with Children and Youth	An unaccompanied youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act, and the parent(s) or guardian(s) or that child or youth if living with him or her.

## APPENDIX C: CROSS WALK OF HUD HOMELESS AND AT RISK DEFINITIONS AND ELIGIBILITY TO ESG PROGRAM COMPONENTS

<b>Eligibility</b>	<b>Emergency Shelter</b>	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in ES projects:</p> <ul style="list-style-type: none"> <li>• Category 1: Literally Homeless</li> <li>• Category 2: Imminent Risk of Homeless</li> <li>• Category 3: Homeless Under Other Federal Statutes</li> <li>• Category 4: Fleeing/Attempting to Flee DV</li> </ul>
	<b>Rapid Rehousing</b>	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in RRH projects:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Category 1: Literally Homeless</li> <li><input type="checkbox"/> Category 4: Fleeing/Attempting to Flee DV (if the individual or family is also literally homeless)</li> </ul>
	<b>Homelessness Prevention</b>	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in HP projects:</p> <ul style="list-style-type: none"> <li>• Category 2: Imminent Risk of Homeless</li> <li>• Category 3: Homeless Under Other Federal Statutes</li> <li>• Category 4: Fleeing/Attempting to Flee DV (if the individual or family is NOT also literally homeless)</li> </ul> <p>Individuals and families who are defined as At Risk of Homelessness Additionally, HP projects must only serve individuals and families that have an annual income BELOW 30% AMI</p>
	<b>Street Outreach</b>	<p>Individuals and families defined as Homeless under the following categories are eligible for assistance in SO projects:</p> <ul style="list-style-type: none"> <li>• Category 1: Literally Homeless</li> <li>• Category 4: Fleeing/Attempting to Flee DV (if the individual or family is also literally homeless)</li> </ul> <p>Additional limitations on eligibility within Category 1 require that individuals and families must be living on the streets (or other places not meant for human habitation) and be unwilling or unable to access services in emergency shelter.</p>

## APPENDIX D: ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PREVENTION SYSTEM

### Eligibility Requirements

All potential clients will be screened for the following:

**Income** – Only households with income below 30% of the Area Median Income are eligible for Homelessness Prevention services (see Attachment A for income limits)

PLUS

**Trigger Crisis** – An event has occurred which is expected to result in housing loss within 30 days due to one of the listed reasons (see Attachment B for qualifying trigger crises)

PLUS

**No resources or support network to prevent homelessness** –No other options are possible for resolving this crisis. “But for this assistance” this household would become literally homeless—staying in a shelter, a car, or another place not meant for human habitation

OR

**Unaccompanied children and youth who qualify as homeless under another Federal statute** – See Runaway and Homeless Youth Act definition or Documentation for school district certification of homelessness (see Attachment C for other definitions of homelessness)

OR

**Families with children or youth who qualify as homeless under another Federal statute** –See Runaway and Homeless Youth Act definition or Documentation for school district certification of homelessness (see Attachment C for other definitions of homelessness)

PLUS

**Score of at least 20 points**—or 15 – 19 points with override sign-off (see Attachment D for score sheet)

## ATTACHMENT A: HOMELESS PREVENTION INCOME LIMITS ELIGIBILITY CRITERIA AND PRIORITIZATION TOOL FOR HOMELESSNESS PRIOTITIZATION

### **30% Area Median Income**

HUD provides current information for income limits on the HUD USER website at <http://www.huduser.org/portal/datasets/il.html> . Note: The information that HUD provides on HUD USER website reflects data based on changes to the definition of "extremely low-income (ELI)." ESG recipients should continue to use data for Area Median Income (AMI) and not the new ELI data. For more information on this change, and to access the 30 % AMI tables, please refer to <https://www.hudexchange.info/news/impact-of-recent-changes-in-income-limits-and-utility-allowances>

## ATTACHMENT B: HOMELESS PREVENTION TRIGGER CRISIS ANALYSIS

Will lose housing within 30 days due to one of the following:

- \_\_\_ Moved twice or more in the past 60 days
- \_\_\_ Living in the home of another person because of economic hardship
- \_\_\_ Notified that right to occupy their current housing or living situation will be terminated within 21 days after date of application
- \_\_\_ Living in hotel or motel and cost is not paid for by charitable organization or government program for low-income people
- \_\_\_ Living in SRO or efficiency where more than 2 people live; or in a larger housing unit with more than 2 people per room
- \_\_\_ Exiting a publicly funded institution or system of care
- \_\_\_ Exiting a publicly or privately funded inpatient substance abuse treatment program or transitional housing program
- \_\_\_ Living in rental housing that is being condemned by a government agency and tenants are being forced to move out

## ATTACHMENT C: OTHER DEFINITIONS OF HOMELESSNESS

### *Runaway and Homeless Youth Act (42 U.S.C 5701 et seq.)*

*Runaway and Homeless Youth* funding is administered by the Family and Youth Services Bureau within the Administration for Children & Families (ACF) of the U.S. Department of Health and Human Services (HHS). Information about Runaway and Homeless Youth program grantees is available online at <http://www2.ncfy.com/locate/index.htm>.

### *Head Start Act (42 U.S.C. 9831 et seq.)*

*Head Start* funding is administered by the Office of Head Start (OHS) within ACF/HHS. A listing of Head Start programs, centers, and grantees is available online at <http://eclkc.ohs.acf.hhs.gov/hslc/HeadStartOffices>

### *Violence Against Women Act of 1994; subtitle N (42 U.S.C. 14043e et seq.)*

*Violence Against Women Act* established the Office on Violence Against Women (OVW) within the U.S. Department of Justice (DOJ). OVW administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking. Currently, OVW administers one formula grant program and eleven discretionary grant programs, all of which were established under VAWA and subsequent legislation. More information about OVW is available online at <http://www.ovw.usdoj.gov/>.

### *Public Health Service Act; section 330 (42 U.S.C. 254b)*

*The Public Health Service Act* authorized the Health Center Program, which is administered by the Bureau of Primary Health Care within the Health Resources and Services Administration (HRSA) of HHS. Information about local Health Centers can be found online at <http://bphc.hrsa.gov/index.html>

### *Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)*

*Food and Nutrition Act of 2008* relates to the Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps. SNAP is administered by the U.S. Department of Agriculture (USDA). More information about SNAP can be found online at <http://www.fns.usda.gov/snap/>

*Child Nutrition Act of 1966; section 17 (42 U.S.C. 1786)*

*Child Nutrition Act of 1966* authorized numerous programs related to school lunches and breakfasts and funds for meals for needy students. For more information about these programs, contact the local School Department.

*McKinney-Vento Act; subtitle B of title VII (42 U.S.C. 11431 et seq.)*

McKinney-Vento Act authorized the McKinney-Vento Education for Homeless Children and Youths Program, which is administered via the Office of Elementary and Secondary Education within the U.S. Department of Education. More information about this program is available online at <http://www2.ed.gov/programs/homeless/index.html>. Also, contact the local School Department.

## ATTACHMENT D: HOMELESS PREVENTION PRIORITIZATION SCORING

### Income Scoring:

- \_\_\_ Rent burden at 66-80% of income... **5 points**
- \_\_\_ Income at or below 15% AMI... **20 points OR**
- \_\_\_ Income 16-29% AMI... **10 points**

### 15% Area Median Income (2019)

1 Person Household	\$8,025	(\$669/month)
2 Person Household	\$9,175	(\$765/month)
3 Person Household	\$10,325	(\$860/month)
4 Person Household	\$11,450	(\$954/month)
5 Person Household	\$12,375	(\$1,031/month)
6 Person Household	\$13,300	(\$1,108/month)
7 Person Household	\$14,200	(\$1,183/month)
8 Person Household	\$15,125	(\$1,260//month)

### Tenant Barriers/Risk Factors

#### Tenant Screening Barriers

**1 point per barrier**

- \_\_\_ Eviction history
- \_\_\_ No credit references: has no credit history
- \_\_\_ Lack of rental history: has not rented in the past
- \_\_\_ Unpaid rent or broken lease in the past (separate from current unpaid rent)
- \_\_\_ Poor credit history: late or unpaid bills, excessive debt, etc.
- \_\_\_ Past Misdemeanors
- \_\_\_ Past Felony other than critical Felonies listed below
- \_\_\_ Exiting criminal justice system where incarcerated for less than 90days

- \_\_\_ Critical Felony  
(drugs, sex crime, arson, crimes against other people) **5 points**
- \_\_\_ Pregnant or has at least one child 0-6 **5 points**
- \_\_\_ Head of household under 30 years old **5 points**
- \_\_\_ Family experienced literal homelessness **5 points**  
in the past 3 years
- \_\_\_ Only 1 adult in household **5 points**

\_\_\_ **TOTAL**

**Fort Bend County, Texas  
Emergency Solutions Grants Program  
Written Performance Standards**

**The following outcomes were developed in consultation with the Coalition for the Homeless Houston/Harris County.**

**Emergency Shelter Outcomes**

- Where did people exit to?
  - Short-Term Goal: Number and Percent of clients exiting to a known place, do not put Exit to Unknown.
  - Long-Term Goal: Tie renewal funding to successful exits.
  - Number and percent of people who were assisted in overcoming barriers to the next step of housing. Defined as: Obtaining identification, Documenting experience of domestic violence, Documenting homelessness, Documenting debilitating condition, Assisting with intake for: permanent supportive housing, rapid re-housing, or transitional housing.
  - Number and percent of people who increased income from entry to exit of program.

**Emergency Shelter Outputs**

- Case Management: Sessions of case management, differentiating phone visits and office visits.
- Shelter Bed Days: Length of stay in shelter per instance.
- Day Shelter: Unduplicated Clients served and Total Meals served.
- Domestic Violence: Unduplicated number of clients who received medical assessment.
- Shelter: Income upon entry, Income upon exit.

**Homelessness Prevention**

**Community-Level Measure:**

- How many clients who exited to permanent housing then reappeared in the shelter system.

**Program-Level Measure:**

- Number and percent of people who exited to each housing type.
- Number and percent of people who increased income from entry to exit.
- Number and percent of people who are still housed 30 days after exiting prevention program.

**Program-Level Output:**

- Length of stay in service.
- Other supportive mainstream and homeless services accessed.
- Case Management: Sessions of case management, differentiating phone visits, home visits, and office visits.

## **Rapid Re-Housing**

### **Community-Level Measure:**

- How many clients who exited to permanent housing then reappeared in the shelter system.

### **Program-Level Outcome Measure:**

- Number and percent of people who exited to each housing type.
- Number and percent of people who increased income from entry to exit.
- Number and percent of people who are still housed 30 days after exiting prevention program.

### **Program-Level Output:**

- Length of stay in service.
- Other supportive mainstream and homeless services accessed.
- Case Management: Sessions of case management, differentiating phone visits, home visits, and office visits.

## **HMIS Administration**

### **Outputs**

- Number of unique staff provided training.
- Add question about data quality/scrubbing. Alerting recipients of problems with data.

### **Outcomes**

- Number and percent of ESG subrecipients who have received HMIS training.
- Number and percent of Issue Track requests resolved within 48 hours.

**APPENDIX E:  
HOME PROGRAM HOMEBUYER RECAPTURE GUIDELINES.**

## FORT BEND COUNTY, TEXAS HOME PROGRAM GUIDELINES FOR RECAPTURE FOR HOMEBUYERS

If Fort Bend County intends to use HOME funds for first-time homebuyers, the guidelines for recapture must meet the following test. The recapture provisions must apply to the housing for a period specified below:

The HOME-assisted housing must meet the affordability requirements for not less than the applicable period specified in the following table, beginning after project completion. For multi-unit homeownership assisted projects, the affordability begins after the last HOME-assisted housing project is completed and the project completion report is submitted to HUD.

Homeownership assistance HOME amount per unit	Minimum period of affordability in years
Under \$15,000.....	5
\$15,000 to \$40,000.....	10
Over \$40,000.....	15

This section includes recapture guidelines to meet the provisions of Section 92.254(a)(5)(ii)(A). There are several options for recapture included in Section 92.254 that are acceptable by HUD; however, **Fort Bend County has adopted the HUD recapture option of reducing the HOME investment amount during the affordability period for single family housing.** The period of affordability is based upon the total amount of HOME funds subject to recapture as described in 92.254(a)(5)(ii)(A)(5). Fort Bend County will reduce the HOME investment amount to be recaptured on a pro rata basis for the time the homeowner has owned and occupied the housing measured against the required affordability period.

Seal



September 2, 2021

Mark Vogler, P.E.  
Fort Bend County Drainage District  
1124 Blume Rd.  
Rosenberg, TX 77471

RE: Harris County Flood Control District Sole Source Letter

Dear Mr. Vogler,

The Harris County Flood Control District's Flood Warning System provides information collected by real time rainfall and stream level gages in Harris County and surrounding counties. This system was designed, built, and maintained by internal hydrologic operations staff and a few outside consultants. Specialized training was performed specifically for the use and configuration of the hardware specified. Custom software has been written for Campbell Scientific's type C logger, which allows unique and important monitoring characteristics. The HCFCDD requires all gages to have uniform equipment so installation practices, maintenance, and troubleshooting are consistent. One of the major successes of the flood warning system is due to the standardization of these gages. All 188 HCFCDD and 104 HCFCDD partner gages utilized the ALERT2 protocol and consist of the equipment called out in the table below.

Equipment	Vendor
Solar Panel and Mount (5-watt 12 volt)	Ameresco
Pressure Transducer (SDI-12 Acculevel)	Keller America
Bubbler (Ott CBS, Ott RLS, & Chamber Pot)	OTT Hydromet USA
NEMA Enclosure (304 stainless steel)	Adalet
Transmitter and Logger (HCFCDD type C includes AL200 and CR310)	
Tipping Bucket (2400 12" TB-rain gage)	Campbell Scientific

Please feel free to contact me should you require additional information or clarification at 346-286-3614.

Sincerely,

  
Jeremy Justice  
Hydrologic Operations Manager  
[Jeremy.justice@hcfcd.hctx.net](mailto:Jeremy.justice@hcfcd.hctx.net)