

**JEFFERSON COUNTY, ALABAMA
PROPOSED
CDBG-DISASTER RECOVERY ACTION PLAN
DRAFT FOR PUBLIC REVIEW**



JEFFERSON COUNTY COMMISSION

W.D. Carrington, President

Sandra Little-Brown, President Pro Tempore

George F. Bowman

T. Joe Knight

James A. "Jimmie" Stephens

Tony Petelos, County Manager

**JEFFERSON COUNTY OFFICE OF COMMUNITY & ECONOMIC
DEVELOPMENT**

Frederick L. Hamilton, Director

**Community Development Block Grant (CDBG) Disaster Recovery
Action Plan**

Checklist

SF-424/CFDA #14:218;14.228

I. Impact and Unmet Needs Assessment

II. Recovery Planning

- (a) Sound, sustainable, long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially land-use decisions that reflect responsible flood-plain management
- (b) Coordination with other local and regional planning efforts

III. CDBG-DR Leverage

IV. Construction Methods

V. Housing Initiatives

- (a) Transitional housing needs of homeless individuals and families
- (b) Prevention of low-income individuals and families with children (especially those with incomes below 30 percent of the area median) from becoming homeless
- (c) The special needs of persons who are not homeless but require supportive housing (e.g., elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents, as identified in 24 CFR 91.315(e) or 91.215(e) as applicable)

VI. Displacement

VII. Program Income

VIII. Assuring No Duplication of Benefits

IX. Monitoring

X. Fraud Prevention

XL. Grant Capacity

XII. Public Housing

XIII. Disaster-Resistant Housing

XIV. Description of Programs/Activities

XV. Unmet Needs Not Yet Addressed

XVI. Unmet Needs/CDBG-DR Grant Allocation

XVII. Performance Schedule

Housing

Infrastructure

Planning and Administration

Other (if applicable)

XVIII. Citizens' Participation

XIX. Certifications

Application for Federal Assistance SF-424 Version 02

<p>*1. Type of Submission</p> <p><input type="checkbox"/> Preapplication</p> <p><input checked="" type="checkbox"/> Application</p> <p><input type="checkbox"/> Changed/Corrected Application</p>	<p>*2. Type of Application *If Revision, select appropriate letter(s):</p> <p><input checked="" type="checkbox"/> New</p> <p><input type="checkbox"/> Continuation * Other (Specify)</p> <p><input type="checkbox"/> Revision</p>
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<p>*3. Date Received:</p>	<p>4. Application Identifier: B-13-US-01-0001</p>
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<p>5a. Federal Entity Identifier:</p>	<p>*5b. Federal Award Identifier:</p>
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State Use Only:

<p>6. Date Received by State:</p>	<p>7. State Application Identifier:</p>
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8. APPLICANT INFORMATION:

*** a. Legal Name:** Jefferson County Commission

<p>* b. Employer/Taxpayer Identification Number (EIN/TIN): 63-6001579</p>	<p>*c. Organizational DUNS: 105474279</p>
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d. Address:

***Street1:** 716 Richard Arrington Jr. Blvd N
Street 2: Suite A-430
***City:** Birmingham
County: Jefferson
***State:** Alabama
Province:
Country: United States ***Zip/ Postal Code:** 35203

e. Organizational Unit:

<p>Department Name: Community & Economic Development</p>	<p>Division Name: Community Development</p>
--	---

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

Prefix: Dr. **First Name:** Frederick
Middle Name:
***Last Name:** Hamilton
Suffix:

Title: Director

Organizational Affiliation:

***Telephone Number:** 205-325-5761 **Fax Number:** 205-325-5095

***Email:** hamiltonf@jccal.org

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: **B. County Government**

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

U. S. Department of Housing & Urban Development

11. Catalog of Federal Domestic Assistance Number:

CFDA 14.218

CFDA Title:

Community Development Block Grants/Entitlement Grants

*12. Funding Opportunity Number:

*Title:

13. Competition Identification Number:

Title:

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

The cities & towns in Jefferson County of: Concord, Pleasant Grove, North Smithfield, McDonald Chapel, Warrior, Fultondale, Vestavia Hills, Trussville, Adger, and McCalla.

*15. Descriptive Title of Applicant's Project:

CDBG Disaster Recovery

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant AL-006 & AL-007

*b. Program/Project: AL-006 & AL-007

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

17. Proposed Project:

*a. Start Date: 10/01/2013

*b. End Date: 09/30/2015

18. Estimated Funding (\$):

*a. Federal \$5,073,562.00

*b. Applicant

*c. State

*d. Local

*e. Other

*f. Program Income

*g. TOTAL \$5,073,562.00

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

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372

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

Yes No

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

**I AGREE

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

Authorized Representative:

Prefix: Mr. *First Name: W.

Middle Name: David

*Last Name: Carrington

Suffix:

*Title: Commission President

*Telephone Number: 205-325-5503

Fax Number: 205-325-5960

*Email: carringtond@jccal.org

*Signature of Authorized Representative:

Date Signed:

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

**Community Development Block Grant (CDBG) Disaster Recovery
Action Plan**

Checklist

SF-424/CFDA #14:218;14.228

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X. Grant Capacity

XI. Public Housing

XII. Unmet Needs/CDBG-DR Grant Allocation

XIII. Performance Schedule

Housing

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Planning and Administration

Other (if applicable)

XIV. Citizens' Participation

XV. Certifications

INTRODUCTION

The United States Department of Housing and Urban Development requires that in order to receive funding under the Community Development Block Grant Program (CDBG), the Home Investment Partnerships Program (HOME), the Emergency Shelter Grant Program (ESG), the Emergency Solutions Grant Program (ESG), and the Housing Opportunities for Persons with AIDS Program (HOPWA). Each entitlement city or urban county must prepare a Consolidated Plan. This Plan was prepared in the year 2010. The Plan identifies housing and non-housing needs over a five year period, assigns priorities to each of the needs and a strategy for meeting those needs, and sets out a one year Action Plan establishing funding. The overall goal of the community development programs is to develop viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for low- and moderate-income persons. This Community Development Block Grant Disaster Recovery (CDBG-DR) Action Plan following approval by HUD will become a part of that plan.

The Jefferson County Consortium is made up of the unincorporated areas of Jefferson County, Alabama and 30 municipalities within the County. The Cities of Birmingham, Bessemer, County Line, West Jefferson, Argo, Sumiton, Helena and Hoover are the only cities in the County not participating in the Consortium. Birmingham, Bessemer and Hoover are entitlement cities themselves. However, due to the nature of the CDBG-DR program, assistance will only be made available to designated areas within the Jefferson County Consortium as described in Section I. Impact and Unmet Needs Assessment. The Final Amended Statement for the CDBG-DR Grant will be developed after receiving citizen comments and views during the 7-day comment period and also at a public hearing to be held on August 28, 2013 at 2:00 p.m. at the Jefferson County Office of Community & Economic Development 716 Richard Arrington Jr. Blvd. North, Suite A-440, Birmingham, Alabama, 35203.

Written comments regarding the proposed plan must be received prior to 5:00 PM on August 29, 2013. Written comments should be submitted via U.S. Postal Service to the following:

Proposed CDBG-Disaster Recovery
Jefferson County Office of Community & Economic Development
716 Richard Arrington Jr Blvd N, Ste. A-430
Birmingham, AL 35203
Attn: Frederick L. Hamilton

Or

Written comments can also be submitted prior to 5:00 PM on July August 29, 2013 by electronic submission to the following: To: hamiltonf@jccal.org, Subject: CDBG-DR Comments.

Special accommodations can be made available, upon request, for those with disabilities. Those needing special accommodations should contact the office at 205-325-5761 in advance.

AVAILABILITY OF THE PROPOSED CDBG-DR ACTION PLAN

Copies of this plan are available for review at the Jefferson County Office of Community & Economic Development, 716 Richard Arrington Jr. Blvd. North – Suite A430, Birmingham, AL 35203, by calling 325-5761, and online at <http://jeffconline.jccal.org/comdev/home/Home.html> in English and in Spanish. Arrangements can also be made available upon request to meet the

Special Needs Requirements of those with disabilities and those who would like to request the proposed plan in other languages.

I. IMPACT AND UNMET NEEDS ASSESSMENT

Jefferson County Action Plan for Disaster Recovery (April 27th 2011 Tornado)

Preface

The April 27, 2011 tornado devastated Jefferson County, causing over \$600 million in property damage. According to Jefferson County's Coroner's office 21 persons were killed in the storm.

According to the Jefferson County Emergency Manage Agency, there were multiple tornados ranging in capacity from EF-4 to EF-5 that impacted Jefferson County.

The recovery effort began immediately with various local, state, and federal agencies responding. The agencies include the local Jefferson County Emergency Management Agency; local law enforcement agencies, the Alabama National Guard; FEMA, as well other community based and volunteer organizations.

This report will address eligible areas in Jefferson County's HUD Consortium impacted by the April 27, 2011 tornado; define unmet needs; provide a historical perspective of tornados impacting Jefferson County; present contributing factors to frequent tornado activity in the county; provide an initial needs assessment by local and federal agencies; provide an overview of recent public meetings held in the impacted communities; present Jefferson County's CDBG-DR program guidelines; and present a proposed disbursement of the county's CDBG-DR funds.

Eligible Areas Impacted by the April 2011 Tornado

The areas eligible for Jefferson County's Community Development Block Grant (CDBG) Disaster Recovery funds include Concord, Pleasant Grove, Alabama, North Smithfield, McDonald Chapel, Warrior, Alabama, Fultondale, Alabama, and Vestavia Hills Alabama. In addition, Trussville Alabama, Adger, and MaCalla were impacted by the storm mentioned above.

Unmet Needs Defined

Unmet needs is defined as the difference between damages sustained in the impacted areas during the storm event mentioned above and post disaster resources the impacted areas are eligible to receive in the recovery effort.

Participants receiving assistance from insurance payments, FEMA, SBA, etcetera will be documented and not duplicated.

Historical Perspective of Tornadoes in Jefferson County

Since the 1950's, Jefferson County has experienced five (5) major tornadoes. The capacity of these tornadoes has ranged in capacity from EF-4 to EF-5. The county was struck by major tornadoes in 1956, 1977, 1998, 2011 and 2012. Below is an overview of the first three (3) major storm events that hit Jefferson County, which will be followed by the two (2) most recent tornado events.

The first tornado, which occurred on April 15, 1956, originated near Pleasant Grove, Alabama with an approximate 21 mile path and struck the communities of Edgewater, Pratt City, which is a community in Birmingham, Alabama, Tarrant, Alabama, and McDonald Chapel.

The second major tornado struck on April 4, 1977. This F-5 tornado moved through Pratt City and North Smithfield and killed 22 persons.

The third major tornado struck the Oak Grove community on April 8, 1998 and killed 32 people. The storm traveled more than 30 miles impacting Concord, Pleasant Grove, Alabama, Edgewater and McDonald Chapel. More than a 1,000 homes were destroyed and 900 homes suffered major damage.

On April 27, 2011, multiple tornadoes touched down in Jefferson County. It was reported that 21 persons were killed from tornadoes ranging in capacity from EF-4 to EF-5. There were countless others who were seriously injured from the major storm event. Moreover, the property damage from the storm was estimated to be over \$600 million.

On January 23, 2012 a major tornado struck the eastern section of Jefferson County. This EF-3 tornado's winds peaked at 140 miles per hour. The tornado did significant damage to Oak Grove, Pinson, Center Point, Alabama and Clay, Alabama. The storm killed two (2) people, a 16 year old girl who resided in Clay, Alabama and an 81 year man who lived in the Oak Grove community.

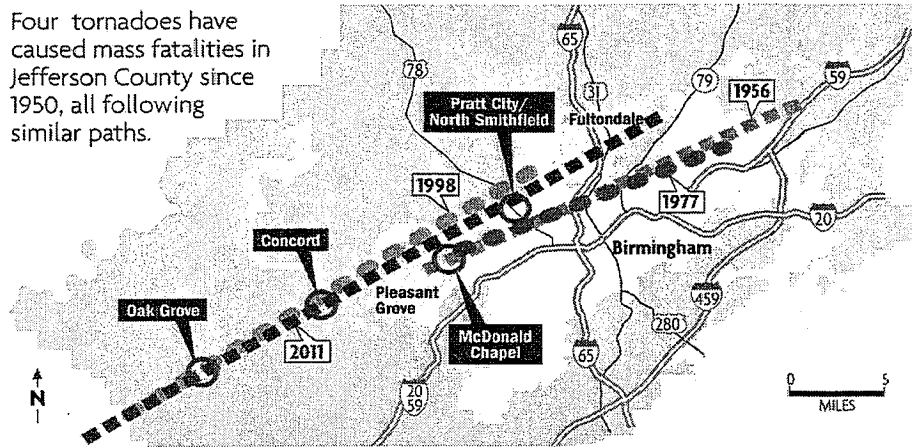
Contributing Factors

Researchers are describing the northern two (2) thirds of Alabama as a battleground for severe weather where contrasting air masses battle along a front that usually runs southwest and northeast, which is the track tornadoes normally take and has been the way tornadoes have moved through Jefferson County.

Historically, cold fronts come from the northeast and warm unstable air comes from the Gulf of Mexico. These fronts normally meet in what's known as Dixie Alley. The storms have typically run north of Interstate 59 and this corridor includes western Jefferson County.

JEFFERSON COUNTY'S DEADLY TORNADOES

Four tornadoes have caused mass fatalities in Jefferson County since 1950, all following similar paths.



	1956 F4 ■■■	1977 F5 ●●●	1998 F5 ●●●	2011 EF4 ■■■
Date	April 15, 1956	April 4, 1977	April 8, 1998	April 27, 2011
Injuries	200	130	258	Over 1,000
Fatalities	25	22	32	19*
Length	21.3 miles	14.7 miles	24.3 miles	80.3 miles
Width	200 yds.	550 yards	1,320 yards	1.5 miles
Property damage	\$2.5 million	\$25 million.	\$200 million	TBD

*19 deaths in Jefferson County. Total death toll 65 along the tornado's track.
Sources: National Weather Service, National Climatic Data Center

NEWS STAFF

Source: *The Birmingham News*, May 22, 2011

Initial Needs Assessment by Federal and Local Agencies

The Jefferson County Land Planning and Development Services Department and local inspections department's conducted an assessment of damages from the April 27, 2011 tornado in early May 2011.

The assessment of damages included housing, public facilities, infrastructure, debris removal, demolition and economic development.

A summary of the analysis is presented below:

Housing Assessment

Table I

<i>Concord</i>	
Housing Units Destroyed:	51
Housing Units with Major Damage	40
Housing Units with Minor Damage	89
Total Housing Units Impacted	180

Source of Data: Jefferson County Land Planning and Development Services Department

Table II

<i>McDonald Chapel</i>	
Housing Units Destroyed:	27
Housing Units with Major Damage	22
Housing Units with Minor Damage	19
Total Housing Units Impacted	68

Source of Data: Jefferson County Land Planning and Development Services Department

Table III

<i>North Smithfield</i>	
Housing Units Destroyed:	8
Housing Units with Major Damage	9
Housing Units with Minor Damage	9
Total Housing Units Impacted	26

Source of Data: Jefferson County Land Planning and Development Services Department

Table IV

<i>Pleasant Grove, Alabama</i>	
Housing Units Destroyed:	315
Housing Units with Major Damage	231
Housing Units with Minor Damage	364
Total Housing Units Impacted	910

*Source of Data: Jefferson County Land Planning and
Development Services Department*



Table V

<i>Fultondale, Alabama</i>	
Housing Units Destroyed:	20
Housing Units with Major Damage	35
Housing Units with Minor Damage	248
Total Housing Units Impacted	303

*Source of Data: Jefferson County Land Planning and
Development Services Department*

Table VI

<i>Warrior, Alabama</i>	
Housing Units Destroyed:	1
Housing Units with Major Damage	0
Housing Units with Minor Damage	30
Total Housing Units Impacted	31

Source of Data: Warrior, Alabama City Clerk

Table VII

<i>Vestavia Hills, Alabama (Cahaba Heights Community)</i>	
Housing Units Destroyed:	
Housing Units with Major Damage	
Housing Units with Minor Damage	
Total Housing Units Impacted	



Source of Data: Jefferson County Land Planning and Development Services Department

Other Area in Jefferson County Impacted by the April 27, 2011 tornado (Trussville, Alabama, Hueytown, Alabama, and the unincorporated areas of Jefferson County to McCalla, New Castle community, Lakeview, Lowetown, and Black Creek)

Housing Units Destroyed:	70
Housing Units with Major Damage	50
Housing Units with Minor Damage	30
Total Housing Units Impacted	150

Note:

The Community and Economic Development staff recently learned there are additional areas in the Jefferson County Consortium that were impacted by the April 27, 2011 tornado. These areas are listed above and will be eligible for CDBG-DR assistance.

Unmet Need in Jefferson County

In December 2011, HUD estimated the severe housing unmet needs in Jefferson County to be \$16,271, 142.00.

In December 2011, HUD estimated the severe business unmet needs to be \$12,595,570.00 in Jefferson County.

The Alabama Rural Coalition for the Homeless (ARCH) states there are 13,735 persons with unmet needs. Of the 13,735 persons with unmet needs, ARCH has assisted 331 survivors; 158 closed (28 repair/total rebuild), 173 open cases, 78 refuses (all needs met) and over 300 of the clients we have listed with unmet needs in Jefferson County have been placed on ARCH's roster as "no contact" (moved, no answer at listed telephone number, no answer at home during outreach).

Infrastructure Storm Assessment

Jefferson County's Planning and Development Services Department in conjunction with FEMA, development comprehensive plans for the unincorporated areas impacted April 2011 tornado.

The results of the planning effort revealed an unmet need for storm drainage improvements in the Concord Community, as well as Pleasant Grove, Alabama. In both communities, the April 2011 tornado impacted the flow of storm water and in some cases destroyed existing drainage facilities.

Citizens of these areas complained about how the uncontrolled flow of storm water negatively impacts their property.

Public Facilities Storm Assessment

The Jefferson County Planning and Development Services Department along with FEMA also identified public facilities as a critical unmet need in the unincorporated areas of Jefferson County. The communities of Concord, McDonald Chapel and North Smithfield cited during the public meetings the need for dual purpose storm shelters to provide a safe haven during major storm events.

In addition, the communities Trussville, McCalla, and Adger have expressed a need for dual purpose storm shelters.

The citizens emphasized the communities had been impacted by multiple tornados and there had been deaths and serious injuries due to major storms.

Each community also expressed the facilities could serve a dual purpose by allowing the community to use the facilities when there was not major storm event occurring.

Officials from Fultondale, Alabama reported significant damage to its fire station and library.

Demolition Assessment

Jefferson County Planning and Development Services Department and FEMA also revealed during there assessment of needs a significant need for demolition in all of the unincorporated areas of the county impacted by the April 2011 tornado.

Pleasant Grove, Alabama, Vestavia Hills, Alabama, North Smithfield Greenleaf Manor, Concord, and Warrior, Alabama also reported a significant need for demolition after there initial assessment of the storm damage.

Debris Removal Assessment

Jefferson County Planning and Development Services Department and FEMA also revealed a significant need for demolition in all of the unincorporated areas of the county impacted by the April 2011 tornados.

Pleasant Grove, Alabama, Vestavia Hills, Alabama, North Smithfield Greenleaf Manor, Concord, and Warrior, Alabama also reported a significant need for debris removal.

Economic Development Loans

The Community and Economic Development staff expressed during public meetings that loans would be made available to businesses who have not received sufficient funding from other sources. The public was also informed that job creation and retention was a requirement for assistance and 51% of the jobs created or retain would have to be reserved for person who are at least at 80% of Median Household Income for Jefferson County. No person expressed an interest during public meeting, but funding will be made available to interested persons seeking assistance.

Public Meetings in Tornado Impacted Areas

Approximately a year after the April 2011 massive tornado, the staff from the Community and Economic Development Department conducted a series of meetings in the impacted areas mentioned above in order to explain to citizens' eligible activities under the CDBG-DR HUD Disaster program. These meetings were conducted between May 10, 2012 and June 5, 2012.

In each of the public meetings, local officials and the public was informed of the meaning of unmet need, as well as given an overview of eligibility activities to include the following:

1. Housing Rehabilitation
2. Rebuilding Homes
3. Non Housing rehabilitation
4. Down Payment Assistance and /or Closing Cost
5. Public Facilities
6. Economic Development
7. Demolition
8. Debris Removal
9. Infrastructure
10. Planning

At the end of each meeting, the citizens as well as public officials were asked to complete a survey form identifying unmet needs. In most cases, the Department of Community and Economic Development received the names of persons needing assistance with

housing, whether it was housing rehabilitation, assistance with a safe room, or assistance with rebuilding. The same information was received from those who anticipated needing down payment assistance or assistance with loan closing cost.

Citizens and local officials also provided documentation on the need for debris removal and demolition.

Community and Economic Development staff also received documentation from citizens and public officials pertaining to unmet needs relating to infrastructure and public facilities.

Economic Revitalization unmet needs were also identified.

Note: There was no request for planning, although this is an eligible activity under the CDBG-DR program.

The results of the unmet needs identified during the public meetings, as well as meetings held with local officials are presented below:

McDonald Chapel		
	Project Type	Number
1.	Housing Rehabilitation	13
2.	Home Rebuilding	3
3.	Home Relocation	1
4.	Non-Housing Rehabilitation	1
5.	Infrastructure (Light Replacement)	1
6.	Dual Purpose Storm Shelter	1

Source: McDonald Chapel Public Meeting, May 10, 2012

North Smithfield		
	Project Type	Number
1.	Housing Rehabilitation	40
2.	Public Facility (Damaged Fire Station/Dual Purpose Storm Shelter)	2
3	Safe Room	7
4	Debris Removal	15 lots
5.	Demolition	15 homes

Source: North Smithfield Public Meeting, May 21, 2012

Warrior, Alabama		
	Project Type	Number
1.	Public Facilities (City Parks)	

Source: Warrior Public Meeting, May 15, 2012

Concord		
	Project Type	Number
1.	Housing Rehabilitation	13
2.	Safe Room	7
3.	Home Rebuilding	3
4.	Down Payment/Closing Cost Assistance	1
5.	Debris Removal	8 lots
6.	Demolition	5 homes
7.	Infrastructure Storm Damage	1
8.	Dual Purpose Storm Shelter	1

Source: Concord Public Meeting, May 15, 2012

Pleasant Grove, Alabama		
	Project Type	Number
1.	Housing Rehabilitation	10
2.	Safe Rooms	5
3.	Home Rebuilding	3
4.	Down Payment/Closing Cost Assistance	1
5.	Debris Removal	33 lots
6.	Demolition	15 homes
7.	Infrastructure Storm Drainage	1

Source: Pleasant Grove, Alabama Public Meeting, May 22, 2012

Vestavia Hills, Alabama		
	Project Type	Number
1.	Housing Rehabilitation	10
2.	Safe Rooms	6
3.	Debris Removal	1 lot
4.	Public Facilities	1

Source: Vestavia Hills, Alabama Public Meeting, June 5, 2012

Note: After conducting a public meeting in Fultondale, Alabama and meeting with city officials, it was determined there was no unmet needs. However, Fultondale, Alabama will be considered for assistance identified in the Action Plan since it was impacted by the April 2011 tornado.

As mentioned above, the Community and Economic Development staff has learned that Trussville, Adger and surrounding communities, Pawnee village, New Castle, Black Creek, Mud Creek, Lakeview, Lowetown, and McCalla, which is located in unincorporated Jefferson County experienced storm damage during the April 27, 2011 tornado. Community leaders and officials have expressed a need for housing rehabilitation and public facilities.

II. RECOVERY PLANNING

HUD Disaster Fund Guidelines for Assistance

Application for Assistance

Persons seeking assistance for unmet needs due to the April 27, 2011 tornado can apply to Jefferson County's Community and Economic Development Department by completing an application for assistance. Applications will be developed by the Community and Economic Development staff for the various eligible activities under Jefferson County's Community Development Block Grant Disaster Recovery (CDBG-DR) funds.

The eligible activities under Jefferson County's CDBG-DR program are presented below:

1. Housing Rehabilitation
2. Safe rooms for homes receiving housing rehabilitation
3. Rebuilding
4. Debris Removal
5. Demolition
6. Public Facilities
7. Non-Housing Rehabilitation
8. Infrastructure

Documentation of Resources Received by Applicant

Applicants applying for CDBG-DR assistance will complete an application as well as a legally binding document disclosing all assistance received from insurance payments, FEMA assistance, SBA assistance and any other resource. The assistance identified will be verified and deducted, thus leaving an unmet needs balance.

Guidelines for Receiving Eligible Assistance

Owner Occupied Housing Rehabilitation

Applicants requesting assistance under the owner occupied housing rehabilitation program will be required to complete an application. The applicant will also be required to document ownership of the home.

The first priority for owner occupied housing rehabilitation assistance will be homes impacted by the April 27, 2011 tornado. The homeowner will document the home was impacted by the previously mentioned storm.

Of this pool of applications, priority will be given to persons based on need and their Median Household Income.

After homes impacted by the storm have been identified and prioritized, the Community and Economic Development Department staff will consider homes in the storm impacted area that were not impacted by the storm.

Priority will directly be based on need and Median Household Income.
The maximum amount of funds available for owner occupied housing rehabilitation assistance is \$35,000.00

Safe Rooms

In order to be eligible to apply for a safe room, the applicant will have to be approved for owner occupied housing rehabilitation assistance.

A rating criterion to include disabled persons, elderly and homeowners with young children will be given priority.

The maximum amount of assistance for a safe room will be \$25,000.00.

Home Purchase and Rebuilding Assistance

Homeowners needing assistance with unmet needs to rebuild or purchasing homes will be eligible to apply for assistance. The homeowner will complete an application documenting the loss of the home during the April 2011 storm as well as proof the home was insured.

The homeowner will also complete a legally binding form disclosing assistance received from other resources.

Homeowners will be eligible for a loan with an interest rate ranging from 3.68% fixed rate (30 years) to 3.09% fixed rate (15 years) based on the terms of the loan.

The home will serve as collateral.

The homeowner will be required to maintain insurance on the home during the life of the loan.

The homeowner will produce documentation of the ability to repay the loan, as well as provide the Community and Economic Development staff with permission to check credit.

Persons who have been impacted by multiple tornados in the past who desire to move out of the tornado impacted areas will also be eligible for rebuilding assistance to cover

unmet needs. The homeowner will have to document they have experienced at least two (2) tornado events to be eligible for assistance and follow the guidelines presented above.

The maximum amount of assistance is \$80,000.00.

Relocation Assistance

Relocation assistance will be provided only to persons whose home was destroyed in the April 2011 tornado and the prospective participant must be living in the home. There will be no relocation assistance for persons who have already relocated outside the tornado impacted area.

The maximum assistance available under relocation assistance is \$4,500.00.

Debris Removal Assistance

Homeowners who have debris on property left from the storm will be eligible for assistance after the unmet needs have been documented. No assistance will be provided for debris on open land such as pastures, etc. The Jefferson County Department of Inspection Services or the Jefferson County Health Department will have to declare the debris a nuisance in the unincorporated areas of the county in order for assistance to be considered.

For municipalities in Jefferson County impacted by the storm, the Community and Economic Development Department will make the city/town the sub-grantee and the local laws governing debris removal for the jurisdiction will be followed.

The maximum assistance available under debris removal is \$6,600.00

Demolition Assistance

Demolition assistance will be provided for homes destroyed by the storm and left by the property owner. Properties in the unincorporated areas of the county impacted by the April 2011 tornado will be inspected by the Jefferson County Land Development Department and deemed a nuisance in order for assistance to be considered.

A lien will be placed on the property in an amount equal to the cost of the demolition activity.

The Jefferson County Inspection Services Department will follow its standard procedures in determining properties that meet demolition eligibility and abide with all state and county regulations, as well as guidelines for carrying out the demolition process.

In some cases, the Community and Economic Development Department may work with the Jefferson County Health Department to determine if the home is a nuisance. In these cases, Community and Economic Development will make the Jefferson County Health

Department the sub-grantee and follow the Heath Department's guidelines for demolition.

For municipalities in Jefferson County impacted by the storm, the Community and Economic Development Department will make the city the sub-grantee and the local laws governing debris removal will be followed.

The maximum assistance available for demolition assistance is \$6,600.00

Public Facilities Assistance

Construction of public facilities will consist of building dual purpose community storm shelters in the areas impacted by the April 2011 tornado. As mentioned previously, Jefferson County is located in "tornado alley" and has experienced five (5) tornados since 1956. These tornados have ranged in capacity from EF-3 to EF-5.

Applications will be received from communities requesting this form of assistance and required to document the need for the facility.

The April 27, 2011 tornado caused millions of dollars of damage in Jefferson County and killed 21 persons. On January 23, 2012, another major tornado struck Jefferson County and killed two (2) persons.

The dual purpose community storm shelters will be built to FEMA standards in order to withstand high winds and provide a safe haven for the citizens in the impacted areas.

Public facilities will require a licensed architect, which will be procured by Request for Proposals (RFP) to design the facilities in accordance with FEMA standards, as well assist in bidding the project and construction management.

The average estimate of funds available for public facilities is \$800,000.00.

Infrastructure Assistance

Infrastructure under the CDBG-DR program is defined as storm drainage improvements. The April 2011 tornado damaged storm drainage facilities and ditches, which is negatively impacting the flow of storm water.

Impacted communities will complete an application for assistance.

Storm drainage projects will consist of a professional engineering firm being procured by RFP process for design and construction management.

The average amount of assistance for infrastructure is \$777,900.00.

Non-Housing Rehabilitation Assistance

Non-Housing Rehabilitation is defined as a non housing facility that was damaged by the April 2011 tornado needing rehabilitating assistance.

The applicant applying for this assistance will have to document it has a 501 (c) (3) status from the IRS, as well as document an unmet need as it relates to the April 2011 storm impacting the facility.

The facility will be inspected by Community and Economic Development's Housing Rehabilitation Specialist. The inspection will lead to a work write-up of rehabilitation work, which will be bid to licensed building contractors.

The maximum amount of assistance for non-housing rehabilitation assistance is \$25,000.00.

Planning and Coordination

The Jefferson County Department of Community and Economic Development staff will coordinate with the Jefferson County Land Development and Planning Department to promote the long term recovery effort by a post disaster evaluation of hazard risk, especially land-use decisions that reflect responsible flood plain management.

Proposed Disbursement of CDBG-DR Funds

Jefferson County CDBG-DR	\$ 5,073,652.00
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Proposed Amended Disaster Action Plan

Proposed Project	Number Cases	Maximum Grant
Total		
1. Housing Rehabilitation	30	\$ 35,000.00
2. Safe Rooms	3	25,000.00
3. Home Purchase	1	80,000.00
4. Demolition & Debris Removal	20	6,666.00
5. Infrastructure (Drainage)	2	777,900.00
Public Facilities	3	800,000.00
6. Non-Housing Rehabilitation	1	25,000.00
7. Contingency		238,122.00
8. Program Delivery		95,249.00
9. Administration		\$ 199,061.00
	Total	\$5,073,652.00

The Jefferson County Community and Economic Development staff proposes to achieve reserving 50% of its CDBG-DR funds for low and moderate income beneficiaries by the method presented below:

- 1. One hundred percent (\$1,050,000.00) of the beneficiaries receiving housing assistance will be at 80% of Median Household Income or below.**
- 2. Twenty six percent (\$1,600,000.00) of the CDBG Disaster funds for public facilities are estimated to benefit communities that are at 80% of Median Household Income. The remaining public facility will meet the national objective of urgent need.**
- 3. Infrastructure (\$777,900.00) will benefit 90% or \$661,215.00 of persons at 80% of Median Household Income. The remaining 10% of the infrastructure funds will meet the national objective of urgent need.**
- 4. The purchase of the home (\$80,000.00) will benefit a low and moderate income person.**
- 5. The \$25,000.00 non housing rehabilitation is proposed to benefit a community that is at 80% of Median Household Income.**
- 6. Fifty percent (\$47,625.00) of the contingency funds will be used to benefit activities serving persons at 80% of Median Household Income.**

The total estimated amount of CDBG-DR funds to benefit persons at 80% of Median Household Income or lower is \$3,463,840.00.00 or 68.27% of the disaster funds.

III. CDBG-DR LEVERAGE

The Community and Economic Development Department plans to leverage its CDBG-DR funds with two (2) programs. First, the CDBG-DR funds will be leveraged with the FEMA Hazard Mitigation Grant funds for two (2) dual purpose community storm shelters. These public facilities include the North Smithfield and Concord dual purpose community storm shelters proposed to be constructed.

In addition, the Community and Economic Development department proposed to leverage its CDBG-DR funds with private funds received by the Central Alabama Long Term Recovery Committee (CALTRC) in the area of housing.

Should we receive housing assistance requests that exceed the amount of funds we have available, we will present the applicant unmet need for assistance to CALTRC.

IV. PROTECTION OF PEOPLE AND PROPERTY CONSTRUCTION METHODS

Owner Occupied Housing Rehabilitation

Each site will be inspected by a Senior Housing Rehabilitation Specialist to determine the scope of work needed to make the home comply with current International Code Council (ICC) codes, along with all governing Federal and State standards and guidelines. The inspection will cover areas of structural strength, means of egress, sanitation, adequate lighting and ventilation, accessibility, energy conservation, and life safety. In the event of conflict between agency or organization standards, the most stringent will be applied.

Homes that were built before 1978 will receive lead based paint (LBP) testing using a Niton XRF analyzer, Model XLP303A on surfaces that will be disturbed. If test results are positive a thorough risk hazard assessment will be performed. The senior housing rehabilitation staff at Jefferson County's Office of Community and Economic Development are certified and accredited by the Alabama Department of Public Health as Designers, Risk Assessors, and Inspectors. Contractors that perform lead abatement through this office are required to be on the State's list of "Certified Firms". All contractors not performing abatement activities but working on pre 1978 homes are required to have training and certification in the EPA's Renovation, Repair and Painting Rule (RRP).

After a thorough inspection of the property, the senior housing rehabilitation specialists will generate a work write-up incorporating the 2009 International Residential Code (IRC) to achieve the latest high quality standards for construction. Several municipalities' inspection services have not adopted the 2009 IRC but inspections by the senior housing rehabilitation specialists will enforce the specifications of the write-up as it is incorporated in the contract for repairs.

In homes that require HVAC, windows, doors, lighting, or insulation replacement and upgrades, Energy Star[®] guidelines along with the ICC's Energy Conservation Code (IECC) will be incorporated into each repair specification and write-up.

Indoor air quality is an important component of every home. Homes that are found to have mold or mildew will be addressed using repair recommendations that identify the sources of moisture, poor construction, inadequate ventilation, or other problems and correct them. The ICC's Property Maintenance Code (IPMC) along with the EPA's guidelines for Mold Remediation will be incorporated and high quality construction methods and materials such as mildew resistant drywall will be used.

Homes that require Safe Rooms will receive assistance in full compliance with ICC-500 when constructed as safe rooms within buildings or as an addition for the purpose of providing safe refuge from storms that produce high winds, such as tornados. In addition to other applicable requirements in this code, storm shelters and safe rooms shall be constructed in accordance to National Storm Shelter Association (NSSA) and FEMA 320

and FEMA 360 guidelines. These are also built in accordance with ANSI A-117-09 and the 2010 ADAG guidelines for accessibility.

Green Building Retrofitting

The Jefferson County Community and Economic Development Housing staff will assure all HVAC, doors, windows, and plumbing fixtures, insulation and appliances will meet the Energy Star guidelines

New Construction Homes and Buildings

Plans, drawings, and specifications for new homes, buildings, and community storm shelters must conform to 2009 ICC Building Codes (IBC) and 2009 IRC. Codes and standards referenced in housing rehabilitation such as Energy Star[®] guidelines along with the ICC, ANSI A-117.1-09 and the 2010 ADAG guidelines.

For plans, designs, and specifications to meet approval, they must incorporate sound structural design, durable building materials, high wind resistant fastener systems, fire resistance, proper safety glass and glazing techniques for high wind regions, and high wind resistant roof systems for durability.

All construction work shall be subject to inspection by the governing jurisdiction's inspection services department and Community Development's senior housing rehabilitation specialist.

In addition to applicable to the construction requirements listed above, architects, engineers, etc. for design of infrastructure, public facilities and non-housing projects must include and pay particular attention that the projects will promote sound, sustainable long-term recovery by conducting a post-disaster evaluation of hazard risk with special emphasis on land use decisions that reflect responsible flood plain management. Also to be included during design is technical specifications that encourage construction methods that emphasize high quality, durability, energy efficiency, sustainability, and mold resistance. Prior to construction, assigned project managers will ensure that all Environmental requirements have been met, fully documented and recorded.

Dual Purpose Storm Shelters

The dual purpose storm shelters will be built to FEMA 361 standards.

V. HOUSING INITIATIVES

Response:

Jefferson County, Alabama was not impacted by floods or rising waters. The area was declared a disaster based upon tornados and high winds. Jefferson County through its Office of Community & Economic Development will only provide assistance to properties located outside of a flood hazard area (Flood Zone X) as verified by a flood data service.

Homeless Prevention

In order to ensure that those individuals impacted by the storm do not become homeless the County will look to its HUD approved 2010-2015 Consolidated Plan and its current Action Plan to implement transitional housing for individuals who have been displaced by the storms.

Housing and Services for Transition to Permanent Housing and Independent Living: The County anticipates that it will support applications for funding during the duration of this CDBG-Disaster Recovery Grant by other entities. The County will particularly support those applications by other entities for programs to benefit the referenced homeless sub-populations. Housing and services for transition to permanent housing and independent living will continue to be provided to homeless and homeless subpopulations. Efforts will be made to increase the time that homeless individuals remain in permanent housing and to encourage more individuals to move to from transitional to permanent housing. Many organizations that provide these services are funded by various Action Plan Programs (CDBG and ESG for example).

Assistance for Preventing Low-Income Individuals and Families with Children (especially those with incomes below 30 percent of median) from Becoming Homeless: The County plans to provide assistance to low and very low income homeowners in order to rehabilitate structures classified as substandard. The program will provide affordable housing assistance to low and very low income households who otherwise could become homeless. The County anticipates that it will also support applications for funding during the duration of this CDBG-Disaster Recovery Grant by other entities that provide services to prevent low-income households from becoming homeless. Several organizations that provide these services are funded by various Action Plan Programs (CDBG and ESG for example).

Assistance to address the special needs of persons who are not homeless identified in accordance with 24 CFR 91.215(e). The County anticipates that it will support applications for funding during the duration of this CDBG-Disaster Recovery Grant by other entities to provide assistance to the County's special needs population by increasing the availability of housing for the disabled (mental, physical, and developmental) and to increase the availability of housing for the low-income elderly and frail elderly, persons with alcohol or other drug addiction, persons with HIV/AIDS and their families, and public housing residents. Several organizations that provide

these services are funded by various Action Plan Programs (CDBG and ESG for example).

VI. DISPLACEMENT

Jefferson County will make every effort to minimize displacement of persons or entities and assist any persons or entities displaced in accordance with the Uniform Anti-Displacement and Relocation Act and local policy. Jefferson County will assist those displaced through the following activities:

(a) Housing Rehabilitation:

Jefferson County will offer housing rehabilitation assistance to homeowners impacted by the storm that have needs not met by hazard insurance, FEMA payments, SBA or other sources. The completion of remaining repairs will allow them to stay in their homes rather than seek alternate housing.

(b) Home Rebuilding:

Homeowners whose homes were completely destroyed or damaged beyond repair will be offered assistance in rebuilding their home on their lot. If a safe room is built in the home it will meet the standards of ICC/NSSA- 500. For example, those that were underinsured may not have the ability to replace their home with insurance proceeds, FEMA payments, SBA or other funding available. Temporary relocation assistance will be provided for persons residing in these homes.

(c) Safe Rooms:

Safe Rooms will be constructed in existing homes by reinforcing part of the structure to withstand high winds. Homeowners receiving housing rehabilitation assistance impacted by tornados that no longer feel safe in their homes will be offered assistance with construction of a safe room to allow them to stay in their home rather than relocate to another community. The safe room will be built to standard ICC/NSSA- 500.

VII. PROGRAM INCOME

Program income will be generated from loan repayments from home owners who had financing for new construction. The loans will be amortized not to exceed 30 years and the proceeds will be treated as program income. The program income will be used for eligible CDBG-DR expenditures and upon completion of the CDBG-DR grant program income will be used for eligible CDBG expenditures. Program income will be utilized before drawing grant funds.

VIII. ASSURING NO DUPLICATION OF BENEFITS

Jefferson County Community and Economic Development staff will attempt to gain access to CAN or the Coordinated Assistance Network system in order to receive information on resources prospective beneficiaries of the county's CDBG-DR funds has received such as insurance, FEMA, SBA and other resources.

If access cannot be gained to the Can system, the Jefferson County Community and Economic Development staff will collaborate with the Alabama Rural Coalition for the Homeless (ARCH), who is one (1) of the Long Term Recovery organizations providing case management for victims of the April 27, 2011 tornado and has access to the CAN system.

Upon receipt of the ARCH (CoC) Disaster Case Management CAN-Release of Information (ROI) form, ARCH will provide Jefferson County Community and Economic Development staff payments prospective beneficiaries have received from insurance, FEMA, SBA and other sources of funds.

Having access to the resource mentioned above will allow staff to assure there is no duplication of benefits from persons receiving assistance from Jefferson County's CDBG-DR program.

IX. MONITORING

All those receiving housing assistance will be required to provide proof on income eligibility and where applicable, ownership of the property.

Jefferson County has an Auditor on staff that performs financial monitoring of all subrecipient contracts for financial compliance. The program staff also performs monitoring of all contracts to ensure that the program requirements are met. Should any issues arise during these monitoring, actions will be taken to resolve documentation error and if the issue is not able to be resolved, funding will be reduced accordingly.

Only expenditures that are eligible CDBG activities, address disaster-related needs directly related to the approved natural disaster, and meet at least one (1) of the national CDBG objectives will be funded. The Jefferson County staff will review all invoices with the appropriate supporting documentation before issue payments. Inspections will also be performed before final payments are released.

Jefferson County will take appropriate action in all instances of noncompliance, fraud, and mismanagement including, but not limited to, disallowing ineligible costs, terminating contracts/agreements, and requiring repayment of funds.

Any non-housing projects involving new construction or rehabilitation of public facilities/infrastructure must provide proof of insurance and ownership to the Jefferson County Office of Community & Economic Development. The owner must also provide

proof of any assistance previously provided through private hazard insurance, FEMA payments, SBA assistance or other sources for documentation against unduplicated benefits.

Quality Assurance and Investigation

Jefferson County will monitor contractors and subrecipients on a regular basis to ensure quality assurance. Unannounced inspections and visits will be performed routinely. Any entity administering CDBG Disaster Recovery funding will be monitored not less than once during the contract period. The monitoring will address program compliance with contract provisions, including national objectives, financial management, and the requirements of 24 CFR Part 58. 13.

Jefferson County will initiate an investigation through an independent party if there is reasonable cause to believe that funds received through the CDBG Disaster Recovery Grant has been misappropriated or misused, or that other fraudulent or unlawful conduct has occurred in relation to the operation of the contractual award.

Infrastructure/Public Facilities

All infrastructure and public facilities under construction will be monitored no less than once per week by the staff of the Jefferson County Office of Community & Economic Development to ensure compliance with all federal, state, and local regulations to include applicable Davis-Bacon requirements.

X. FRAUD PREVENTION

Jefferson County is committed to compliance with all applicable federal regulations including OMB Circulars A-87, A-133, and 24 CFR Part 85. Jefferson County will emphasize prevention of fraud, abuse and mismanagement related to accounting, procurement, and accountability which may also be investigated. Jefferson County staff will monitor compliance related to applicants and contractors. The HUD Field Office will also monitor Jefferson County to ensure compliance.

Jefferson County will engage an independent Certified Public Accountant firm to conduct an audit of the CDBG Disaster Recovery program under the "Single Audit" requirements of A-133. Any findings or concerns will be reported directly to the Jefferson County Commission President.

XI. GRANT CAPACITY

The staff of Jefferson County Community and Economic Department has many years of experience managing HUD CDBG funds. More, specifically the staff has extensive experience in complying with the NEPA regulations, procurement of professional services, bidding and contracting, Davis Bacon, financial management, DRGR system, IDIS, and project closeout.

Should HUD offer specific training relating to implementing the CDBG-DR funds, adequate staff will be in attendance.

XII. Public Housing

There were no Public Housing units, HUD assistant Housing, or Housing for the Homeless impacted by the April 27, 2011 tornado in areas impacted in the Jefferson County Consortium.

XIII. Disaster-Resistant Housing

Jefferson County will encourage the provision of housing for all groups including transitional housing; low-income individual with children who may be in danger of becoming homeless; special needs person needing supportive housing.

Planning for unmet needs has occurred in all of the impacted areas to include all citizens regardless of racial, ethnic, or gender with an emphasis being placed on serving lower income persons.

XIV. Description of Programs/Activities

The Community and Economic Development staff will provide the administration for the CDBG-DR funds. Professional services for implementing the construction project will be carried out in compliance with the state bid law. Moreover, the construction project will be bid in accordance with state and federal regulations.

The housing rehabilitation cases will be overseen by the Housing division, which will include environmental assessment, work write ups, assisting in the bidding of the housing cases, and inspection during construction to assure all applicable housing codes are met for the safety of the homeowner.

At this point the Department of Community and Economic Development does not plan to use sub-recipients for project identified in the plan.

XV. Unmet Needs Not Yet Addressed

Jefferson County Community and Development Department staff has identified has identified unmet needs by areas impacted by the April 27, 2011 tornado. However, there is not enough funding to address all of the needs identified. Therefore, if additional disaster funds become available, we will continue to address activities not address by a

lack of funding. Furthermore, we will attempt to address areas impacted in the storm with our regular CDBG funds.

2) Infrastructure/Public Facilities

Year 2

- 1 Infrastructure Project Completed
- 3 Public Facilities Completed
- 20 Cases of Debris Removal 100% Completed
- 1 Non-Housing Rehabilitation 100% Completed

3) Administration

Jefferson County will use the maximum 5% of the award for administrative activities.

XVIII. CITIZENS' PARTICIPATION

Citizens' Participation played an integral part in the development of this proposed CDBG-DR Action Plan as the Community & Economic Development staff held meetings in each affected area to determine the level of unmet needs still existing after all other resources had been exhausted.

The Final Amended Statement for the CDBG-DR Grant will be developed after receiving citizen comments and views during the 7-day comment period and also at a public hearing to be held on August 28, 2013 at 2:00 p.m. at the Jefferson County Office of Community & Economic Development 716 Richard Arrington Jr. Blvd. North, Suite A-440, Birmingham, Alabama, 35203. The Public Hearing will notify interested persons of the proposed activities for CDBG-DR as contained in this CDBG-DR Action Plan.

Written comments regarding the proposed plan must be received prior to 5:00 PM on August 29, 2013. Written comments should be submitted via U.S. Postal Service to the following:

Proposed CDBG-Disaster Recovery
Jefferson County Office of Community & Economic Development
716 Richard Arrington Jr Blvd N, Ste. A-430
Birmingham, AL 35203
Attn: Frederick L. Hamilton

Or

Written comments can also be submitted prior to 5:00 PM on July August 29, 2013 by electronic submission to the following: To: hamiltonf@jccal.org, Subject: CDBG-DR Comments.

Special accommodations can be made available, upon request, for those with disabilities. Those needing special accommodations should contact the office at 205-325-5761 in advance.

AVAILABILITY OF THE PROPOSED CDBG-DR ACTION PLAN

Copies of this plan are available for review at the Jefferson County Office of Community & Economic Development, 716 Richard Arrington Jr. Blvd. North – Suite A430, Birmingham, AL 35203, by calling 325-5761, and online at <http://jeffconline.jccal.org/comdev/home/Home.html> in English and in Spanish. Arrangements can also be made available upon request to meet the Special Needs Requirements of those with disabilities and those who would like to request the proposed plan in other languages.

Any comments or views received during the 7-day comment period will be included prior to submittal to the U.S. Department of Housing and Urban Development. Jefferson County will also provide to HUD a written explanation of any comments not accepted along with a reason why those comments were not accepted.

Complaints

Jefferson County will accept complaints and criticisms on the CDBG-DR Action Plan, amendments and the Performance Report at any time. The County will respond to any written citizen complaint within 15 working days from the time of receipt. The procedure for responding to criticisms of the program will be handled as follows:

Complaints and grievances may be filed by any individual or group, a municipality, the County Commission, the Office of Community Development, the U.S. Department of Housing & Urban Development's Area Office, and any agency of the Federal Government, any member of Congress, or the Office of the President. Regardless of the origin of the complaint, or the first point of filing, it shall be reduced to writing, then based upon origin, it will be returned to the local government having direct jurisdiction.

If the complaint is based on a matter involving the Jefferson County CDBG-DR Program or other Consolidated/Action Plan programs, the Office of Community Development, must be notified, and will coordinate the local review and possible resolution of the complaint or grievance. Upon notification, the Office will insure that a complete and accurate response is made to the complainant within fifteen (15) days to discuss the matter. The major responsibility of the Office is to determine the functional and legal origins of the complaint, to address the validity of each, and to verify the geographical origin.

Complaints arising in municipalities in the Consortium, and particularly those which involve direct concern with municipal policy or administration shall be initially handled at the municipal level, with the assistance of the Office of Community Development. Should the complaints not be resolved at that level, the matter shall be referred to the County Commission. A complete record of correspondence, meetings, and research information shall be forwarded to the Commission upon referral. It shall not be the policy of the Office of Community Development to deal with complaints without the knowledge and direct involvement of local elected officials having jurisdiction, but the Office will provide staff support and technical assistance during the local review in a city or in the County.

If, after review and investigation at each level, the complainant is not satisfied with the outcome or does not voluntarily withdraw the complaint, he or she may proceed to the next level or other forms of relief.

Internal Complaint Procedure

All complainants shall be directed to the office of the Director of Jefferson County's Office of Community & Economic Development. The Director's office will direct the complaint to the appropriate division or office. The appropriate office shall respond to the complaint and notification shall be sent to the Director's Office that shall include a copy of the response.

Written complaints should be submitted to the following:

CDBG-DR Complaint

Jefferson County Office of Community & Economic Development

716 Richard Arrington Jr Blvd N, Ste. A-430

Birmingham, AL 35203

Attn: Frederick L. Hamilton

Amendments to the CDBG-DR Action Plan

As the program for CDBG-DR progresses Jefferson County may be required to make substantial changes to this CDBG-DR Action Plan. If any substantial changes are needed such as the addition or deletion of activities, changes in eligibility requirements, grant funding, or to shift money in excess of 25% of allocations, Jefferson County will prepare a Substantial Amendment to the CDBG-DR Action Plan and follow the required Citizens' Participation process to provide for a reasonable public notice, review, and comment on the proposed changes prior to submittal to HUD.

XIX. CERTIFICATIONS

Certifications

The Jefferson County Commission (grantee) certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within its jurisdiction and take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this. In addition, the grantee certifies that agreements with sub-recipients will meet all civil rights related requirements pursuant to 24 CFR 570.503(b)(5).

The Jefferson County Commission certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.

The Jefferson County Commission certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.

The Jefferson County Commission certifies that the Action Plan for Disaster Recovery is authorized under State and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.

The Jefferson County Commission certifies that activities to be administered with funds under this Notice are consistent with its Action Plan.

The Jefferson County Commission certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this Notice.

The Jefferson County Commission certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

The Jefferson County Commission certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant).

The Jefferson County Commission certifies that it is complying with each of the following criteria:

(1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in the aftermath of Hurricane Sandy, pursuant to the Stafford Act.

(2) With respect to activities expected to be assisted with CDBG-DR funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families.

(3) The aggregate use of CDBG-DR funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the grant amount is expended for activities that benefit such persons.

(4) The grantee will not attempt to recover any capital costs of public improvements assisted with CDBG-DR grant funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless: (a) disaster recovery grant funds are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (b) for purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient CDBG funds (in any form) to comply with the requirements of clause (a).

The Jefferson County Commission certifies that it (and any sub-recipient or recipient)) will conduct and carry out the grant 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.

The Jefferson County Commission certifies that it has adopted and is enforcing the following policies.

- (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- (2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

The Jefferson County Commission will not use grant funds for any activity in an area delineated as a special flood hazard area or equivalent in FEMA's most recent and current data source unless it also ensures that the action is designed or modified to minimize harm to or within the floodplain in accordance with Executive Order 11988 and 24 CFR part 55.

The Jefferson County Commission certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.

The Jefferson County Commission certifies that it will comply with applicable laws.

The Jefferson County Commission certifies that it has reviewed the requirements of this Notice and requirements of Public Law 113-2 applicable to funds allocated by this Notice, and that it has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Stafford Act, to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds.

W. D. Carrington, Commission President

Date