

# **Du Page County, Illinois**

## **Action Plan for CDBG Disaster Recovery Funds**

Public Law 113-2

March 4, 2014



**Executive Summary and Citizen Participation**

DuPage County, Illinois is required to publish an Action Plan for the purpose of receiving a Community Development Block Grant-Disaster Recovery Grant (CDBG-DR) in the amount of \$7,000,000 in accordance with the Disaster Relief Appropriations Act, 2013 (Public Law 113-2). This grant is being made available through the U.S. Department of Housing and Urban Development (HUD) to assist disaster recovery efforts in response to declared major disasters occurring in DuPage County in 2013. These funds can be used only for specific disaster recovery-related purposes. The HUD guidance for the funding was published December 16, 2013 in the Federal Register as Docket No. FR-5696-N-07 (the “Notice”) with an effective date of December 23, 2013.

This Action Plan identifies the proposed uses of the allocation, including criteria for eligibility, and how the uses address long-term recovery needs. The regulations require that this Action Plan include a single chart or table that illustrates, at the most practical level, how all funds programmed by this Action Plan are budgeted. The following table fulfills this requirement:

| <b>Activity Summary Table</b>  |                     |
|--|---------------------|
| <b>Activity</b>  | <b>Total Budget</b> |
| Administration   | 350,000             |
| Planning   | 140,000             |
| Strategic Buy-Out Program  | 2,700,000           |
| Rehabilitation/Mold Remediation  | 300,000             |
| Municipal Match Activity   | 500,000             |
| Klein Creek Watershed Flood Control Plan/Armstrong Park Facility   | 3,010,000           |
| <b>TOTAL</b>   | <b>\$7,000,000</b>  |
| Initial funding requested (such funding to be spread among these activities until funding is expended; additional obligation(s) of funds will be requested until the total grant of \$7,000,000 is obligated and expended) | \$1,500,000         |

In accordance with the DuPage County Community Services Language Access Plan, it has been determined that this Executive Summary is a vital document and it will be translated into Spanish and posted with the English version of the Executive Summary. The activities in the above table that will be made available to individual persons and households are the Strategic Buy-Out Program and Rehabilitation/Mold Remediation. When materials are made available to the public about these programs, the materials will be available in English and Spanish.

Through this Action Plan, DuPage County is requesting an initial obligation of \$1,500,000. Funds must be expended within two years of obligation. DuPage County will be requesting further obligation of funds by substantial amendment(s) to this Action Plan as disaster recovery progresses. The final amendment must be submitted by June 1, 2017 and all funds must be

expended by September 29, 2019 or within two years of HUD's obligation of the final funds, whichever is sooner.

DuPage County will use this Action Plan to guide the distribution of the grant funds toward meeting the recovery of housing, infrastructure and economic effects of the declared disaster. This Action Plan has been designed to be consistent with the primary objective of providing funds for local projects with activities that meet one of the following national objectives of the Housing and Community Development Act of 1974, as amended: benefit to low/moderate income persons; slums or blight; urgent needs. At least fifty percent (50%) of the CDBG-DR grant award must be used for activities that benefit low- and moderate income persons.

This Action Plan must be submitted to HUD within 90 days of the effective date of the Notice, which date is March 22, 2014.

#### Citizen Participation:

This proposed Action Plan will be submitted for public comment to the website at [www.dupageco.org](http://www.dupageco.org) (link to CDBG-DR on the left) or directly accessed at <http://www.dupageco.org/cdbg-dr/> on February 13, 2014, with the public comment period ending on February 21, 2014. A link to the Action Plan will also be e-mailed to all municipal members of the DuPage Community Development Commission, all persons/entities that have indicated an interest in DuPage County community development activities, and members of the DuPage County Continuum of Care. The Executive Summary will be available in both English and Spanish.

To ask questions, comment on the Action Plan or an amendment, make a complaint, request a paper copy of a document, request additional language assistance, or to request an accommodation for disabilities:

Call: 630-407-6706  
TDD (Hearing Impaired): 630-407-6502  
Fax: 630-407-6702

E-mail: [mary.mitros@dupageco.org](mailto:mary.mitros@dupageco.org)

Mail a comment or request or visit office in person:

Mary Mitros  
Stormwater Management  
DuPage County Government  
421 N. County Farm Road  
Wheaton, IL 60187

## 1) Impact and Unmet Needs Assessment

A needs assessment to understand the type and location of community needs was conducted so that limited resources can be targeted to areas with the greatest need. Three core aspects of recovery were evaluated: housing, infrastructure and economic development. The needs assessment was conducted through: review of Disaster Impact Assessment Forms submitted to the Illinois Emergency Management Agency and follow-up; surveying providers of affordable housing on the mailing list of the DuPage County Community Development Commission; surveying members of the DuPage County Continuum of Care; consultation with the Red Cross; discussion with the Community Development Commission; consultation with DuPage County Community Development; consultation with DuPage County Stormwater; and consultation with the DuPage County Office of Emergency Management.

Appendix 1 summarizes the overall housing needs, infrastructure needs, and economic impact of the flooding event as reported by municipalities and the County. Appendix 2 summarizes the surveys received from the Continuum of Care members and affordable housing providers and also notes which projects are HUD-assisted or McKinney-Vento funded.

**Housing needs:** Information on the following types of housing was obtained:

- Emergency shelters (Appendix 2)
- Interim and Permanent (Appendix 1 and Appendix 2)
- Owner and Rental (Appendix 1 and Appendix 2)
- Single family and multi-family (Appendix 1 and Appendix 2)
- Public – DuPage County has no public housing
- Housing for tenants utilizing Housing Choice Vouchers
- HUD-assisted (Appendix 2)
- Affordable (Appendix 2)
- Market rate (Appendix 1)

Providers of specific emergency shelters, interim housing, permanent supportive housing, affordable rental housing and HUD-assisted housing reported minimal impact from the flooding event and no indication of any impediment to recovery or unmet need. DuPage County has no public housing. As far as tenants utilizing Housing Choice Vouchers, the DuPage Housing Authority reports temporary impact at one apartment complex in the Village of Lisle, but no ongoing unmet need. (Data Source: e-mail survey)

Appendix 1 indicates much impact of market rate single family owner occupied housing and some temporary impact to rental housing. Municipalities that indicated event impact of more than 400 residences are summarized as follows (Data Source: Individual Assistance forms completed at the time of the flood event by each municipality and DuPage County):

| <b>Municipality</b> | <b>Owner Housing</b> | <b>Rental Housing</b>          |
|---------------------|----------------------|--------------------------------|
| Downers Grove       | 1062                 |                                |
| Elmhurst            | 979                  |                                |
| Lombard             | 863                  |                                |
| Wheaton             | 772                  |                                |
| Naperville          | 652                  |                                |
| Lisle               | 403                  | 3 large multi-family buildings |

A demographic analysis of the most impacted neighborhoods in each of the above municipalities follows. This impact is described by census tract, which is the lowest geographical level practicable. (Data Sources: 2010 Census and 2012 American Community Survey)

| <b>Tract</b>          | <b>Resident Analysis</b>  | <b>Housing Analysis</b>  | <b>Disability Analysis</b> | <b>Potential Special Need</b>  |
|-----------------------|---|--|----------------------------|--|
| Downers Grove 8448.01 | Small minority population (1.3% African American; 2.5% Asian; 5.4% identified as Hispanic); 11% over 65 years of age; \$86,033 median income    | 82% owner occupied; 94% single family detached; median home value of \$357,400   | 6.6%                       | High percentage of detached owner-occupied – owners may need mold remediation assistance   |
| Downers Grove 8448.02 | Small minority population (1.6% African American; 3% Asian; 4.8% identified as Hispanic); 18% over 65 years of age; \$80,181 median income      | 80% owner occupied; 53% single family detached; median home value of \$300,400   | 10%                        | Data suggests an older, more disabled population living in multi-family buildings (high homeownership would suggest condominiums); but no special need identified – elderly may need recovery assistance |
| Downers Grove 8449.01 | Small minority population (1.9% African American; 3.7% Asian; 4.8% identified as Hispanic); 11.4% over 65 years of age; \$81,827 median income  | 57% owner occupied; 56% single family detached; median home value of \$374,100   | 8.3%                       | Data suggests a high percentage of this census tract is composed of renters in multi-unit buildings; but no special need identified. No multi-family reported as having special needs.                   |
| Downers Grove 8449.02 | Small minority population (1.3% African American; 2.5% Asian; 2.1% identified as Hispanic); 17.8% over 65 years of age; \$106,952 median income | 67% owner occupied; 73.5% single family detached; median home value of \$537,500 | 10%                        | Older population – elderly may need recovery assistance  |
| Downers Grove 8456.02 | Small minority population (2.5% African American; 3.7% Asian; 4.1% identified as Hispanic); 12.8% over 65 years of age; \$72,976 median income  | 66% owner occupied; 64.6% single family detached; median home value of \$330,300 | 6.4%                       | Lower median income – owners may need recovery (mold remediation) assistance   |

| <b>Tract</b>   | <b>Resident Analysis</b>  | <b>Housing Analysis</b>   | <b>Disability Analysis</b> | <b>Potential Special Need</b>   |
|--|---|---|----------------------------|---|
| Elmhurst – affected census tracts have similar demographics – using tract average (8428, 8429, 8440.01, 8440.02, 8441) | Extremely small minority population (<1% African America; 5% Asian; 4.5% identified as Hispanic); 12.9% over 65 years of age; \$110,187 median income                                       | 81% owner occupied; 81% single family detached; median home value \$435,120                             | 5%                         | No specific special need identified.  |
| Lombard 8435   | Extremely small minority population (<1% African American; 1.7% Asian; 2.7% American Indian/Alaska Native; 2.3% identified as Hispanic); 12.5% over 65 years of age; \$57,200 median income | 68% owner occupied; 56.7% single family detached; significant multi-family; median home value \$245,600 | 13.5%                      | No specific special need identified.  |
| Lombard 8436.01  | Minority population of 1% African American; <1% Asian; 15% identified as Hispanic); 10.7 over 65 years of age; \$71,000 median income   | 68.8% owner occupied; 78% single family detached; median home value \$276,000                           | 8.4%                       | May need more language assistance resources in this area.                           |
| Lombard 8436.02  | Minority population of 1% African American; <1% Asian; 1.8% American Indian/Alaska Native; 6% identified as Hispanic; 11.3 over 65 years of age; \$76,308 median income                     | 87.7% owner occupied; 91.6% single family detached; median home value \$265,500                         | 8.7%                       | No specific special needs identified.   |
| Lombard 8442.01  | Minority population of 4.5% African American; 6.7% Asian; 1.2% American Indian/Alaska Native; 10% identified as Hispanic; 11.1% over 65 years of age; \$73,351 median income                | 77.6% owner occupied; 77.7% single family detached; median home value \$243,800                         | 12.5%                      | No specific special needs identified.   |
| Lombard 8442.02  | Minority population of <1% African American; 10% Asian; 1.7% American Indian/Alaska Native; 2.7% identified as Hispanic; 14.8% over 65 years of age; \$86,583 median income                 | 91% owner occupied; nearly 100% single family detached; median home value \$300,400                     | 10.1%                      | No specific special needs identified.   |
| Wheaton 8426.04  | Minority population of 9.8% African American; 4% Asian; 6.3% identified as Hispanic; 27% over 65 years of age; \$73,160 median income   | 71% owner occupied; 34% single family detached (22% townhouse); median home value \$307,200             | 6.6%                       | Area with multi-family and senior development. No specific special need identified. |

| <b>Tract</b>          | <b>Resident Analysis</b>   | <b>Housing Analysis</b>   | <b>Disability Analysis</b> | <b>Potential Special Need</b>   |
|-----------------------|--|---|----------------------------|---|
| Wheaton<br>8426.05    | Minority population of 1.5% African American; 7.3% Asian; 2.8% identified as Hispanic; 12.6% over 65 years of age; \$83,167 median income          | 83% owner occupied; 74% single family detached; median home value \$307,200         | 6.6%                       | No specific special need identified.  |
| Naperville<br>8464.04 | Minority population of 12.6% African American; 8.4% Asian; 7.5% identified as Hispanic); 14.2% over 65 years of age; \$53,333 median income        | 49% owner occupied; 29% single family detached; median home value \$245,500         | 14.2%                      | Lower median income – owners may need recovery (mold remediation) assistance; may need more language assistance resources in this area. High minority concentration may be due to large multi-family complexes in this census tract; no reports of additional assistance needed from these housing units. |
| Naperville<br>8464.05 | Minority population of 5% African American; 19% Asian; 3% identified as Hispanic); 16.3% over 65 years of age; \$99,063 median income              | 75% owner occupied; 61% single family detached; median home value \$506,700         | 16.3%                      | Higher % reporting disabilities – owners may need recovery (mold remediation) assistance.   |
| Naperville<br>8465.23 | Extremely small minority population (<1% African America; <1% Asian; 6% identified as Hispanic); 11% over 65 years of age; \$118,804 median income | 88% owner occupied; nearly 100% single family detached; median home value \$364,200 | 3%                         | May need more language assistance resources in this area.   |
| Lisle 8460.04         | Minority population of 7.3% African American; 10% Asian; 8% identified as Hispanic. 26% over 65 years of age; \$45,270 median income               | 40% owner occupied; 34% single family detached; median home value of \$254,900      | 21.9%                      | Very low income median income and high numbers reporting disability – owners may need recovery (mold remediation) assistance; may need more language assistance resources in this area.   |

**Infrastructure needs:** Many municipalities reported flooding of roads and temporary failure of storm drainage and sanitary systems. Some also stated the financial impacts of clean-up and repair as being a potential impediment to recovery. Municipalities and DuPage County reported the following damage estimates to critical infrastructure after the flood event (Data Source: Illinois Emergency management Agency Initial Damage Assessment Cost Tabulation forms):

| <b>Municipality/ County</b>    | <b>Road/Bridge Systems</b> | <b>Water Control Facilities</b> | <b>Buildings and Equipment</b> | <b>Utility Systems</b> |
|--------------------------------|----------------------------|---------------------------------|--------------------------------|------------------------|
| Addison                        |                            | \$15,300                        | \$6,885                        | \$8,000                |
| Bloomington                    |                            | \$67,500                        |                                | \$28,500               |
| Clarendon Hills                | \$225,000                  |                                 |                                |                        |
| Downers Grove                  | \$24,000                   |                                 | \$30,000                       | \$5,000                |
| DuPage County                  |                            | \$158,779                       | \$619,601                      |                        |
| Elmhurst                       | \$150,000                  |                                 | \$10,000                       | \$100,000              |
| Glen Ellyn                     |                            | \$37,500                        | \$6,000                        |                        |
| Glendale Heights               | \$7,000                    |                                 | \$3,000                        |                        |
| Lisle                          | \$66,018                   |                                 |                                | \$51,967               |
| Naperville                     | \$79,050                   | \$39,300                        | \$44,621                       | \$237,794              |
| Villa Park                     | \$90,000                   | \$20,000                        | \$25,890                       | \$40,000               |
| West Chicago                   |                            |                                 |                                | \$20,674               |
| Westmont                       | \$10,910                   |                                 | \$2,150                        |                        |
| Roselle                        |                            |                                 |                                | \$1,228                |
| Wheaton                        | \$2,187                    |                                 |                                |                        |
| Woodridge                      |                            |                                 | \$65,786                       |                        |
| <b>POTENTIAL DAMAGE TOTALS</b> | \$654,165                  | \$338,379                       | \$813,933                      | \$493,163              |

Three municipalities have also indicated an unmet need for specific mitigation projects for infrastructure impact that occurred not only during this event, but has been recurring in DuPage County over the last several years through any major storm event. These specific projects are (Data Sources: Illinois Emergency Management Agency Disaster Impact Assessment Forms, DuPage County Stormwater Management, and statements at Community Development Commission meeting):

| <b>Municipality</b> | <b>Infrastructure Impact</b>   | <b>Unmet Need</b>  |
|---------------------|--|--|
| Bloomingtondale     | Closure of major routes and several streets  | Repair of culvert on Springbrook; new culvert needed for Salt Creek (currently in DuPage County Watershed plan) \$650,000, plus associated permitting and design costs                       |
| Carol Stream        | 25 street segments closed  | Klein Creek Watershed and Flood Control Plan is slated for implementation – Armstrong Park Flood Control Project approximately \$3,000,000 plus \$8,000,000 in County bond and general funds |
| Winfield            | At the Community Development Commission meeting on 2/14/2014, representative of Winfield stated no specific infrastructure impact, but requested infrastructure be built to alleviate flooding | Winfield Creek Watershed Plan \$110,000  |

**Economic Development/Impact on Economy:** Only temporary business closures were reported. There has been no indication or reporting of ongoing impact on the business community or employment opportunities, nor any impediments to recovery noted. Therefore, since all impact appears to have been temporary with no unmet need, specific businesses (including the North American Industry Classification System code) are not listed in this plan.

**Various forms of assistance available to, or likely to be available to, affected communities** (including FEMA, SBA, private insurance): Some municipalities are currently participating with FEMA in buy out programs; one community has indicated a need for matching funds for that program. Although no municipality indicated a specific need for SBA loans or private insurance payment, with estimated infrastructure damage amounts of over \$2 million across the County, all resources are being investigated. DuPage County estimates a residual unmet need of \$300,000 - \$500,000 after other forms of assistance are exhausted. The second set of unmet needs which cannot be completed with FEMA, SBA or private insurance funds are the ongoing mitigation projects and resiliency measures needed to protect against future hazards. Three such projects are listed in the table above. The Klein Creek Watershed and Flood Control Plan/Armstrong Park Flood Control Project is the project that is ready to be done within the timeframe of the CDBG-DR grant funds and has an unmet need of at least \$3,000,000.

**Various forms of assistance available to, or likely to be available to, individuals** (including FEMA, SBA, private insurance): FEMA, SBA and private insurance were available to individuals. Municipalities have provided Individual Assistance forms listing the addresses of affected residential properties and indicating whether the occupant reports insurance or other resources. The Red Cross entered into a contract with FEMA to do case management of households impacted by the event. Twelve households in DuPage County followed through with

case management; eight cases were closed by the Red Cross and four cases were referred to DuPage Habitat for Humanity for assistance with repairs and/or mold remediation. On the surface, therefore, it would appear that there is little unmet need for individuals. However, in 2010 DuPage County received funds through the Illinois Disaster Assistance Program (IDAP) for 2008 flooding events and learned through outreach that there was much unreported unmet need, particularly among low-income and elderly households, for repair and mold remediation. DuPage County expended approximately \$200,000 on approximately 40 households with the IDAP funds after reviewing benefits already received to be sure there was no duplication of benefit. Therefore, DuPage County believes there is unmet need of at least \$300,000 and 60 households from the 2013 event.

**Consultation with local governments:** This was accomplished through outreach through the DuPage Community Development Commission members and review of Disaster Impact Assessment forms. In addition to posting this Action Plan on the DuPage County website, it will also be sent to the 27 municipal members of the DuPage Community Development Commission for review.

## **2) Connection Between Identified Unmet Needs and the Allocation of CDBG-DR Resources**

The needs assessment demonstrates that resources should be allocated to housing and infrastructure. DuPage County, therefore, proposes the following allocating funds to the following categories/activities with a nearly equal distribution between housing needs and infrastructure needs:

### **Housing needs:**

- **Rehabilitation/Mold Remediation.** One lesson learned from our administration of the Illinois Disaster Assistance Program (IDAP) in 2010 was the length of time the effects of a flooding event can linger, especially for low-income and elderly households that may not have the resources and/or physical ability to deal with the aftermath. The IDAP funds were received nearly two years after the flooding event to which they were connected, yet many residents still had unmet need for mold remediation and/or repair. DuPage County anticipates similar unmet need after the 2013 event and will outreach to highly impacted areas, beginning with (but not restricted to) those listed as most affected on pages 4-6. This grant will provide assistance to approximately 60 households.
- **Strategic Buy-Out Program.** In many communities, there is little that can be done as a permanent solution to stop the constant flooding. DuPage County Stormwater has been managing a buy-out program since 1991. More than 100 homes have been bought out through the program. It is a voluntary program in which structures not protected by capital improvements projects in approved watershed plans may be eligible for buyout by DuPage County if the structure is subject to flooding depth of one foot above the low entry elevation for any one historic event, subject to a flooding depth of one-half foot for any two historic flood events, or a FEMA repetitive loss structure. The County has

identified more than 223 homes that meet the criteria for buyout. In 2011, FEMA reported an additional 87 repetitive loss structures in DuPage County. This grant will provide funding to buy-out an additional 10-14 houses that were impacted in this event. The Strategic Buy-Out Program will begin with the Liberty Park neighborhood, located in an incorporated area near the Village of Westmont at Ogden and Cass. Beginning in this area makes strategic use of this grant because the pump evacuated detention facilities in this area could then be expanded. This potential project as the support of the Village of Westmont and the Downers Grove Township Highway Commissioner and potential donation of adjacent property for the pond expansion. As funding is available, however, the Strategic Buy-Out Program may occur with any eligible property in DuPage County.

### **Infrastructure:**

DuPage County has six watershed planning areas: Salt Creek, East Branch DuPage River, West Branch DuPage River, Sawmill Creek, Des Plaines River Tributaries and Fox River Tributaries. These watershed plans are used to identify potential improvement projects to alleviate current and anticipated flooding problems; identify water quality problems; index significant natural areas, storage areas and wetlands; and revise floodplain maps. These areas have documented flood damages and water impairments requiring capital measures to address the flooding and water quality issues. Regional stormwater management projects are considered for County funding and implementation if a problem area meets the regional criteria—meaning the source or the solution to flooding involves multiple jurisdictions. Watershed models are used to analyze possible alternatives, which are then presented to the Stormwater Management Committee and County Board in the form of a watershed plan or flood control plan. The plans include alternative solutions addressing all reported and projected flood damages, including capital improvements, voluntary buyouts, erosion control, water quality enhancements and flood proofing.

DuPage County proposes to allocate funding to one of the identified infrastructure needs, which is the Klein Creek Watershed Flood Control Plan/Armstrong Park Facility. The below pictures indicate the impact of the April, 2013 flooding event in this area. Because this area has been repeatedly affected by flooding, DuPage County Stormwater Management was already working on a flood control project for Armstrong Park and restoration activities for Klein Creek as identified in the Klein Creek Watershed Addendum No.2 for Inclusion in the West Branch DuPage River Interim Watershed Plan. This project will consist of a two reservoir system operating when Klein Creek experiences increased water elevations in order to bypass the majority of the Armstrong Park neighborhood. Reservoir One will take in water directly from Klein Creek and once it reaches a specific elevation, water will be pumped into Reservoir Two—a much larger storage reservoir. This area has experienced repetitive flooding and has been specifically impacted by the following storm events: August, 2007; September, 2008; July 2010; and April, 2013. The majority of the residents that currently reside in the floodplain in this neighborhood have been listed impacted and/or displaced by all four of these storm events.

DuPage Community Development is currently completing the Environmental Review for this project and it is out to bid meeting all Federal requirements. Should the project begin before the receipt of the agreement for this grant from the U.S. Department of Housing and Urban Development, no actions will have been taken that would prevent utilizing this grant as a source of funds to complete this project.

Page 8 lists three specific projects as unmet municipal need. This project was selected as the best use of this grant because it is a shovel ready project that has completed all of the state and Federal permitting requirements based on the preferred alternative noted in the Watershed Plan. This project also has more impact on the community surrounding the project. After the 2008 flood, it was reported by the Village of Carol Stream that approximately 267 residences in the project area were affected by flood damages due to over-bank stream flooding, sanitary sewer back-ups and/or sump-pump failures. Severe flood events also occurred in July, 2010 and in April, 2013 (the event that made DuPage County eligible for this grant), causing extensive damages to this same area. In addition to residential damages, street flooding and closures occurred preventing emergency vehicles from both entering the residential neighborhood and utilizing Gary Avenue – a main thoroughfare in Carol Stream.





### **Municipal Match for Infrastructure and Housing:**

DuPage County proposes to allocate funding to a municipal match program that could be used for either matching funds for property buy-out or infrastructure needs. One municipality (Village of Addison) has stated verbally that they have need of matching funds for a buy-out that will occur this year (unmet need of \$125,000 - \$150,000). This funding would also provide matching funds for repairs to the critical infrastructure reported in the table on page 7, which DuPage County estimates to have a residual unmet need of \$300,000 - \$500,000 after other resources are exhausted.

### **3) Long Term Planning and Coordination**

- (a) DuPage County promotes sound, sustainable long-term recovery planning that is informed by post-disaster evaluations of hazard risk and pro-actively makes land-use decisions that reflect responsible flood plain management (taking into account possible sea level rise). DuPage County has grown dramatically over the last half six decades. From 1950 to 2002, DuPage County saw a 600% increase in population. This rapid urbanization from what was mostly agricultural land to large residential, commercial, and industrial areas has had a profound impact on many of DuPage County's rivers and streams. The Stormwater Management Program was established to address existing issues and to prevent future flood damages along the county's waterways. Since its inception, the County's Stormwater Management Division has worked to provide accurate floodplain information to property owners, regulators, and developers.

The Stormwater Management Plan was adopted by the DuPage County Board in 1989. The Plan established the goals, objectives and policies for developing a successful stormwater management program. In accordance with the Plan, the DuPage County Stormwater and Floodplain Ordinance was adopted in October of 1991, effective February of 1992.

Municipalities within DuPage County must adopt this plan in accordance with state and federal mandates.

As outlined in the Plan, the six goals guiding the Stormwater Management Program are:

1. Reduce the existing potential for stormwater damage to public health, safety, life and property.
2. Control future increases in stormwater damage within DuPage County and in areas of adjacent counties affected by DuPage County drainage.
3. Protect and enhance the quality, quantity and availability of surface and groundwater resources.
4. Preserve and enhance existing aquatic and riparian environments and encourage restoration of degraded areas.
5. Control sediment and erosion in and from drainage ways, developments, and construction sites.
6. Promote equitable, acceptable and legal measures for stormwater management.

(b) DuPage County coordinates with other local and regional planning efforts to ensure consistency. Both County Board members and municipal representatives sit on the Stormwater Management Planning Committee. DuPage County is the only county in the State of Illinois to be named a Cooperative Technical Partner (CTP) with FEMA for floodplain mapping, and, as such, DuPage County Stormwater Management has been working with Illinois State Water Survey, IEMA and FEMA to revise the FEMA Floodplain maps countywide to ensure that they are an accurate representation of the actual floodplains in the county. In addition to being a CTP, DuPage County Stormwater Management has been delegated permit review authority from both the Illinois Department of Natural Resources/Office of Water Resources and the United States Army Corps of Engineering.

#### **4) Leveraging**

Since these funds will be used in conjunction with ongoing efforts to alleviate flooding issues in DuPage County, other resources are available.

Klein Creek Watershed Flood Control Plan/Armstrong Park Facility (\$11 million project):

\$5 million in local funds obtained through issuance of bonds and \$3 million in other County funds will be committed to this project.

Strategic Buy-Out Program:

DuPage County was successful in obtaining \$1.25 million in Hazard Mitigation Grant Program (HMGP) funding after the 2008 flooding events. Stormwater has also submitted an application

for HMGP funds through the Illinois Emergency Management Agency for the flooding events of 2010 to further the buy-out program. These are the same structures that flooded again in the 2013 event. DuPage County submitted a third application for an additional \$3.8 million for flood prone property acquisition as a result of the April, 2013 flood. Within that application, a home from the Armstrong Park neighborhood that may still experience flooding issues after completion of the infrastructure project was included in that application.

Other:

The Stormwater Management Committee and County Board also approved the DuPage County Natural Hazards Mitigation Plan in 2007. This Plan is a multi-hazard mitigation plan addressing natural hazards such as floods, tornadoes, earthquakes, thunderstorms and winter and ice storms. The Plan meets the required criteria to enable DuPage County and interested municipalities to qualify for mitigation funds under the Disaster Mitigation Act of 2000.

As a result of the April, 2013 flood events, municipalities countywide applied for FEMA funds for flood prone property acquisition. DuPage County notified municipalities countywide that funding assistance for the 25% match share portion of the HMGP may be available; further information about the HUD funding was made available publicly via the DuPage County website.

The rehabilitation/mold remediation activity will be leveraged with assistance from the DuPage County owner-occupied rehabilitation program. Eligible homeowners with housing rehabilitation issues beyond the scope of this grant will be referred to this program.

## **5) Sustainability (Protection of People and Property; Construction Methods)**

The activities carried out with these grant funds will, as much as possible, protect impacted houses and communities from future harm.

- (a) DuPage County will not be carrying out new residential construction with these funds, so there will not be an opportunity to encourage best practices in residential construction.
- (b) DuPage County will carry out minor rehabilitation to restore households to pre-flood living conditions and carry out mold remediation. Mold remediation will provide a healthy indoor environment. Such rehabilitation will utilize Energy Star products (where such exist) if replacement of components or appliances are included in the rehabilitation work.

DuPage County encourages development of green infrastructure. For example, the Water Quality Improvement Grant Program financially supports green infrastructure projects throughout the County. Past recipients include schools, municipalities, homeowner associations, museums and park districts. With the Klein Creek Watershed Flood Control Plan/Armstrong Park Facility green measures include: a constructed wetland to improve water quality before the retained flood waters enter back into Klein Creek; and a secondary outfall area that will filter out particulates and allow for absorption of the retained flood waters.

## **6) Public Housing, HUD-assisted Housing, and Housing for the Homeless**

- (a) DuPage County has no public housing. In connection with tenants utilizing Housing Choice Vouchers, the DuPage Housing Authority reports temporary impact at one apartment complex in the Village of Lisle, but no ongoing unmet need
- (b) and (c) Appendix 2 is the Affordable and Special Needs Housing Assessment which identifies McKinney Vento and HUD funded shelter and housing units. This assessment indicates only one agency reporting an impediment to recovery due to having to pay to replicate client records in an amount just under \$7,000. No need for rehabilitation, reconstruction, or replacement has been indicated for any housing unit.
- (d) No funds are specifically set aside for housing in this category, as no unmet need has been identified.

## **7) Disaster Resistant Housing**

Since no new residential construction will be carried out with this grant, DuPage County will not have an opportunity to encourage provision of housing for all income groups that is disaster-resistant with these funds. With other funding sources, however, DuPage County does undertake activities to address:

- (a) The transitional housing, permanent supportive housing, and permanent housing needs of individuals and families that are homeless and at-risk of homelessness. As the lead agency of the DuPage County Continuum of Care, DuPage County Community Services works with the other Continuum of Care agencies to produce new units of housing for such persons and families, preserve the units already available through rehabilitation, and fund housing stabilization services. This is accomplished through a collaborative application for Continuum of Care funding, as well as: Community Development Block Grant (rehab and public service funding); HOME Investment Partnerships Program (new construction and new pilot program for Tenant Based Rental Assistance); and Emergency Solutions Grant (shelter, street outreach, homeless prevention and rapid rehousing). Flooding is the most common natural disaster that affects housing in DuPage County, so no new construction is carried out in the floodplain.
- (b) The prevention of low-income individuals and families with children from becoming homeless is part of the mission of the DuPage Continuum of Care. The DuPage Continuum of Care (CoC) provides outreach to those in need with multiple information and access points for emergency assistance. Faith and community based organization and local education agencies are made aware of available housing and emergency assistance and participate in joint planning. Information is available to the public through wide distribution of printed brochures, web-based information systems, an Information & Referral Hotline & a 24-hour housing hotline. Free legal representation is available at Eviction Court. CoC agencies partake in community fairs, “clinics” or walk-in events designed to engage unsheltered persons in services. Other efforts such as street outreach and meal-only service at the shelter target unsheltered homeless persons. The DuPage

Health Dept. participates in these efforts to engage the unsheltered for placement in their chronically homeless beds.

Persons calling the DuPage Information & Referral Hotline are screened for housing risk and homelessness followed by an in-depth telephone assessment of housing status, risks and opportunities. Agencies prioritize those who are homeless for expedient services. The CoC's Homelessness Prevention Providers (HPP) develops standard protocols for screening, and eligibility determination. Case Managers complete assessments to determine the best way to assist an applicant regain stability in their current housing; to achieve stability as they move to new permanent housing or, for those in emergency shelters or who are unsheltered, to move as quickly as possible into permanent housing and achieve stability.

With proper authorization, coordination of services is standard through use of the Homeless Management Information System (HMIS).

- (c) The special needs of persons who are not homeless but require supportive housing are taken into consideration during the DuPage County Consortium Consolidated Planning process. Housing projects are awarded to developers and non-profits on a competitive basis. An emphasis is placed on projects serving vulnerable populations. Additional multipliers are also given for projects serving: individuals at the lowest income levels; persons with disabilities; persons with mental illness; and persons with additional issues.
- (d) DuPage County will not be constructing new residential housing with this grant and, therefore, will not be able to address how planning decisions affect racial, ethnic, and low-income concentrations directly in response to this disaster, DuPage County Community Development, however, does have a Geographic Distribution Policy attached as Appendix 5.

## **8) Minimization of Displacement**

DuPage County has a "Relocation Policy" intended to minimize displacement. No involuntary displacement will occur with these grant funds. The infrastructure project will be constructed upon property already owned by DuPage County. There are sufficient numbers of households voluntarily requesting buy-outs; therefore, no property buy-out will occur on an involuntary basis.

## **9) Program Income**

It is not anticipated that the projects carried out under this grant will generate program income.

## 10) Monitoring Standards and Procedures

DuPage County will use its current monitoring procedures as set forth in its Consolidated Plan, which states, in part:

- **Project Agreements:** All agencies not part of County government (e.g., municipalities, non-profit groups, for profit companies, etc.) enter into an agreement with the County that sets the terms of the funding. For County departments, a Memorandum of Understanding is executed for a similar purpose. These agreements or memoranda of understanding outline the expectation for the submission of quarterly progress reports.
- **Compliance with Program Requirements:** For individual activities, the progress reports alert staff to program components that may need to be monitored closely for compliance issues and guidance is provided during implementation to assure compliance. The agreements specify that such guidance will be given. In addition, project sponsors activities subject to certain requirements such as procurement standards, Davis-Bacon labor requirements, or relocation requirements are required to submit key documents to the CDC office and receive clearance before proceeding or before receiving payment on invoices. Finally, the CDC office requires project sponsors to submit audits of funded activities. These strategies help the County monitor compliance on an on-going basis.
- **Subrecipients:** Monitoring of subrecipients begins during the project selection process and continues until the terms and conditions of the project agreement have been completed. The following policies and procedures are applied:
  - A risk assessment is conducted to determine which subrecipients will require the most comprehensive monitoring. Low-risk subrecipients are organizations that have satisfactory past performance, little turnover of key staff members, and that receive no more than \$50,000. High-risk subrecipients are organizations with no past performance history, organizations receiving more than \$50,000, and/or organizations going through significant changes or turnover of key staff members.
  - Applicants for funding through the CDC cluster process must attend a mandatory meeting with CDC staff at the beginning of the application process. CDC staff also meets individually with each applicant for housing funding, on site if possible.
  - Applicants for funding must provide financial statements and budgets for the project, as well as for the entire organization. Audited financial statements are required at various stages of the application/funding process.
  - CDC staff conducts a set-up meeting to review expectations, procedures, and Federal requirements with each subrecipient at the beginning of each project (on site whenever possible).
  - CDC staff conducts desk reviews through quarterly progress reports and the back-up documentation required for each pay request.
  - Low-risk subrecipients are monitored through at least one on-site visit during each program year.
  - High-risk subrecipients are monitored through on-site visits as often as CDC staff deems necessary to evaluate project performance and ensure compliance with all Federal requirements. Length and complexity of the activity and the experience and capacity of the subrecipient are considered.

CDC staff is responsible for this monitoring.

Procedures for ensuring nonduplication of benefits are as stated in the DuPage County Disaster Recovery Service Plan in Appendix 3, which states, in part, that *households must disclose, under Federal penalty,*

*all assistance, claims, or payments already received from SBA, FEMA, Red Cross, insurance companies and other agencies prior to approval for financial assistance or assistance for restoration work. Households must demonstrate that other forms of assistance have been applied for and present all documentation for assistance received or denial of such assistance. Household must provide information to allow DuPage County the ability to verify such statements. Such households may be eligible to receive assistance for the difference between the amount of need and the amount of assistance received, up to the assistance levels below and under the parameters contained in this policy. Any household that did not receive SBA assistance must specifically state whether they applied for an SBA loan; whether they declined an SBA loan; the amount of the offered loan; why the loan was declined.*

The County Auditor is an independently elected officer who is responsible for evaluating and reporting on County operations. This office conducts internal audits of the operating departments, systems and internal controls in County government. The Auditor maintains a hotline for report of fraud, abuse, and/or mismanagement.

## **11) Fraud, Abuse and Mismanagement**

Paragraph 10 above describes the monitoring mechanism and internal audit function that will be used to detect fraud, abuse and mismanagement. Additionally, DuPage County has adopted an Ethics Ordinance that provides direction for ethical conduct of the Chairman, County Board Members and County employees that are to be followed in conducting the business of DuPage County. This Ordinance contains conflict of interest provisions and can be viewed on the County website at [www.dupageco.org](http://www.dupageco.org).

DuPage County staff is also responsible to report suspected fraud, waste and/or abuse to the County Auditor's Office for investigation.

## **12) Capacity**

Activities funded by this grant will be carried out by County staff or by contractors under the supervision of County staff. DuPage County Community Development currently administers the Community Development Block Grant (CDBG), HOME Investment Partnerships Program grant (HOME), Emergency Solutions Grant, and Neighborhood Stabilization Program. DuPage County is timely in its obligation of funds, expenditures for all grants, project completion, and reporting. These programs are audited each year by an external auditor. The County's CDBG and HOME programs have been monitored by HUD in the last three years. The County successfully administered and closed out both the CDBG-R program and the Homelessness Prevention and Rapid Rehousing Program.

DuPage County is requesting an initial obligation of \$1.5 million and will request the remaining \$5.5 million by Substantial Amendment(s) to this Action Plan. Once the infrastructure project and the buy-out process for specific addresses commence, it is anticipated that these funds will be expended within a year. It is anticipated \$6 million will be expended by September 1, 2018 and expenditure of the remaining \$1 million to be completed by August 1, 2019.

### 13) Description of Programs/Activities

A general description of programs and activities appears in the below Activity Summary Table. At this time, DuPage County intends to carry out only the Municipal Match Activity through subrecipients; all other activities will be carried out directly.

| <b>Activity Summary Table</b>  |                     |
|--|---------------------|
| <b>Activity</b>  | <b>Total Budget</b> |
| Administration   | 350,000             |
| Planning   | 140,000             |
| Strategic Buy-Out Program  | 2,700,000           |
| Rehabilitation/Mold Remediation  | 300,000             |
| Municipal Match Activity   | 500,000             |
| Klein Creek Watershed Flood Control Plan/Armstrong Park Facility   | 3,010,000           |
| <b>TOTAL</b>   | <b>\$7,000,000</b>  |
| Initial funding requested (such funding to be spread among these activities until funding is expended; additional obligation(s) of funds will be requested until the total grant of \$7,000,000 is obligated and expended) | \$1,500,000         |

Individuals and households will have opportunity to apply for buy-out through the already established DuPage County buy-out program.

Individuals and households will have opportunity to apply for rehabilitation/mold remediation in accordance with the requirements of the Service Plan at Appendix 3. When outreach materials are available for this process, they will be made available in English and in Spanish.

Municipalities will have opportunity to apply for the Municipal Match Program through an application process and format previously used for CDBG-Recovery Funds. Projects must benefit a low/moderate income area or household. Other rating factors will be:

| <b>Criteria</b>      | <b>Maximum Points</b>   |
|----------------------|---|
| Minimum Requirements | No points, but required for project acceptance: Governing Body Authorization; Public Hearing; Capacity; Fair Housing Action Plan; Map; Audit; Budget; Meeting National Objective of Benefitting Low and Moderate Income Persons; Documentation of Need for Long Term Recovery from Storm Related Damage |

|                               |   |
|-------------------------------|---|
| Income Level of Beneficiaries | 35 points (although benefiting low and moderate income persons is a minimum requirement, additional points are awarded for projects that meet the needs of the lowest income neighborhoods and beneficiaries) |
| Project Impact                | 15 points   |
| Leveraging of Funds           | 10 points   |
| Project Readiness             | 10 points   |

**14) Basis for Allocations**

The needs assessment has informed the allocation determinations in that two needs were identified: housing and infrastructure. The allocation is split roughly in half between these two needs ( less administrative and planning costs). Even the infrastructure project, however, assists housing need because it will eliminate the multiple flooding events experienced by hundreds of residents in the project area.

**15) Unmet Needs not yet Addressed**

This plan addresses identified unmet needs. If additional unmet needs are subsequently identified as recovery efforts progress, such additional unmet needs will be addressed in an amendment to this Action Plan, as funding permits.

The unmet need for property buy-outs and infrastructure improvements are beyond the dollars to be received under this grant. DuPage County will continue its efforts to identify other sources of funds to continue both these programs.

**16) Program/Activity Details**

Detailed information about each activity is stated in the following table:

| <b>Activity Detail Table</b>   |   |  |
|--|---|--|
| <b>Activity</b>  | <b>Description</b>  | <b>Total Budget</b>  |
| <p><b>Administration</b></p> <p>Eligibility: DuPage County is allowed to use up to 5% of the grant for this purpose.</p> <p>National Objective: N/A</p> <p>Projected start date: 6/1/2014;<br/>Projected end date: 9/29/2019</p>                   | <p>Administration of the grant fund over the five year period of the grant.</p> <p>Location/geographic description: N/A</p> <p>Responsible Organization: DuPage County (Community Services Department)</p> <p>Performance measures: timely and compliant administration of the grant; timely expenditures; timely reporting.</p>  | \$350,000  |
| <p><b>Planning</b></p> <p>Eligibility: DuPage County is allowed to use up to 15% of the grant for this purpose, but is requesting 2%.</p> <p>National Objective: N/A</p> <p>Projected start date: 12/23/2013<br/>Projected end date: 9/29/2019</p> | <p>Overall eligible planning activities for this grant.</p> <p>Location/geographic description: N/A</p> <p>Responsible Organization: DuPage County (Community Services Department)</p> <p>Performance measures will be: timely preparation and filing of all planning documents for grant.</p>  | \$140,000  |
| <p><b>Strategic Buy-Out Program</b></p> <p>Eligibility: Housing</p> <p>National Objective: Low/Mod Benefit</p> <p>Projected start date: 6/1/2014<br/>Projected end date: 9/29/2019</p>   | <p>This activity will undertake voluntary buy-out of owner occupied houses impacted by this flood event in low-mod areas or owned by low-mod households which meet the DuPage County buy-out criteria: structures not protected by capital improvements projects in approved watershed plans; structure subject to flooding depth of one foot above the low entry elevation for any one historic event; subject to a flooding depth of one-half foot for any two historic flood events; or a FEMA repetitive loss structure.</p> <p>Buy-out is the only alternative in many flood prone areas of the County where there is no permanent infrastructure solution to the flooding. This will result in long-term recovery for these households.</p> <p>Location/geographic description: DuPage County, beginning with Liberty Park neighborhood in unincorporated area at Ogden and Cass, near Village of Westmont</p> <p>Responsible Organization: DuPage County (Stormwater)</p> <p>Performance measures will be: # of units (10 anticipated)</p> | \$2,700,000 (threshold per house determined on a case-by-case basis) |

| <b>Activity Detail Table</b>   |  |  |
|--|--|--|
| <b>Activity</b>  | <b>Description</b>   | <b>Total Budget</b>  |
| <p><b>Rehabilitation/Mold Remediation</b></p> <p>Eligibility: Housing</p> <p>National Objective: Low/Mod Benefit</p> <p>Projected start date: 6/1/2014<br/>Projected end date: 9/29/2019</p>         | <p>Outreach to impacted areas to determine if low-income residents need assistance with rehabilitation and/or mold remediation occurring as a result of the flood event. This will result in long-term recovery for these households.</p> <p>Location/geographic description: DuPage County, beginning with outreach to most affected neighborhoods identified in this Action Plan</p> <p>Responsible Organization: DuPage County (Community Services)</p> <p>Performance measures will be: # of units (60 anticipated)</p>    | <p>\$300,000<br/>(capped at \$15,000 per house per the Service Plan at Appendix 3)</p> |
| <p><b>Municipal Match Activity</b></p> <p>Eligibility: Housing/Infrastructure</p> <p>National Objective: Low/Mod Benefit</p> <p>Projected start date: 6/1/2014<br/>Projected end date: 9/29/2019</p> | <p>Opportunity for municipalities to apply for 50% match for projects that will repair or replace infrastructure damaged by the flood event or for 50% match for housing buy-outs.</p> <p>Location/geographic description: DuPage County</p> <p>Responsible Organization: DuPage County will run application process and select projects based on scoring criteria. DuPage County will oversee municipal implementation (Stormwater)</p> <p>Performance measures will be: # of projects; number of units – Anticipated TBD</p> | <p>\$500,000 (\$250,000 threshold per project)</p>                                     |

| <b>Activity Detail Table</b>   |   |                     |
|--|---|---------------------|
| <b>Activity</b>  | <b>Description</b>  | <b>Total Budget</b> |
| <b>Klein Creek Watershed Flood Control Plan/Armstrong Park Facility</b><br><br>Eligibility: Infrastructure<br><br>National Objective: Urgent Need<br><br>Projected start date: 5/1/2014<br>Projected end date: 9/29/2019 | Construction of two reservoir system to be a permanent solution to the flooding which occurred not only in the recent event, but has repeatedly occurred (August, 2007; September, 2008; July 2010; and April, 2013). The majority of the residents that currently reside in the floodplain in this neighborhood have been listed impacted and/or displaced by all four of these storm events.<br><br>Please note that this project will begin before grant funds are obligated. The environmental review will be complete and work bid in accordance with Federal requirements to allow this grant to be used.<br><br>Location/geographic description: Armstrong Park, Carol Stream<br><br>Responsible organization: DuPage County (Stormwater)<br><br>Performance measures will be: project completion and # of beneficiaries | \$3,010,000         |

**17) Environmental**

Due to the nature and design of this program, these actions are subject to an environmental review. DuPage County Community Development will assume responsibility for environmental reviews at the appropriate level.

**18) Fair Housing**

DuPage County has a current Analysis of Impediments (AI) to Fair Housing, which was submitted to the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity in July, 2010. DuPage County will be updating this AI in conjunction with the preparation of its new Consolidated Plan for 2015.

**19) Duplication of Benefits**

When first notified of this grant, DuPage County did not anticipate providing assistance to individual homeowners or businesses under CDBG-DR, other than the buy-out of affected properties. After conducting the needs assessment, however, the number of affected properties indicates a need to outreach to homeowners to see if they are in need of additional rehabilitation, particularly mold remediation. DuPage County has administered flood assistance to individual homeowners through other Federal funds in the past and will follow that same program model.

The model DuPage County Service Plan is attached as Appendix 3 and states a procedure for ensuring non-duplication of benefits.

## **20) Procurement**

DuPage County has adopted a Procurement Ordinance that exceeds the requirements of 24 CFR 85.36. Threshold for sealed bidding is \$25,000 (Considered Board Level Procurement Section 4-103). Bid security is 10%. (Section 2-102) Ordinance leaves room for statement of performance and payment bonds required, so bid documents will require 100% performance and payment bonds. The Procurement Ordinance also addresses contract administration (4-301), record keeping (4-302), and ethics (Article 7). The Purchasing Department is responsible for procurement of goods and services for DuPage County. CDBG-DR will follow the Procurement Ordinance. Additionally, the CDC has developed documentation that is included with bids involving Federal funds to address the distinctive requirements of 24 CFR 85.36. The DuPage Community Development Commission is responsible for maintaining and updating this additional documentation.

## **21) Waivers**

DuPage County intends to utilize the waivers and alternative requirements applicable to this appropriation published by HUD in the Notice. DuPage County reserves the ability to request certain waivers from the Secretary of HUD, if necessary.

## **22) Substantial Amendments**

At a minimum, the following modifications will constitute a substantial amendment: a change in program benefit or eligibility criteria; the allocation or re-allocation of more than \$1 million; or the addition or deletion of an activity. DuPage County may substantially amend the Action Plan by following this Citizen Participation Plan. Amendments to the Action Plan that do not meet the threshold to be considered a substantial amendment will not require a public comment period, but all amendments will be numbered sequentially and posted on the disaster recovery website.

## **23) Pre-Agreement Costs**

Pre-Agreement costs of this grant include planning costs, preparation of the Citizen Participation Plan, preparation of the required Certification of Controls, Processes, and Procedures and accompanying documents, conducting a needs assessment, data analysis, preparation of this Action Plan, preparation of and publication costs for environmental review of the Klein Creek Watershed Flood Control Plan/Armstrong Park Facility.

## 24) Public Comments –

**Village of Glen Ellyn:** February 14, 2014. The Village of Glen Ellyn requested that three proposed storm water management projects be included in the Action Plan and attached copies of three pre-applications proposals that had been submitted to the Illinois Emergency Management Agency (IEMA) on July 30, 2013. The three projects are:

- Buy-out of three residential properties on Riford Road (total project cost \$1,872,300)
- Lake Ellyn outlet control structure improvements (total project cost \$245,000)
- New inlet structure and revision to storm sewer pipe configuration connecting Joseph Sam Perry Preserve and Perry's Pond (total project cost \$275,000)

**Response:** These projects could be eligible to participate in Municipal Match activity under this Action Plan. The Village of Glen Ellyn should apply for a project when the application is made available. Additionally, the residential properties needing buy-out could be eligible under the Strategic Buy-Out Program of this Action Plan, pending funding availability and low-income status of households.

**Village of Lisle:** February 14, 2014. The Village of Lisle is interested in residential property buy-outs.

**Response:** Residential properties needing buy-out could be eligible under the Strategic Buy-Out Program of this Action Plan, pending funding availability and low-income status of households.

**Village of Lombard:** February 14, 2014. The Village of Lombard asked if there would be an opportunity for Lombard residents to apply for buy-out of a substantially damaged property (although it is stated that no such properties have yet been identified).

**Response:** Residential properties needing buy-out could be eligible under the Strategic Buy-Out Program of this Action Plan, pending funding availability and low-income status of households.

APPENDIX 1

CDBG-DR  
Municipal Needs Assessment

| <b>Municipality</b> | <b>Housing</b>   | <b>Infrastructure</b>                                 | <b>Economic Need</b>                                    | <b>Assistance Available</b>  | <b>Impediments to Recovery – Unmet Needs</b>  |
|---------------------|--|---|---|------------------------------|---|
| Addison             | 111 homes and apartments impacted                        | Roads flooded   | Road closures affected business                         | Insurance for housing damage | None  |
| Bartlett            | 10 homes impacted  | 8 roads flooded                                       | 1 business closed temp                                  |                              | None  |
| Bensenville         | 57 homes impacted  | Storm drainage and wastewater systems overwhelmed     | Unknown   |                              | None  |
| Bloomington         | 48 homes impacted  | Closure of major routes and several streets           | 1 business closed temp                                  |                              | Culvert on Springbrook needs repair; new culvert needed for Salt Creek (in DPC Watershed plan)                    |
| Carol Stream        | 7 single family and 12-15 apartment units impacted       | 25 street segments closed                             | 1 business flooded                                      |                              | None listed on assessment form because Klein Creek Watershed/Armstrong Park project already proposed as solution. |
| Clarendon Hills     | 100 homes impacted                                       | Stormwater facilities damaged                         |   |                              | Homeowners may need financial assistance  |
| Darien              | 5 homes impacted   |   |   |                              | None  |
| Downers Grove       | 1062 homes impacted                                      | Roadway flooding                                      | “Many” temp shutdowns                                   |                              | Unknown at time of report   |
| DuPage County       | 284 homes impacted – Valley View subdivision hardest hit |   |   |                              |   |
| Elmhurst            | 979 homes impacted                                       | Sanitary Lift Station failure; major roadway flooding | Temporary closures                                      |                              | Financial impact  |
| Glen Ellyn          | 174 homes impacted                                       | Stormwater system failure; sewer pipe damage          | Temporary closures                                      |                              | Investigation, clean-up and repair of infrastructure  |
| Glendale Heights    | 144 houses and 3 multi-family complexes impacted         | Pedestrian bridge to elementary school washed away    | 20+ commercial and industrial spaces temporarily closed |                              | None  |
| Hanover Park        | Some sewer back-up (no numbers given)                    |   |   |                              | None  |

| <b>Municipality</b> | <b>Housing</b>  | <b>Infrastructure</b>   | <b>Economic Need</b>        | <b>Assistance Available</b> | <b>Impediments to Recovery – Unmet Needs</b>   |
|---------------------|---|---|-----------------------------|-----------------------------|--|
| Hinsdale            | Graue Mill Condo Complex and a 17 story high rise – evacuations; 54 homes impacted  |   | Flood damage at 4 addresses |                             | Debris clean up  |
| Itasca              | “Several” homes with water damage   |   | Some temporary closures     |                             | None   |
| Lisle               | 403 residences and businesses impacted and evacuated; some homes now structurally unsound; three large multi-family buildings damaged | Middleton & Center – collapse at intersection; culvert was out on Fender                            | Several businesses          |                             | Debris removal and uninhabitable buildings   |
| Lombard             | 863 homes impacted  |   |                             |                             | None   |
| Naperville          | 652 homes impacted  |   |                             |                             | None   |
| Oak Brook           | 58 homes impacted   | Road closures   |                             |                             | None   |
| Oakbrook Terrace    | Homes along Salt Creek  | Storm sewer capacities exceeded   |                             |                             | None   |
| Villa Park          | 558 homes impacted  | Sewer system and Wet Weather Treatment Facility overloaded; road wash outs; erosion of stream banks | Temporary closures          |                             | Financial burden of recovery   |
| Warrenville         | 111 homes impacted (unincorporated area)  | Streets, parkways and drainage swales damaged   | Temporary closures          |                             | Debris removal   |
| West Chicago        | 43 homes impacted; 20 multi-family units  | Flooding of railroad overpass   |                             |                             | Language barriers  |
| Westmont            | 369 homes impacted  |   | Some flood damage           |                             | None   |
| Wheaton             | 772 residential properties impacted; evacuation at Briarcliffe Subdivision  |   | Unknown                     |                             | None   |
| Willowbrook         | 8 homes impacted  | Temporary road closures   | Temporary closures          |                             | None   |
| Winfield            | Originally reported as 500 homes impacted, but no addresses reported on Individual Assistance form.                                   |   |                             |                             | None reported on assessment form; Winfield Creek Watershed Plan stated as need at subsequent meeting |

| <b>Municipality</b> | <b>Housing</b>                                       | <b>Infrastructure</b>   | <b>Economic Need</b> | <b>Assistance Available</b> | <b>Impediments to Recovery – Unmet Needs</b> |
|---------------------|--|---|----------------------|-----------------------------|--|
| Wood Dale           | “Some” homes impacted – Salt Creek area              |   | Temporary flooding   |                             | None   |
| Woodridge           | 102 homes impacted (38 related to sanitary flooding) | Storm sewer system exceeded capacity resulting in erosion; sanitary sewer exceeded capacity |                      |                             | None   |

APPENDIX 2

CDBG-DR  
Affordable and Special Needs Housing Assessment

| <b>Entity</b>                   | <b>Housing or Services Provided</b>   | <b>Flood Event Impact</b>   | <b>Assistance Available</b>  | <b>Impediments to Recovery – Unmet Needs</b>                       |
|---------------------------------|---|---|--|--|
| 360 Youth Services              | Emergency Shelter and Transitional Housing (McKinney-Vento)                 | Storage unit at female transitional housing program flooded; supplies and items valued at \$750 were lost                 | None   | None   |
| Almost Home Kids                | Respite care for medically fragile children                                 | None  | None   | None   |
| Bluestem                        | Permanent Supportive Housing (HUD Assisted)                                 | None  | None   | None   |
| Canticle Ministries             | Transitional housing (HUD Assisted)   | None  | None   | None   |
| Catholic Charities              | Permanent Supportive Housing for Chronic Homeless Families (McKinney-Vento) | One unit flooded; tenant was forced to evacuate and lost significant amount of clothing, furniture and personal items.    | Catholic Charities USA provided a grant to pay for hotel stays and food for clients. | None   |
| ChildServ                       | Group home  | Downers Grove property flooded; records damaged   | Insurance  | Client record restoration and insurance deductible totaled \$6,911 |
| DuPage County Health Department | Housing and services for persons with mental illness (McKinney-Vento)       | None  |  | None   |
| DuPage PADS                     | Emergency Shelter (McKinney Vento)  | None  | None   | None   |
| Family Shelter Service          | Housing and services for domestic violence victims (McKinney Vento)         | Flooding at one site – impact of three weeks  | None   | None   |
| Hamdard Center                  | Housing and services for domestic violence victims (HUD assisted)           | Two basement units flooded; clients relocated   | Insurance  | None   |
| HCS Family Services             | Services to homeless and those at risk                                      | None (partnered with Northern Illinois Food Bank to extend service hours to flood victims for food and cleaning supplies) | None   | None   |
| Liberty Village                 | Affordable rental housing for elderly (HUD Assisted)                        | None  | None   | None   |

| <b>Entity</b>                  | <b>Housing or Services Provided</b>  | <b>Flood Event Impact</b>  | <b>Assistance Available</b> | <b>Impediments to Recovery – Unmet Needs</b> |
|--------------------------------|--|--|-----------------------------|--|
| Little Friends                 | Housing and services for persons with disabilities (HUD Assisted)                                  | None   | None                        | None   |
| Mayslake Village               | Affordable rental housing for elderly (HUD Assisted)   | None   | None                        | None   |
| Move Ahead                     | Supportive Services Project (McKinney Vento)   | None   | None                        | None   |
| Peoples Resource Center        | Homeless prevention and rapid rehousing services; food pantry; educational services (HUD Assisted) | None   | None                        | None   |
| Prairie State Legal Services   | Legal services for homeless persons (McKinney Vento)   | None   | None                        | None   |
| Senior Home Sharing            | Shared housing for elderly (HUD Assisted)  | Damage to one housing site. Residents lost possessions valued at \$250.  | None                        | None   |
| Serenity House                 | Transitional housing – substance abuse (HUD Assisted)  | Three units damaged by flooding and one unit had small fire as result of back-up battery explosion. Displaced clients housed on other parts of the campus. | None                        | None   |
| West Suburban Community Pantry | Food pantry  | None   | None                        | None   |
| UPC Seguin                     | Persons with disabilities  | None   | None                        | None   |
| Woodglen Apartment Residences  | Affordable rental housing for elderly (HUD Assisted)   | None   | None                        | None   |

## APPENDIX 3

### CDBG-DR DuPage County Disaster Recovery Service Plan

#### **Application process:**

Households must complete an intake process through DuPage County Community Services, which will include a Statement of Need Affidavit and supporting documents. The application must include all those on title of the real property to be restored. Benefit levels will be determined by DPC staff upon review and verification of the documentation provided.

**Eligible property:** Any owner occupied residential property geographically located within the boundaries of DuPage County which experienced damage during the flooding events of April, 2013. Eligible property may also include, for the purposes of mold testing and remediation only, tenant occupied property damaged during the flooding events; the owner of the property must complete the intake process for this work to be performed.

**Eligible household:** Any household which resided in an eligible property as an owner at the time of the flooding events and that is still in need of restoration work or mold remediation completed on the eligible property. Eligible households may include owners that were residing in the eligible property at the time of the flooding but who are not currently residing in the eligible property because it is uninhabitable due to the flooding.

Households must disclose, under Federal penalty, all assistance, claims, or payments already received from SBA, FEMA, Red Cross, insurance companies and other agencies prior to approval for financial assistance or assistance for restoration work. Households must demonstrate that other forms of assistance have been applied for and present all documentation for assistance received or denial of such assistance. Household must provide information to allow DuPage County the ability to verify such statements. Such households may be eligible to receive assistance for the difference between the amount of need and the amount of assistance received, up to the assistance levels below and under the parameters contained in this policy. Any household that did not receive SBA assistance must specifically state whether they applied for an SBA loan; whether they declined an SBA loan; the amount of the offered loan; why the loan was declined.

**Assistance for Restoration Work, including Mold Remediation:** \$15,000 – maximum assistance to pay for restoration work still to be completed. Houses built pre-1978 must also be tested for lead based paint and appropriate lead based paint procedures followed as determined by level of assistance. All payments for restoration work must be made directly to the contractor(s) performing the restoration and may not be made directly to the client. All restoration work will be subject to bidding and managed by DPC staff. Households must sign off on the scope of work and agree to repay the assistance if they alter receive other disaster assistance for the same purpose.

#### **Eligible restoration work**

Per household assistance may be given up to the foregoing maximum amounts. All restoration work must address health and safety issues, code violations, and/or violations of Housing Quality Standards. A house will be considered “not suitable for rehabilitation” if it (a) is abandoned; (b) meets the definition of “Unsafe Structure” under the DuPage County Building Code, effective January 1, 2007, which is: Any

building or structure which constitutes a fire hazard, or is in danger of collapse, explosion, or otherwise threatens the public health, safety or welfare, or which has become deficient in adequate exit facilities, or which involves an illegal or improper use, occupancy or maintenance, or any vacant building or structure unguarded, unsecured or open and accessible to the public at door or window; and (c) is not able to be restored to a safe condition.

**Main living levels of the house:** Restoration work and mold remediation may be performed in flood damaged living areas of the home (interior or exterior), including the “lower level” of houses that are split level, tri-level, or raised ranch. Such restoration may include repair or replacement of flood damaged building components, including, but not limited to, windows, flooring, walls, trim, doors, electrical, plumbing, water heaters, HVAC, and/or appliances.

**Basements and Garages:** Mold remediation may be performed in basements and garages (interior and exterior). Other restoration work will be performed on a “do no harm” basis, which means that damage to the basement or garage caused by performing eligible work may be repaired. For example, if all the drywall in a basement or garage must be removed because of mold, drywall will not be replaced, because no code standard requires drywall in a basement or garage. However, if a portion of drywall must be removed, or if a fixture in a basement or garage must be removed due to mold, and such removal leaves a wall partially damaged or a gap in a wall, floor, or ceiling due to fixture removal, the drywall or gap may be repaired (without replacement of the fixture). Appliances, HVAC components, and water heaters that were located in basements and lost to the flood may also be replaced.

Properties that have health and safety issues, code violations, and violations of Housing Quality Standards caused by the flooding event that are greater than the foregoing maximums may ask for a waiver for up to \$24,000 of restoration work. If a homeowner believes that they are in the state of demonstrable hardship and that the demonstrable hardship causes them to not comply with any of the program policies, they may present their evidence of a demonstrable hardship. Such waiver or evidence of demonstrable hardship will be reviewed by a staff committee composed of senior members of the Department of Community Services. Demonstrable Hardship is defined as an applicant for assistance has identified and documented one or more instances or conditions which would prevent them from fully meeting any non-regulatory guideline.

*January 20, 2014*

**RELOCATION POLICY** (CDC Approved 05-07-87, updated 2007)

This policy minimizes displacement and provides relation to tenant households, businesses, farms and non-profit organizations involuntarily displaced by activities of the CDBG program.

*Minimizing necessary displacement* – The DuPage CDC shall recommend and approve for funding project which will minimize, to the greatest extent feasible, the direct permanent involuntary displacement of tenant households, businesses, farms, and non-profit organizations. Projects which are deemed beneficial, but which may cause such displacement may be recommended and approved, but only if it has been demonstrated that efforts have been taken to reduce the number of tenant households, businesses, farms and non-profit organizations required to be displaced. Further the DuPage CDC shall recommend and approve for funding those projects which may cause such displacement only when it has been clearly demonstrated that the goals and anticipated accomplishments of the project outweigh the stress and adverse effects of displacement imposed upon tenant households, businesses, farms and non-profit organizations who must relocate.

*Mitigating adverse effects of necessary displacement* – The DuPage CDC shall require subgrantees to provide relocation assistance to all tenant households, businesses, farms and non-profit organizations permanently displaced by the acquisition of real property as required and in compliance with HUD's regulations implementing the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Act). In addition, the DuPage CDC shall require subgrantees to provide relocation assistance to all low and moderate income tenant households, businesses, farms and non-profit organizations who are either directly, involuntarily and permanently displaced by or for the assisted activities of code enforcement, demolition or rehabilitation or who are displaced by the acquisition of real property which is excluded from HUD's regulation implementing the Uniform Act. The assistance shall be provided expressly for the purpose of mitigating the adverse effects to low and moderate income tenant households, businesses, farms and non-profit organizations who must be displaced in order to carry out an approved project.

**GEOGRAPHIC DISTRIBUTION POLICY**  
**AFFORDABLE HOUSING FUNDED BY HOME OR CDBG**  
Used Only for New Construction or the Creation of New Units  
Approved by the Home Advisory Group October 2, 2012  
(Originally adopted on June 28, 1994, Updated 2007)

Definitions

Municipality with Insufficient Affordable Housing: The Illinois Affordable Housing Planning and Appeal Act (AHPPA) went into effect January 1, 2004. The Illinois Housing Development Authority (IHDA) was named the state-administering agency in the law. The law was intended to encourage municipalities to incorporate affordable housing into their communities. Local governments with insufficient affordable housing are defined as having less than 10% of total year-round units as affordable. Du Page County will use this criteria to define municipalities with insufficient affordable housing.

Community of Low-income Concentration: is defined as a U.S. Census Tract, Block Group, or other locally defined subarea of a community with a high proportion of low-income persons. A local determination may be made to select the most appropriate geographical definition of what constitutes a community. However, communities must be contiguous and relatively homogeneous areas with common identifiable characteristics and specific boundaries. They cannot be whole municipalities. Such communities would be considered as having a low-income concentration if the number of low-income persons (less than 80% of median income) make up a majority (51% or more) of the population of the community. Data to make this determination may come from U. S. Census information or other data that would be acceptable to HUD.

Community of Minority Concentration: is defined as a U. S. Census Tract, Block Group, or other locally defined subarea of a community with a high proportion of minority persons. Such communities would be considered as having a minority concentration if the number of minority persons residing in the Census Block Group is within the top 10<sup>th</sup> percentile of all Du Page County Block Groups in terms of minority concentration. Per the 2010 Census, such communities have a minority concentration of 58.4% or more.

Policy

It is the policy of the DuPage Community Development Commission and the DuPage HOME Advisory Group that greater locational choice be promoted in the development of affordable housing in the DuPage County area. This policy will be promoted in the implementation of the Community Development Block Grant Program and the HOME Investment Partnership Act program. The actions below will be used to promote greater locational choice for both low and moderate-income persons and minorities by encouraging affordable housing outside of communities of low-income concentration,

and, outside of communities of minority concentrations, and, within municipalities with insufficient affordable housing.

1. All project applications reviewed by the DuPage Community Development Commission for funding by the DuPage County CDBG program or reviewed by the DuPage HOME Advisory Group for funding by the DuPage Consortium HOME program that propose new construction of affordable housing or otherwise adding to the affordable housing stock will be evaluated for the suitability of the proposed site. Although a variety of issues will be examined, of particular note will be the impact of the proposed project on increasing concentrations of affordable units and low-income persons, and minorities. The extent of this evaluation will depend on the activity being proposed and general demographic information about the proposed location of the site. Guidance for this analysis will come from regulations at 24 CFR 983.57 (e)(2) and (3) which is appended hereto. This information describes procedures for implementing site and neighborhood standards. Analysis of site suitability will include the following:
  - a. A special notice will be sent to the jurisdiction in which the proposed site is located providing opportunity to comment on: (1) consistency with local zoning or other applicable development control ordinances; (2) significant environmental concerns; (3) consistency in scale or appearance with the surrounding area; or (4) the effect on creating or expanding a concentration of affordable housing for low-income persons and minority persons. This notice is in addition to any notices required by the Environmental Review Record process.
  - b. If there is a reasonable potential for concern based on local jurisdiction comments (including supporting documentation), information from the application, or underwriting analysis by staff, the Community Development Commission or HOME Advisory Group may require further assessment. The purpose of the analysis will be to show that concerns will be adequately addressed.
  - c. If, after further assessment, there is documented evidence that site concerns cannot be adequately addressed, the Community Development Commission or HOME Advisory Group may determine that the proposed project does not meet the minimum program requirements of the respective program.
2. Staff to the CDC and the HOME Advisory Group, in providing technical assistance and advice to potential project sponsors, will encourage locations that are outside of neighborhoods of low-income concentration, and outside of neighborhoods of minority concentrations, and within communities with insufficient affordable housing.
3. Additionally, the point system used for project selection will encourage wider distribution of affordable housing by including the following features:
  - a. A project proposed in a municipality of insufficient affordable housing, as defined by IHDA, will receive ten points for encouraging greater locational choice.

- b. A project proposed in a community of low-income concentration will receive no points for encouraging greater locational choice. Projects outside of such communities will receive ten points.
- c. A project proposed in locations outside of, but adjacent to, a community of low-income concentration will receive no points if it will have the effect of expanding the low-income concentration.
- d. A project proposed in a community of minority concentration will receive no points for encouraging greater locational choice. A project located outside of such communities of minority concentration will receive ten points for encouraging greater locational choice.
- e. Projects proposed in areas that would ordinarily not receive any points according to “b”, “c”, and “d” above, will receive these points for encouraging locational choice if supported by the local jurisdiction and if the requirements of Appendix A (e)(3) are met.
- f. Where the analysis (as described in section #1 above) shows that the project will be located within a municipality of insufficient affordable housing and outside of a community of low-income concentration and outside of a community of minority concentration, and, the costs associated with the project are high in relation to other projects due to this location, the evaluation of the project’s cost effectiveness in the point system will not be penalized, provided that the project does not exceed per-unit subsidy limits.

*Appendix A to Geographic Distribution Policy –*  
Source: 24CFR 983.57 (e) (1) (2) (3)

The HOME regulations require the Participating Jurisdiction to determine that the siting of new construction of rental projects meets the following requirements:

e) *New construction site and neighborhood standards.* A site for newly constructed housing must meet the following site and neighborhood standards:

- (1) The site must be adequate in size, exposure, and contour to accommodate the number and type of units proposed, and adequate utilities (water, sewer, gas, and electricity) and streets must be available to service the site.
- (2) The site must not be located in an area of minority concentration, except as permitted under paragraph (e)(3) of this section, and must not be located in a racially mixed area if the project will cause a significant increase in the proportion of minority to non-minority residents in the area.
- (3) A project may be located in an area of minority concentration only if:
  - (i) Sufficient, comparable opportunities exist for housing for minority families in the income range to be served by the proposed project outside areas of minority concentration (see paragraph (e)(3)(iii), (iv), and (v) of this section for further guidance on this criterion); or
  - (ii) The project is necessary to meet overriding housing needs that cannot be met in that housing market area (see paragraph (e)(3)(vi)) of this section for further guidance on this criterion).
  - (iii) As used in paragraph (e)(3)(i) of this section, “sufficient” does not require that in every locality there be an equal number of assisted units within and outside of areas of minority concentration. Rather, application of this standard should produce a reasonable distribution of assisted units each year, that, over a period of several years, will approach an appropriate balance of housing choices within and outside areas of minority concentration. An appropriate balance in any jurisdiction must be determined in light of local conditions affecting the range of housing choices available for low-income minority families and in relation to the racial mix of the locality’s population.
  - (iv) Units may be considered “comparable opportunities,” as used in paragraph (e)(3)(i) of this section, if they have the same household type (elderly, disabled, family, large family) and tenure type (owner/renter); require approximately the same tenant contribution towards rent; serve the same income group; are located in the same housing market; and are in standard condition.
  - (v) Application of this sufficient, comparable opportunities standard involves assessing the overall impact of HUD-assisted housing on the availability of housing choices for low-income minority families in and outside areas of minority concentration, and must take into account the extent to which the following factors are present, along with other factors relevant to housing choice:
    - (A) A significant number of assisted housing units are available outside areas of minority concentration.
    - (B) There is significant integration of assisted housing projects constructed or rehabilitated in the past 10 years, relative to the racial mix of the eligible population.
    - (C) There are racially integrated neighborhoods in the locality.
    - (D) Programs are operated by the locality to assist minority families that wish to find housing outside areas of minority concentration.
    - (E) Minority families have benefited from local activities ( e.g. , acquisition and write-down of sites, tax relief programs for homeowners, acquisitions of units for use as assisted housing units) undertaken to expand choice for minority families outside of areas of minority concentration.
    - (F) A significant proportion of minority households has been successful in finding units in non-minority areas under the tenant-based assistance programs.

- (G) Comparable housing opportunities have been made available outside areas of minority concentration through other programs.
- (vi) Application of the “overriding housing needs” criterion, for example, permits approval of sites that are an integral part of an overall local strategy for the preservation or restoration of the immediate neighborhood and of sites in a neighborhood experiencing significant private investment that is demonstrably improving the economic character of the area (a “revitalizing area”). An “overriding housing need,” however, may not serve as the basis for determining that a site is acceptable, if the only reason the need cannot otherwise be feasibly met is that discrimination on the basis of race, color, religion, sex, national origin, age, familial status, or disability renders sites outside areas of minority concentration unavailable or if the use of this standard in recent years has had the effect of circumventing the obligation to provide housing choice.

## Certifications

- a. The grantee certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within its jurisdiction 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 regard (see 24 CFR 570.487(b)(2) and 570.601(a)(2)). In addition, the grantee certifies that agreements with subrecipients will meet all civil rights related requirements pursuant to 24 CFR 570.503(b)(5).
- b. The grantee 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.
- c. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- d. The grantee certifies that the Action Plan for Disaster Recovery is authorized under State and local law (as applicable) and that the grantee, and any entity or entities designated by the grantee, 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.
- e. The grantee certifies that activities to be administered with funds under this Notice are consistent with its Action Plan.
- f. The grantee certifies that it will comply with the acquisition and relocation requirements of the URA, as amended, and implementing regulations at 49 CFR part 24, except where waivers or alternative requirements are provided for in this Notice.
- g. The grantee certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- h. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105 or 91.115, as applicable (except as provided for in notices providing waivers and alternative requirements for this grant). Also, each UGLG receiving assistance from a State grantee must follow a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- i. Each State receiving a direct award under this Notice certifies that it has consulted with affected UGLGs in counties designated in covered major disaster declarations in the non-entitlement, entitlement, and tribal areas of the State in determining the uses of funds, including method of distribution of funding, or activities carried out directly by the State.
- j. The grantee certifies that it is complying with each of the following criteria:
  - (1) Funds will be used solely for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas for which the President declared a major disaster in 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).

- k. The grantee certifies that it (and any subrecipient 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.
- l. The grantee certifies that it has adopted and is enforcing the following policies. In addition, States receiving a direct award must certify that they will require UGLGs that receive grant funds to certify that they have adopted and are enforcing:
  - (1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
  - (2) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.
- m. Each State or UGLG receiving a direct award under this Notice certifies that it (and any subrecipient or recipient ) has the capacity to carry out disaster recovery activities in a timely manner; or the State or UGLG will develop a plan to increase capacity where such capacity is lacking.
- n. The grantee 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 relevant data source for this provision is the latest issued FEMA data or guidance, which includes advisory data (such as Advisory Base Flood Elevations) or preliminary and final Flood Insurance Rate Maps.
- o. The grantee certifies that its activities concerning lead-based paint will comply with the requirements of 24 CFR part 35, subparts A, B, J, K, and R.
- p. The grantee certifies that it will comply with applicable laws.

- q. The grantee 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.

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

\_\_\_\_\_  
Date

DuPage County Board Chairman  
Title

SF424 – Application for Federal Assistance to be attached to Action Plan.