

2023

ACTION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY FUNDS

Amendment 4

(Public Action Plan Version 5)



EQUAL HOUSING
OPPORTUNITY



Lee County
Southwest Florida

Lee Board of County Commissioners
2120 Main Street
Fort Myers, Florida
www.leegov.com/recovery/cdbg-dr

Lee County Action Plan

for Community Development Block Grant – Disaster Recovery (CDBG-DR) Funds

Consolidated Appropriations Act of 2023
(Public Law 117-328)

Hurricane Ian
FEMA – 4673 – DR
Declared September 29, 2022

CFDA# 14.218
Federal Register Notice: 88 FR 32046



RECORD OF AMENDMENTS

The following table summarizes amendments to Lee County Florida's Disaster Recovery Action Plan.

<i>DATE ACTION PLAN WAS INITIALLY APPROVED BY HUD</i>
<i>November 7, 2023</i>

<i>DATE AMENDMENT APPROVED BY HUD</i>	<i>AMENDMENT NUMBER</i>	<i>DESCRIPTION OF AMENDMENT</i>
<i>2/5/2024</i>	<i>1</i>	<i>Substantial Amendment - See summary of amendments in Section III.C.</i>
<i>2/21/2024</i>	<i>2</i>	<i>Non Substantial Amendment - correcting error on page 218</i>
<i>TBD</i>	<i>3</i>	<i>Substantial Amendment – See summary of amendments in Section III.C. This substantial amendment was not accepted.</i>
<i>4/18/2024</i>	<i>3</i>	<i>Non Substantial Amendment - See summary of amendments in Section III.C.</i>
<i>TBD</i>	<i>4</i>	<i>Non Substantial Amendment – See summary of amendments in Section III.C.</i>

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I. EXECUTIVE SUMMARY

A. OVERVIEW

The U.S. Department of Housing and Urban Development (HUD) awarded Lee County \$1,107,881,000 in funding to support long-term recovery efforts following Hurricane Ian (FEMA – 4673 – DR) through the Office of Disaster Recovery (ODR) within the Office of Community Planning and Development. Community Development Block Grant-Disaster Recovery (CDBG-DR) funding is designed to address needs that remain after all other assistance has been exhausted. This plan details how funds will be allocated to address remaining unmet needs in Lee County.

To meet disaster recovery needs, the statutes making CDBG-DR funds available have imposed requirements and authorized HUD to modify the rules that apply to the annual CDBG program to enhance flexibility and allow for a quicker recovery. HUD has allocated \$1,107,881,000 in CDBG-DR funds to Lee County in response to Hurricane Ian (FEMA – 4673 – DR), through the publication of the Federal Register, 88 FR 32046 (May 18, 2023). <https://www.govinfo.gov/content/pkg/FR-2023-05-18/pdf/2023-10598.pdf>). This allocation was made available through PL 117-328: Consolidated Appropriations Act, 2023.

Lee County's Department of Strategic Resources and Government Affairs (SRGA) is the lead and responsible agency for administering the CDBG-DR funds allocated to Lee County. This Action Plan describes SRGA's analysis of the collective local impact of Hurricane Ian (DR 4673), the remaining unmet needs, and the County's plan for distribution of funds to the households and areas of the County most impacted by the storm. Lee County is committed to directing CDBG-DR funds to benefit low- and moderate-income households and area, in accordance with Section 103 of the Housing and Community Development Act. To ensure that projects are deployed in a timely manner and to streamline the recovery process, HUD provided multiple waivers and flexibilities in 88 FR 32046. Lee County will utilize these waivers and flexibilities as much as possible to ensure quick deployment of funds and a speedy recovery for the community.

B. DISASTER SPECIFIC OVERVIEW

In the past two years, Lee County jumped to the 9th fastest growing county in the U.S. The expanding number of secondary homes and growing tourism contributed to the significant strain on already limited housing and infrastructure capacity. On Wednesday, September 28, 2022, Hurricane Ian made landfall at Cayo Costa as a strong Category 4 hurricane with top wind speeds of 150 mph. Over 10 feet of storm surge impacted the barrier islands, Fort Myers Beach, and coastal areas along the Caloosahatchee River. Major infrastructure systems failed, leaving much of the County without access to water. Power grids were destroyed on barrier islands, and severely damaged in inland areas.

The County experienced significant loss in the already strained housing stock because of the storm. More than 9,900 residential units were destroyed, and more than 13,173 residential units suffered major damage. Initial damage assessments show Ian caused more than \$8 billion in damage to residential and commercial structures. It impacted every county beach, all county parks, every traffic signal, and generated an estimated 10 million cubic yards of debris, with 6 million of that collected roadside in unincorporated areas. The storm left more than 130,000 persons in need of housing assistance.

On September 28, 2022, Governor Ron DeSantis requested an expedited federal disaster declaration for Hurricane Ian. The Governor requested FEMA assistance under the Stafford Act for Individual Assistance and Public Assistance for all 67 counties, the Miccosukee Tribe of Indians of Florida, the Seminole Tribe of Florida, and Hazard Mitigation statewide.

On September 29, 2022, President Biden declared that a major disaster existed in the State of Florida. In addition to triggering emergency protective measures, the initial federal response provided funding under the Stafford Act for:

- Individual Assistance to affected individuals and households in Charlotte, Collier, DeSoto, Hardee, Hillsborough, Lee, Manatee, Pinellas, and Sarasota counties;
- Debris removal for Charlotte, Collier, DeSoto, Hardee, Hillsborough, Lee, Manatee, Pinellas, and Sarasota counties;
- Public Assistance for all 67 counties, the Miccosukee Tribe of Indians of Florida, and the Seminole Tribe of Florida; and
- Hazard Mitigation Grant Program assistance for hazard mitigation measures statewide.

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The severity and magnitude of Hurricane Ian justified the need for supplemental Federal assistance prior to the completion of joint federal, state, and local government Preliminary Damage Assessments (PDAs).

The response to Hurricane Ian was multi-agency and large scale. More than nine months after the storm, recovery remains a challenge for many households and communities. Through June 2023, an official State of Local Emergency remained in effect in Lee County.

As result of Hurricane Ian and ongoing unmet recovery needs, a Congressional allocation of HUD disaster response funding through the Community Development Block Grant Disaster Recovery program was made to Lee County. On December 29, 2022, President Biden signed into law the “Consolidated Appropriations Act, 2023” (Public Law 117-328), which included \$3 billion in CDBG-DR funds for major disasters that occurred in 2022.

The projects outlined within this plan were selected through an evaluation of unmet needs resulting from Hurricane Ian (FEMA – 4673 – DR) and an evaluation of risks for future disaster impacts. CDBG-DR funds will support hazard mitigation, planning, and recovery for infrastructure and housing, as well as provide public services and planning to ensure individual household and community-wide recovery and resilience.

In accordance with the Federal Register Notice (88 FR 32046) governing these funds, Lee County submits this Public Action Plan to serve as the blueprint for the successful implementation of CDBG-DR funded programs. This plan may be amended as the needs in the community change post-Ian. **The initial draft plan was made available for public comment and feedback between August 1 and August 31, 2023.**

C. SUMMARY

On December 29, 2022, President Biden signed into law the “Consolidated Appropriations Act, 2023 (Public Law 117-328), which included \$3 billion in CDBG-DR funds for major disasters that occurred in 2022. The U.S. Department of Housing and Urban Development (HUD) administers CDBG-DR funds, and grantees are required to submit a plan to the HUD Secretary detailing a recovery plan to address disaster needs. All funds must be allocated for disaster-related eligible activities in accordance with the applicable federal register notices, the Housing and Community Development Act of 1974, Title 24 Section 570 of the Code of Federal Regulations, and Federal Register Notice 88 FR 32046.

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The Community Development Block Grant Disaster Recovery (CDBG-DR) program provides communities impacted by disasters with resources to address a wide range of disaster-related needs. CDBG-DR allocations provide funding to develop viable communities, particularly for low- and moderate-income persons, through decent housing, a suitable living environment, and the expansion of economic opportunities. The primary objectives of this recovery Action Plan are as follows:

- Create and preserve safe, resilient, and affordable housing opportunities;
- Assist individual property owners to recover from the impacts of Hurricane Ian;
- Restore critical public facilities and infrastructure;
- Mitigate future disaster impacts through infrastructure investments;
- Deliver essential public services that support individual and community-wide recovery; and
- Plan for future resiliency.

Through the allocation process HUD identifies most impacted and distressed (MID) areas where CDBG-DR funding must be spent. For this grant, HUD identified all of Lee County as one of those areas. All funded projects and activities must be located in incorporated or unincorporated areas of Lee County, Florida. ***All CDBG-DR allocations will be available for disbursement from the Federal Treasury for approximately six years following the date of execution of the grant agreement.***

Project allocations are based on the best data currently available and reflect projections of need to support the programs. It can be anticipated there will be future adjustments based on actual experience as programs are implemented; however, neither public services, planning, nor administrative expenses will surpass their statutory caps. HUD statutory caps for CDBG-DR are as follows:

- 15% for Public Services
- 15% for Planning
- 5% for Administration

In the development of this disaster recovery Action Plan, Lee County consulted with disaster-affected citizens, stakeholders, local governments, public housing authorities, and other affected parties in the surrounding geographic area to ensure consistency of disaster impacts identified in the plan, and that the plan and planning process was comprehensive and inclusive. The information gathered through town hall meetings, stakeholder consultations, public meetings,

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and online public comment submissions were considered during the development of the Action Plan. Additional details regarding Citizen Participation efforts can be viewed in Section III.A.

Lee County also completed a disaster impact and unmet needs assessment to identify the impacts, long-term needs, and priorities for more than \$1.1 billion of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding allocated as a result of the 2022 Hurricane Ian event. That assessment identified more than \$8 billion in unmet needs among housing, infrastructure, and economic revitalization. More than 94 percent of the overall need is housing and infrastructure.

The unmet needs analysis identified a total housing unmet recovery need of \$4,598,352,445.

FEMA real property damage estimates indicate that there are approximately 18,473 (79.87 percent) owner-occupied units and 4,655 (20.13 percent) renter-occupied units that suffered major-high or severe damage. Insurance data indicates that there are an estimated 49.08 percent of homeowners without insurance. By adding the number of renter and owner-occupied units, then dividing by the percent estimated to be uninsured, the County estimates that approximately 11,351 households may need some assistance to fully recover from Hurricane Ian. The County further estimates, based on the overall LMI population, that 4,742 (41.78 percent) of these households may be income qualified for CDBG-DR programs.

Lee County will implement the following housing recovery projects to address the unmet housing needs in Lee County:

- Affordable Multifamily Housing Development and Preservation
- Affordable Single Family Housing Development
- Individual Housing Rehabilitation, Reconstruction & Elevation – Owner and Renter Occupied
- Home Purchase Assistance
(i.e., downpayment, closing cost, and mortgage buydown assistance)
- Voluntary Residential Acquisition

The housing programs together will receive \$641,552,930 of the allocated CDBG-DR funds from HUD. This represents approximately 57 percent of the CDBG-DR funds allocated to Lee County. Approximately 2,300 households will be provided assistance through the projects listed above.

The unmet needs analysis identified a total infrastructure unmet recovery need of \$3,040,625,610.

The infrastructure systems affected by Hurricane Ian's widespread damage included damage to energy systems, roadways, bridges, traffic controls, water and wastewater treatment systems, septic systems, cell towers, and voice and data services. Transportation was hazardous as water and debris, including many boats, blocked roads; there were downed trees and power lines, and traffic lights were out. Both the Sanibel Causeway (see *Figure 36*) and the Matlacha Pass Bridge were severely damaged during the storm and those barrier island areas were inaccessible by car until repairs were made.

Lee County will implement the following infrastructure recovery projects to address the unmet infrastructure needs in Lee County:

- Hurricane Mitigation Grant Program Infrastructure Match Funding
- Critical Infrastructure

The infrastructure programs together will receive \$370,934,020 of the allocated CDBG-DR funds from HUD. This represents approximately 33 percent of the CDBG-DR funds allocated to Lee County. Mitigation funds are included in Lee County's total infrastructure budget and will be used to support improvements to infrastructure not impacted by Hurricane Ian.

The unmet needs analysis identified a total economic unmet recovery need of \$440,320,907.

Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

Lee County understands that wraparound public services and early opportunities for case management following a disaster are critical to complement housing and infrastructure activities. After Hurricane Ian, the County advertised its Coordinated Entry line as an access point for services and support for households impacted by Hurricane Ian. To date, the Coordinated Entry line has completed 2,417 unmet needs assessments and continues to receive calls daily. Through these calls the County has identified unmet needs for case management and behavioral health

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services.

The County has allocated \$15 million in public services to provide for case management and services navigation through the Unmet Needs Long Term Recovery group and to implement a more coordinated system for behavioral health services within the County.

The County will also allocate \$25 million for planning to create resiliency and recovery plans, as well as provide opportunities for units of general local government within Lee County to conduct strategic planning.

The County will utilize 5 percent of the total grant award for administration, as allowed by the Federal Register Notice.

Additional information regarding the County's current unmet needs across HUD's defined sector categories (housing, infrastructure, and economic revitalization) are detailed in the following sections:

II.B. Housing Unmet Needs

II.C. Infrastructure Unmet Needs

II.D. Economic Revitalization Unmet Needs

D. UNMET NEEDS AND PROPOSED ALLOCATION

Table 1 – Lee County’s Unmet Needs and Proposed Allocation

Category	Remaining Unmet Need	% of Unmet Need
Housing	\$4,598,352,445	56.92%
Infrastructure	\$3,040,625,610	37.63%
Economic Revitalization	\$440,320,907	5.45%
Total Unmet Needs	\$8,079,298,962	100%

Category	Program Allocation Amount	% of Program Allocation
Housing	\$641,552,930	57.91%
Economic Revitalization	\$0	0%
Infrastructure	\$226,428,000	20.44%
Mitigation	\$144,506,000	13.04%
Planning	\$25,000,000	2.26%
Public Services	\$15,000,000	1.35%
Admin	\$55,394,050	5.00%
Total Allocation	\$1,107,881,000	100%

Source: Unmet needs data compiled from a variety of sources, including, but not limited to the following: FEMA, HUD, Small Business Administration (SBA), National Flood Insurance Program (NFIP), Lee County Housing Authority, Housing Authority of the City of Fort Myers, Lee County Property Appraiser, Florida Division of Emergency Management (FDEM), FEMA Public Assistance (PA), FEMA Hazard Mitigation Grant Program (HMGP), Federal Highway Administration (FHWA), Lee County Recovery Task Force (RTF), U.S. Census Bureau (Decennial Census and American Community Survey), The Vulnerability Mapping Analysis Platform (VMAP) Social Vulnerability Index (SoVI), Lee County Homeless Continuum of Care, Lee County’s Hazard Identification and Risk Assessment (HIRA) & Joint Local Mitigation Strategy (LMS) Plan (Lee County Public Safety).

II. UNMET NEEDS ASSESSMENT

A. OVERVIEW

Lee County completed a disaster impact and unmet needs assessment to identify the impacts, long-term needs, and priorities for more than \$1.1 billion of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding allocated as a result of the 2022 Hurricane Ian event. The Federal Emergency Management Agency (FEMA) declaration number for this presidentially declared disaster is DR-4673. The United States (U.S.) Department of Housing and Urban Development (HUD) identified the most impacted and distressed (MID) area for this grant is all of Lee County, Florida.



Figure 1 - The location of Lee County, FL. ¹

The needs assessment evaluates unmet needs related to housing, infrastructure, economic revitalization, planning, and mitigation. This assessment takes into consideration pre-disaster needs in addition to unmet recovery needs resulting from Hurricane Ian.

¹ Map created by Lee County using ArcGIS software.

1. HURRICANE IAN'S IMPACT TO LEE COUNTY

Hurricane Ian originated from a tropical wave off the coast of Western Africa and moved across the central tropical Atlantic towards the Windward Islands. On September 21, 2022, it progressed through the Caribbean Sea. The storm grew and on September 23, 2022, it was designated a tropical depression, located 130 miles east-northeast of Aruba tracking to hit western Cuba heading for Florida. Ian made landfall in the U.S. in southwestern Florida as a Category 4 storm. See the Hurricane Ian track shown in *Figure 2*.

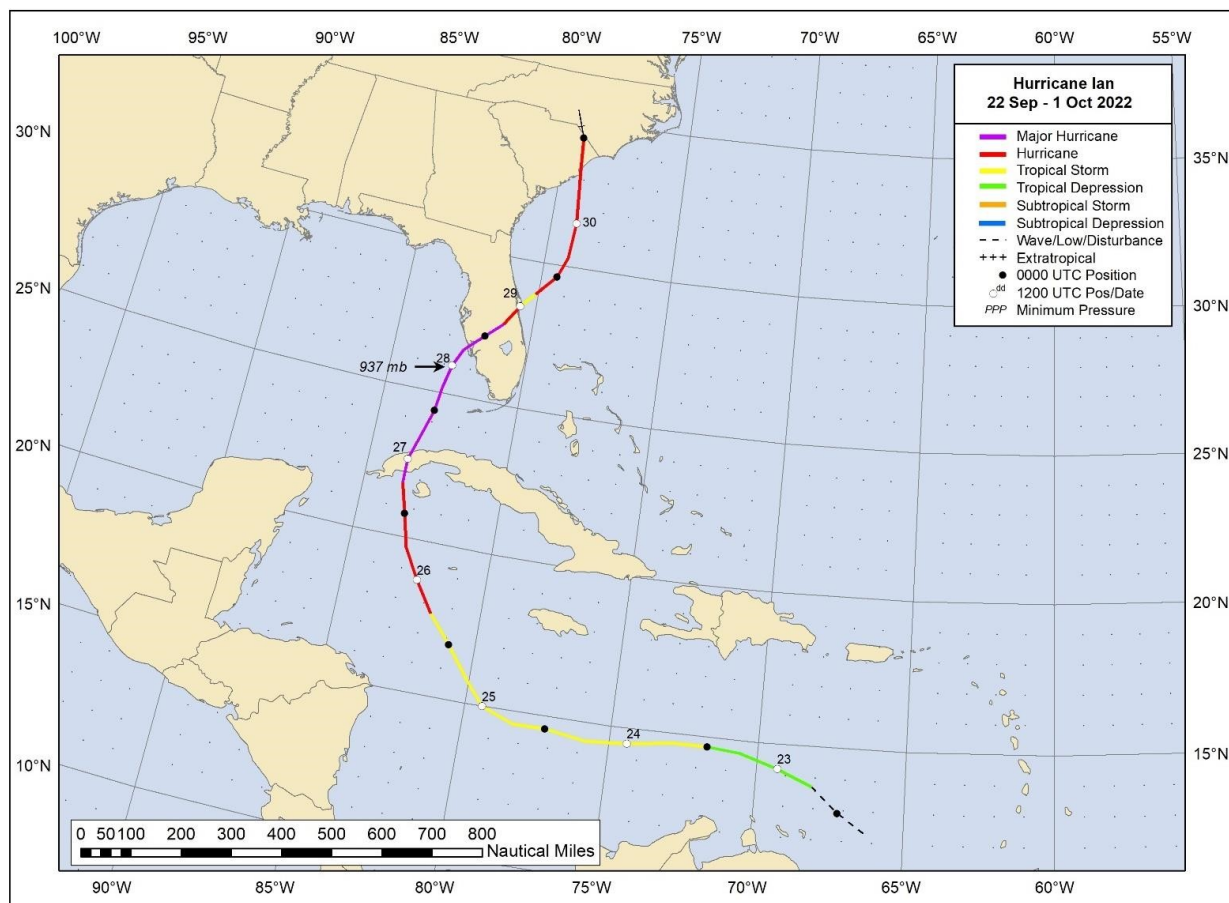


Figure 2 - The best storm track of Hurricane Ian from Sept. 23 - 30, 2022. ²

Hurricane Ian made its initial U.S. landfall on the barrier island of Cayo Costa, in Lee County, Florida on September 28, 2022, at 3:05 p.m. Eastern Daylight Time (EDT). At the time of landfall in Lee County ("County"), the storm had been declared a major hurricane with an approximate wind speed of 150 miles per hour (MPH) and an estimated central pressure of 941 millibars (mb). Hurricane Ian produced a catastrophic storm surge in the County causing major flooding along the southwest coast of Florida, the barrier islands near Fort Myers, as well as rivers and bays such

² https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf, page 41

as the Caloosahatchee River, Estero Bay, and the Imperial River. Lee County is geographically vulnerable to storm surge. The exact track of Hurricane Ian, its strong sustained winds, and large storm size contributed to widespread devastating impacts. Ian moved northeast out of Lee County across Florida and back into the Atlantic where it veered north to South Carolina and eventually dissipated as a hurricane on October 1, 2022.

STORM SURGE

Peak storm surge inundation levels of 10 to 15 feet above ground level (AGL) occurred in Fort Myers Beach and Estero Island; 9 to 13 feet AGL occurred in the eastern portion of Sanibel Island; 8 to 12 feet AGL occurred in Estero, Bonita Beach and Bonita Springs; 6 to 9 feet AGL occurred in Pine Island, Cape Coral, and other communities along the mouth of the Caloosahatchee River; and 5 to 8 feet AGL occurred in Fort Myers.³ The range of storm surge levels throughout the Lee County area can be seen in *Figure 3*.

Fort Myers Beach and Estero experienced peak Hurricane Ian inundation levels of 10 to 15 ft AGL. A United States Geological Survey (USGS) water level sensor measured a wave-filtered water level of 12.70 ft above mean higher high water (MHHW) level at Fort Myers Beach Pier, which was the highest water level measurement from this network. Nearby, a remote camera mounted by storm chaser, Max Olson, captured the evolution of the storm surge event on Fort Myers Beach (see *Figure 4 images a through e*). The camera was located less than 0.5 miles to the east on Estero Boulevard relative to the USGS water level sensor. A timeline of images show (a) the onset of storm surge inundating the streets, (b) rapidly moving water carrying large floating debris, (c) a home in the view of the camera floating off its foundation with large waves crashing over it, (d) waves splashing over the camera, mounted approximately 12 feet above the road, and (e) receding waters revealing a barren landscape approximately 6.5 hours after the first image. These images show the destructive power of the storm surge and waves that occurred throughout the area.

³ https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf, page 9

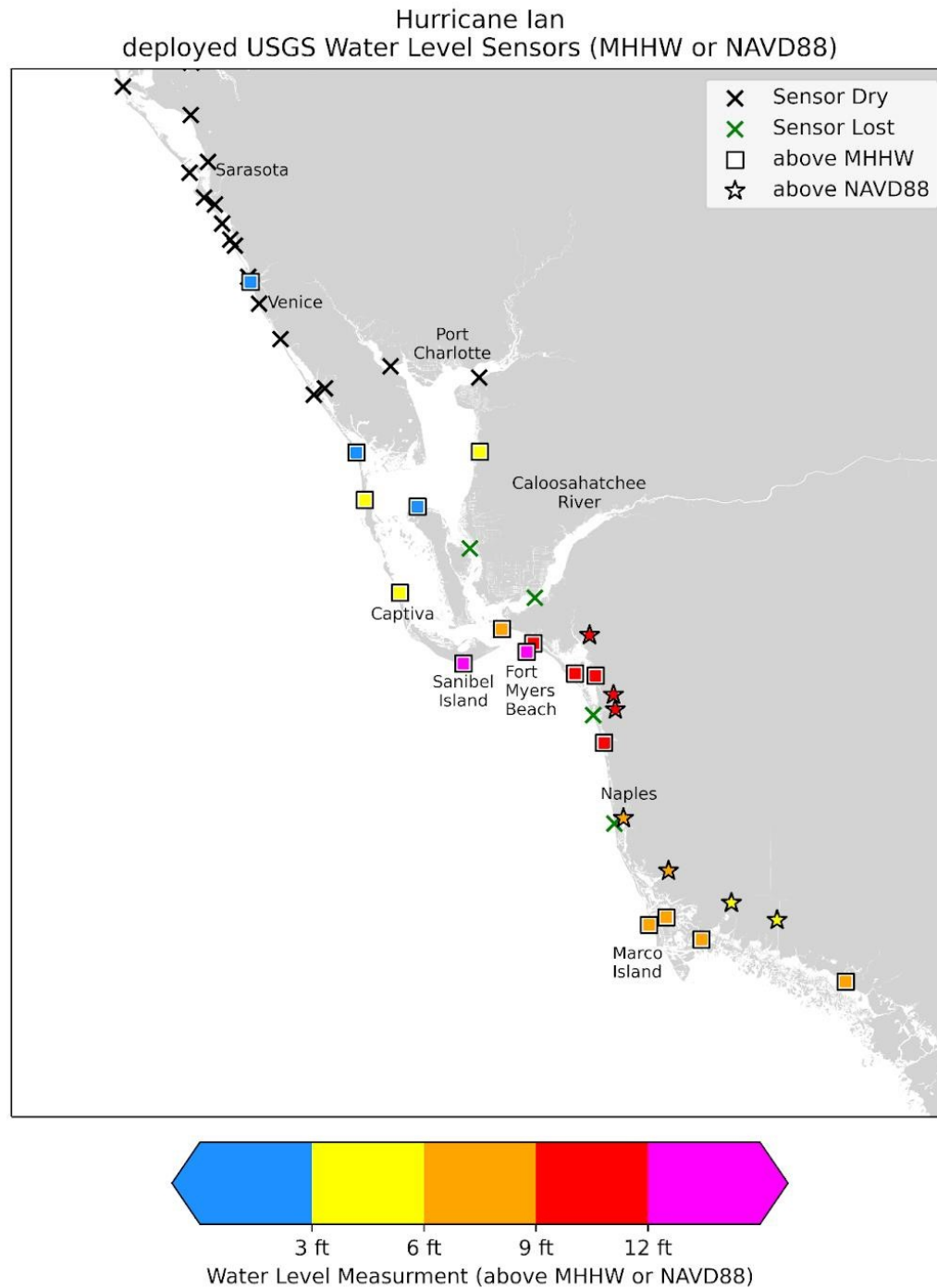


Figure 3 - Maximum wave filtered water level measurements from USGS water level sensors.⁴

⁴ https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf, page 48



Figure 4 - (a - e)– Still images and approximate local times from a remote camera showing storm surge inundation in Fort Myers Beach. ⁵

WIND IMPACTS

Hurricane Ian's path over Florida and sustained hurricane-force winds caused widespread power outages throughout southwest Florida. At 5:00 PM Eastern Daylight Time (EDT) on September 29, 2022, there were 2,624,701 customers without electricity (Figure 5). Southwest Florida's Electric Cooperative (LCEC), which provides electrical power to six counties in southwest Florida including Lee County, reported that over 90 percent of customers in its service area were without power.⁶ Power outages lasted sixteen days; Sanibel Island, the final area without power service, was restored on October 14, 2023.

⁵ https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf and image credit: Max Olson, page 51

⁶ <https://www.lcec.net/widespread-power-outages-damage-assessment-today>

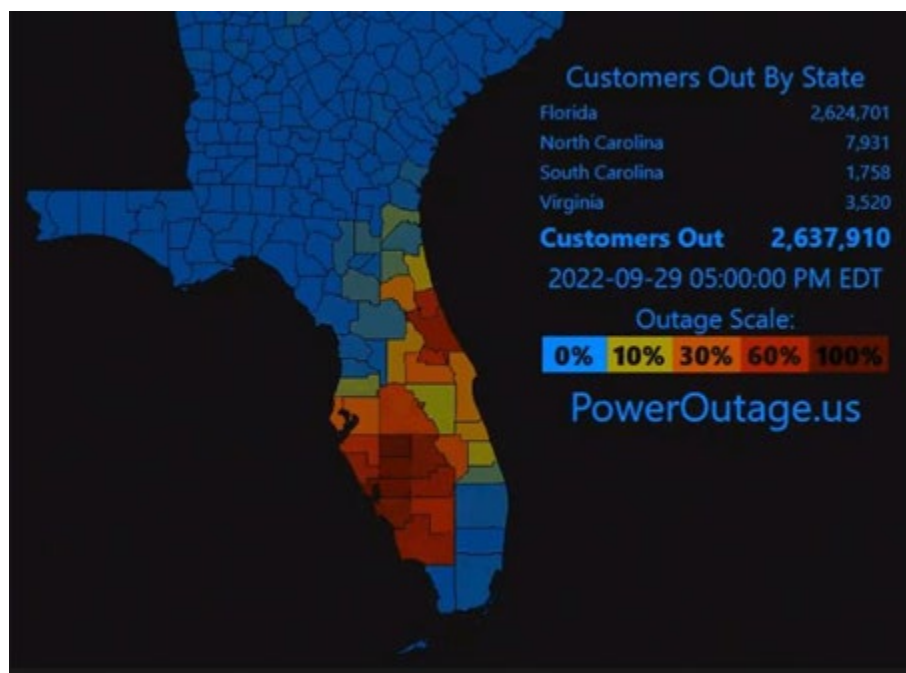


Figure 5 - Power outage map for Florida on September 29, 2022. ⁷

The wind impacts also caused roof, building, and infrastructure damage to homes, businesses, and public facilities across the County, compounding to the damage caused by the historic storm surge. Ian's impact required massive debris removal efforts. As of June 28, 2023, unincorporated Lee County alone had collected 6.38 million cubic yards of debris as a result of the hurricane-force winds and storm surge. ⁸

2. PRESIDENTIAL DECLARATION

On September 29, 2022, less than 24 hours after landfall, Presidential Declaration DR-4673 was signed for the state of Florida due to the catastrophic impacts of Hurricane Ian. The incident period spanned from September 23, 2022, to November 4, 2022. Figure 6 shows that Hurricane Ian-related U.S. Federal Emergency Management Agency (FEMA) assistance was made available to all 67 counties in Florida, demonstrating the massive direct and indirect scope and impact of Ian. Due to the major impacts in the County, assistance from both FEMA Individual Assistance (IA) and Public Assistance (PA) Programs were available to individuals and eligible entities in Lee County. ⁹

⁷ https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf page 60, and <https://poweroutage.us/>

⁸ <https://ianprogress.leegov.com/pages/debris>

⁹ <https://www.fema.gov/disaster/4673/designated-areas>

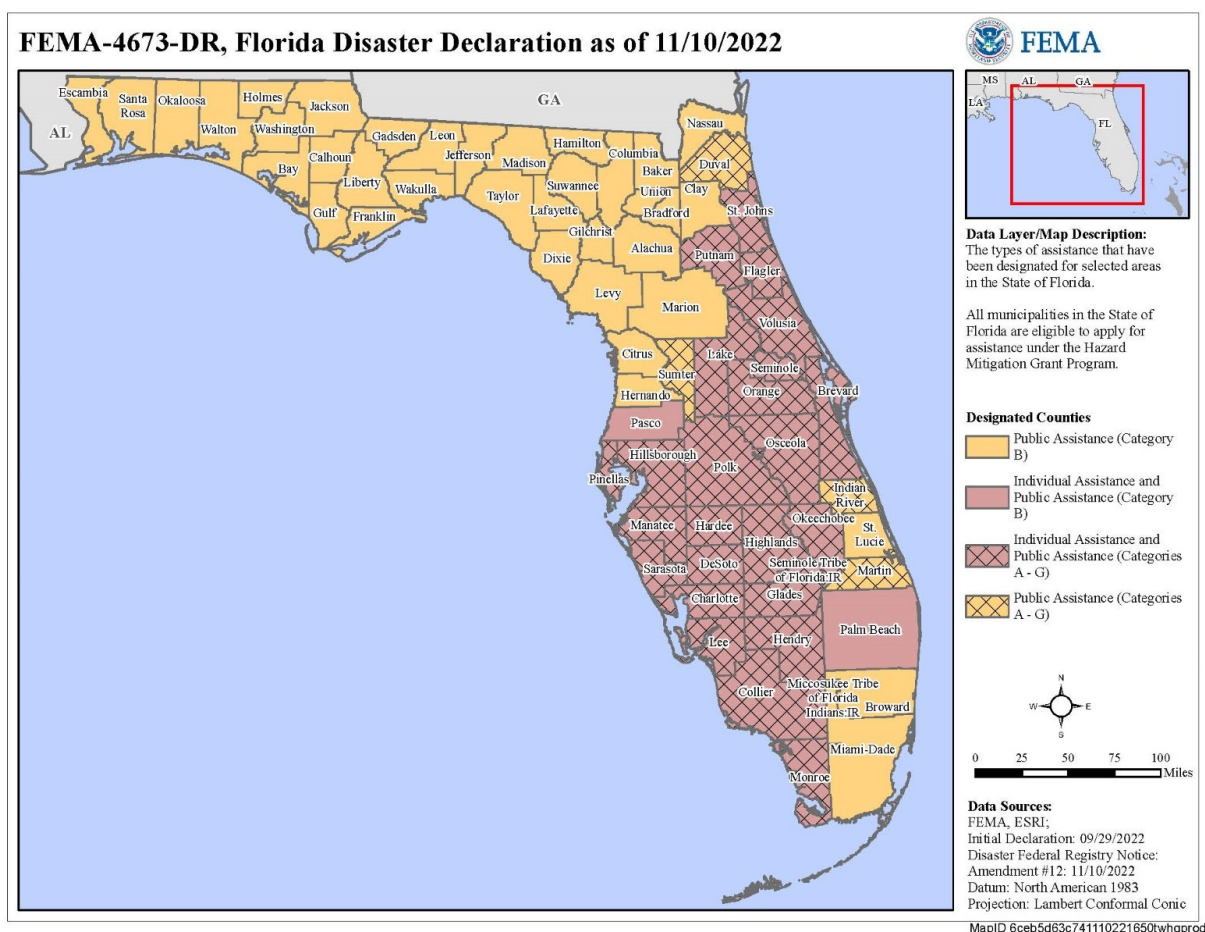


Figure 6 - Designated Counties for Presidential Disaster Declaration 4673. ¹⁰

¹⁰ https://gis.fema.gov/maps/dec_4673.pdf

3. BACKGROUND, PROCESS, AND SUMMARY OF IMPACT AND UNMET NEEDS

The Federal Register Notice issued by HUD on May 18, 2023, at 88 FR 32046 will be referred to in this section as the May 18 Notice.

Unmet needs are calculated for each of the HUD defined sectors (housing, infrastructure, and economic revitalization) based on guidance provided by HUD in its [Federal Register Notice published on May 18, 2023 \("May 18 Notice"\)](#). The County followed the Federal Register Notice guidance, pages 32058 to 32059 that described how to complete an unmet needs assessment including data sources, methodological processes, and how to specifically calculate unmet needs for each sector.

HUD defines "unmet needs" as resources necessary to recover from a disaster that are not likely to be addressed by other sources of funds, by accounting for the various forms of assistance available to, or likely to be available to, affected communities (e.g., FEMA PA funds) and individuals (e.g., estimated homeowner's insurance) and use the most recent available data to estimate the portion of need unlikely to be addressed by insurance proceeds, other Federal assistance, or any other funding sources. Any remaining need, after accounting for all support, represents the overall unmet need. The results of the unmet needs assessment are used to determine a baseline of unmet needs by category and then used as the basis for the creation of recovery programs. The County's current unmet needs across HUD's defined sector categories (housing, infrastructure, and economic revitalization) are detailed in the following sections:

II.B. Housing Unmet Needs

II.C. Infrastructure Unmet Needs

II.D. Economic Revitalization Unmet Needs

OVERVIEW OF DATA USED

Data sources utilized in the assessment are listed in this table and more fully described in the following pages.

Table 2 - Data Sources Utilized in the Assessment.

Data	Source
Hurricane Impacts and Weather Data	National Oceanic and Atmospheric Administration (NOAA), National Weather Service (NWS)
Presidential Disaster Declaration Areas	FEMA
Most Impacted and Distressed Area	HUD
Housing Impact Data	FEMA Individual Assistance, Small Business Administration (SBA), National Flood Insurance Program (NFIP), Lee County Housing Authority, Housing Authority of the City of Fort Myers, Lee County Property Appraiser
Infrastructure Data	Florida Division of Emergency Management (FDEM), FEMA Public Assistance (PA), FEMA Hazard Mitigation Grant Program (HMGP), Federal Highway Administration (FHWA), Lee County Recovery Task Force (RTF)
Socioeconomic and Demographic Data	U.S. Census Bureau (Decennial Census and American Community Survey), The Vulnerability Mapping Analysis Platform (VMAP) Social Vulnerability Index (SoVI)
Low- and Moderate-Income Data	HUD
Homelessness, Unsheltered Populations Data	Lee County Homeless Continuum of Care, HUD Exchange Point-in-Time Counts
Mitigation Data	Lee County's Hazard Identification and Risk Assessment (HIRA) & Joint Local Mitigation Strategy (LMS) Plan (Lee County Public Safety), NOAA, United States Geological Survey (USGS), FEMA, NWS

SUMMARY OF UNMET NEEDS METHODOLOGY BY SECTOR

Housing

To calculate the Housing unmet needs, Lee County used FEMA IA, Lee County Property Appraiser, and National Flood Insurance Program (NFIP) data to identify damaged or destroyed units, calculate the value of housing losses, and tabulate against the assistance received. An increase of 30 percent⁷ of estimated value of housing losses in Lee County was included to account for costs associated with making newly constructed and rehabilitated housing more resilient to future disasters. Additional information regarding the methodology utilized to determine the housing unmet needs can be found in section *II.B Housing Unmet Needs*.

Infrastructure

Infrastructure impacts are estimated from the non-federal cost share of FEMA PA and HMGP projects, FHWA, and non-match projects submitted to Lee County. An increase of 30 percent¹¹ of the total of all Lee County PA project costs was included to account for costs associated with making repaired and newly constructed infrastructure more resilient to future disasters. An additional 38 percent¹² Producer Price Index increase for building materials and supplies was incorporated to account for anticipated increases in the cost of building materials. Additional information regarding the methodology utilized to determine the infrastructure unmet needs can be found in section *II.C. Infrastructure Unmet Needs*.

Economic Revitalization

To calculate the economic revitalization unmet needs, Lee County used summarized SBA data using Total Verified Loss (estimate) for a subset of operational categories and accounted for an additional 30 percent in funding needed to support rebuilding to higher standards (resilience) and removed payments that had been made. Additional information regarding the methodology utilized to determine the Economic Revitalization Unmet Needs can be found in section *II.D Economic Revitalization Unmet Needs*.

¹¹ The 30 percent resilience investment is consistent with the approach that HUD took in 2013 when it allocated CDBG-DR funding to jurisdictions impacted by Superstorm Sandy. See the allocation methodology in HUD's Federal Register Notice issued November 18, 2013 (78 FR 69112).

¹² Producer Price Index by Industry: Building Material and Supplies Dealers, April 2023, <https://fred.stlouisfed.org/series/PCU44414441>

Table 3 – Summary of estimated unmet needs and proposed allocation list the unmet need estimates by HUD category. It lists the proportion per category of the total estimate, the proposed HUD funding allocation per category, and proportion of HUD funding per program category.

Category	Unmet Need	Percent of Total Unmet Need
Housing	\$4,598,352,445	56.92%
Infrastructure	\$3,040,625,610	37.63%
Economic	\$440,320,907	5.45%
Total	\$8,079,298,962	100%

B. HOUSING UNMET NEED

The following section describes the losses and unmet needs related to Hurricane Ian’s impact on housing in Lee County.

The unmet needs analysis identified a total housing unmet recovery need of \$4,598,352,445.

FEMA real property damage estimates indicate that there are approximately 18,473 (79.87 percent) owner-occupied units and 4,655 (20.13 percent) renter-occupied units that suffered major-high or severe damage. Insurance data indicate that there are an estimated 49.08% of homeowners without insurance. By adding the number of renter and owner-occupied units, then multiplying by the percent estimated to be uninsured, the County estimates that approximately 11,351 households may need some assistance to fully recover from Hurricane Ian. The County further estimates, based on the overall LMI population, that 4,742 (41.78 percent) of these households may be income qualified for CDBG-DR programs.

Lee County will implement the following housing recovery projects to address the unmet housing need in Lee County:

- Single Family Housing Repair, Reconstruction, and Elevation
- Multi-Family and Rental Housing Repair, Rehabilitation, and Reconstruction
- New Construction of Affordable Housing Units
- Voluntary Residential Acquisition
- Home Purchase Assistance (i.e., downpayment, closing cost, and mortgage buydown assistance)

The housing programs together will receive \$641,552,930 of the allocated CDBG-DR funds from HUD. This represents approximately 56 percent of the CDBG-DR unmet needs funds allocated to Lee County. Approximately 2,800 households will be provided assistance through the projects listed above. Housing created or preserved through CDBG-DR funds will be promoted to LMI populations through direct outreach and wide-spread marketing.

Lee County encourages developers to provide the Lee County Homeless Continuum of Care first access to submit rental applications for new housing units. If utilized, this direct referral process facilitates housing opportunity for persons experiencing homelessness through prioritized access to new affordable housing units.

LIMITATIONS OF DATA

A single data source does not provide sufficient accurate information, so multiple sources were used to understand the full extent of needs in Lee County following Hurricane Ian. It is important to note that the data in this assessment reflects the best available data as of July 2023, and it captures the needs at that point in time.

- **FEMA Individual Assistance (IA):** The FEMA IA Program is the primary source of data on impacted households and for calculating unmet housing recovery needs for CDBG-DR grantees. Following a disaster, homeowners and renters voluntarily register for FEMA IA. FEMA Verified Loss¹³ awards only aid with repair/replacement to restore the home to habitable conditions. FEMA IA data only reflects the cost to repair a home to habitable conditions and often underestimates need. However, the data available at the household level, including a range of income and real property damage estimates, allows for an analysis consistent with the unmet needs calculation outlined in the May 18 Notice.
- **Small Business Administration (SBA):** The SBA disaster loan program is a recovery resource available to impacted households. The program provides loans for housing repairs and is primarily accessed by homeowners. SBA loan estimates are based on inspections, and often include the full cost to restore a home.
- **Insurance Claims:** Lee County has requested household level insurance claim information for homeowner's insurance and National Flood Insurance Program (NFIP). Summarized NFIP claim data at the county level was available and has been used to estimate the average claim per household. The County utilized the June 16, 2023, insurance data made available by the Florida Office of Insurance Regulation (FOIR) for Lee County. FOIR didn't

¹³ <https://www.fema.gov/press-release/20230425/understanding-fema-verified-loss-0>

provide the direct incurred losses. Lee County has estimated the Direct Incurred Losses value by taking the total estimated insured losses for the State, then dividing by the open and closed paid claims to get an average paid claim. The average paid claim was then multiplied by the number of open and closed paid claims for Lee County.

- **American Community Survey:** The American Community Survey (ACS) is updated annually and is based on a sample of 3.5 million residents in the 50 states. ACS data was used to capture socioeconomic and demographic data. The ACS asks more comprehensive questions than the ten-year census with the goal of “providing current information to communities every year...for programs, economic development, emergency management, and understanding local issues and conditions.”¹⁴
- **Vulnerability Mapping and Analysis Platform (VMAP):** VMAP is a system designed to streamline complex geospatial and statistical analysis for social, medical, and environmental vulnerability. VMAP implements current and historical methods for determining social vulnerability at various levels of geography for the entire nation. VMAP’s Social Vulnerability Mapping Tool allows registered users to create tract level SoVI maps at the State, County, City, Congressional District, and Watershed level or regions otherwise defined by the user. Future versions of VMAP will allow users to apply a variety of social vulnerability models in addition to the SoVI model (CDC-SVI, Georgetown Model).¹⁵
- **HUD & Homelessness Data Exchange (HDX) Homeless Point-in-Time Count:** The Point-in-Time (PIT) Count is an annual count conducted by every Homeless Continuum of Care (CoC) in the County on one designated night in January. It accounts for the number of individuals housed in emergency shelters, transitional housing, Safe Havens, and those who are unsheltered. As the data only includes individuals sleeping outside and in shelters, it does not capture those experiencing homelessness who are sleeping in motels or staying with friends or relatives temporarily.¹⁶

¹⁴ <https://www.census.gov/programs-surveys/acs/about/acs-and-census.html#:~:text=The%20American%20Community%20Survey,-Conducted%20every%20month&text=Provides%20current%20information%20to%20communities,understanding%20local%20issues%20and%20conditions>

¹⁵ <https://www.vulnerabilitymap.org/>

¹⁶ Agans, Robert P., Jefferson, Malcolm T., Bowling, James M., Zeng, Donglin, Yang, Jenny and Silverbush, Mark. "Enumerating the Hidden Homeless: Strategies to Estimate the Homeless Gone Missing From a Point-in-Time Count" Journal of Official Statistics, vol.30, no.2, 2014, pp.215-229. <https://doi.org/10.2478/jos-2014-0014>

- **HUD Low- and Moderate-Income Data (LMI):** This data is available on the HUD Exchange at the block group, tract, jurisdiction, and county levels. The HUD limits calculate the very low (50 percent of area median income) income limit, extremely low income, and low (80 percent of area median income)¹⁷ income limit for 1 person to 8 person families for every county and state in the United States. The limits are recalculated annually to determine eligibility for public housing, Section 8 vouchers, and disabilities and elderly programs.
- **Public Housing Damage:** Lee County requested damage and unmet needs information from the Housing Authority of the City of Fort Myers and Lee County Housing Authority. Other owners of HUD assisted housing units were contacted via email, but Lee County received limited responses with damage levels or unmet needs information.

1. DISASTER DAMAGE AND IMPACTS

Hurricane Ian destroyed over 9,900 homes in Lee County and at least 13,000 units suffered serious damage. This unprecedented level of damage rendered a significant number of the County's housing uninhabitable post-storm, with an additional 24,000 units having suffered lesser levels of damage. At the same time, Ian made approximately 40 percent of the county's hotel/motel rooms uninhabitable as well. Addressing this extensive loss of housing units and options will be a focus for the County in its use of CDBG-DR funding.

HOUSING SITUATION IN LEE COUNTY

The 2020 Census profile for Lee County indicates an overall population of 760,822 individuals.¹⁸ Current U.S. Census Bureau data¹⁹ estimates an overall population of 822,453 individuals for 2022. The median household income is approximately \$66,256 and approximately 50.6 percent of the population is employed. There are approximately 20,054 businesses in the County and 416,332 housing units. Approximately 18.2 percent of the population speak Spanish at home and 173,161 individuals are of Hispanic or Latino ethnicity.

¹⁷ For purposes of the CDBG program, low- and moderate-income is defined as total household income at or below 80% of Area Median Income (AMI) as defined by HUD. AMI is calculated yearly at the state level with each county and for certain metropolitan areas having defined income limits.

¹⁸ <https://www.census.gov/quickfacts/leecountyflorida>

¹⁹ <https://www.census.gov/quickfacts/fact/table/leecountyflorida,US/PST045222>

As stated in the 2019 to 2023 Consolidated Plan,²⁰ the County was in the midst of a severe affordable housing crisis prior to Hurricane Ian. Cost burden and lack of affordable housing were identified as the most critical housing issues faced by the County. At the time, more than 37,000 households had rent and other expenses exceeding 50 percent of the household income. Of these households, approximately 43 percent fell within the 0-30 percent AMI category.

The Lee County Homeless Continuum of Care identified significant need for affordable units for households with more than five members and for single person households. Modernizing the existing housing stock was also presented as a critical need. The County recognizes that housing cost burden is typically increased for those with lower income; the lower the income, the larger percentage of a household's income is allotted to housing costs.¹⁹

Beginning in March 2020, the COVID-19 pandemic had specific impacts on the County. A public survey found that, in addition to new healthcare, mental health, and public health problems associated with COVID-19, an overwhelming majority of the respondents stated they needed household assistance to pay for rent, utilities, food, and other bills due to reduced work hours or unemployment.

COVID-19 brought significant income losses and massive in-migration population boom to the County. Immediately following the start of the COVID-19 pandemic, the County experienced a slight downturn in tourism. This, however, quickly changed and the County experienced an influx of individuals, not only to visit, but to set up permanent residency. This resulted in a housing market unable to keep up with the demand. The County saw availability and costs of housing increase, leaving individuals struggling to find housing. Census data indicates that more than 14 percent of Lee County's population relocated to the County in the last year. An estimated 6.8 percent of the population moved into Lee County from another county, state, or country. Approximately 31 percent of the housing units in Lee County are occupied by a household that moved into Lee County in 2019 or later. More than 21 percent of these households are living in rental units, as opposed to just 8.7 percent in owner-occupied housing units.

Unprecedented local growth paired with rising inflation across the nation, exacerbated the housing cost burden that many low-income families were already experiencing. As the community emerged from the pandemic and inflation continued to rise nation-wide, the economic impacts of households with incomes at or below 80 percent of the area median income

²⁰ <https://www.leegov.com/dhs/Documents/Planning/Final%20Draft%20for%20Public%20Comment.pdf>

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were significant. In the past two years, Lee County jumped to the ninth fastest growing county in the U.S., creating significant strain on the already limited housing market.²¹

In January 2022, a tornado ripped through the County destroying 74 homes, with an additional 61 sustaining major damage, and 58 sustaining minor damage. One hundred more homes were impacted but were in livable condition. Just as replacement trailers were being installed at the Tropicana Mobile Home Park, Hurricane Ian made landfall in the County and these replacement housing units were destroyed. These catastrophic damages compounded an already fragile housing market in the County.

With the cascading impacts of COVID-19, tornadoes, and Hurricane Ian, housing needs in Lee County will continue to evolve in the coming years. *Figure 7* below shows the median house value in the County by census tract. Areas with the highest median house values are found along the Gulf coast on Sanibel Island, Fort Myers Beach, and Estero. The lowest median house values are found in northeast Cape Coral, northwest Pine Island, Fort Myers, and Lehigh Acres.

²¹ https://www.gulfshorebusiness.com/gb_daily/lee-among-10-fastest-growing-counties-in-the-u-s/

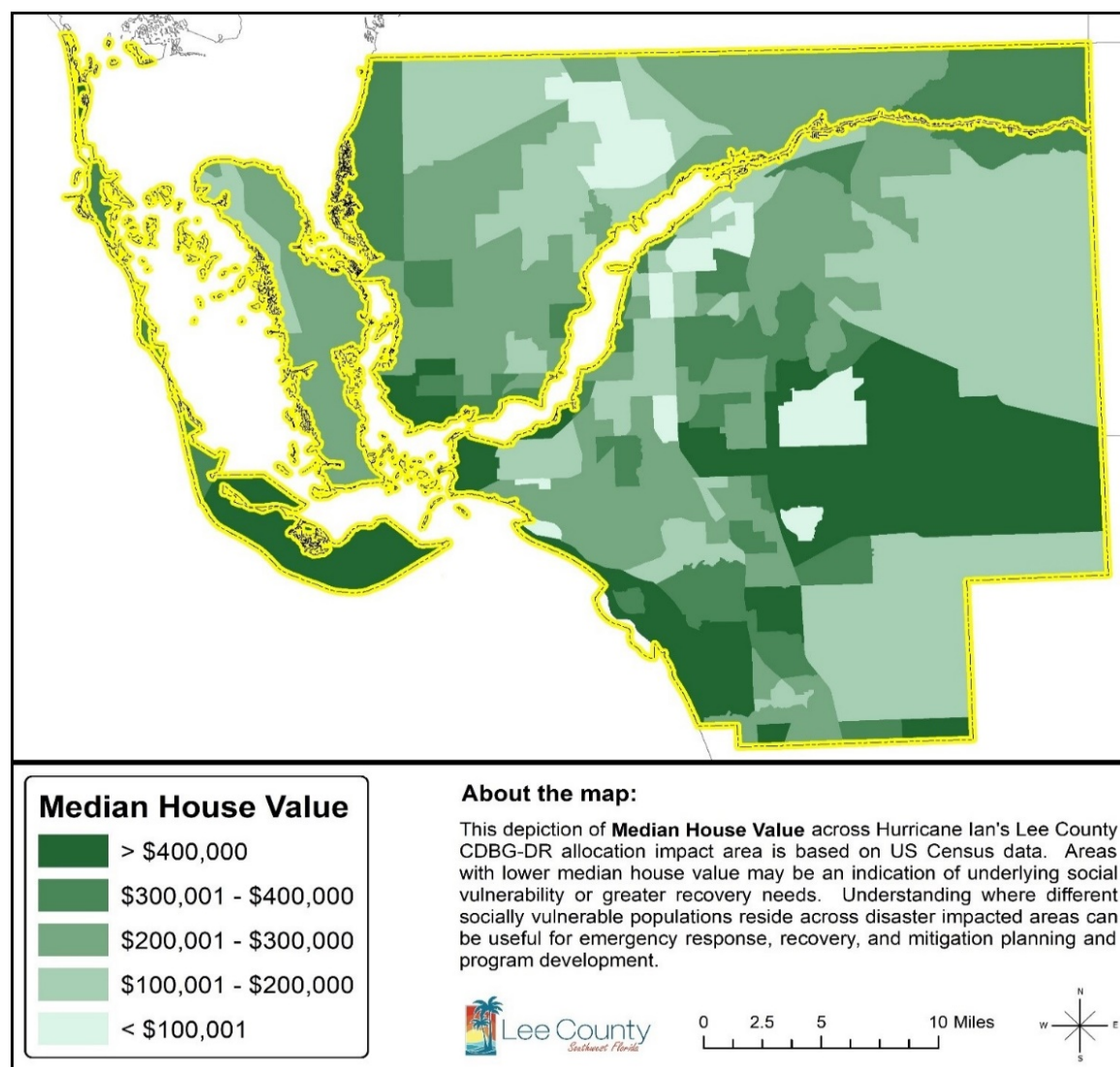


Figure 7 – A map of median house values in Lee County, FL. ²²

²² Map generated from Census ACS 2016-2020 table using tract level data for Lee County: [B25077 - Census Bureau Tables](#)

2. SINGLE FAMILY V. MULTI-FAMILY NEEDS (OWNER-OCCUPIED V. TENANT)

Affordability

High housing costs can impact the amount of money households are able to save or use for essential and nonessential expenses. Recognizing the affordability issues for renters and owners within the County, Comprehensive Housing Affordability Strategy (CHAS) data has been analyzed to determine the extent of local affordability issues based on the best-available data while developing this assessment. Each year, the U.S. Department of Housing and Urban Development (HUD) receives custom tabulations of American Community Survey (ACS) data from the U.S. Census Bureau. CHAS data demonstrates the extent of housing problems and housing needs, particularly for low-income households.

Demonstrating the scale of households with high housing costs, *Table 4* provides an overview of the housing cost burden for owners and renters within Lee County. CHAS data defines cost burden as “the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is ‘select monthly owner costs,’ which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.”

Lee County renters experience cost burden at higher rates than owners. Approximately 25.01 percent of renters are paying more than 50 percent of their total household income toward rent, compared to only 10.17 percent of owners. Providing more affordable rental units through new construction may help to reduce the percent of renters who are severely cost burdened. Providing home purchase assistance may also assist to transition some renters to owners, which, as demonstrated in *Table 4*, tend to have lower overall housing cost burden.

Table 4 - The housing cost burden overview of owners and renters within Lee County.

Housing Cost Burden Overview	Owner	Renter	Total
Cost Burden ≤ 30%	149,810 (75.06%)	38,015 (49.77%)	187,825
Cost Burden >30% to ≤ 50%	26,220 (13.14%)	17,270 (22.61%)	43,490
Cost Burden > 50%	20,295 (10.17%)	19,100 (25.01%)	39,395
Cost Burden not available	3,270 (1.64%)	1,990 (2.61%)	5,260
Total	199,590	76,375	275,965

Source: Comprehensive Housing Affordability Strategy (CHAS) Data, 2015-2019 ACS 5-year estimates²³

Figure 8 and *Figure 9* provide illustrations of housing cost burdened and rent burdened populations by census tract. HUD and ACS data define housing cost burdened populations as

²³ https://www.huduser.gov/portal/datasets/cp.html#query_2006-2019

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households spending more than 30 percent of their income on housing costs. Similarly, rent burdened populations are defined as renters that spend more than 30 percent of their income on rent costs. Areas with the highest percentage of cost burdened households include Fort Myers, North Fort Myers, Cape Coral, and Lehigh Acres. Areas with the highest percentage of rent burdened populations include Fort Myers, North Fort Myers, Cape Coral, Lehigh Acres, and Bonita Springs.

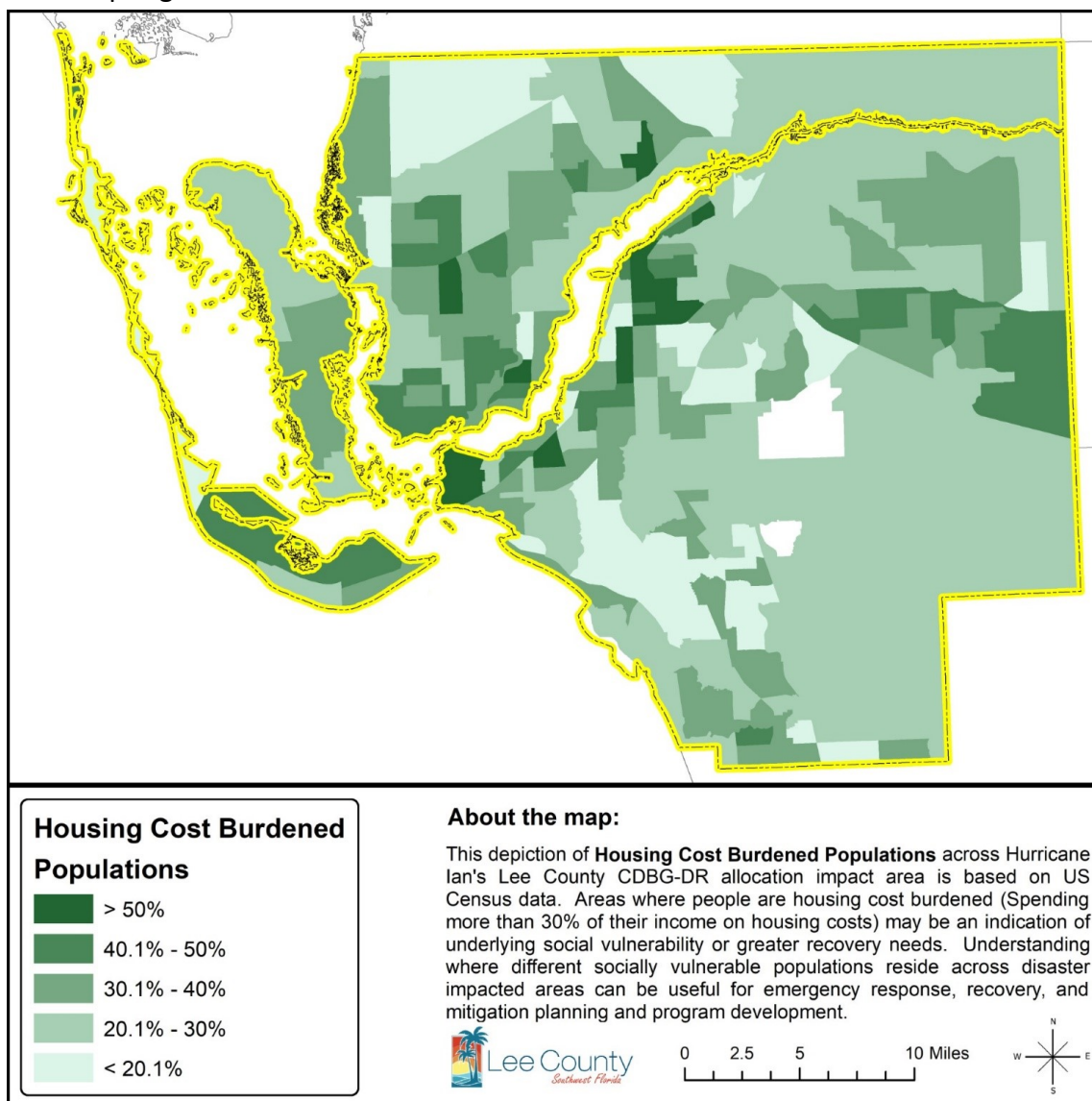


Figure 8 - A map of housing cost burdened populations within Lee County. ²⁴

²⁴ Map generated from Census ACS 2016-2020 table: [B25106: TENURE BY HOUSING COSTS AS ... - Census Bureau Tables](#) tract level data for Lee County

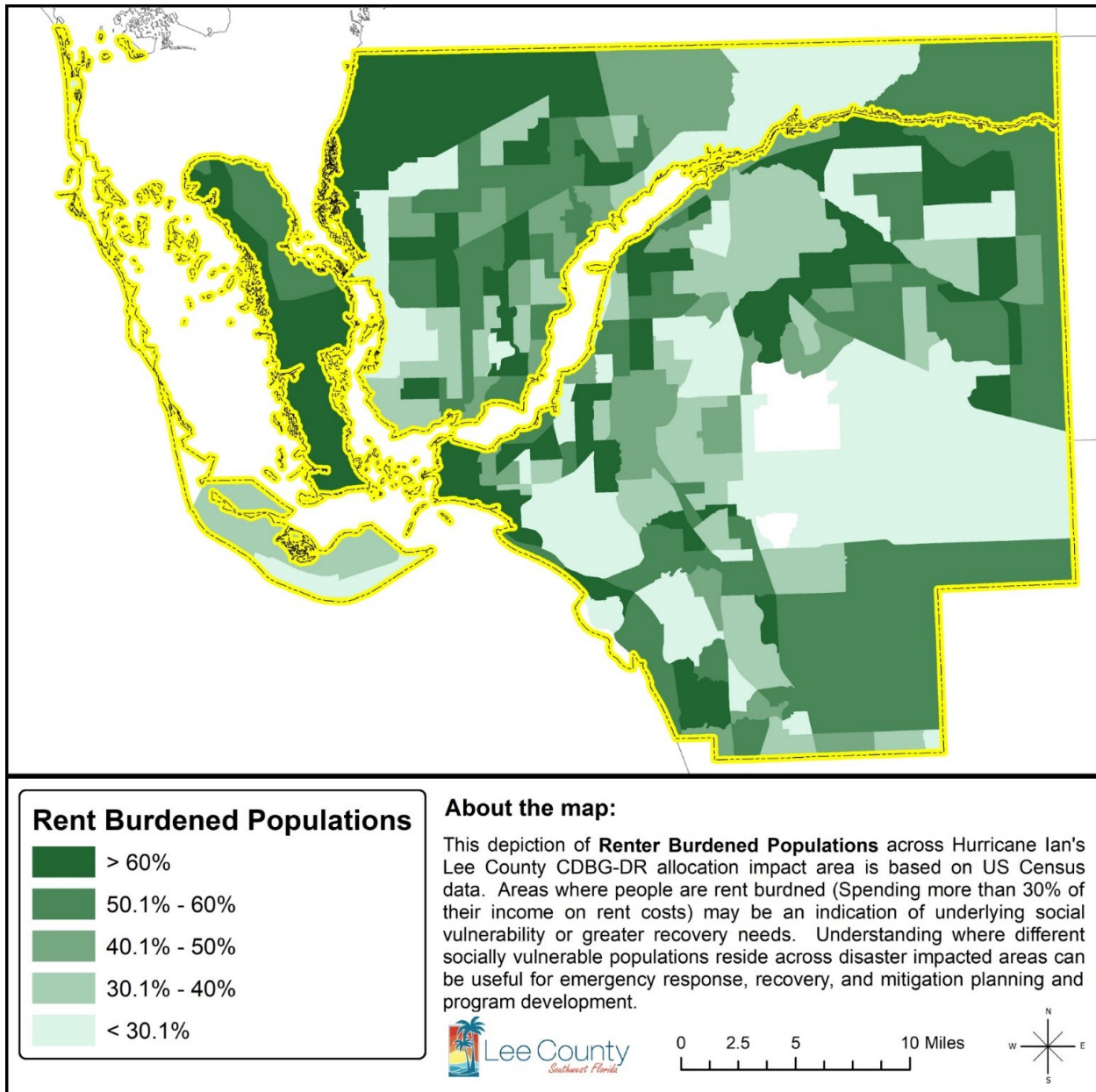


Figure 9 - A map of renter burdened populations within Lee County. ²⁵

Table 5 demonstrates the extent of affordability issues for renters within the County by providing a comparison of the 2023 HUD HOME Program Fair Market Rent values and real median rent calculated by the Regional Economic Research Institute at Florida Gulf Coast University to determine the real median rent as of Q2 2023.

²⁵ Map generated from Census ACS 2016-2020 table: [B25106: TENURE BY HOUSING COSTS AS ... - Census Bureau Tables](#) tract level data for Lee County

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Median rent for a 2-bedroom unit is 57.8 percent, or \$840, more per month than the fair market rent value provided by HUD. A household of four with an income at 80 percent of the area median income would pay just over 40 percent of their income toward rent each month if paying the real median rental rate.

Table 5 – A 2023 HOME Fair Market Rent and Real Median Rent Comparison.

County	2023 HOME Program Fair Market Rent (2-bedroom) ²⁶	2023 Real Median Rent (2-bedroom) ²⁷	% Above HOME Fair Market Rent
Lee County	\$1,451	\$2,291	57.89%

Source: 2023 HOME Program Rents and Regional Economic Research Institute at Florida Gulf Coast University, 2023 Q2 Real Estate Report Southwest Florida.

Table 6 provides a 5-year overview of the per unit cost at the two public housing authorities in Lee County. Dating back to 2017 (*Table 6* only covers a 5-year period), individuals with housing choice vouchers at both public housing authorities have seen these units become less affordable year after year due to annual increases in the per unit cost.²⁸ A cumulative comparison of all of the public housing authorities in Florida shows that the Housing Authority of Lee County has seen the fourth highest per unit cost percentage increase over a 5-year period (2018-2022) in the state. The 2023 per unit cost for the Lee County Housing Authority is currently \$891.36 and the 2023 per unit cost for the Housing Authority of the City of Fort Myers is \$829.46.²⁹

²⁶ 2023 HOME Program Rents: https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_RentLimits_State_FL_2023.pdf

²⁷ Regional Economic Research Institute at Florida Gulf Coast University, 2023 Q2 Real Estate Report Southwest Florida: <https://www.fgcu.edu/cob/reri/files/rer/swfl-real-estate-2023q2.pdf>, page 38

²⁸ https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/dashboard

²⁹ https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/dashboard

Table 6 – The housing choice voucher per unit cost (PUC) by year.

Public Housing Authority	2018	2019	2020	2021	2022	5-Year % Change PUC
Lee County Housing Authority	\$619.84	\$698.84	\$758.13	\$771.23	\$813.77	50.26%
Housing Authority of the City of Fort Myers	\$602.11	\$639.80	\$683.93	\$743.59	\$785.33	42.21%

Source: U.S. HUD Housing Choice Voucher (HCV) Data Dashboard, March 2023³⁰

In accordance with HUD guidance, the County defines affordable rent as the lesser of:

- The fair market rent for existing housing for comparable units in the area, as established by HUD under 24 CFR 888.111; or
- A rent that does not exceed 30 percent of the adjusted income of a family whose annual income equals 65 percent of the Area Median Income (AMI), as determined by HUD, with adjustments for number of bedrooms in the unit. The HUD HOME Investment Partnerships Program rent limits will include average occupancy per unit and adjusted income assumptions.

Fair Market Rents are established by HUD each year for the Section 8 Program. For more information on the annual calculation of Fair Market Rents, visit the [Fair Market Rents](#) page.

Lee County will use the affordability standards outlined in the Resale and Recapture in section *IV.H Resale and Recapture*. Affordability restrictions will be enforced via deed restrictions, covenants, or other similar mechanisms and/or instruments.

Figure 10 shows the percentage of renters in Lee County by census tract. The greatest percentage of renters are concentrated near downtown Fort Myers, northeast Cape Coral, Lehigh Acres, and outside of Fort Myers Beach. The high concentration of renters in the floodplain near downtown Fort Myers and outside of Fort Myers Beach remain at risk for future flood and/or storm surge threats. Producing new, affordable units through the CDBG-DR program outside of the floodplain and ensuring that any newly constructed or rehabilitated housing units are properly elevated will provide lower risk and more affordable housing to both renters and owners. Adding affordability

³⁰ https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/dashboard

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requirements will guarantee that rental and new owner-occupied housing remains affordable to residents of Lee County.

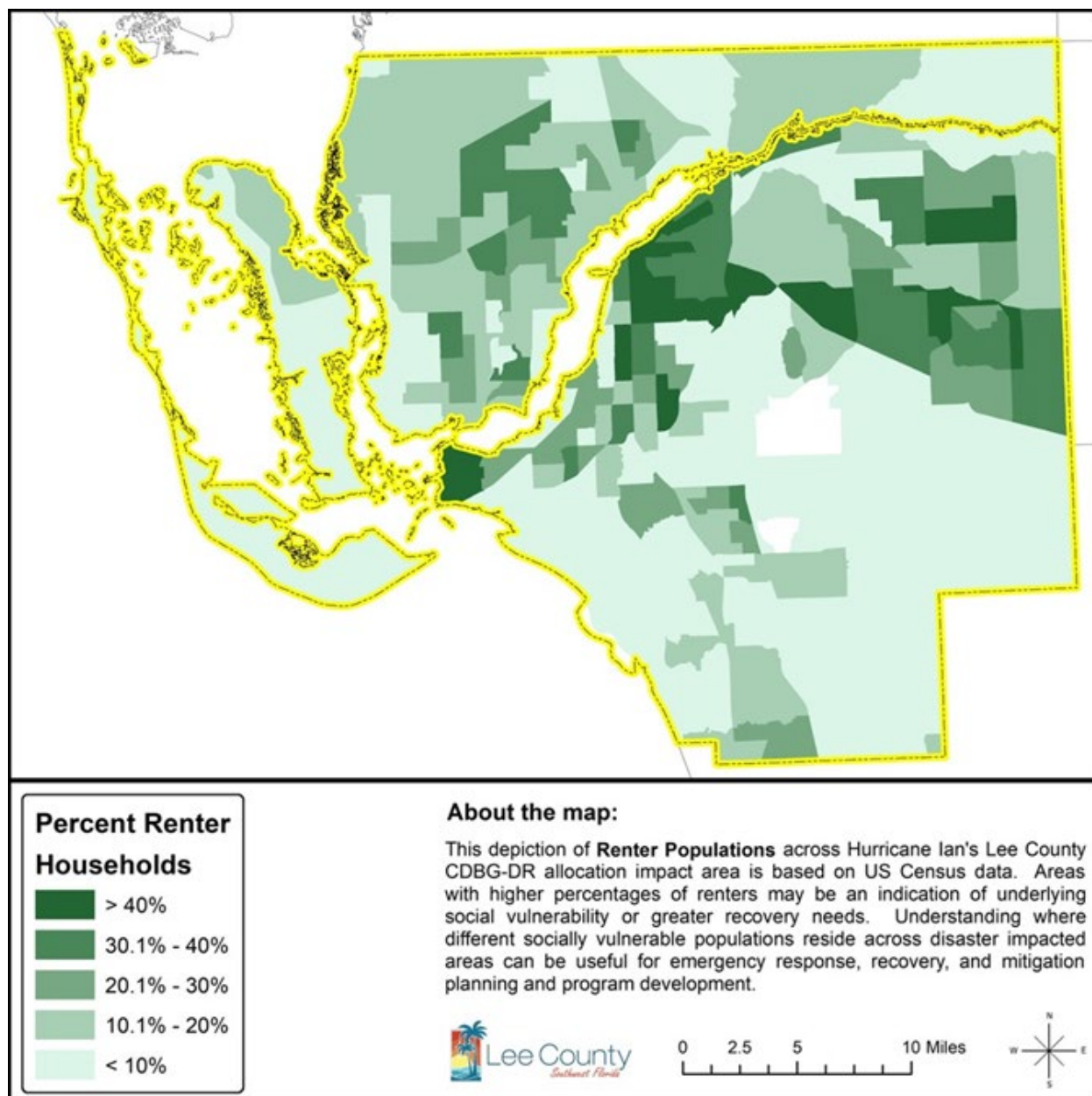


Figure 10 - The percent of renter households. ³¹

³¹ Map generated from Census ACS 2016-2020 table

[https://data.census.gov/table?q=B25003&g=050XX00US12071\\$1400000&y=2020](https://data.census.gov/table?q=B25003&g=050XX00US12071$1400000&y=2020) tract level data for Lee County

a. FEMA Individual Assistance

The FEMA IA Program is the primary basis for establishing housing unmet recovery needs for CDBG-DR grantees. The data limitations noted above are compounded due to the voluntary nature of FEMA applications. Residents must voluntarily register with FEMA for assistance after a disaster, this often leaves a gap between the true disaster impacts and the households that register for assistance. Despite these limitations, FEMA IA remains the best data source for identifying individual and household disaster unmet needs for housing recovery. The following section provides an overview of the County's housing impacts as a result of Hurricane Ian. In Lee County, a total of 193,934 households registered for FEMA IA assistance, including 125,255 owner-occupied households and 68,679 rental households.³²

The May 18 Notice outlines the following damage categories by owner-occupied and rental units:

FEMA Inspected Owner Units

- **Minor-Low:** Less than \$3,000 of FEMA inspected real property damage.
- **Minor-High:** \$3,000 to \$7,999 of FEMA inspected real property damage.
- **Major-Low:** \$8,000 to \$14,999 of FEMA inspected real property damage and/or 1 to 3.9 feet of flooding on the first floor.
- **Major-High:** \$15,000 to \$28,800 of FEMA inspected real property damage and/or 4 to 5.9 feet of flooding on the first floor.
- **Severe:** Greater than \$28,800 of FEMA inspected real property damage or determined destroyed and/or 6 or more feet of flooding on the first floor.

FEMA Inspected Rental Units

- **Minor-Low:** Less than \$1,000 of FEMA inspected personal property damage.
- **Minor-High:** \$1,000 to \$1,999 of FEMA inspected personal property damage or determination of "Moderate" damage by the FEMA inspector.
- **Major-Low:** \$2,000 to \$3,499 of FEMA inspected personal property damage or 1 to 3.9 feet of flooding on the first floor or determination of "Major" damage by the FEMA inspector.
- **Major-High:** \$3,500 to \$7,500 of FEMA inspected personal property damage or 4 to 5.9 feet of flooding on the first floor.

³²<https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

- **Severe:** Greater than \$7,500 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor or determination of “Destroyed” by the FEMA inspector.

The following tables (*Table 7, Table 8, Table 9, Table 10, and Table 11*) provide a breakdown of FEMA IA applicants by owner-occupied applicants, tenants, applicants by housing type, owner-occupied real property by HUD damage category, and rental units by HUD damage category.

Note: The maximum amount available to a household under the FEMA IA program for Hurricane Ian was \$37,900 and this amount varied based on the degree of damage or loss.

The most impacted populations were owner-occupied (64.59 percent of total applicants) and single-family and duplex housing (66.26 percent of all units damaged).

Owner-occupied units in Lee County were significantly impacted by Hurricane Ian-related storm surge, wind, and localized flooding. While total FEMA IA registrations show the widespread impact of Hurricane Ian in Lee County, FEMA Verified Loss provides a more accurate understanding of households that were inspected by FEMA for a documented loss related to the disaster. For owner-occupied units, 32,889 of the 43,939 inspected properties were verified as damaged. Lee County’s FEMA’s total verified loss for owner-occupied units is \$937,171,307 with the average loss of \$29,110 per unit.

Table 7 - The FEMA IA owner-occupied overview.

County	# of Applicants	# of Inspections	# Inspected with Damage	# Received Assistance	Total FEMA Verified Loss	Average FEMA Verified Loss
Lee County	125,255	43,939	32,194	23,889	\$937,171,307	\$29,110

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023³³

Table 8 - The FEMA IA tenants overview.

County	# of Applicants	# of Inspections	# Inspected with Damage	# Received Assistance	Total FEMA Verified Loss	Average FEMA Verified Amount
Lee County	68,679	25,807	10,549	3,542	\$38,218,553	\$3,622.96

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023³⁴

³³ <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

³⁴ <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

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Table 9 shows FEMA IA applicants by housing type. The highest number of applicants came from housing/duplex units (128,853), apartment units (21,150), condo units (13,596), and mobile home units (20,452).

Table 9 – The FEMA IA applicants by housing type.

Residence Type	# of Applicants	% Owner-Occupied	% Tenants	% Unknown	% Type
Apartment	21,150	0.11%	99.80%	0.09%	10.88%
Assisted Living Facility	142	0.70%	98.59%	0.70%	0.07%
Boat	486	76.54%	22.84%	0.62%	0.25%
College Dorm	33	0.00%	96.97%	3.03%	0.02%
Condo	13,596	78.58%	20.92%	0.50%	6.99%
Correctional Facility	15	0.00%	100.00%	0.00%	0.01%
House/Duplex	128,853	71.04%	28.77%	0.19%	66.26%
Military Housing	13	7.69%	92.31%	0.00%	0.01%
Mobile Home	20,452	84.80%	14.49%	0.71%	10.52%
Other	5,358	47.80%	51.34%	0.86%	2.76%
Townhouse	3,191	59.82%	40.08%	0.09%	1.64%
Travel Trailer	1,177	69.58%	29.91%	0.51%	0.61%
Total	194,466	64.41%	35.32%	0.27%	100.00%

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023.³⁵

Table 10 – The FEMA Real Property Damage Owner-Occupied Units.

County	Units with Minor-Low	Units with Minor-High	Units with Major-Low	Units with Major-High	Units with Severe
Lee County	7,941	3,165	6,855	9,199	9,284

Source: Value added data created from Open FEMA Individual Assistance Valid Registrants V1 as of 5/9/2023 when combined with HUD Income limit data.³⁶

Rental units by HUD damaged category are shown in Table 11. Through FEMA IA, renters are eligible to apply for monthly rental assistance and to replace damaged or destroyed personal property. FEMA does not inspect rental properties for real property damage, so the damage estimate of the rental units is based on the HUD-defined personal property amount by damage category.

³⁵ <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

³⁶ <https://www.huduser.gov/portal/datasets/il.html>

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Table 11 - FEMA Real Property Damage Rental Units.

County	Units with Minor-Low	Units with Minor-High	Units with Major-Low	Units with Major-High	Units with Severe
Lee County	2,804	28	3,263	3,948	707

Source: Value added data created from Open FEMA Individual Assistance Valid Registrants V1 as of 5/9/2023 when combined with HUD Income limit data.

b. Insurance

Table 12 shows the number of FEMA IA registered households in Lee County without flood insurance. This information is categorized on the basis of annual income. The high number of FEMA IA registrants without flood insurance suggests that Lee County is underinsured for flood events caused by Hurricane Ian, thereby creating a significant demand for financial resources for housing recovery. Households with an income below \$15,000 represent the greatest percentage without flood insurance at 94 percent.

Table 12 – The number of households without flood insurance.

Income Category	County	Number without Flood Insurance	Percentage without Flood Insurance
No Stated Income	Lee County	35,708	82.19%
<\$15,000	Lee County	12,445	94.32%
\$15,000-\$30,000	Lee County	27,371	91.22%
\$30,001-\$60,000	Lee County	43,688	85.56%
\$60,001-\$120,000	Lee County	28,577	73.12%
\$120,001-\$175,000	Lee County	5,598	57.95%
>\$175,000	Lee County	3,777	47.14%
Total	Lee County	157,164	80.82%

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023.³⁷

The Florida Office of Insurance Regulation (OIR) provided data on the number of claims and claims resulting in loss for Lee County in **Table 13**. Of the 263,285 insurance claims filed for damage in Lee County, a total of 198,162 successful claims have been paid as of June 16, 2023, a success rate of approximately 75 percent.

Of the 263,285 claims filed, 11,743, approximately 4 percent, remain open without payment and 53,380, approximately 20 percent, have been closed without payment. This represents a total of 65,123³⁸, approximately 25 percent, of homeowners with insurance that have remaining unmet needs as their claims remain open without payment or have been closed without payment. Although the total value of losses paid by insurance is significant, the only other disaster-related

³⁷ <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

³⁸ <https://www.flor.com/home/ian>

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assistance for homeowners with failed insurance claims are FEMA IA and SBA. SBA loans can be a cost burden for low- and moderate-income populations. SBA loan efforts in Lee County have only resulted in 10,026 approved applications.

Table 13 - The insurance claims and losses in disaster impacted areas.

County	# of Claims	# of Claims Resulting in Loss	Direct Incurred Losses (\$)
Lee County	263,285	198,162	\$2,396,970,949*

Source: FOIR Hurricane Ian Information ³⁹

*Note: FOIR didn't provide the direct incurred losses. Lee County has estimated the Direct Incurred Losses(\$) value by taking the total estimated insured losses for the State dividing by the open and closed paid claims to get an average paid claim. Then multiplied the average paid claim by the number of open and closed paid claims for Lee County.

Table 14 shows the number of households that registered for FEMA IA without homeowners insurance by income in the County. Approximately 78 percent of those that have income less than \$15,000 do not have homeowners insurance. The data reflects that almost half of Lee County households that applied for FEMA IA are without homeowners insurance, suggesting that individuals are underinsured, and unmet needs are significant.

Table 14 - The number of units without homeowners insurance.

Income Category	County	Number without Homeowners Insurance	Percentage without Homeowners Insurance
No Stated Income	Lee County	35,708	58.58%
<\$15,000	Lee County	12,445	77.60%
\$15,000-\$30,000	Lee County	27,371	65.87%
\$30,001-\$60,000	Lee County	43,688	50.64%
\$60,001-\$120,000	Lee County	28,577	29.38%
\$120,001-\$175,000	Lee County	5,598	15.84%
>\$175,000	Lee County	3,777	13.93%
Total	Lee County	157,164	49.08%

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023. ⁴⁰

Those with an income less than \$15,000 have both the highest percentage without flood insurance and without homeowners insurance. This highlights that a significant vulnerable population does not have the financial resources to recover.

³⁹ <https://www.floir.com/home/ian>

⁴⁰ <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

c. SBA Loans

Small Business Administration (SBA) loans are the basic form of federal disaster assistance for homeowners with good credit and income whose private property sustained damage that is not fully covered by FEMA or insurance. Homeowners whose property was damaged by a presidentially declared disaster are eligible to apply for an SBA low-interest loan. Interest rates on these loans are negotiated between the borrower and the lender but are subject to SBA interest rate maximums⁴¹. As of the most recent SBA data update on June 18, 2023, the SBA has received 26,085 SBA home loan applications from property owners in Lee County and 10,026 have been approved (see *Table 15*). The average disbursement amount for SBA loans, as of June 18, 2023, was \$35,229.07 based on applicants that received a disbursement.

Table 15 - The total home loans approved by SBA.

County	# of Approved Loan Applications	Average Disbursement Amount
Lee County	10,026	\$35,229.07

Source: SBA to Lee County (updated on June 18, 2023) ⁴²

d. Summary of Housing Impacts

FEMA IA, Lee County Property Appraiser, and NFIP were the primary data sources that Lee County used to determine housing unmet needs. In *Table 16* below, Lee County started by organizing FEMA IA applicants by the HUD-suggested damage categories (“Minor-Low”, “Minor-High”, “Major-High”, and “Severe”). The FEMA IA value of real property loss was used to estimate loss for all home types that were identified as having “Minor-Low”, “Minor-High”, and “Major-Low” damage. These FEMA IA damage estimates provide the best available information for non-substantially damaged properties.

The FEMA-assessed assistance for repairs typically ranges from \$15,000 to \$28,800 for damage classified as “Major-High” and “Severe”. It is commonly accepted that those amounts would be inadequate to cover the full cost of repairing homes in those categories.

To get a more accurate estimate of housing losses in Lee County, parcel data was collected from the Lee County Property Appraiser to determine the average values of buildings (no land included in the value) for a single-family home, condo/apartment, and mobile home units. The following

⁴¹ <https://www.sba.gov/partners/lenders/7a-loan-program/terms-conditions-eligibility#id-interest-rates>

⁴² Data for SBA Home Loans provided by SBA to Lee County (updated on June 18, 2023)

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average building values were calculated for each home type using 2023 Lee County Property Appraiser data⁴³:

- Single Family = \$277,696 (average of 249,256 units)
- Condo/Apartment = \$335,171 (average of 95,590 units)
- Mobile Home (MHUs) = \$71,200 (average of 16,443 units)

For “Major-Low” damaged units, the County is assuming the properties are not substantially damaged and do not need substantial rehabilitation; for owner-occupied units, the FEMA Real Property Damage maxes out at \$14,999 and is well under the average building value of \$277,696. Because the substantial damage threshold requires that damages exceed 50 percent of total building value, the County used that average by unit type to estimate the property loss per unit for “Major-High” damaged units. For “Severe” damaged properties, the County assumes that these properties were substantially damaged and need to be fully rebuilt. The County estimated the full cost of replacement by using 75 percent of the 2023 Lee County Property Appraiser average building value by building type to estimate the property loss per unit for “Severe” damaged properties. For units that were in the “Major-High” and “Severe” categories but not a single family, condo/apartment, or mobile home; the FEMA IA damage number was used to estimate property loss due to the lack of building value data for those units.

Next, the total value of NFIP claims in Lee County (\$2.3 billion) was added to the estimated total loss of FEMA IA applicants (\$3.2 billion) to get a total housing loss of \$5.5 billion. To obtain the true cost of housing replacement, given increased cost of code compliance and resiliency measures to make buildings more resilient to future disasters, an additional 30 percent⁴⁴ was added to the total housing loss for a total housing loss with resilience of \$7.2 billion.

Table 16 - A summary of housing losses.

Data	Households / Units	Average Real Property Loss	Source of Average Real Property Loss	Estimated Total Loss
Minor-Low Damage to FEMA IA Applicants (All Home Types)	10,745	\$527.97	FEMA IA Value of Real Property Damage	\$5,673,044
Minor-High Damage to FEMA IA Applicants (All Home Types)	3,193	\$3,782.48	FEMA IA Value of Real Property Damage	\$12,077,464

⁴³ <https://www.leepa.org/>

⁴⁴ [FR-5696-N-06](#), page 69113

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Data	Households / Units	Average Real Property Loss	Source of Average Real Property Loss	Estimated Total Loss
Major-Low Damage to FEMA IA Applicants (All Home Types)	10,118	\$6,331.06	FEMA IA Value of Real Property Damage	\$64,057,699
Major-High Damage to FEMA IA Applicants (Houses)	7,191	\$138,963.00	Lee County Appraiser 50% of Average Building Value	\$999,282,933
Major-High Damage to FEMA IA Applicants (Condos/Apartments)	2,192	\$167,585.50	Lee County Assessor 50% of Average Building Value	\$367,347,416
Major-High Damage to FEMA IA Applicants (MHUs)	3,545	\$35,600.00	Lee County Assessor 50% of Average Building Value	\$126,202,000
Major-High Damage to FEMA IA Applicants (All Other Types)	219	\$9,098.61	FEMA IA Value of Real Property Damage	\$1,992,595
Severe Damage to FEMA IA Applicants (Houses)	5,836	\$208,444.50	Lee County Assessor 75% of Average Building Value	\$1,216,482,102
Severe Damage to FEMA IA Applicants (Condos/Apartments)	1,013	\$251,378.25	Lee County Assessor 75% of Average Building Value	\$254,646,167
Severe Damage to FEMA IA Applicants (MHUs)	2,899	\$53,400.00	Lee County Assessor 75% of Average Building Value	\$154,806,600
Severe Damage to FEMA IA Applicants (All Other Types)	243	\$78,005.71	FEMA IA Value of Real Property Damage	\$18,955,144
FEMA IA Applicant Damage Subtotal	47,194	-	-	\$3,221,523,164
NFIP Identified Damages/Payments	21,331	\$109,973	NFIP Claims	\$2,345,824,436
Total Housing Loss	-	-	-	\$5,567,347,600
Total Housing Loss (including 30% resilience for rebuilding to higher standards)	-	-	-	\$7,237,551,881

To ensure that housing repair assistance gets factored into the housing unmet needs calculation, FEMA IA payments to repair homes and NFIP building payments were added together to get the total housing assistance received (\$293 million + \$2.3 billion = \$2.6 billion). See [Table 17](#) for the calculation.

Table 17- A summary of housing assistance.

Data	Count	Average Assistance Received	Estimated Total Loss
FEMA IA Payments to Repair Homes	17,622	-	\$293,374,999
NFIP Identified Damages/Payments	21,331	\$109,973	\$2,345,824,436
Total Housing Assistance	-	-	\$2,639,199,435

The Total Housing Assistance (\$2.6 billion) was subtracted from the total housing unmet needs with resilience included (\$7.2 billion) in [Table 18](#) to get \$4.5 billion, which provides the total housing unmet needs for Lee County as a result of the Hurricane Ian disaster.

Table 18 - Total Housing Unmet Need.

Data	Estimated Total Loss
Total Housing Losses	\$7,237,551,880
Total Housing Assistance	\$2,639,199,435
Total Housing Unmet Need	\$4,598,352,445

The data used in this analysis was the best available data at the time of completion.

3. PUBLIC HOUSING AND AFFORDABLE HOUSING

a) MULTIFAMILY ASSISTED HOUSING

Lee County has a total of 67 assisted affordable housing properties, equaling approximately 6,539 units, 6,095 of which are assisted. Twelve properties, 1,121 units, are Public Housing operated⁴⁵ and included in the needs discussed in this section. The remaining units are owned or operated by other affordable housing developers or non-profit organizations. The County sent direct emails to other HUD assisted unit owners and management and received limited response. The local permanent supportive housing provider shared detailed information regarding damages and unmet needs. Approximately 20 buildings (80 units) of scattered site permanent supportive housing (PSH) units in Lee County received roof damage as a result of Hurricane Ian. A 95-unit development, completed in 2021, experienced minimal structural or roof damage, but lack of backup power and access to water created significant health and life-safety risks for the vulnerable and disabled populations that were unable to evacuate. The PSH provider indicated unmet needs of \$2,741,327 to make necessary repairs and complete hardening improvements to make all properties more resilient.

b) PUBLIC HOUSING AUTHORITIES DAMAGED

The County also consulted the Public Housing Authorities (PHAs) via email and an in-person meeting while developing this Action Plan. As defined by HUD, a PHA includes any state, county, municipality, or other governmental entity, public body, agency, or instrumentality of these entities that is authorized to engage or assist in the development or operation of low-income housing under the U.S. Housing Act of 1937. For the purposes of this unmet needs assessment, the County requested the number of units that sustained Hurricane Ian damage and the current status of the damaged units.

There are two housing authorities in Lee County: The Housing Authority of the City of Fort Myers and the Lee County Housing Authority. Both housing authorities reported that their units received damage.

Many of the properties owned and managed by the Housing Authority of the City of Fort Myers (HACFM) developed post-storm water intrusion issues which led to microbial growth in many of the units occupied by the most vulnerable residents in the City of Fort Myers. HACFM immediately installed temporary tarps on the roofs of properties to mitigate further damage to the units, but the temporary roofs exceeded their life expectancy and contributed to new

⁴⁵ http://flhousingdata.shimberg.ufl.edu/assisted-housing-inventory/results?name=&funder=from_hud&funder=from_fhfc&funder=from_rhs&funder=from_lhfa&overall_expiration_date_of_governing_program=5000&nid=3500

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instances of water intrusion. This resulted in unplanned and ongoing repairs to address the microbial growth precipitated by the water intrusion. HACFM had not received funding from insurance or reimbursement from FEMA as of June 21, 2023, and indicates total unmet needs of approximately \$14 million to make necessary repairs and to harden all properties.

The number of units and affected households is provided in *Table 19*.

Table 19 - Housing Authority of the City of Fort Myers Number of Units and Affected Households.

Property Name	Type of Housing	Affected Buildings	Units Impact	Number of Individuals
Horizon Apartments	Family	15	170	375
Renaissance Preserve I	Senior	1	13	15
Renaissance Preserve II	Family	15	50	204
Renaissance Preserve III	Family	7	19	60
Renaissance Preserve IV	Family	11	35	149
Royal Palm Towers	Senior	1	99	104
Landings at East Point	Family	4	7	31
East Point Place	Family	4	15	46
TOTAL		58	408	984

Lee County Housing Authority (LCHA) also had roof damage to 143 public housing units. As of June 21, 2023, LCHA had not received assistance for the roof repairs from FEMA. As of June 21, 2023, no families have been displaced from their units, and all unit interiors were in good condition with no mold present. Debris has also been completely removed from all sites. LCHA indicated approximate unmet needs of \$2 million to make necessary repairs and harden all properties. *Table 20* has the best data available for public housing authority units.

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Table 20 - The public housing authorities damaged.

County/Municipality	Total # PHAs	Total PHAs Damaged	# of Units Damaged	Remaining Unmet Needs
Lee County	2	2	551	\$16,000,000

Source: County staff data collection via the Housing Authority of the City of Fort Myers and the Lee County Housing Authority

In addition to the impacts of damage to PHAs, there are currently waitlists for public housing units, housing choice vouchers, and project-based vouchers within the County demonstrating a significant need for additional affordable housing units. The County requested waitlist information from the Housing Authority of the City of Fort Myers and the Lee County Housing Authority for this assessment. *Table 21* identifies the number of households on the waitlist at the Housing Authority of the City of Fort Myers and the Lee County Housing Authority as of March 22, 2023.

Table 21 - Local Public Housing Authorities waitlists.

Housing Authority	Households on Waitlist for Public Housing Units	Households on Waitlist for Housing Choice Vouchers (HCV)	Households on Waitlist for Project-Based Vouchers
Housing Authority of the City of Fort Myers	8,993	2,183	1,664
Lee County Housing Authority	1,478	76	N/A
TOTAL	10,471	2,259	1,664

Source: Data collection via the Housing Authority of the City of Fort Myers and the Lee County Housing Authority.

Waitlist information indicates a significant need for rent subsidy and affordable housing options in the County, but this need is further exacerbated by the lack of housing units available for households that have received a voucher for housing assistance. Lee County Housing Authority indicated that their Housing Choice Voucher program had a total of 46 households searching for a housing unit that was available and would accept their voucher. As of July 10, 2023, some voucher holders have been searching since March 21, 2023, and some since May 16, 2023. The Housing Authority has granted the maximum number of extensions that their policy allows, but the move-in success rate is only about 20 percent of all vouchers issued.

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The Lee County Homeless Continuum of Care provided further evidence supporting lack of available units for households with housing vouchers. Among households placed into housing through Rapid Re-Housing programs in the six months preceding Hurricane Ian, the average length of time between program entry and housing move in was 40.2 days. Among households placed in the six months following the Hurricane, the average was 80.9 days. The amount of time required for a household to locate a safe and affordable housing unit has more than doubled since Hurricane Ian.

To address the remaining unmet needs for public housing authorities, permanent supportive housing providers, affordable housing developers, and LMI renters, Lee County has allocated \$350,000,000 in CDBG-DR funds to support the new construction, acquisition, rehabilitation, and preservation of affordable housing units. Lee County anticipates that PHAs and developers will utilize State Housing Initiatives Program (SHIP) funding, as well as other federal and state funding sources in coordination with CDBG-DR to make necessary improvements and to expand affordable housing opportunities for low- and moderate-income households.

4. FAIR HOUSING, CIVIL RIGHTS DATA, AND ADVANCING EQUITY

“Disasters impact people differently based on the communities where they live, and recovery efforts should take those differences into account. Housing is more than the roof over one’s head, and research has shown that community is a powerful predictor of social mobility. Where a person lives determines whether they have access to healthy, safe living environments, high-quality education, employment opportunities, and responsive municipal and commercial services.”⁴⁶

Lee County compiled and analyzed data regarding protected classes and vulnerable populations to determine the most effective way to use CDBG-DR funding to avoid perpetuating disparities and reduce inequities as communities recover. Lee County ensures that all programs and activities in this Action Plan that include sale, rental, financing, or other housing related transactions as well as the repair, enhancement, or construction of dwellings will be conducted without bias or discrimination on the basis of race, color, religion, sex (including gender identity and sexual orientation), familial status, national origin, and disability.

⁴⁶ HUD’s Office of Fair Housing and Equal Opportunity, Grantee Guide for CDBG-DR Recipients
[https://www.hud.gov/sites/dfiles/FHEO/documents/23CDBG-DR%20Consolidated%20Notice%20Fair%20Housing%20Guidance%20\(2022\).pdf](https://www.hud.gov/sites/dfiles/FHEO/documents/23CDBG-DR%20Consolidated%20Notice%20Fair%20Housing%20Guidance%20(2022).pdf)

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Projects and activities planned with CDBG-DR funds will not have an unjustified discriminatory effect on or failure to benefit racial and ethnic minorities in proportion to their communities' needs, particularly in racially and ethnically concentrated areas of poverty. Programs are designed to provide necessary ADA accommodations to support the recovery needs of impacted individuals with disabilities.

Lee County demonstrates this assurance by:

- Posting notices of policy to the Civil Rights Act of 1964 Title VI (Nondiscrimination in Federally Assisted Programs)⁴⁷ and Title VII (Equal Employment Opportunity)⁴⁸, the Civil Rights Act of 1968 Title VIII (Fair Housing),⁴⁹ and Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act⁵⁰ as amended;
- Performing annual monitoring as required by law, rulemaking, and federal grantor funding agreements;
- Developing action plans and other documentation required by federal and state authorities.
- Observing Executive Order 13166 to ensure that eligible persons with Limited English Proficiency (LEP) are provided meaningful access to all federally assisted and federally conducted programs and activities⁵¹;
- Anticipating emerging requirements of the February 2023 HUD Notice of Proposed Rulemaking for Affirmatively Furthering Fair Housing,⁵² by agreeing to affirmatively further fair housing by taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity; and

⁴⁷ Lee County, Notice of Policy, Civil Rights Act Title VI, *Lee County, Southwest Florida*, Fort Myers, Fla., 2023

<https://www.leegov.com/civilrights>

⁴⁸ Lee County, Notice of Policy, Equal Opportunity Plan (EEO), *Lee County, Southwest Florida*, Fort Myers, Fla., 2023,

<https://www.leegov.com/hr/jobsearch/employmentreports>

⁴⁹ Lee County, Notice of Policy, Fair Housing, *Lee County, Southwest Florida*, Fort Myers, Fla., 2023

<https://www.leegov.com/dhs/fairhousing>

⁵⁰ Lee County, Notice of Policy, ADA Notice, *Lee County, Southwest Florida*, Fort Myers, Fla., 2023 <https://www.leegov.com/ada>

⁵¹ Lee County, FY 23/24 Policy, Plan and Monitoring Report for Serving Persons with Limited English Proficiency (LEP), *Lee County, Southwest Florida*, Fort Myers, Fla., 2023 [https://www.leegov.com/civilrights/Documents/FY23-](https://www.leegov.com/civilrights/Documents/FY23-24_Lee_TitleVI_Nondiscrimination%20%20LEP%20Plan%20061223.pdf)

[24_Lee_TitleVI_Nondiscrimination%20%20LEP%20Plan%20061223.pdf](https://www.leegov.com/civilrights/Documents/FY23-24_Lee_TitleVI_Nondiscrimination%20%20LEP%20Plan%20061223.pdf)

⁵² Housing and Urban Development Department, Affirmatively Furthering Fair Housing: A Proposed Rule by the Housing and Urban Development Department on 02/09/2023, *Federal Register, The Daily Journal of the United States Government*, Washington D.C., 2023 <https://www.federalregister.gov/documents/2023/02/09/2023-00625/affirmatively-furthering-fair-housing>

- Adhering to state oversight of these issues through the Florida Civil Rights Act of 1992 and Fair Housing Act of 1983 (State Statute 760), which prohibit housing discrimination based on race, color, religion, sex, national origin, age, handicap, or marital status. In addition to the seven federally protected classes, age is also a protected class in the State of Florida, giving Florida residents greater protection under the State fair housing laws. The Florida Human Rights Act of 1969, formally created the Florida Commission of Human Relations (FCHR), which is responsible for the enforcement of State Statute 760.
- Submitting quarterly reports about the County's fair housing activities to the Florida Department of Commerce (formerly Department of Economic Opportunity) as proof of compliance for the federal grants it administers. These reports include a log of activities related to fair housing and copies of posters and other handouts.

Equal access to residential housing (housing choice) is fundamental to each person in meeting essential needs such as pursuing personal, educational, or employment goals. Because housing choice is so critical to economic development, fair housing is a goal that government, public officials, and the public must embrace for equality of opportunity to become a reality. In recognition of equal housing access as a fundamental right, the County, in support of its Analysis of Impediments to Fair Housing Choice 2019-2023 report, has committed to:

- Analyze and evaluate fair housing data in each jurisdiction.
- Assess regional segregation, racially and ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs based on the protected classes.
- Examine and address fair housing issues.
- Identify fair housing priorities and goals.
- Implement actions to address regional and local impediments.⁴⁰

Efforts to address fair housing objectives specifically outlined in the 2019-2023 report and under proposed rulemaking are summarized in *Table 22*.

Table 22 - Impediments and Actions for Fair Housing

Regional / Local Impediments	2019-2023 Report	Actions
Regional	Housing discrimination in the private market	Prominently display fair housing information on public counters and other points of contact, such as libraries and community centers.
		Include fair housing logo on all housing related documents for public review, brochures, and legal advertisements. Ensure all non-profit agencies that receive housing funds use the logos in advertising.
		Entitlement jurisdictions' scopes of work for fair housing services should include expansion of outreach to small property owners.
		Coordinate countywide regular, random testing to identify issues, trends, and problem properties.
Regional	Disparity in private mortgage lending for racial and ethnic minorities	Increase outreach efforts and homeownership opportunity awareness to minority and ethnic communities.
		Maintain lender guidelines, state and federal assistance, and Fair Housing Laws.
		Fund credit and financial management courses with CDBG or other funds to improve credit issues of racial and ethnic minority applicants.
		Promote the availability of general budgeting classes conducted by the University of Florida Extension

Regional / Local Impediments	2019-2023 Report	Actions
		Services to the targeted communities.
Regional	Public transit options and rising cost of transportation in general limit location options for many lower-income households	Support a regional transportation system that provides services to low- and moderate-income households throughout the County.
		Continue funding bus pass programs and support the creation of alternative modes of transportation to low/mod and disabled households.
Regional	Adequacy of Fair Housing education, training, and outreach programs	Coordinate fair housing programs among three entitlement jurisdictions to collaborate and consolidate efforts to affirmatively further fair housing in Lee County.
		Support non-profit capacity building programs that encourage local non-profits to apply for Fair Housing Initiatives Program (FHIP) and/or Fair Housing Assistance Program (FHAP) funds through HUD.
		Offer fair housing workshops throughout the year.
		Maintain a fair housing log to record activities undertaken throughout the year to affirmatively further fair housing.

Regional / Local Impediments	2019-2023 Report	Actions
Regional	Sufficiency of housing units for persons who require accommodations to access housing in the County	Implement fair housing workshop topics to include “reasonable accommodation” requirements and requirements of Section 504, the Fair Housing Act, the Americans with Disabilities Act, the Architectural Barriers Act, and the State’s Accessibility Building Codes.
		Maintain the Universal Design requirements in new construction funded by federal and state grants.
		Continue to prioritize and fund rehabilitation of housing units for those who require accommodations to access special need housing units.
City of Cape Coral - Local	Fair Housing Ordinance does not include protected class based on familial status and does not define handicapped persons	The City of Cape Coral is considering changes to its ordinance.
City of Fort Myers - Local	The city does not have a Fair Housing Ordinance	The City of Fort Myers is considering adoption of a new Fair Housing Ordinance.
New Considerations		
Regional	Neighborhood Opposition to Diversity in Housing Type	Provide information to local government officials and to the public regarding the need for a variety of housing types and tenure (rights to occupy, rent and own) for all persons regardless of income levels.
		Provide training specifically to elected officials and appointees regarding fair housing laws and local land use decisions.

Regional / Local Impediments	2019-2023 Report	Actions
		<p>Regular review of land use decisions by local governments.</p> <p>Continually encourage minority and low-income households to seek housing counseling from HUD-certified housing counseling agencies. Provide information to housing counseling agencies to assist them in educating minority and low-income households regarding the range of housing options in the City of Fort Myers, including those outside of minority and low-income concentration areas. Encourage attendance at budget management and credit counseling classes offered by housing counseling agencies.</p>
<p>City of Fort Myers - Local</p>	<p>Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)</p>	<p>Promote and conduct outreach to the R/ECAP that highlights job training and business development opportunities offered by the Southwest Florida Enterprise Center and other agencies in the area.</p> <p>Continue to follow the City's Language Access Plan for Spanish-speaking residents and develop additional outreach activities for the Haitian population.</p> <p>Annually sponsor fair housing training for City of Fort Myers residents; network with nonprofit, neighborhood-based and faith organizations; and educate institutions to reach out to minority</p>

Regional / Local Impediments	2019-2023 Report	Actions
		populations and areas of minority concentration.
		Continue to promote and provide mortgage assistance to low-moderate income residents.

AFFIRMATIVELY FURTHERING FAIR HOUSING

As noted above, the County integrates efforts to affirmatively further fair housing in its ongoing operations. In addition, the County also provides the following resources and education to landlords, managers, agents, and the general public:

- Production of Resources: Posters, training programs, an internet-based app, surveys and quizzes, pencils and activity books, and FAQs are available to support local analysis and outreach.
- Information Outreach: Landlords, managers, real estate agents, and local service agencies post or provide Fair Housing Notices in multiple languages.
- Information for the General Public: Providing the general public with an overview of Fair Housing laws and information regarding individual rights and responsibilities when buying and selling homes at <https://www.leegov.com/dhs/fairhousing>.
- Training: Four audiences have access to training specifically designed for them, including children, consumers, housing providers and professionals, and real estate agents.
- One-on-One Technical Assistance: When requested for specific areas of concern, consultations and technical assistance may be given to target audiences.

The County will ensure that CDBG-DR funds to rehabilitate/reconstruct property damaged by Hurricane Ian and to provide new housing stock are allocated to serve LMI persons, vulnerable populations, and historically underserved communities.

Among these target households, the County will further prioritize households with one or more of the below characteristics:

- Households with seniors aged 62 or older; and
- Households including persons with special needs who require accommodation to access structures, receive services, and participate in programs.

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In the interest of advancing equity and reducing barriers when enrolling in and accessing disaster recovery assistance, the County will ensure that all citizens have equal access to information about the programs. The County will offer reasonable accommodation at no charge to the requestor and provide outreach, project documents, and all other communication in alternate formats for persons with disabilities or limited English proficiency. For the County's Hurricane Ian recovery effort, all program documents will be translated into Spanish.

Lee County's Civil Rights Title VI Coordinator monitors Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) et seq.; Executive Order 13166; and the U.S. Department of Labor Revised Guidance Regarding the Title VI Prohibition against National Origin Discrimination Affecting LEP Persons.

To ensure timely, meaningful access and an equal opportunity for individuals with disabilities or LEP to participate in service and benefits provided, the County and its vendors and subrecipients will follow its FY 23/24 Civil Rights Act, Title VI Nondiscrimination Policy, Plan, and Monitoring Report with Policy, Plan, and Monitoring Report for Serving Persons with Limited English Proficiency ("LEP Plan"). Through its LEP Plan, which is available online at <https://www.leegov.com/civilrights> and on the Lee County CDBG-DR website at www.leegov.com/recovery/cdbg-dr, the County will:

- Annually assess target audiences for LEP services;
- Ensure meaningful verbal communication with LEP persons and their authorized representatives;
- Communicate information contained in vital documents;
- Provide ADA compliant interpretation services at no cost to the person being served;
- Inform LEP persons of these services and their right to access them free of charge;
- Accommodate public input from the LEP community;
- Comply with HUD's published Safe Harbor provisions; and
- Manage this plan routinely to ensure continuing compliance.

In accordance with HUD's long-standing guidance on LEP issues, issued January 2007,⁵³ the LEP Plan was developed through an analysis of four factors:

1. The number or proportion of eligible LEP persons in the Lee County service area;

⁵³ <https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-to-federal-financial-assistance-recipients-regarding-title-vi-prohibition-against>

2. The frequency with which LEP individuals come in contact with County service providers;
3. The nature and importance of the program, activity or service provided to the LEP population; and
4. Available resources and overall costs to provide LEP assistance.

Lee County is committed to on-going outreach to potential beneficiaries throughout the program. Targeted efforts will reach those who are elderly, disabled, LMI, and of varied racial and ethnic groups. This outreach includes establishing and preparing a network of stakeholders, including elected officials, non-profits, faith-based organizations, civic associations, and media outlets, to ensure well-coordinated and effective outreach. Lee County is requiring vendors implementing CDBG-DR programs to coordinate with the County and municipalities to ensure physical access to program applications throughout the geographic area, and provide for diversity in application entry points, including onsite and mobile application sites. Vendors are also required to ensure meaningful access and equal opportunity to programs for individuals with disabilities and persons with limited English proficiency, including appropriate ADA accommodations and translation of vital documents.

The County will ensure ongoing coordination with public service providers that work with vulnerable populations to ensure that any remaining or ongoing storm-related impact, including preventing households from becoming homeless, is brought to the County's attention for a coordinated approach. In addition, any vulnerable population brought to the County's attention who are not served under current programs may be referred to specialized public service providers for assistance. Supportive services for persons who are elderly, disabled, victims of domestic violence or have other vulnerabilities will be coordinated through local service providers and the Unmet Needs Long-Term Recovery Group.

The County will provide oversight and monitoring of its subrecipients in accordance with 2 CFR 200.331 and 24 CFR Part 570. Monitoring will include assessing whether CDBG-DR-funded activities are carried out in a non-discriminatory manner. Subrecipients must maintain documentation that demonstrates efforts to comply with fair housing and nondiscrimination obligations. Documentation may include, but is not limited to, the following:

- affirmative marketing and outreach efforts that reduce barriers to the provision of services;
- equitable policies and procedures for the rental or sale of any funded properties,
- reports demonstrating the provision of assistance to diverse populations (*subrecipients must gather race and ethnicity data for all beneficiaries*); and legally sufficient justification

for any practice that may predictably result in a disparate impact on a group of persons or creates, increases, reinforces, or perpetuates segregated housing patterns because of race, color, religion, sex, handicap, familial status, or national origin.

a) DEMOGRAPHICS AND DISASTER IMPACTED POPULATIONS

Table 25 represents demographic profiles for the State of Florida. The American Community Survey (ACS) data includes estimates of populations by race for the declared counties and MID areas. The counties depicted in **Figure 11**, which were designated as eligible for individual assistance are included in **Table 25**, as the “Disaster Declaration” data elements. Lee County was designated as a most impacted and distressed (MID) area. The data points included in **Table 25**, for the “MID” headings are exclusively referencing Lee County, both incorporated and unincorporated areas.

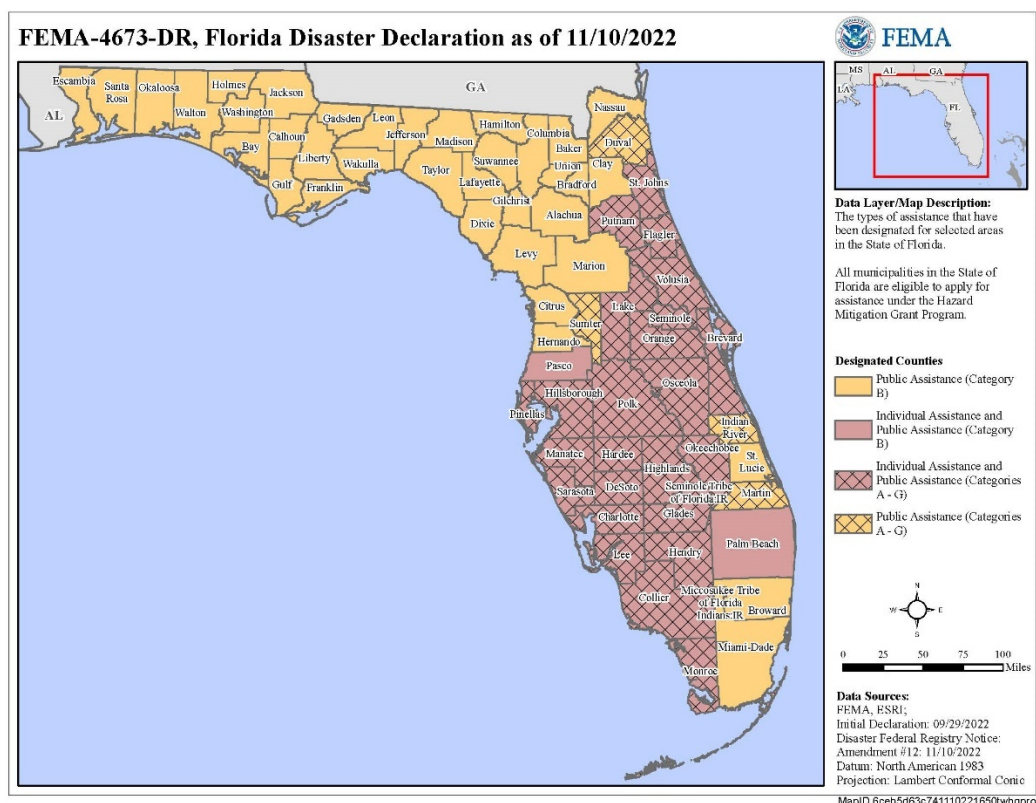


Figure 11- Florida Disaster Declaration for Hurricane Ian⁵⁴

Social Vulnerability Index (SoVI)

The County is using the social vulnerability index to highlight communities that may experience disproportionate challenges to recovery. The index uses the most recent census data (2016-2020)

⁵⁴ https://gis.fema.gov/maps/dec_4673.pdf

to measure the social vulnerability of all census tracts with population in Lee County. The index is a comparative metric facilitating examination of differences in social vulnerability across census tracts, the building blocks of counties. It graphically illustrates the variation in social vulnerability across the impact area, shows where there is uneven capacity for preparedness and response, and helps pinpoint where resources might be used most effectively to reduce the pre-existing vulnerability and encourage recovery. Utilizing social vulnerability is also useful as an indicator in determining the differential recovery from disasters.

The social vulnerability index synthesizes socioeconomic variables, which the research literature suggests contributes to reduction in a community's ability to prepare for, respond to, and recover from hazards. Here, 29 different variables (*Table 23*) are combined to create a unique view of social vulnerability for any area of interest. The County utilized the social vulnerability index here for several reasons:

- Its past success at providing actionable and useful information to decision makers. Social vulnerability data was instrumental in targeting resources to those who were in most need during recovery and rebuilding operations in South Carolina following the catastrophic flooding of 2015 and has been a key aspect of impact and unmet needs assessment since that time. The October 2015 flooding in South Carolina was the first implementation of a methodology to understand pre-event social conditions across the impact area in a post-event recovery context. Social vulnerability was utilized by the state disaster recovery office to identify target areas across the states that would require outside assistance to rebound from this disaster. CDBG-DR supported recoveries in South Carolina⁵⁵, Puerto Rico⁵⁶, and West Virginia⁵⁷ (among others) coupled social vulnerability data with FEMA, NFIP, and SBA support to rapidly highlight areas with greatest need for additional recovery resources and, more importantly, to determine unmet needs.
- Utilizing empirically based measures of community social vulnerability provides an “apolitical” approach for distributing scarce disaster recovery dollars and rebuilding resources for the most benefit to the places that were most impacted and least able to bounce back on their own from this disaster.
- Social vulnerability information also provides an empirically driven approach to graphically illustrate and assist Voluntary Organizations Active in Disasters (VOADs) in

⁵⁵[https://scor.sc.gov/sites/scor/files/Documents/Mitigation/South%20Carolina%20Mitigation%20Action%20Plan%20\(March%2026%2C%202020\).pdf](https://scor.sc.gov/sites/scor/files/Documents/Mitigation/South%20Carolina%20Mitigation%20Action%20Plan%20(March%2026%2C%202020).pdf)

⁵⁶ <https://cdbg-dr.pr.gov/en/download/action-plan-amendment-8-nonsubstantial-amendment-effective-on-february-25-2022/>

⁵⁷ https://wvfloodrecovery.com/wp-content/uploads/resources/WV-Action-Plan-hyperlinked_final_submission-to-HUD-042117.pdf

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prioritizing their recovery efforts. Understanding where socially vulnerable populations are located in relation to disaster damages can expedite recovery, implementing data-driven assessment tools to guide actionable and expedited impact to the most vulnerable populations.

Table 23 - The social vulnerability index inputs.

Name	Minimum	Maximum	Mean
Median Age (MEDAGE)	22.60	82.20	51.26
Percent Black (QBLACK)	0.00	0.84	0.07
Percent Native American (QNATAM)	0.00	0.05	0.00
Percent Asian (QASIAN)	0.00	0.17	0.02
Percent Hispanic (QHISP)	0.00	0.69	0.18
Percent Population under 5 years or 65 and over (QAGEDEP)	0.09	0.91	0.38
Nursing Home Residents per Capita (QNRRES)	0.00	0.25	0.00
Percent Female (QFEMALE)	0.27	0.63	0.51
Percent Female Headed Households (QFHH)	0.00	0.49	0.09
Percent Unoccupied Housing Units (QUNOCCHU)	0.02	0.98	0.26
Percent Renters (QRENTER)	0.00	0.83	0.21
People per Unit (PPUNIT)	1.41	4.37	2.57
Percent Speaking English as a Second Language with Limited English Proficiency (QESL)	0.00	0.37	0.08
Percent with Less than 12 th Grade Education (QED12LES)	0.00	0.50	0.10
Percent Employment in Extractive Industries (QEXTRCT)	0.00	0.31	0.01
Percent Employment in Service Industry (QSERV)	0.00	0.48	0.18
Percent of Housing Units with No Car (QNOAUTO)	0.00	0.35	0.05
Percent Civilian Unemployment (QCVLUN)	0.03	0.67	0.27
Percent Poverty (QPOVTY)	0.00	0.52	0.11
Percent Mobile Homes (QMOHO)	0.00	0.93	0.10
Percent Female Participation in Labor Force (QFEMLBR)	0.22	0.74	0.48
Percent Households Receiving Social Security Benefits (QSSBEN)	0.10	0.94	0.48
Percent of Children Living in 2-parent families (QFAM)	0.00	1.00	0.65
Percent Households Earning over \$200,000 annually (QRICH200K)	0.00	0.38	0.07
Median Gross Rent (MDGRENT)	\$0.00	\$3,501.00	\$1,355.85
Median Housing Value (MDHSEVAL)	\$17,500.00	\$2,000,001.00	\$260,843.64
Percent of population without health insurance (QUNINSURED)	0.00	0.46	0.12
Percent of households spending more than 40% of their income on housing costs (QHSEBURDEN)	.04	0.61	0.32

Source: Social vulnerability index data⁵⁸

The social vulnerability index metric turns historical disaster impact measures into actionable information for emergency managers, recovery planners, and decision makers. It empirically measures and visually depicts a population's (in)ability to adequately prepare for, respond to, and rebound from disaster events. Operationally, social vulnerability assessments are now part of FEMA's Geospatial Framework, the set of spatial products delivered automatically by FEMA

⁵⁸ <https://www.vulnerabilitymap.org/>

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upon Presidential Disaster Declaration. An overview of variables influential in how social vulnerability is manifest across Lee County for Hurricane Ian are shown in *Table 24* below.

Table 24 - Social Vulnerability for Hurricane Lee County Census Tracts.

Factor	Vulnerability Influence	Description	% Variance Explained	Dominant Variables	Component Loading
1	↑	Age and Dependence	26.9249	Low Median Age (MEDAGE)	-0.9417
				Low % beneficiaries (QSSBEN)	-0.9155
				Low % Age Dependent Populations (QAGEDEP)	-0.9120
				High Occupancy Housing (PPUNIT)	0.8744
				Lower % Vacant Homes (QUNICCHU)	-0.7316
				Ethnicity (Hispanic) (QHISP)	0.7263
				Female Headed Households (QFHH)	0.7024
2	↓	Wealth	10.6272	House Value (MDHSWVAL)	0.8024
				Wealth (QRICH200K)	0.7107
				Wealth (PERCAP)	0.6743
3	↑	Access Barrier and Housing Cost Burden	9.5257	No Auto Access (QNOAUTO)	0.7985
				High Housing Cost Burden (QHSEBURDEN)	0.7476
				Renters (QRENTERR)	0.6188
4	↑	Employment Type and Poverty	7.4032	Employment (Primary Sector) (QEXTRCT)	0.8665
				Poverty (QPOCTY)	0.5710
				Low rent (QRENTERR)	-0.5700
5	↑	Gendered Employment and Gender	6.9444	Gendered (Female) Employment (QFEMLBR)	0.8585
				Gender (Female) QFEMALE	0.7147
				Populations with Health Insurance (QUNINSURED)	-0.3991
6	↑	Household Structure and Race	6.0450	Low % Children in 2 parent families (QFAM)	-0.6202
				Low % Asian Populations (QASIAN)	-0.5611
				Race (Black) (QBLACK)	0.5380
7	↑	Race and Dependence	3.8228	Race (Native American) (QNATAM)	0.7065
				Low nursing home residents per capita (QNRRES)	-0.3076
				Gender (Female) (QFEMALE)	0.2843
		Total Variance Explained	71.293		

Source: Social vulnerability index data⁵⁹

In Lee County, social vulnerability is mainly driven by seven specific combinations of input variables that increase vulnerability in certain places. SoVI can be manifest by:

- Age and Dependence (aging populations, high occupancy households, higher Hispanic populations, and female-headed households);
- Lack of wealth;
- Access Barriers (no automobiles, high cost of home ownership, housing burden related to the percentage of income spent on housing costs, and higher renter populations);
- Extractive Industry (employment and poverty in areas with lower rent costs);

⁵⁹ <https://www.vulnerabilitymap.org/>

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- Lack of health insurance or higher rates of female headed households;
- Higher black populations; and
- Native American populations.

Social vulnerability across Lee County using a 3-Class SoVI (*Figure 12* and *Figure 13*) depict several areas where populations have a lower ability to prepare for, respond to, and ultimately rebound from disasters, including: Matlacha, Pine Island, North Cape Coral, North Fort Myers, and the Lehigh Acres areas, as well as smaller areas of social vulnerability in Harlem Heights, Calusa Palms, and Cypress Lake in Fort Myers and the Caloosahatchee area of Cape Coral.

Although the 5-class SoVI representation provides more detail about how social vulnerability manifests across Lee County, utilizing the 3-class SoVI streamlines the process of unifying it with land impact and recovery support data in meaningful ways.

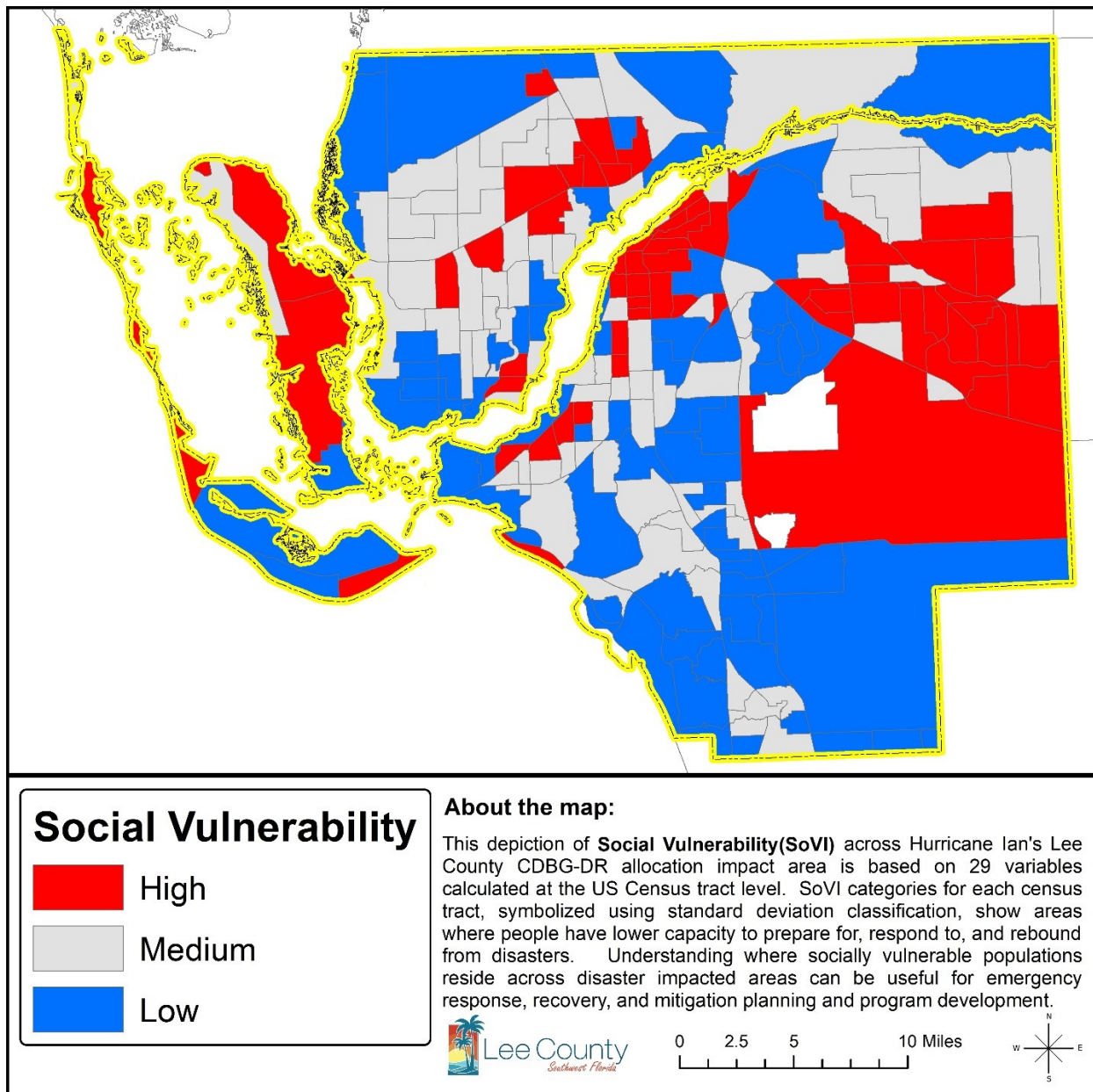


Figure 12 - The 3-Class Level Social Vulnerability Index (SoVI) by Census Tract for Lee County. ⁶⁰

⁶⁰ Map generated from data using UCF's Vulnerability Mapping and Analysis platform: www.vulnerabilitymap.org

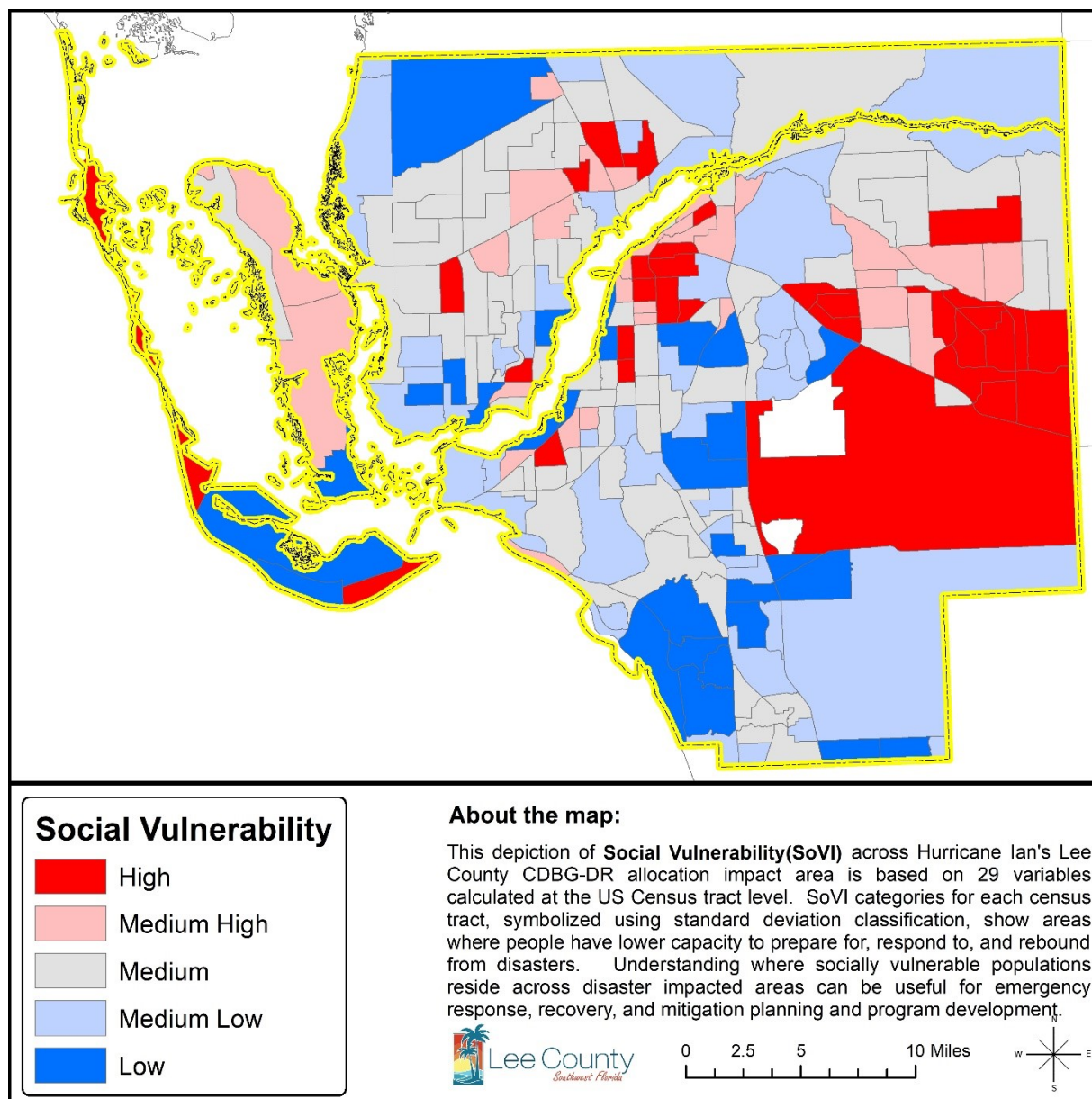


Figure 13 - The 5-Class Social Vulnerability Index (SoVI) by Census Tract for Lee County. ⁶¹

⁶¹ Map generated from data using UCF's Vulnerability Mapping and Analysis platform: www.vulnerabilitymap.org

1) Damage Assessment and Real Property Verified Loss (RPFVL)

FEMA data⁶² provides a broad summary of disaster survivors, damage, and funding at the zip code level across Lee County's Hurricane Ian impacted areas. Aggregating individual applicant information to the zip code level enables a visual depiction of damage from various perspectives, including total Real Property FEMA Verified Loss (RPFVL), average loss, and counts of FEMA applicants with a Lee County RPFVL. These three distinct perspectives on the same dataset can help identify not only where disaster survivors were impacted, but also provide a measure of intensity and magnitude of Ian's impacts across the Area of Impact (AOI).

An assessment of total damage indicates that Sanibel Island, much of Fort Myers Beach, as well as North Fort Myers absorbed the brunt of Hurricane Ian's impact. Four zip codes in Lee County each sustained greater than \$50,000,000 in Real Property FEMA Verified Losses and an additional four zip codes had between \$25,000,000 - \$50,000,000 in losses. (*Figure 14*)

⁶² <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

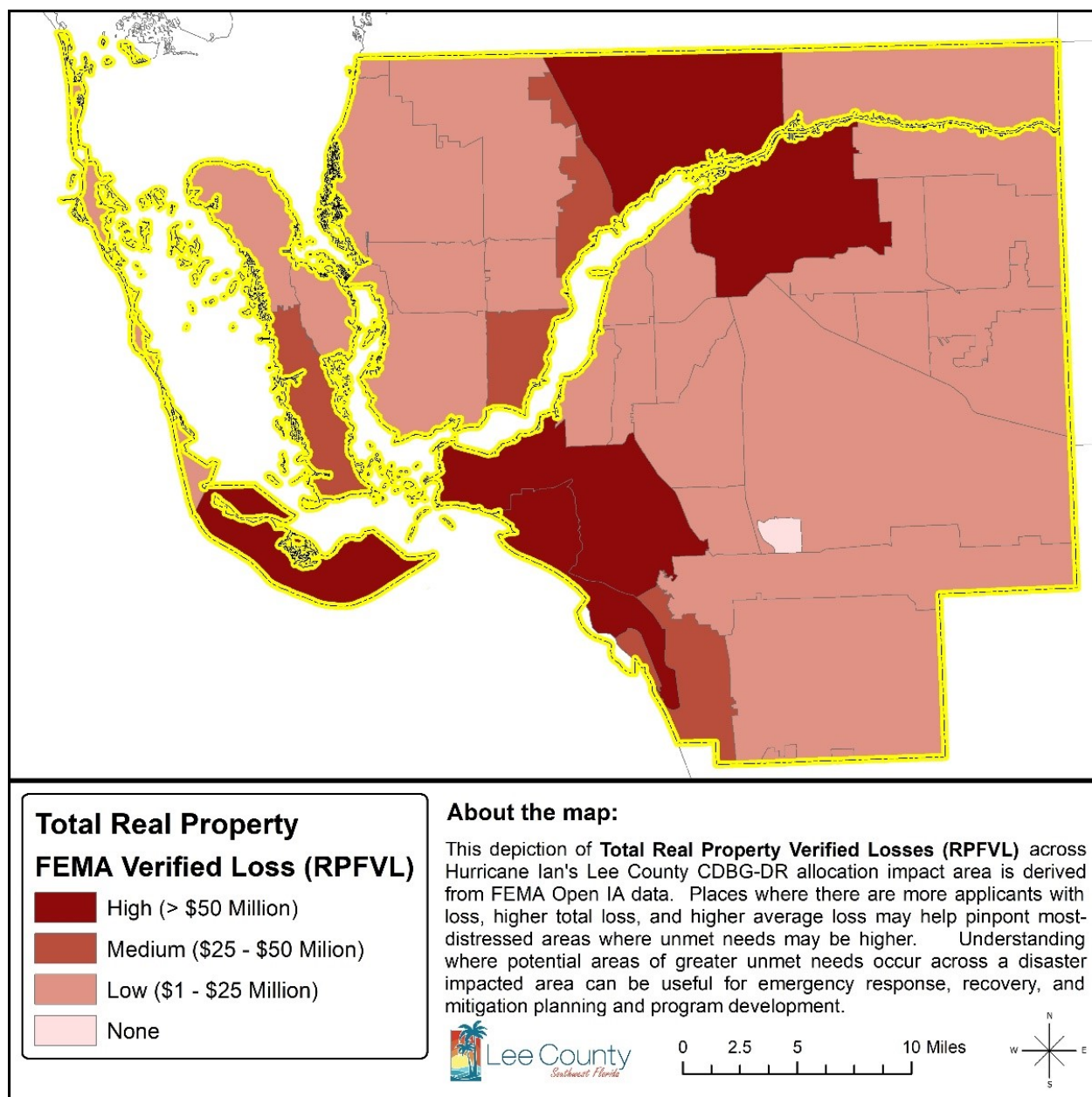


Figure 14 - The total Real Property FEMA Verified Loss (RPFVL).⁶³

Total losses clearly depict where the greatest amount of damage occurred across the County from Hurricane Ian, but summarizing losses alone may not provide a complete picture of the impacts in terms of the number of damaged structures and the relative intensity of damage. To pinpoint where higher relative damage occurred and identify those areas with more damaged housing requires an assessment of the Real Property FEMA Verified Loss (RPFVL) data in two

⁶³ Map generated by summarizing FEMA Open Valid Registrant data: <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

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additional ways, namely: damage assessed through averages and damage assessed through counts of applicants impacted. Mapping places by average RPFVL (*Figure 15*) highlights several additional areas, including southern Pine Island, and the entire coastal area south of Fort Myers Beach. In total, six zip codes had higher than \$8,000 in average real property losses and another four zip codes had between \$4,000 - \$8,000 in average real property losses.

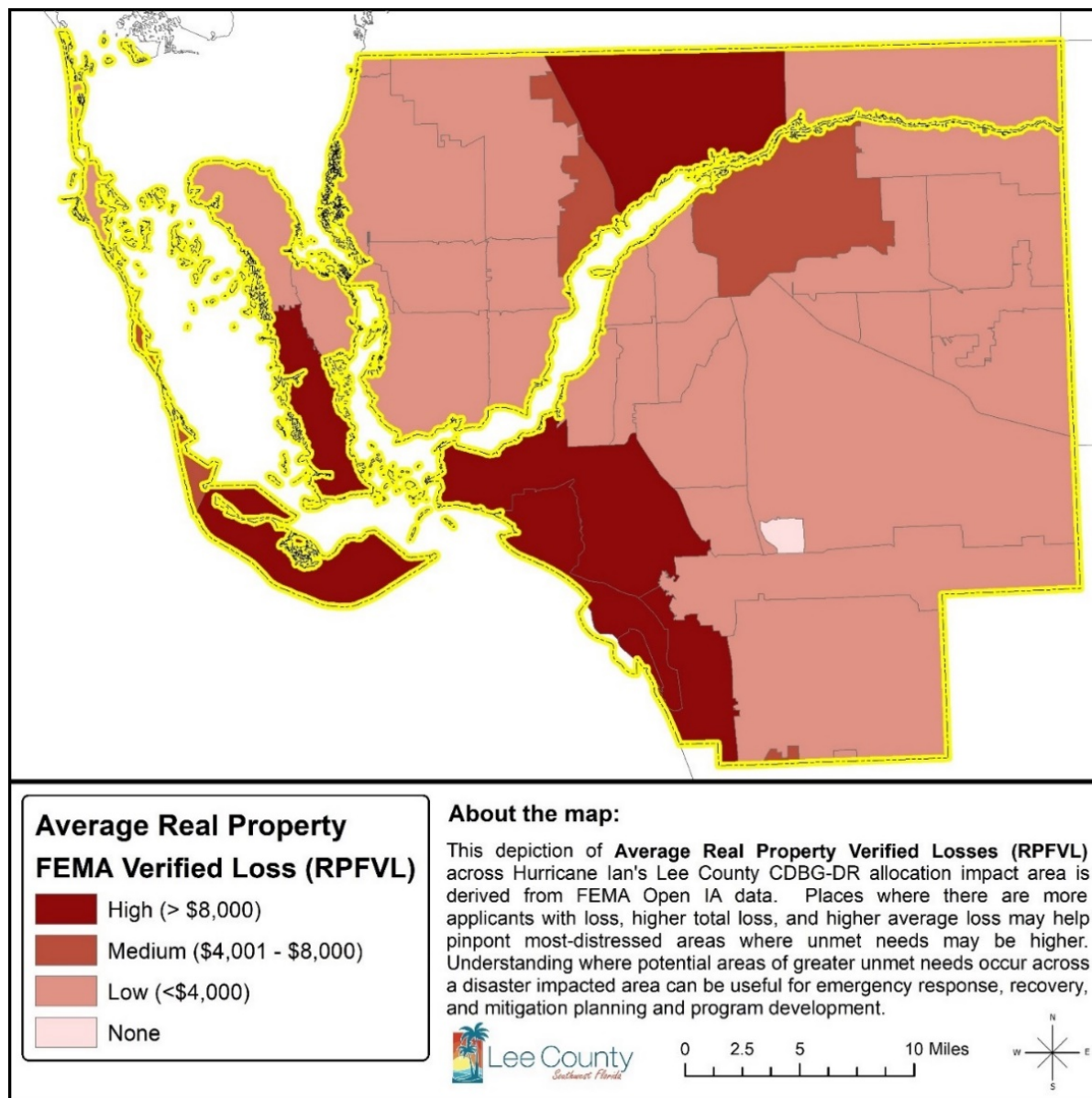


Figure 15 - Average Real Property FEMA Verified Loss (RPFVL). ⁶⁴

⁶⁴ Map generated by summarizing FEMA Open Valid Registrant data: <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

Like total losses, average real property losses do not provide a complete picture of the most-impacted survivors. Zip codes with higher average damage can be categorized into either places with fewer high dollar losses, or places where many Lee County residences suffered moderate losses. Forming a more comprehensive understanding of Ian's impacts and pinpointing the most-impacted areas require the addition of a third perspective of the same FEMA dataset – namely the count of applicants with RPFVL (*Figure 16*). Mapping counts of applicants with any level of RPFVL provides a slightly different pattern of impacts across the Ian AOI. In addition to the areas highlighted by total and average losses, most of Cape Coral and an additional zip code in Pine Island/Matlacha appear to be the most impacted.

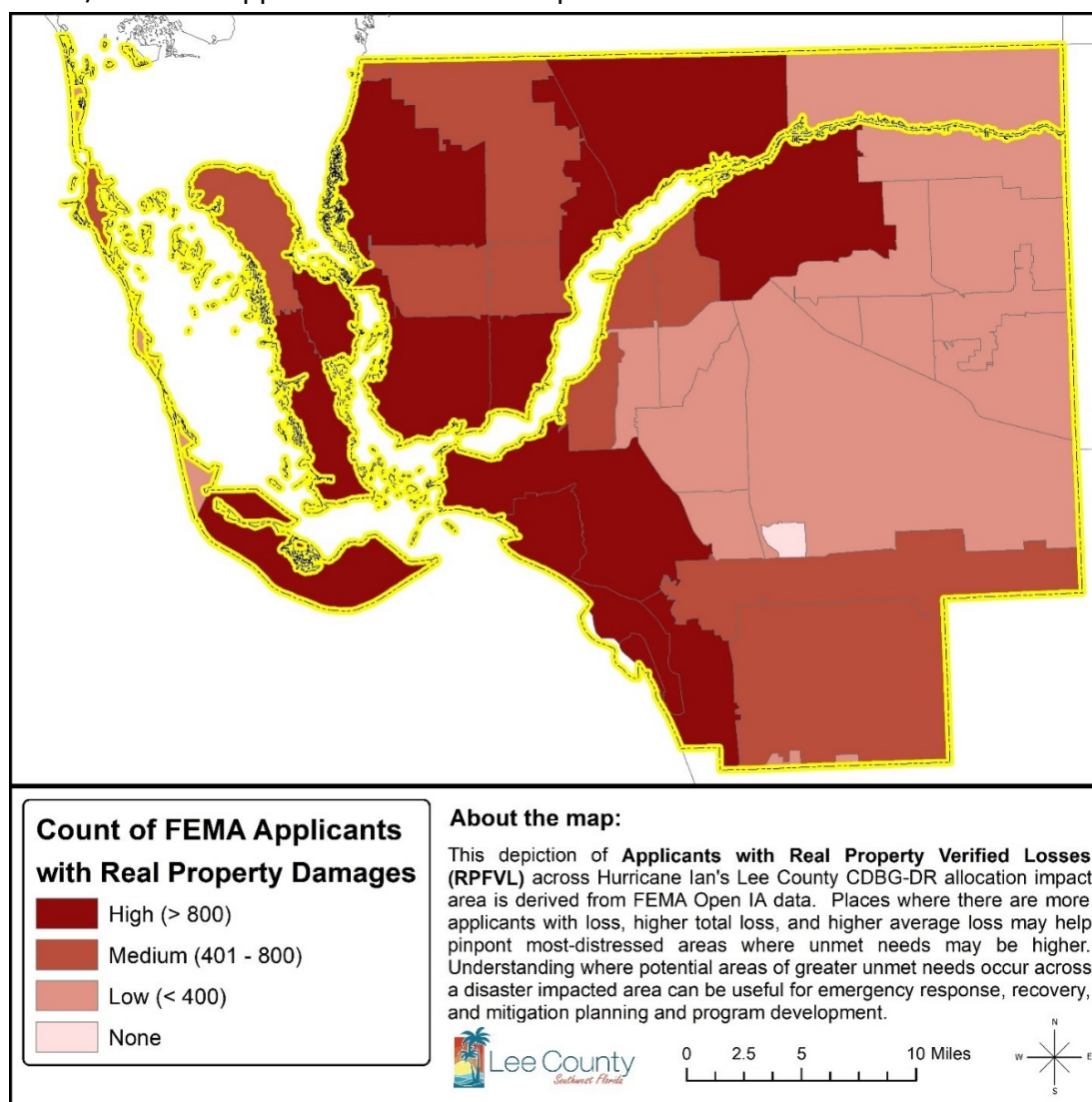


Figure 16 - The count of applicants with real property damages. ⁶⁵

⁶⁵ Map generated by summarizing FEMA Open Valid Registrant data: <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

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Combining these three perspectives on Ian's impact provides perhaps the clearest representation of where more people experienced damage, where that average damage was higher, and where there were more damaged housing units. Creating a composite RPFVL score ranging from 0 – 9 clearly indicates the impacts to coastal Lee County, North Fort Myers, Sanibel, Pine Island, and North Fort Myers (*Figure 17*). These places contain disaster survivors who had higher damages in greater numbers than the remainder of the AOI.

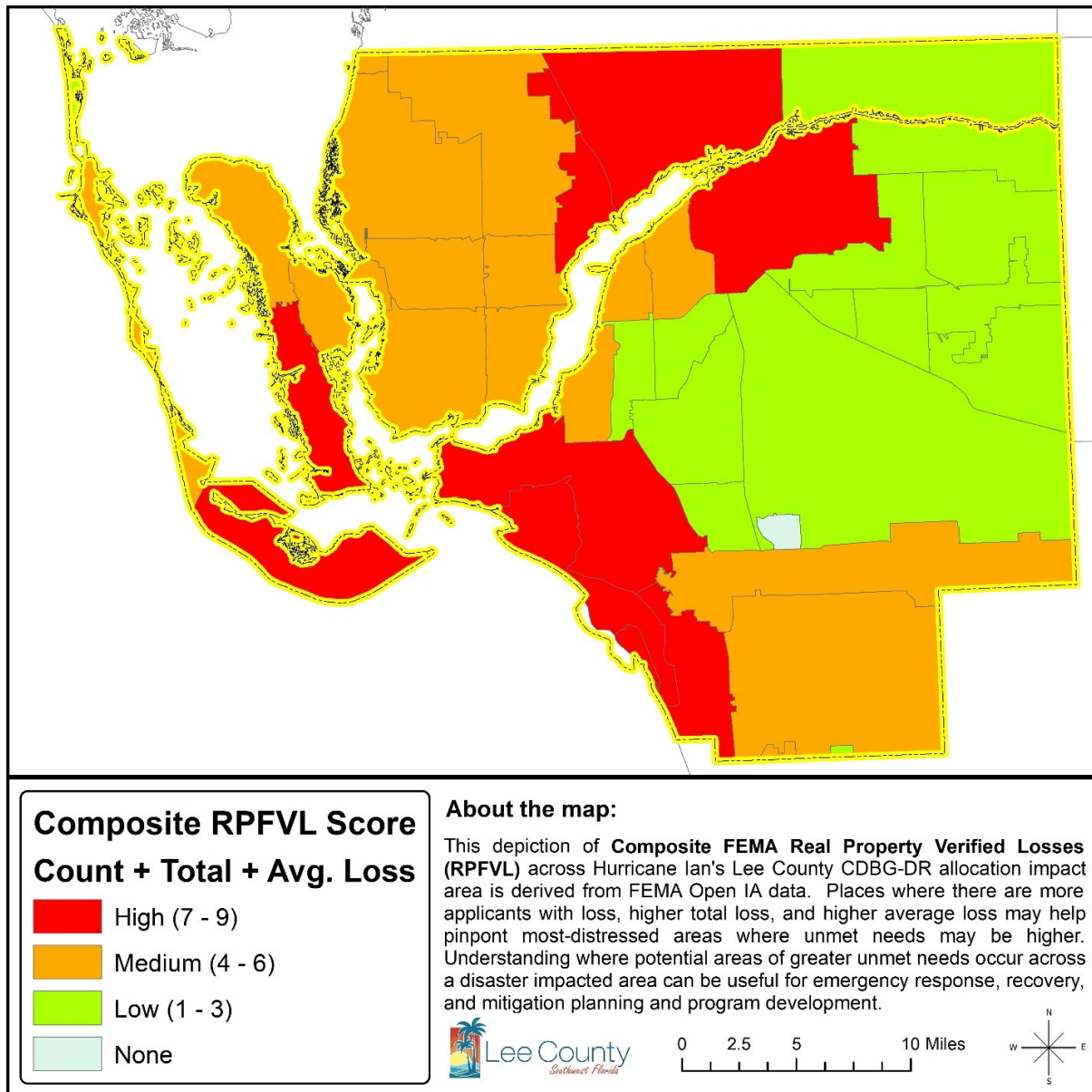
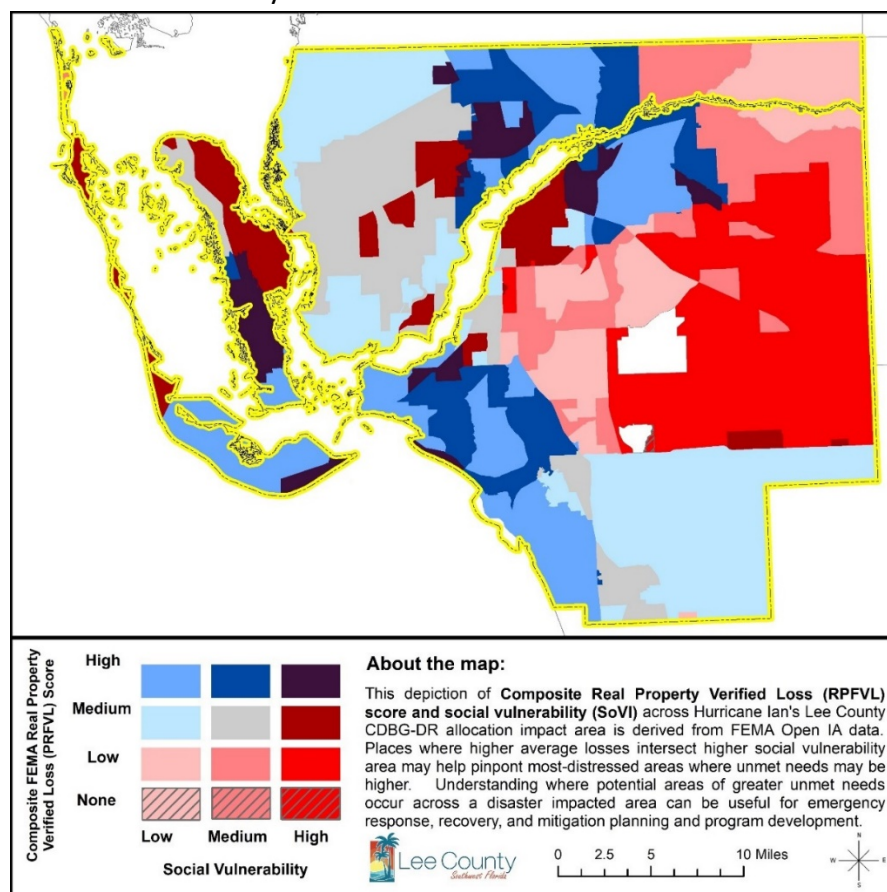


Figure 17 - The composite RPFVL score displaying the combination of the Count of applicants with real property loss, total RPFVL, and average real property loss. ⁶⁶

⁶⁶ Map generated by summarizing FEMA Open Valid Registrant data: <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

Recognizing that impoverished and otherwise marginalized populations (those with higher social vulnerability) will have a harder time recovering from disaster, it is important to assess the impact data through the lens of equity. The social vulnerability index provides a replicable, science-based approach to understanding where the populations least able to prepare for, respond to, and rebound from disasters live. *Figure 18* provides a visual of social vulnerability (2020) based on Cutter et al. (2003)⁶⁷ across the impacted area.

Combining social vulnerability with the composite RPFVL score to create bivariate representations creates a depiction of the most impacted areas. The burgundy areas in *Figure 18* show where high social vulnerability and high numbers of disaster survivors are located. There are several large areas where losses (most impacted) and social vulnerability (distress) intersect, including several census tracts in North Fort Myers, Pine Island, Sanibel, coastal Fort Myers, and north central Fort Myers.



*Figure 18 - The bivariate map displaying average real property loss and social vulnerability.*⁶⁸

⁶⁷ <https://doi.org/10.1111/1540-6237.8402002>

⁶⁸ Map generated by summarizing FEMA Open Valid Registrant data: <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

The social vulnerability index provides a composite look at variables that affect equity, mobility, and well-being within a community, but to identify vulnerabilities for specific protected classes, the County conducted a distinct analysis to identify “where protected classes and vulnerable populations live, how the disaster affected them, and how they will benefit from CDBG-DR funds.”⁶⁹ The analysis considers factors such as poverty, educational attainment, and housing tenure. These factors tend to indicate the vulnerability of specific populations and their ability to respond to and recover from natural disasters. “Research findings reflect a world in which people of low socio-economic status are more vulnerable in the face of disasters and are more likely to suffer more serious consequences during impact, from property damage to homelessness to physical and financial impacts.”⁷⁰

1) Households With Children and Elderly Households

Households with children under the age of five and populations over the age of 65 are more vulnerable to the impacts of natural disasters. As noted in *Table 25*, an estimated 3,426,171 of age dependent populations are concentrated in Disaster Declared counties, including 275,522 located within Lee County.

There are approximately 132,579 children under 18 years old, and approximately 213,650 individuals over the 65 years old in households in Lee County. Among the children, 14 percent identify as multiple races, and 13 percent identify as Black or African American. Among elderly persons, only 2.7 percent identified as multiple races, and 3 percent identify as Black or African American. Slightly more than 36 percent identify as Hispanic or Latino. Approximately 6.7 percent of households with children are headed by a grandparent and an additional 1.3 percent of Lee County's children reside in foster care or with an unrelated adult.⁷¹

Households with children or elderly persons living in poverty may experience additional barriers to recovery after a natural disaster due to limited financial means to pay for necessary repairs, recuperate from lost wages, and replace lost household supplies. In Lee County, 18.7 percent of children and 9.8 percent of individuals aged 65 years and over reside in households where the income in the last 12 months was below the poverty level.⁷²

⁶⁹ [https://www.hud.gov/sites/dfiles/FHEO/documents/23CDBG-DR%20Consolidated%20Notice%20Fair%20Housing%20Guidance%20\(2022\).pdf](https://www.hud.gov/sites/dfiles/FHEO/documents/23CDBG-DR%20Consolidated%20Notice%20Fair%20Housing%20Guidance%20(2022).pdf)

⁷⁰ https://www.samhsa.gov/sites/default/files/dtac/srb-low-ses_2.pdf

⁷¹ American Community Survey 2021 5-Year Estimates, Table S0901 Children Characteristics and S0103 Population 65 Years and Over, Lee County, FL <https://data.census.gov/table?g=050XX00US12071&tid=ACSST1Y2021.S0103>

⁷² American Community Survey 2021 5-Year Estimates, Table S0901 Children Characteristics, Lee County, FL <https://data.census.gov/table?g=050XX00US12071&tid=ACSST1Y2021.S0103>

The U.S. Bureau of Labor Statistics indicates that educational attainment typically contributes to lower unemployment rates and increased economic mobility⁷³. Households that have a high school diploma or less than a high school education may have less economic resources to recover from a natural disaster. In Lee County, approximately 38.4 percent of individuals aged 65 years or older have a high school diploma or less than a high school education.⁷⁴

Housing tenure can also play an important role in a household's ability to recover. Homeowners may have insurance, FEMA assistance, SBA loans, and other means by which to make necessary repairs and recover from disasters. Renters in Lee County's strained rental housing market are faced with unique challenges to recovery. Some property owners have elected to sell rental properties or not renew leases with tenants that were residing in rentals at the time of the disaster. More than 59 percent of children in households in Lee County reside in owner-occupied housing units and 40 percent reside in rental units.⁷⁵ More than 85 percent of individuals aged 65 and over live in owner-occupied housing units and only 14.2 percent in rental units.⁷⁶ Households with children would greatly benefit from increased access to homeownership opportunities that reduce housing cost burden and increase housing stability.

Figure 19 shows the relative concentration of population under the age of 5 and over the age of 65 by census tract within the County. The areas above 50 percent concentration of these dependent populations are strong indicators of vulnerable populations that may have greater needs for post-disaster assistance. As indicated in *Figure 19*, several areas on the barrier islands and in southern Lee County have high concentrations of age dependent households. These areas were significantly impacted by flooding, storm surge, and wind damage from Hurricane Ian.

⁷³ https://www.bls.gov/emp/images/ep_chart_001.png

⁷⁴ American Community Survey 2021 5-Year Estimates, Table S0103 Population 65 Years and Over, Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

⁷⁵ American Community Survey 2021 5-Year Estimates, Table S0901 Children Characteristics, Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

⁷⁶ American Community Survey, Table S0901 Children Characteristics and S0103 Population 65 Years and Over, for Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

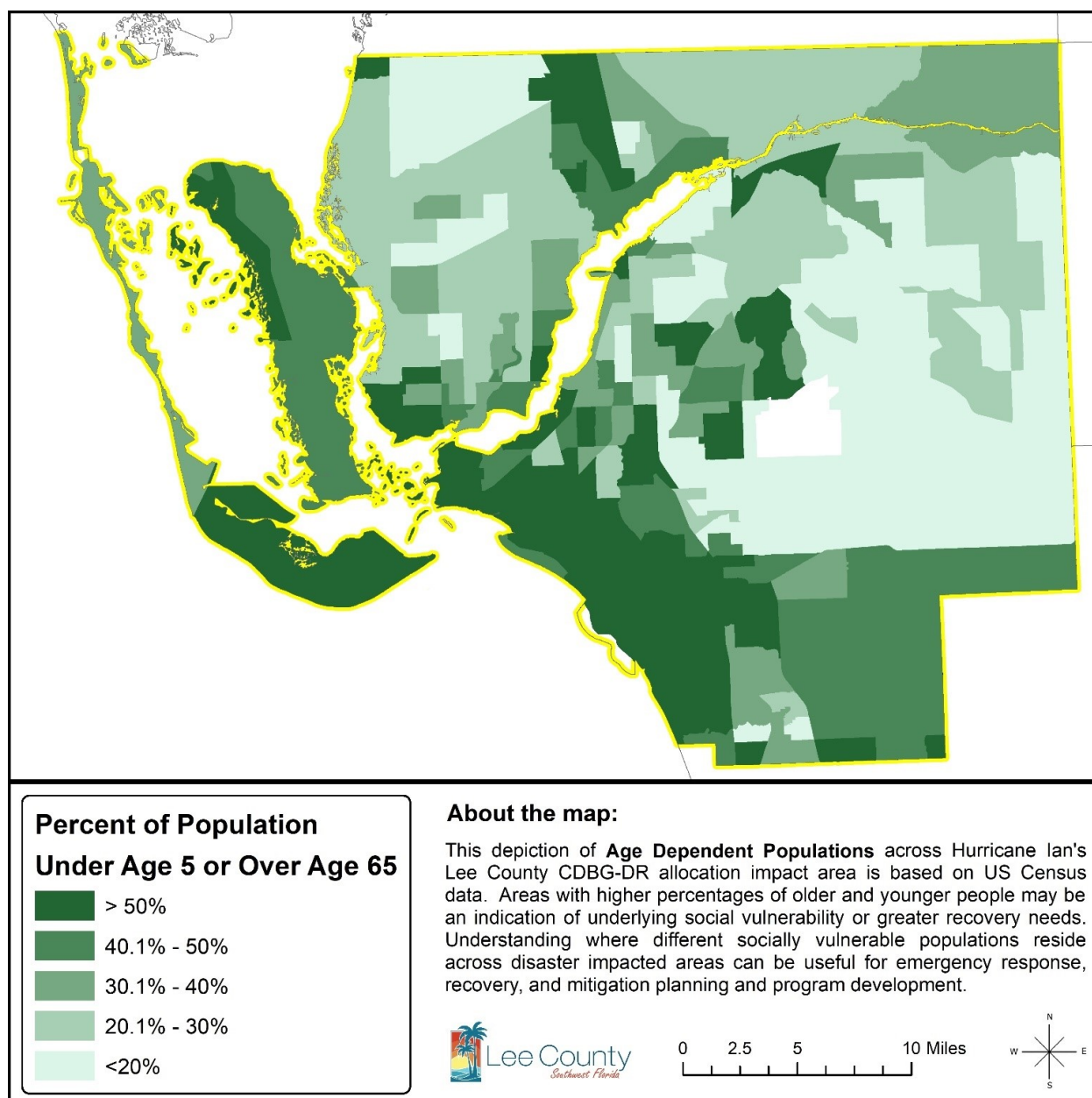


Figure 19 - A map of age dependent populations. ⁷⁷

⁷⁷ Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B06001:+PLACE+OF+BIRTH+BY+AGE+IN+THE+UNITED+STATES&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B06001:+PLACE+OF+BIRTH+BY+AGE+IN+THE+UNITED+STATES&g=050XX00US12071$1400000) and table

[https://data.census.gov/table?q=B09020:+RELATIONSHIP+BY+HOUSEHOLD+TYPE+\(INCLUDING+LIVING+ALONE\)+FOR+THE+POPULATION+65+YEARS+AND+OVER&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B09020:+RELATIONSHIP+BY+HOUSEHOLD+TYPE+(INCLUDING+LIVING+ALONE)+FOR+THE+POPULATION+65+YEARS+AND+OVER&g=050XX00US12071$1400000) tract level data for Lee County

2) Race

White or Caucasian populations account for the majority of people in Lee County with 711,422 individuals, or 86.4 percent, of the total population in the disaster declared areas, but Lee County reflects more diverse populations. About 75,666 individuals are classified as Black or African American in Lee County, roughly 9.2 percent of the total population. American Indian and Alaska Native populations located in Lee County make up about 4,112, or .5 percent of the population. American Indian and Alaska Natives in Lee County represent about 5.91 percent of the total population in disaster declared counties⁷⁸ (*Figure 20 and Figure 21*).

According to 2021 American Community Survey 5-year estimates there were 580,320 White individuals in Lee County, 61,597, or 10.6 percent, had an income below the poverty level in the last 12 months.⁷⁹ Black or African American individuals experienced poverty at higher rates with 21.5 percent, or 12,866 individuals having an income below the poverty level in the last 12 months.⁸⁰ Approximately 8.8 percent of American Indian and Alaska Native populations in Lee County had an income below the poverty level in the last 12 months.⁸¹

Approximately 35.4 percent of White non-Hispanic populations in Lee County have a bachelor's degree or higher. Black or African American populations make up about 16.7 percent of the college graduate population in Lee County.⁸²

The 2021 American Community Survey 5-year estimates indicate there are approximately 17,878 households that identify as Black or African American in Lee County. Of these, 8,212, or 45.9 percent, reside in owner-occupied housing units, and 9,666, or 54 percent, in rental units.⁸³ Of the 250,358 White households, 191,054, or 76.3 percent, reside in owner-occupied units, and 59,304, or 23.7 percent, in rental units.⁸⁴ The percentage of Black or African American households that reside in owner occupied housing units is more than 30 percent less that percentage of White residents. Black or African American populations would benefit from increased access to homeownership opportunities that reduce housing cost burden and increase housing stability.

⁷⁸ <https://www.census.gov/quickfacts/fact/table/leecountyflorida,FL,US>

⁷⁹ American Community Survey, Table B17001A Poverty Status in the Past 12 Months (White alone population for whom poverty status is determined), for Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

⁸⁰ American Community Survey, Table B17001B Poverty Status in the Past 12 Months (Black or African American alone population for whom poverty status is determined), for Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

⁸¹ American Community Survey, Table B17001C Poverty Status in the Past 12 Months (American Indian and Alaska Native alone population for whom poverty status is determined), for Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

⁸² <https://data.census.gov/table?q=educational+attainment+race&g=050XX00US12071&tid=ACSS1Y2021.S1501>

⁸³ American Community Survey 2021 5-Year Estimates, Table B25003B (Black or African American Alone Householder), Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

⁸⁴ American Community Survey 2021 5-Year Estimates, Table B25003A Tenure (White Alone Householder), Lee County, FL <https://data.census.gov/table?g=050XX00US12071>

Figure 20 indicates the areas of minority concentration within the County. Areas within the City of Fort Myers and Lehigh Acres have the highest concentration of minority households. Flood and wind damaged occurred within the City of Fort Myers, whereas Lehigh Acres had less severe impacts, mostly wind related.

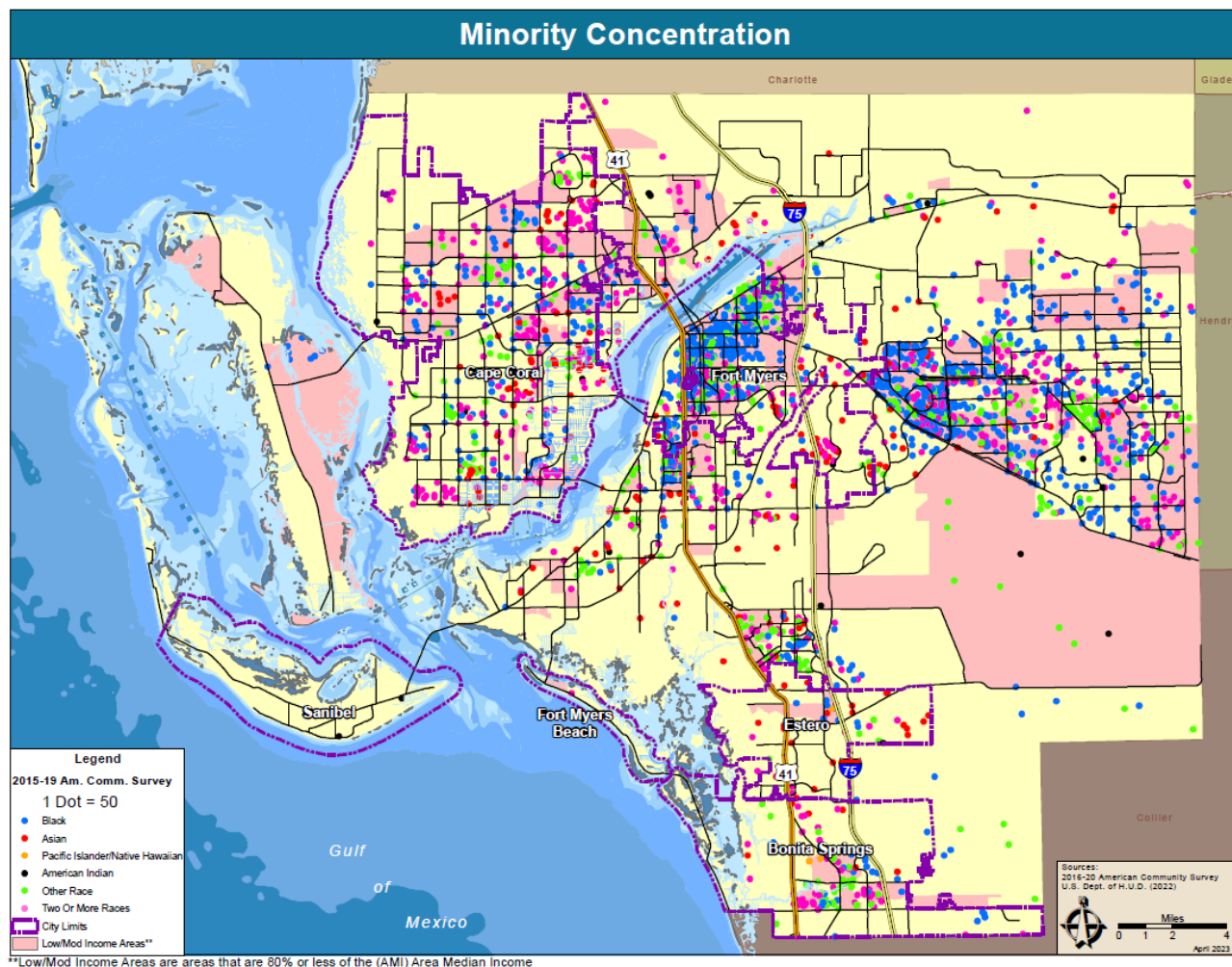


Figure 20 – Map of Minority Concentration Areas in Lee County, FL. ⁸⁵

3) Ethnicity

Lee County's diversity is also reflected in its significant Hispanic and Latino population. Persons of all races, who are Hispanic and Latino, account for 24.3 percent⁸⁶ of Lee County's total population, about 199,856 individuals. 2021 American Community Survey 5-Year Estimates indicate that income was below the poverty level, in the last 12 months, for approximately 18.6

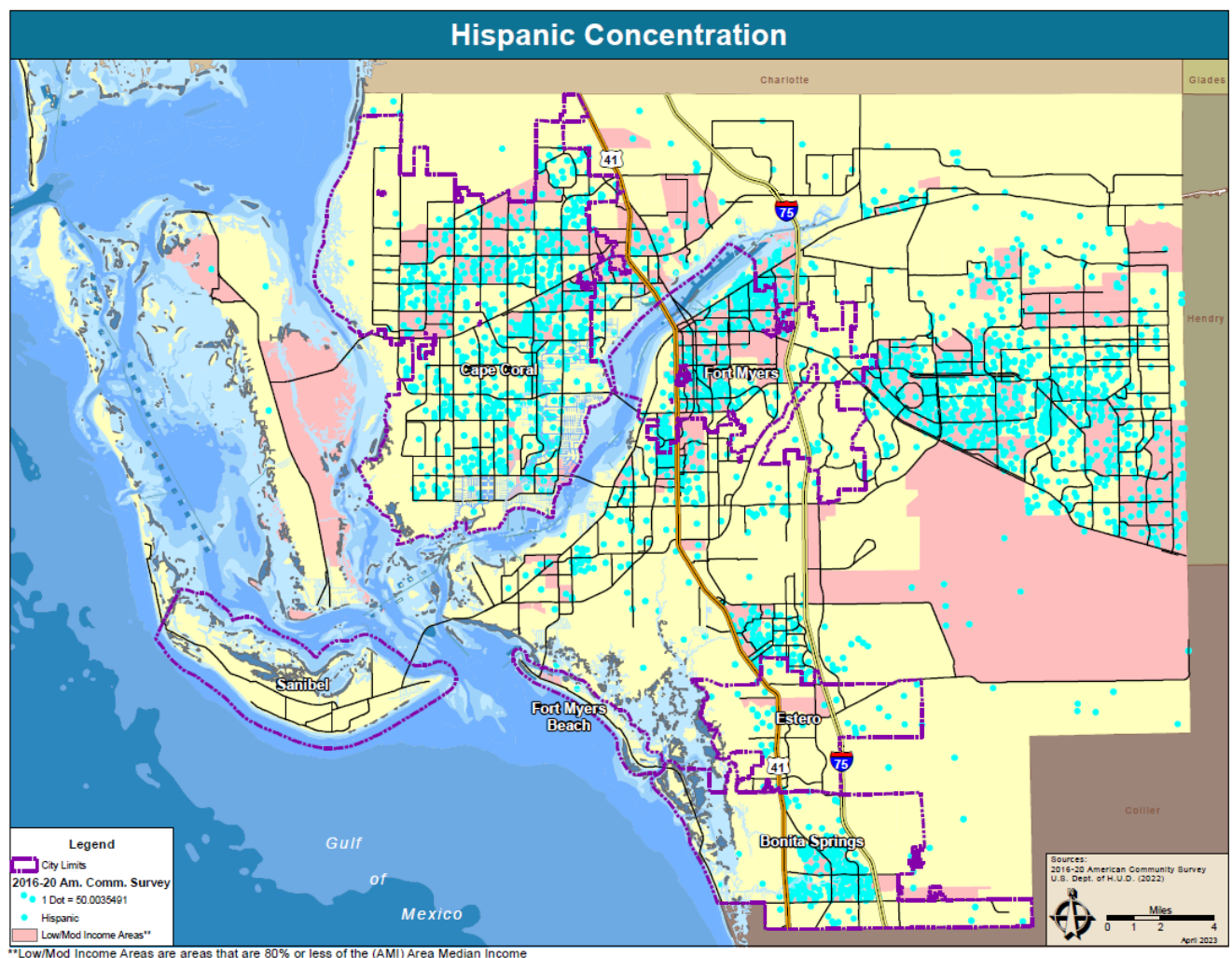
⁸⁵ Map generated from 2015-2019 American Community Survey Data

⁸⁶ <https://www.census.gov/quickfacts/fact/table/FL,leecountyflorida,US/PST045222>

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percent of Lee County's Hispanic population.⁸⁷ Hispanic or Latino populations make up about 17.3 percent of the individuals residing in Lee County with a bachelor's degree or higher.⁸⁸ About 46.3 percent of Hispanic or Latino populations reside in rental units, with the remaining 53.7 percent in owner-occupied units.⁸⁹

Figure 21 indicates the areas of Hispanic concentration within the County. Areas within the City of Fort Myers, Cape Coral, and Lehigh Acres have the highest concentration of minority households. Flood and wind damaged occurred within the City of Fort Myers and Cape Coral, whereas Lehigh Acres had less severe impacts, mostly wind related.



⁸⁷ <https://data.census.gov/table?q=HISPANIC+POVERTY&g=050XX00US12071&tid=ACSST5Y2021.S1701>

⁸⁸ <https://data.census.gov/table?q=educational+attainment+race&g=050XX00US12071&tid=ACSST1Y2021.S1501>

⁸⁹ <https://data.census.gov/table?q=HISPANIC+housing+tenure&g=050XX00US12071&tid=ACSST5Y2021.B25003I>

Figure 21 – Map of Hispanic Concentration Areas in Lee County, FL⁹⁰

4) Sex (including Sexual Orientation and Gender Identity)

American Community Survey 5-year estimates from 2021 indicate that 370,371 individuals in Lee County identify as male, and 381,880 individuals as female. Lee County used the best available data at the time of plan creation to understand the sexual orientation and gender identity characteristics within the region but was unable to locate County-level data. State-level data indicates that approximately 10.9%, or an estimated 1,813,335 adults in Florida are LGBTQIA+. More detailed information regarding those individuals gender identity and sexual orientation is provided below.

Gender Identity:

- Transgender adults: 1.0%
- Adults whose gender was not listed: 1.2%
- Cisgender adults: 97.8%

Sexual Orientation:

- Gay or Lesbian adults: 3.4%
- Bisexual adults: 3.5%
- Adults whose sexual orientation was not listed: 1.4%
- Adults who selected I Don't Know for sexual orientation: 2.1%
- Straight adults: 89.6%⁹¹

Lee County does collect gender identify information through the Homeless Management Information System for the Lee County Continuum of Care. Data gathered between October 2020 and September 2023 indicated that 9,248, or 45.99 percent, of individuals seeking homelessness assistance were male and 10,794, or 53.67 percent, were female. A total of 11, or .05 percent, identified as transgender and one identified as non-binary.

Lee County strives for the equitable administration of CDBG-DR-funded programs. Lee County's CDBG-DR programs will include a diverse and robust outreach effort, ensuing that individuals are

⁹⁰ Map generated from 2016-2020 American Community Survey Data

⁹¹ Urban Observatory by ESRI: <https://gis-for-racialequity.hub.arcgis.com/maps/802c2ff7625b4d5ca5273aa406f11824/about>

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provided access to services without restrictions related to their sex, sexual orientation, gender identity, or other protected factors. Lee County intends to engage Hurricane Ian impacted households through a variety of means and will ensure that marketing materials are reflective of the County's diverse population.

5) Populations with Disabilities

The Fair Housing Act prohibits discrimination based on physical, mental, or emotional handicap, provided "reasonable accommodation" can be made. Reasonable accommodation may include physical changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

In 2014, the U.S. Census Bureau introduced a new set of disability questions in the American Community Survey:

- Hearing Disability
- Vision Disability
- Cognitive Disability
- Ambulatory Disability
- Self-care Disability
- Independent Living Disability⁴⁴

Respondents who report any one of the six disability types are considered to have a disability.⁴⁵ *Table 25* below indicates that 158,733 individuals in the County were identified as being disabled, which is 8 percent of the County.

2021 American Community Survey 5-Year Estimates calculate income in the past 12 months by disability status for individuals who are 20 to 64 years old. The data indicates that 7,598 individuals had a disability and an income below the poverty level. This population is specifically vulnerable to the impacts of disasters and may be unable to recover without assistance. This population may benefit from access to additional affordable housing resources, and, in many cases, permanent supportive housing may be a viable solution.

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Table 25 - Florida demographics and disaster impacted populations.

Demographic	State Estimates	State Percent	Disaster Declaration Estimate	Disaster Declaration (Percent of State Estimates)	County Estimates	County Percent (Percent of Disaster Declaration Estimates)
Total Population	22,244,823	100.00%	12,529,066	56.32%	822,453	6.56%
Under 5 years	1,134,486	100.00%	609,795	53.75%	36,188	5.93%
65 years and over	4,693,658	100.00%	2,816,376	60.00%	239,334	8.50%
Population with a Disability	3,358,968	100.00%	1,919,404	57.14%	158,733	8.27%
White or Caucasian	17,106,269	100.00%	9,960,881	58.23%	711,422	7.14%
Black or African American	3,781,620	100.00%	1,769,705	46.80%	75,666	4.28%
American Indian and Alaska Native	111,224	100.00%	69,600	62.58%	4,112	5.91%
Asian	667,345	100.00%	40,061	61.15%	14,804	3.63%
Native Hawaiian and Other Pacific Islander	22,245	100.00%	15,038	67.60%	822	5.47%
Other	556,120	100.00%	305,781	54.98%	15,627	5.11%

Source: United States Census Bureau Quick Facts, 2022 Population Estimates ⁹²

* MID estimates and MID percents are reflective of Lee County data. Lee County is identified as a MID.

⁹² <https://www.census.gov/quickfacts/fact/table/FL,US/PST045222>

6) Racially and Ethnically Concentrated Areas of Poverty (RECAPS)

A Racially or Ethnically Concentrated Area of Poverty (RECAP) is a geographic area with a significant concentration of poverty and minorities. Areas designated as RECAPs must have a non-white population of 50 percent or more and a poverty rate that exceeds 40 percent or is three or more times the average tract poverty rate for the metropolitan/micropolitan area, whichever threshold is lower.

The Florida Housing Finance Corporation (FHFC) provides an annual report detailing the census tracts deemed as RECAPs within the state of Florida. There is one census tract within the Hurricane Ian MID area of Lee County that is designated as a RECAP. Census Tract 19.17, which is located in census designated place (CDP) Harlem Heights, contains a poverty rate of 40.2 percent and a minority rate (total population identifying as other than non-Hispanic White) of 72.6 percent, per 2021 ACS 5-year estimates.⁹³

Beyond RECAPs, the County has identified several historically distressed or underserved communities. The social vulnerability index maps above depict several areas where populations have a lower ability to prepare for, respond to, and ultimately rebound from disasters: Matlacha, Pine Island, North Cape Coral, North Fort Myers, and the Lehigh Acres areas, as well as smaller areas of social vulnerability in Harlem Heights, Calusa Palms, and Cypress Lake in Fort Myers and the Caloosahatchee area of Cape Coral. Lee County has specifically prioritized several smaller communities for CDBG entitlement funds over the past two decades. These communities include Suncoast Estates, Palmona Park, Pine Manor, Page Park, Charleston Park, Harlem Heights, and the Dunbar/Tice Area. Neighborhood Stabilization Program funds received by the County in 2009 and after, were designated for use in target areas of Gator Circle in north Cape Coral, the Villas in central Fort Myers, and Lehigh Acres. Each of these communities have had or currently have high concentrations of low- and moderate-income households (Figure 22), minorities (Figures 23 and 24), or have been historically underserved.

⁹³ Florida Housing Finance Corporation. 2023 Racially and Ethnically Concentrated Areas of Poverty (RECAP) Information. Available at: [https://www.floridahousing.org/docs/default-source/programs/developers-multifamily-programs/competitive/racially-and-ethnically-concentrated-areas-of-poverty-\(recap\)/2023-racially-and-ethnically-concentrated-areas-of-poverty-\(recap\)-information/racially-and-ethnically-concentrated-areas-of-poverty-list-effective-02-01-23.pdf?sfvrsn=ffeaf47b_2](https://www.floridahousing.org/docs/default-source/programs/developers-multifamily-programs/competitive/racially-and-ethnically-concentrated-areas-of-poverty-(recap)/2023-racially-and-ethnically-concentrated-areas-of-poverty-(recap)-information/racially-and-ethnically-concentrated-areas-of-poverty-list-effective-02-01-23.pdf?sfvrsn=ffeaf47b_2)

The County and its subrecipients are aware of this RECAP, other areas of minority concentration and poverty, and historically underserved communities. Individuals in these areas may experience various barriers to accessing CDBG-DR funded programs, such as limited access to computers or internet service, lack of trust in government programs due to past experience, limited economic resources to continue insurance coverage after assistance, or limited access to transportation. While CDBG-DR projects are not anticipated to have an unjustified discriminatory effect on, or fail to benefit these areas, Lee County will actively avoid those outcomes through the following efforts:

- Develop a robust marketing and outreach strategy to ensure that individuals within RECAPs or other historically underserved areas are aware of and have access to CDBG-DR funded programs. Strategy will include providing mobile or pop-up application sites to allow households without access to transportation or technology to access services.
- Ensure marketing materials, case management and direct service staff are representative of the population being served, including the use of local-trusted community members and partners, whenever possible, to build trust with individuals who may be apprehensive to accessing services.
- Provide access to holistic case management and housing counseling services to ensure long-term housing stability.
- Ensure that County, subrecipient, and developer policies and practices which are likely to have a discriminatory effect are actually necessary to achieve a substantial legitimate interest.
- Prioritizing benefit to LMI households and areas, many of which often intersect with protected class groups.

Overall, the County anticipates that program areas outlined in this Action Plan will have a positive impact on protected class groups.

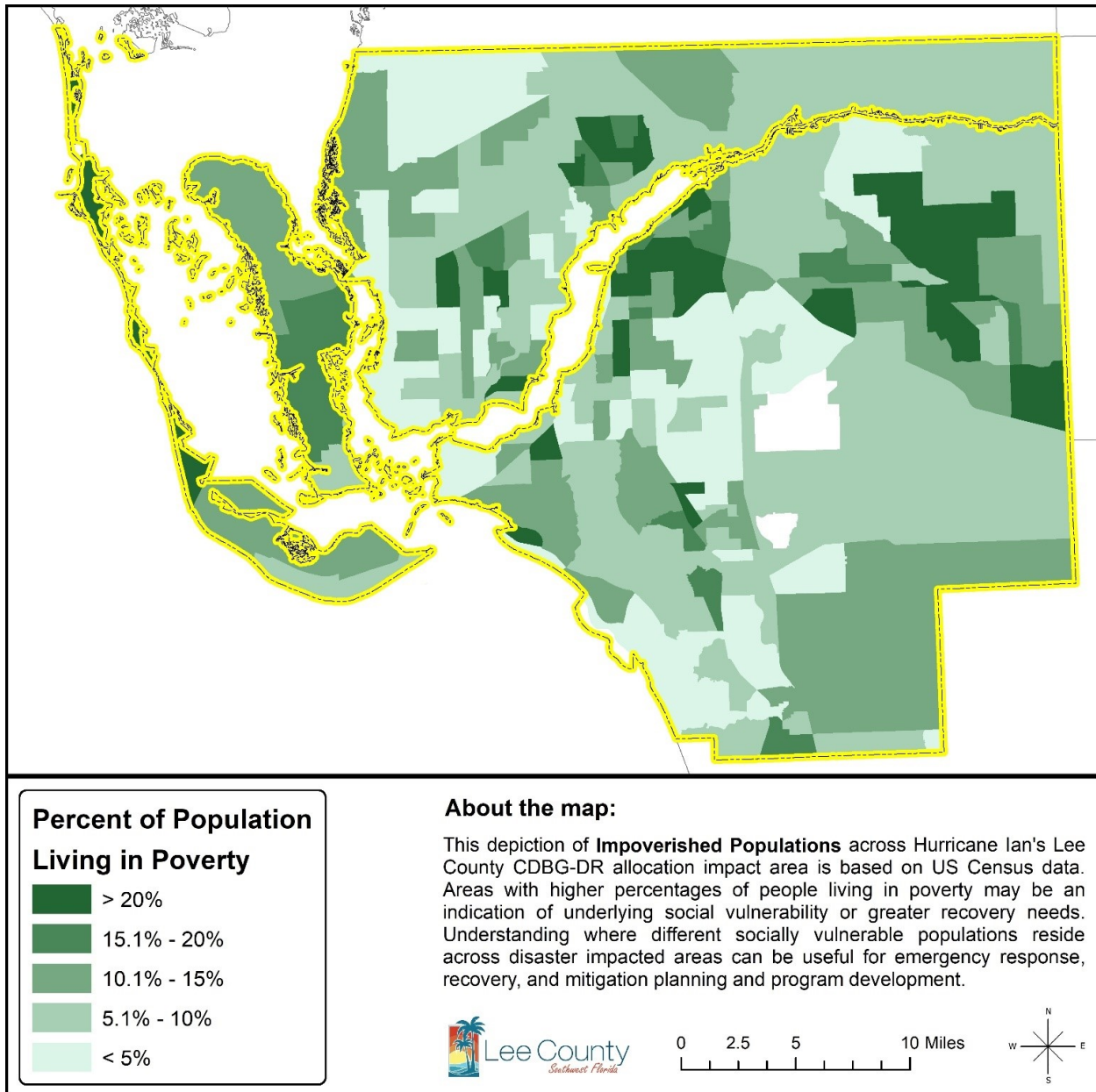


Figure 22 - The percent of population living in poverty in Lee County. ⁹⁴

⁹⁴ Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

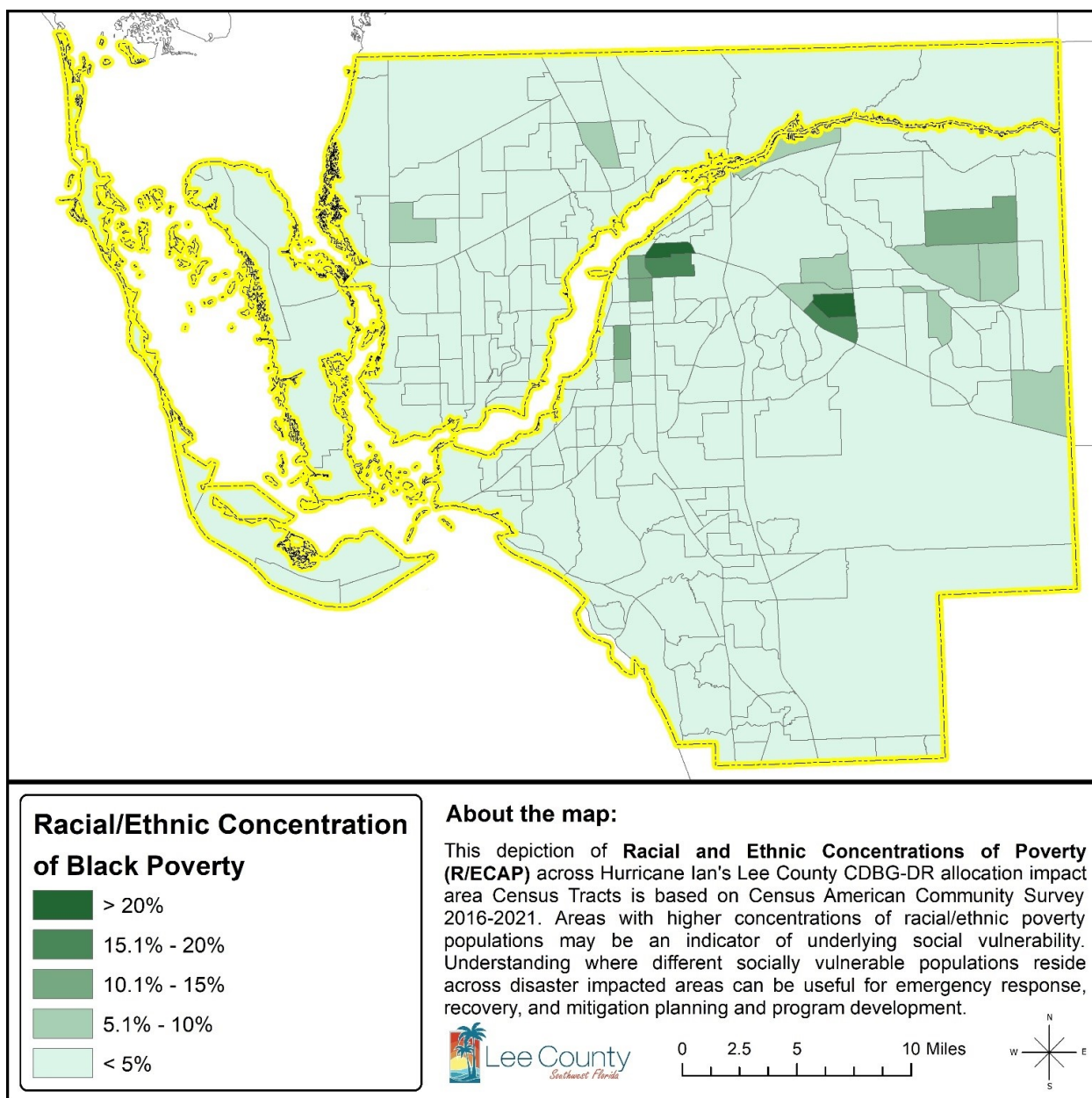


Figure 23 - A map of racial/ethnic concentration of black poverty. ⁹⁵

⁹⁵ Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

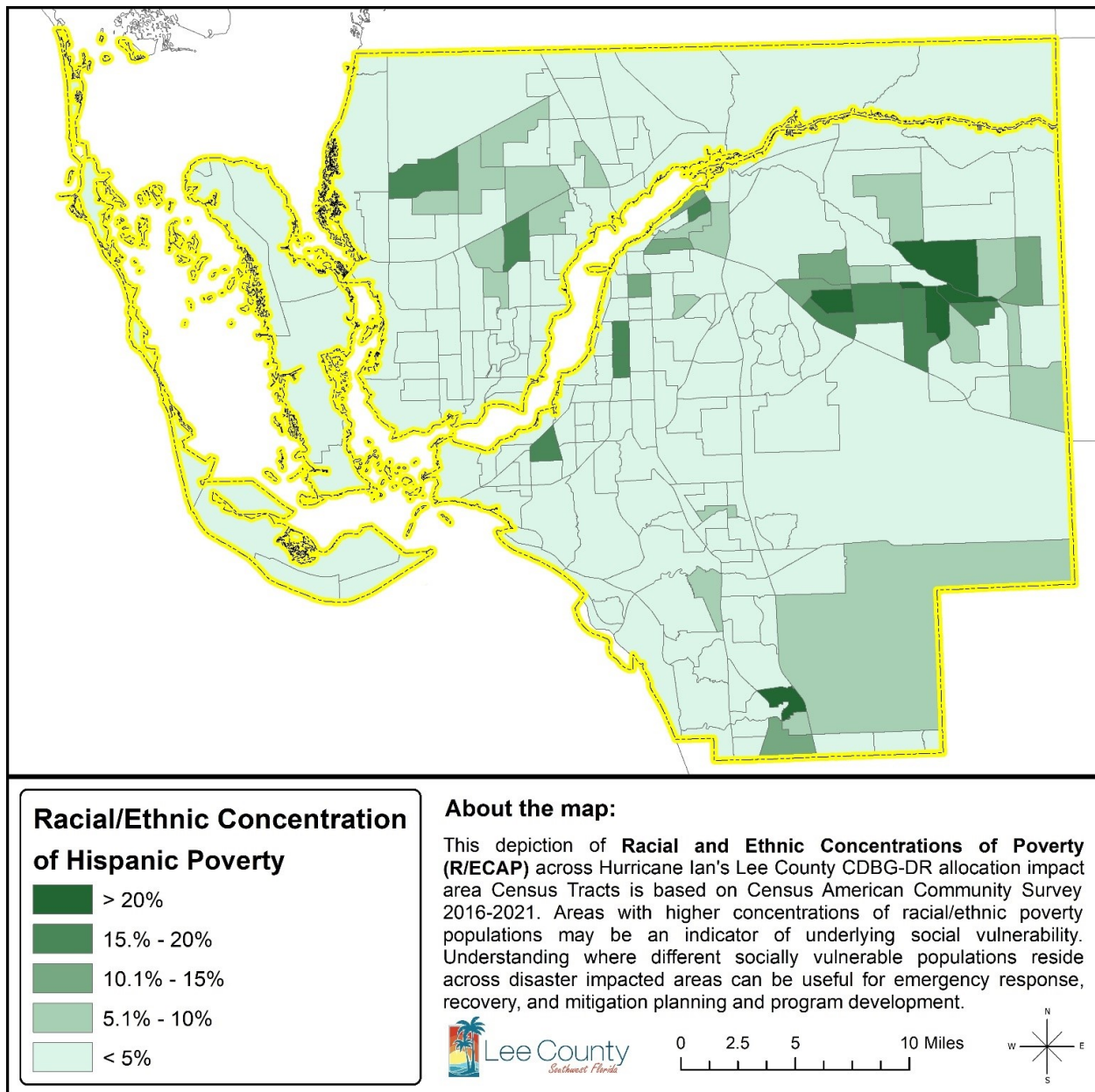


Figure 24 - A map of racial/ethnic concentration of Hispanic poverty. ⁹⁶

⁹⁶ Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

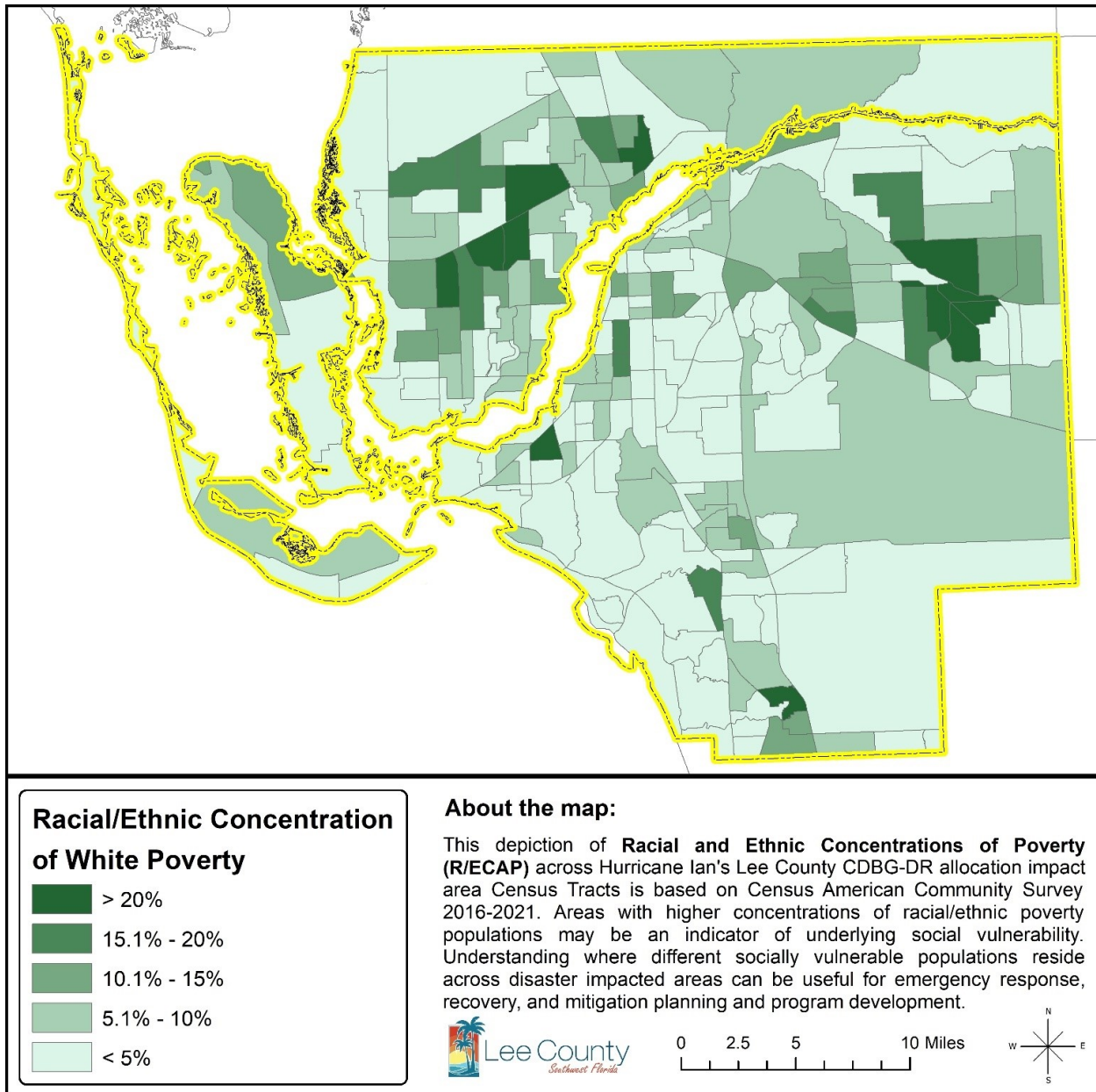


Figure 25 - A map of racial/ethnic concentration of White poverty.⁹⁷

⁹⁷ Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B17021&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B17021&g=050XX00US12071$1400000) tract level data for Lee County

a. Population with Limited English Proficiency

LEP persons are defined by the federal government as those with a limited ability to read, write, speak, or understand English. American Community Survey data reports on households in which English is not the primary language spoken at home for the population five years and older.⁹⁸ As noted in *Table 26*, 69,811 individuals within the County speak English less than very well. Just over 44.4 percent of the Spanish speaking individuals in Lee County identifying as speaking English less than “very well”, followed closely by 42.8 percent of Lee County individuals that speak Asian and Pacific Languages, and identify as speaking English less than “very well”.

Table 26 – Languages Spoken at Home

	Total Population	Speak English only or speak English "very well"	Percent speak English only or speak English "very well"	Speak English less than "very well"	Percent speak English less than "very well"
Population 5 years and over	718,115	648,304	90.3%	69,811	9.7%
Speak only English	547,882				
Speak a language other than English	170,233	100,422	59.0%	69,811	41.0%
Population 18 years and over	563,606	530,800	94.2%	32,806	5.8%
Speak only English	469,738				
Speak a language other than English	96,868	61,062	65.1%	32,806	34.9%
Spanish	70,447	44,019	62.5%	26,428	37.5%
Other languages	23,421	17,043	72.8%	6,378	27.2%
SPEAK A LANGUAGE OTHER THAN ENGLISH					
Spanish	130,884	72,822	55.6%	58,062	44.4%
5 to 17 years old	25,686	21,300	82.9%	4,386	17.1%
18 to 64 years old	91,625	46,984	51.3%	44,641	48.7%
65 years old and over	13,573	4,538	33.4%	9,035	66.6%
Other Indo-European languages	30,070	21,691	72.1%	8,379	27.9%
5 to 17 years old	4,172	3,515	84.3%	657	15.7%
18 to 64 years old	18,017	12,719	70.6%	5,298	29.4%
65 years old and over	7,881	5,457	69.2%	2,424	30.8%
Asian and Pacific Island languages	7,286	4,170	57.2%	3,116	42.8%
5 to 17 years old	648	513	79.2%	135	20.8%
18 to 64 years old	5,051	2,783	55.1%	2,268	44.9%
65 years old and over	1,587	874	55.1%	713	44.9%
Other languages	1,993	1,739	87.3%	254	12.7%
5 to 17 years old	299	251	83.9%	48	16.1%
18 to 64 years old	1,134	1,024	90.3%	110	9.7%
65 years old and over	560	464	82.9%	96	17.1%

⁹⁸ Lee County Analysis of Impediments to Fair Housing Choice, 2019-2023, page 20,
<https://www.leegov.com/dhs/Documents/Fair%20Housing/Final%20PY%202019%20Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice.pdf>

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Source: 2021 American Community Survey 5-Year Estimates -Table S1601⁹⁹

Figure 26 indicates the geographic concentrations of persons with limited English proficiency. Spanish speaking households with limited English proficiency are scattered through the County, with limited specific areas of concentration. Figure 27 adjusts the mapping parameters to remove households who are Spanish speaking, and increase the size and dot representation for French, Other Indo-European, West Germanic, and Slavic Languages. This change in display helps to identify areas of concentration for West Germanic, French, and Slavic speaking populations. Beyond making CDBG-DR related documents available in Spanish, Lee County intends to ensure that real-time interpretation is available for households that speak French, Haitian-Creole, German or other prominent languages for the region. All critical program documents will be translated as needed to ensure equal access to and meaningful participation for persons with limited English proficiency in CDBG-DR funded programs

⁹⁹ <https://data.census.gov/table/ACSST5Y2021.S1601?q=LANGUAGE+SPOKEN+AT+HOME&g=050XX00US12071>

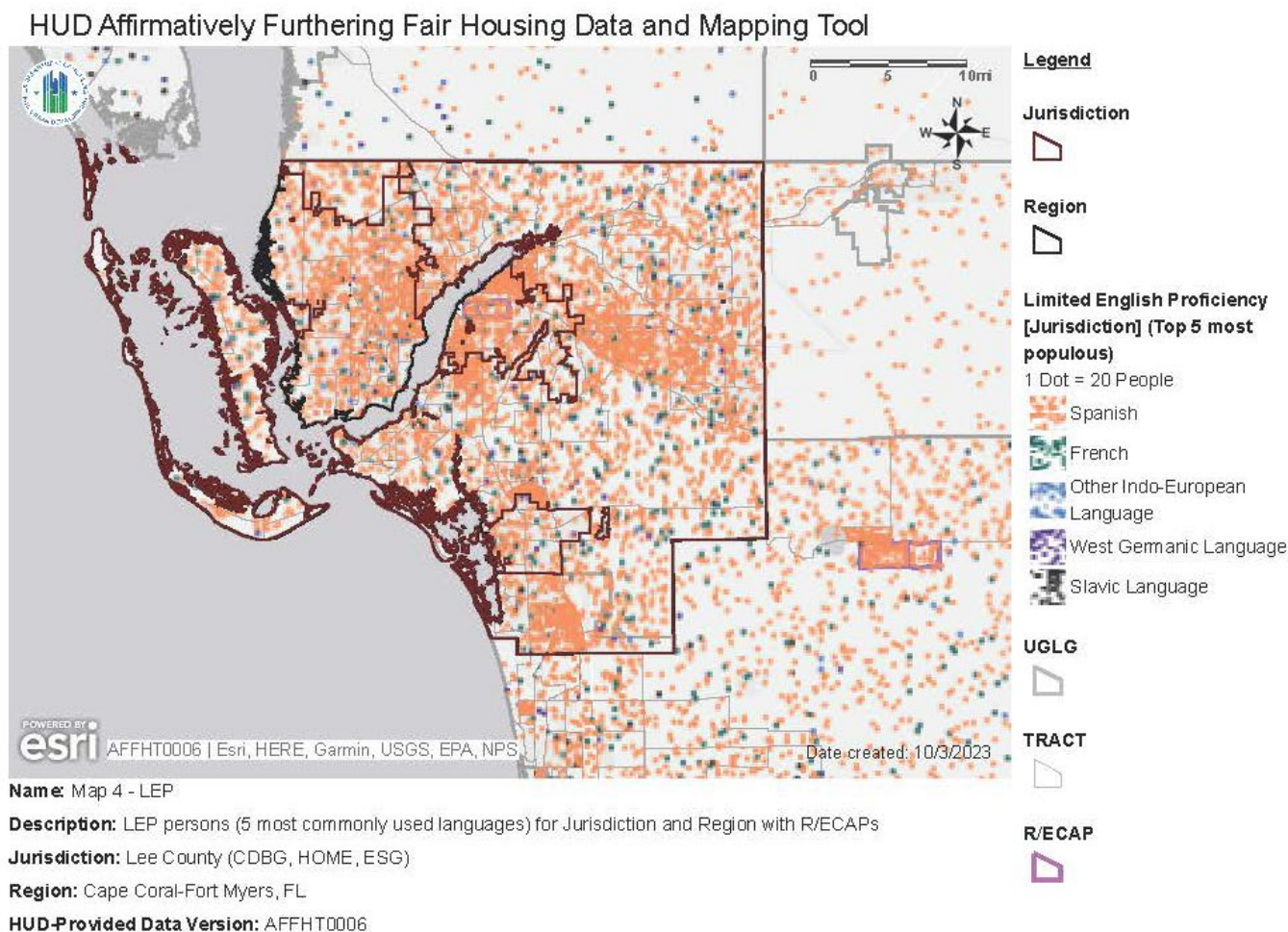


Figure 26 - A map of limited English proficiency (top 5 most populous, languages other than English).¹⁰⁰

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[https://egis.hud.gov/affht/app/PrintMap/Print.html?jurisdictionId=129071&mapNumber=400&gdbVersion=AFFHT0006&zoom=1&isPha=false&mapScale=local&basemap=gray&dotValue=20&dotSize=4&visiblelayers=rca-polygons,tract-polygons,uglg-polygons,dot-density-lep,region,jurisdiction&visiblLabels=tract-polygons,uglg-polygons&visibleLayerOpacity=0.85,0.85,0.85,1.00,1.00,1.00&xmin=-9193554.032592056&ymin=3031750.3255275767&xmax=-9024475.326025182&ymax=3100390.776927691&wkid=102100&fields=function%20\(\)%20{~](https://egis.hud.gov/affht/app/PrintMap/Print.html?jurisdictionId=129071&mapNumber=400&gdbVersion=AFFHT0006&zoom=1&isPha=false&mapScale=local&basemap=gray&dotValue=20&dotSize=4&visiblelayers=rca-polygons,tract-polygons,uglg-polygons,dot-density-lep,region,jurisdiction&visiblLabels=tract-polygons,uglg-polygons&visibleLayerOpacity=0.85,0.85,0.85,1.00,1.00,1.00&xmin=-9193554.032592056&ymin=3031750.3255275767&xmax=-9024475.326025182&ymax=3100390.776927691&wkid=102100&fields=function%20()%20{%20%20%20%20%20%20%20%20%20%20return%20 dotDensityFields:%20%20%20%20%20%20%20%20})

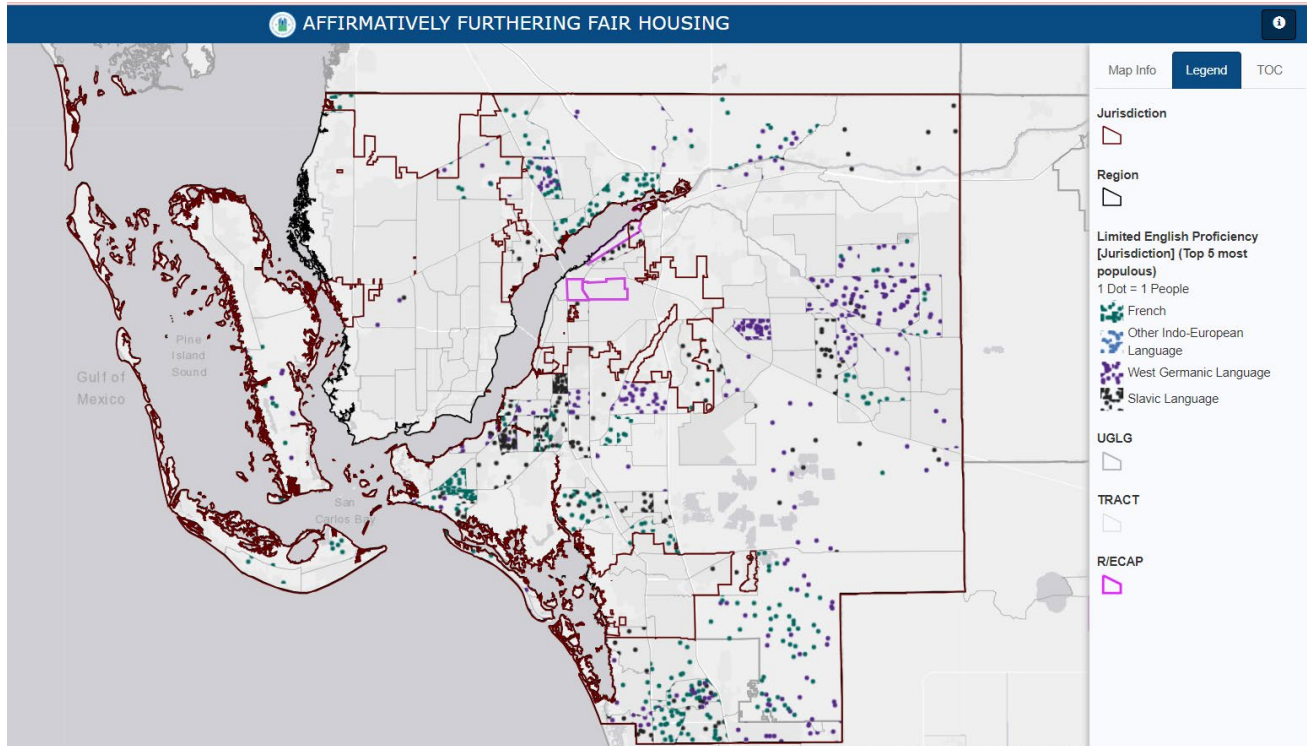


Figure 27 - A map of limited English proficiency (French, Other Indo-European, Wester Germanic, and Slavic Languages). ¹⁰¹

b. National Origin, Indigenous Populations and Tribal Communities

While Lee County does not have any designated Tribal trust lands or reservations, approximately 3,828 individuals indicated that they were American Indian or Alaska Native alone . Of those 1,008 are American Indian alone, while approximately 14,483 individual indicated American Indian heritage, in combination with another race.

Lee County also has a significant number of Hispanic or Latino individuals representing a diverse array of nationalities. Table 27 below provide estimates regarding the national origins of Lee County's Hispanic and Latino population.

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[https://egis.hud.gov/affht/app/PrintMap/Print.html?jurisdictionId=129071&mapNumber=400&gdbVersion=AFFHT0006&zoom=1&isPha=false&mapScale=local&basemap=gray&dotValue=1&dotSize=5&visiblelayers=rcap-polygons,tract-polygons,uglg-polygons,dot-density-lep,region,jurisdiction&visiblelabels=tract-polygons,uglg-polygons&visibleLayerOpacity=0.85,0.85,0.85,1.00,1.00,1.00&xmin=-9190362.786660887&ymin=3036454.25743889&xmax=-9049489.343531497&ymax=3099132.62063265&wkid=102100&fields=function%20\(\)%20%20%20%20%20%20%20%20%20%20%20%20%20return%20_dotDensityFields;%20%20%20%20%20%20%20%20%20](https://egis.hud.gov/affht/app/PrintMap/Print.html?jurisdictionId=129071&mapNumber=400&gdbVersion=AFFHT0006&zoom=1&isPha=false&mapScale=local&basemap=gray&dotValue=1&dotSize=5&visiblelayers=rcap-polygons,tract-polygons,uglg-polygons,dot-density-lep,region,jurisdiction&visiblelabels=tract-polygons,uglg-polygons&visibleLayerOpacity=0.85,0.85,0.85,1.00,1.00,1.00&xmin=-9190362.786660887&ymin=3036454.25743889&xmax=-9049489.343531497&ymax=3099132.62063265&wkid=102100&fields=function%20()%20%20%20%20%20%20%20%20%20%20%20%20%20return%20_dotDensityFields;%20%20%20%20%20%20%20%20%20)

Table 27. Hispanic or Latino Origin for Lee County, Florida

Hispanic or Latino Origin	Lee County, Florida Estimate
Total:	752,251
Not Hispanic or Latino	582,181
Hispanic or Latino:	170,070
Mexican	40,941
Puerto Rican	34,830
Cuban	42,954
Dominican (Dominican Republic)	7,959
Central American:	21,484
Costa Rican	1,271
Guatemalan	10,572
Honduran	4,910
Nicaraguan	3,004
Panamanian	568
Salvadoran	1,159
Other Central American	0
South American:	17,070
Argentinean	1,029
Bolivian	804
Chilean	300
Colombian	7,733
Ecuadorian	2,141
Paraguayan	53
Peruvian	2,431
Uruguayan	469
Venezuelan	2,066
Other South American	44
Other Hispanic or Latino:	4,832
Spaniard	999
Spanish	915
Spanish American	0
All other Hispanic or Latino	2,918

Source: 2021 American Community Survey, Table B03001: Hispanic or Latino Origin by Specific Origin¹⁰²

¹⁰² <https://data.census.gov/table/ACSDT5Y2021.B03001?q=national+origin&g=050XX00US12071>

Figure 28 below indicates that the largest concentration of Mexican and Cuban individuals are located within the City of Fort Myers, southern Cape Coral, southern Lehigh Acres, and Bonita Springs. There are also concentrations of Caribbean households in Lehigh Acres.

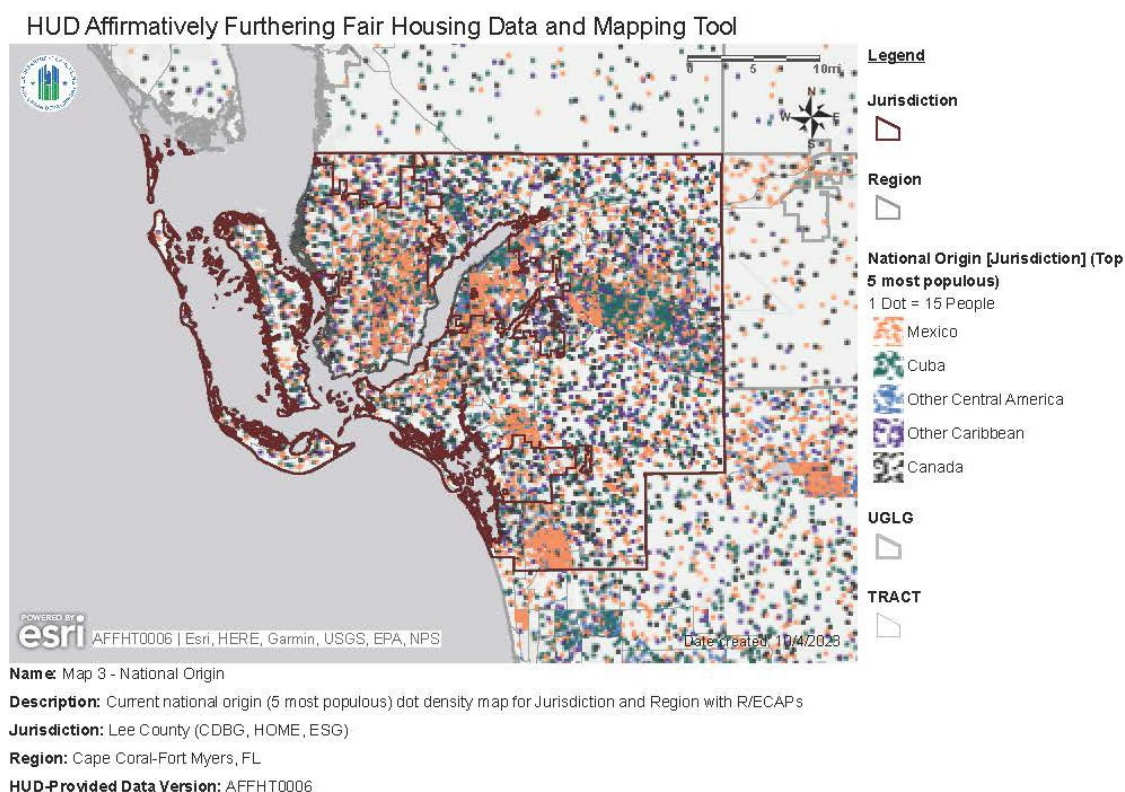


Figure 28 - Map of National Origin Concentrations (5 most populous)

Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool¹⁰³

As previously indicated, Lee County's CDBG-DR programs will include a diverse and robust outreach effort, ensuring that individuals are provided access to services without restrictions related to their national origin, or other protected factors. Lee County intends to engage Hurricane Ian impacted households through a variety of means and will ensure that marketing

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[https://egis.hud.gov/affht/app/PrintMap/Print.html?jurisdictionId=129071&mapNumber=300&gdbVersion=AFFHT0006&zoom=1&isPha=false&mapScale=local&basemap=gray&dotValue=15&dotSize=4&visiblelayers=tract-polygons,uglg-polygons,dot-density-national-origin,region,jurisdiction&visiblelabels=tract-polygons,uglg-polygons&visibleLayerOpacity=0.85,0.85,1.00,0.48,1.00&xmin=-9189502.870092828&ymin=3036412.9842530647&xmax=-9048629.426963437&ymax=3099091.3474468244&wkid=102100&fields=function%20\(\)%20{%20%20%20%20%20%20%20%20%20%20%20%20%20%20return%20 dotDensityFields:%20%20%20%20%20%20%20%20%20}](https://egis.hud.gov/affht/app/PrintMap/Print.html?jurisdictionId=129071&mapNumber=300&gdbVersion=AFFHT0006&zoom=1&isPha=false&mapScale=local&basemap=gray&dotValue=15&dotSize=4&visiblelayers=tract-polygons,uglg-polygons,dot-density-national-origin,region,jurisdiction&visiblelabels=tract-polygons,uglg-polygons&visibleLayerOpacity=0.85,0.85,1.00,0.48,1.00&xmin=-9189502.870092828&ymin=3036412.9842530647&xmax=-9048629.426963437&ymax=3099091.3474468244&wkid=102100&fields=function%20()%20{%20%20%20%20%20%20%20%20%20%20%20%20%20%20return%20 dotDensityFields:%20%20%20%20%20%20%20%20%20})

materials are reflective of the County's diverse population.

c. Religious Preferences

The Fair Housing Act prevents discrimination on the basis of religion. Discrimination against certain religious preferences may take many forms but is often reflected in advertisements for housing or programs that indicate preferences or restrictions based on religion. In Lee County there are approximately 480 congregations of religious organizations. Approximately 48.58% of the County's total population participate in one or more of these congregations.

Table 28 - 2020 U.S. Religion Census: Religious Congregations & Adherents Study. Association of Statisticians of American Religious Bodies.

Group Name	Congregations	Adherents	Adherents as % of Total Adherents	Adherents as % of Total Population
African Methodist Episcopal Church	3	1,382	0.44%	0.18%
Antiochian Orthodox Christian Archdiocese of North America, The	1	150	0.05%	0.02%
Assemblies of God	28	18,392	5.80%	2.42%
Associate Reformed Presbyterian Church	1			
Baha'i Faith USA	2	155	0.05%	0.02%
Baptist Missionary Association of America	1			
Bible Way Church of Our Lord Jesus Christ World Wide, Inc.	1	28	0.01%	0.00%
Brethren In Christ Church	1			
Catholic Church	19	142,872	45.08%	18.78%
Chabad Judaism	2			
Charis Fellowship	2			
Christadelphian	1			
Christian and Missionary Alliance	6	1,665	0.53%	0.22%
Christian Brethren (Open Plymouth Brethren)	1			
Christian Church (Disciples of Christ)	3	120	0.04%	0.02%
Christian Churches and Churches of Christ	8	2,942	0.93%	0.39%
Christian Methodist Episcopal Church	1	60	0.02%	0.01%
Church of Christ, Scientist	1			
Church of God (Anderson, Indiana)	2	128	0.04%	0.02%
Church of God (Cleveland, Tennessee)	19	1,396	0.44%	0.18%

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Group Name	Congregations	Adherents	Adherents as % of Total Adherents	Adherents as % of Total Population
Church of God (Seventh Day)	2			
Church of God by Faith, Inc.	1			
Church of God in Christ	2	130	0.04%	0.02%
Church of God of Prophecy	7			
Church of God, Mountain Assembly, Inc.	2			
Church of Jesus Christ of Latter-day Saints	8	4,736	1.49%	0.62%
Church of Jesus Christ, The (Bickertonites)	1			
Church of the Brethren	2	23	0.01%	0.00%
Church of the Living God: Pillar and Ground of the Truth	1			
Church of the Lutheran Brethren of America	1			
Church of the Nazarene	4	691	0.22%	0.09%
Churches of Christ	7	1,178	0.37%	0.15%
Community of Christ	1			
Conservative Judaism	1	365	0.12%	0.05%
Coptic Orthodox Church	1	397	0.13%	0.05%
Episcopal Church	12	3,074	0.97%	0.40%
Evangelical Free Church of America	1			
Evangelical Lutheran Church in America	8	2,003	0.63%	0.26%
Evangelical Presbyterian Church	2			
Foursquare Gospel, International Church of the	2	288	0.09%	0.04%
Free Methodist Church--USA	1	352	0.11%	0.05%
Friends General Conference	1	54	0.02%	0.01%
Full Gospel Christian Assemblies International	2	1,324	0.42%	0.17%
General Association of Regular Baptist Churches	2			
Grace Communion International	1			
Greek Orthodox Archdiocese of America	1	326	0.10%	0.04%
Hindu Temples	1	750	0.24%	0.10%
Hindu Yoga and Meditation	2	479	0.15%	0.06%
International Churches of Christ	1	183	0.06%	0.02%

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Group Name	Congregations	Adherents	Adherents as % of Total Adherents	Adherents as % of Total Population
International Council of Community Churches	1			
Jain	1			
Jehovah's Witnesses	43	11,610	3.66%	1.53%
Lutheran Church--Missouri Synod	9	2,556	0.81%	0.34%
Mahayana Buddhist	1	150	0.05%	0.02%
Metropolitan Community Churches	1	103	0.03%	0.01%
Muslim Estimate	3	1,646	0.52%	0.22%
National Association of Congregational Christian Churches	2	216	0.07%	0.03%
National Baptist Convention of America, Inc.	1	390	0.12%	0.05%
National Missionary Baptist Convention, Inc.	8	2,690	0.85%	0.35%
New Apostolic Church USA	1			
Non-denominational Christian Churches	79	71,380	22.52%	9.38%
Open Bible Churches	3	154	0.05%	0.02%
Orthodox Church in America	1	100	0.03%	0.01%
Patriarchal Parishes of the Russian Orthodox Church in the USA	1	5	0.00%	0.00%
Pentecostal Assemblies of the World	1	100	0.03%	0.01%
Presbyterian Church (U.S.A.)	9	4,901	1.55%	0.64%
Presbyterian Church in America	6	658	0.21%	0.09%
Reform Judaism	2	864	0.27%	0.11%
Salvation Army	1	63	0.02%	0.01%
Seventh Day Baptist General Conference, USA and Canada	1	9	0.00%	0.00%
Seventh-day Adventist Church	14	3,398	1.07%	0.45%
Southern Baptist Convention	65	15,520	4.90%	2.04%
Theravada Buddhist	1	303	0.10%	0.04%
Twelve Tribes	1			
Union of Messianic Jewish Congregations	2			
Unitarian Universalist Association of Congregations	2	387	0.12%	0.05%
United Church of Christ	2	749	0.24%	0.10%
United Church of God	1			
United Methodist Church	16	11,244	3.55%	1.48%

Group Name	Congregations	Adherents	Adherents as % of Total Adherents	Adherents as % of Total Population
United Pentecostal Church International	7			
United Reformed Churches in North America	1	67	0.02%	0.01%
Unity Churches, Association of	2			
Vineyard USA	1	1,170	0.37%	0.15%
Wesleyan Church	6	335	0.11%	0.04%
Wisconsin Evangelical Lutheran Synod	3	536	0.17%	0.07%
	480	316,947	100.00%	48.58%

Source: <https://www.usreligioncensus.org/interactive-tables>

All advertisements and program policies for CDBG-DR funded programs will be free from religious preferences or requirements. Additionally, all subrecipient agreements executed with Faith-Based Organizations will contain an exhibit requiring the subrecipient to acknowledge the following participation requirements for CDBG-DR funded programs:

- A faith-based organization that is awarded federal funds may retain its independence and continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use federal funds to support or engage in any explicitly religious activities.
- A faith-based organization that receives federal funds may use space in its facilities to carry out eligible activities without removing religious art, icons, scriptures, or other religious symbols. In addition, a faith-based organization may retain its authority over its internal governance, and may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
- Rooms used as the organization's principal place of worship are not eligible for federal funds. Where a structure is used for both eligible and explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), federal funds will not exceed the ratio of eligible activities in accordance with the cost accounting requirements applicable to the HUD program or activity. Disposition of real property or any change in use of the property from an authorized purpose subjects the organization to repayment of the full amount of federal funds received.

- An organization engaging in explicitly religious activities must offer such activities in a separate time or location from the federally funded programs or activities and participation must be voluntary for the beneficiaries of the federally funded programs or activities.
- Faith-based organizations that carry out federally funded programs or activities must give written notice to beneficiaries and prospective beneficiaries of the programs or activities describing certain protections available to them. The written notice must state that:
 - The organization may not discriminate against a beneficiary or prospective beneficiary on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice;
 - The organization may not require beneficiaries to attend or participate in any explicitly religious activities that are offered by the organization, and any participation by beneficiaries in such activities must be purely voluntary;
 - The organization must separate, in time or location, any privately funded explicitly religious activities from activities supported by direct Federal financial assistance;
 - If a beneficiary objects to the religious character of the organization, the organization must undertake reasonable efforts to identify and refer the beneficiary to an alternative provider to which the beneficiary has no such objection; and
 - Beneficiaries or prospective beneficiaries may report an organization's violation of these protections, including any denial of services or benefits by an organization, by contacting or filing a written complaint to HUD or the intermediary, if applicable.
- The written notice must be given to prospective beneficiaries before they enroll in any federally funded program or activity. When the nature of the program or activity or exigent circumstances make it impracticable to provide the written notice in advance, the organization must provide written notice to beneficiaries of their protections at the earliest available opportunity.
-

- In addition, if a beneficiary or prospective beneficiary (hereinafter referred to as beneficiary) objects to the religious character of the organization carrying out the programs or activities, the organization must promptly make reasonable efforts to identify and refer them to a provider which they have no such objection.
- A referral may be made to another faith-based organization, if the beneficiary has no objection to that provider based on the provider's religious character. But, if a request is made for a secular provider, and a secular provider is available, then a referral must be made to that provider.
- Except for activities carried out by telephone, internet, or similar means, the referral must be to a provider that is in reasonable geographic proximity to the organization making the referral and that carries out activities that are similar in substance and quality to those offered by the organization. The alternative provider also must have the capacity to accept additional beneficiaries.
- If the organization is unable to identify an alternative provider, the organization shall promptly notify Lee County. The County will promptly determine whether there is any other suitable alternative provider to which the beneficiary may be referred.
- The faith-based organization providing a referral must document the beneficiary's request for a referral, whether the beneficiary was referred to another provider, to which provider the beneficiary was referred, and if the beneficiary contacted the alternative provider, unless they requested no follow up.
- Any organization that receives Federal financial assistance under a HUD program or activity shall not, in providing services or carrying out activities with such assistance, discriminate against a beneficiary or prospective beneficiary on the basis of religion, religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.

d. Housing Impact Cost Burdened Households

HUD defines housing affordability in terms of the proportion of household income that is used to pay housing costs. Housing is “affordable” if no more than 30 percent of a household’s income is needed for rent, mortgage payments, and utilities. When the proportion of household income needed to pay housing costs exceeds 30 percent, a household is considered “cost burdened.”

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Severe cost burden is defined as gross housing costs, including utilities, exceeding 50 percent of the households gross income.¹⁰⁴

According to the Shimberg Center for Housing Studies at the University of Florida¹⁰⁵, cost burdened households for the County are categorized by the 0-50 percent, 50.01-80 percent, and over 80 percent area median income (AMI) categories. The analysis of the U.S. Census Bureau, 2019 American Community Survey 1-Year Public Use Microdata Sample (PUMS) noted that 5,981 cost burdened households fall into the 0-50 percent AMI category. Roughly 1,747 cost burdened households fall into the 50.01-80 percent group while 2,099 cost burdened households fall into the over 80 percent category. Based on this data, roughly 3,846 cost burdened households are considered severe.

e. Persons Experiencing Homelessness

The Lee County Homeless Continuum of Care (CoC), a collaborative of local municipalities, social service providers and other stakeholders, is tasked with addressing the needs of persons experiencing homelessness. The CoC receives funding from HUD for several homeless assistance programs and is responsible for planning, coordinating, and monitoring the delivery of services to the homeless. The Lee County Homeless Coalition provides information on the needs, characteristics, number, and location of homeless persons in Lee County.¹⁰⁶

The County saw an increase in persons experiencing homelessness from 560 persons in 2022 to 857 persons in 2023 as noted in *Table 35* below. In coordination with the County's Human and Veterans Service Department, the Lee County Homeless Coalition estimates that about 857 individuals were homeless in January 2023 (both sheltered and unsheltered). Out of the 857 homeless, 197 were considered chronically homeless, with 109 under the age of 18, a drastic increase from the prior year. The Coalition attributes soaring rents and Hurricane Ian to this increase.¹⁰⁷ Approximately 560 households, reporting as a family with children experiencing homelessness, have contacted Lee County's Coordinated Entry system. Of those, 152 or 27.1 percent cited Hurricane Ian as a reason for the current status of homelessness during their initial contact with Coordinated Entry.¹⁰⁸

f. Impacts on Low- and Moderate-Income (LMI) Populations

¹⁰⁴ [ibid.](#) page 61

¹⁰⁵ [Cost Burdened Households by Income as a Percentage of Area Median income \(AMI\)](#)

¹⁰⁶ Lee County Analysis of Impediments to Fair Housing Choice, 2019-2023, page 64, <https://www.leegov.com/dhs/Documents/Fair%20Housing/Final%20PY%202019%20Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice.pdf>

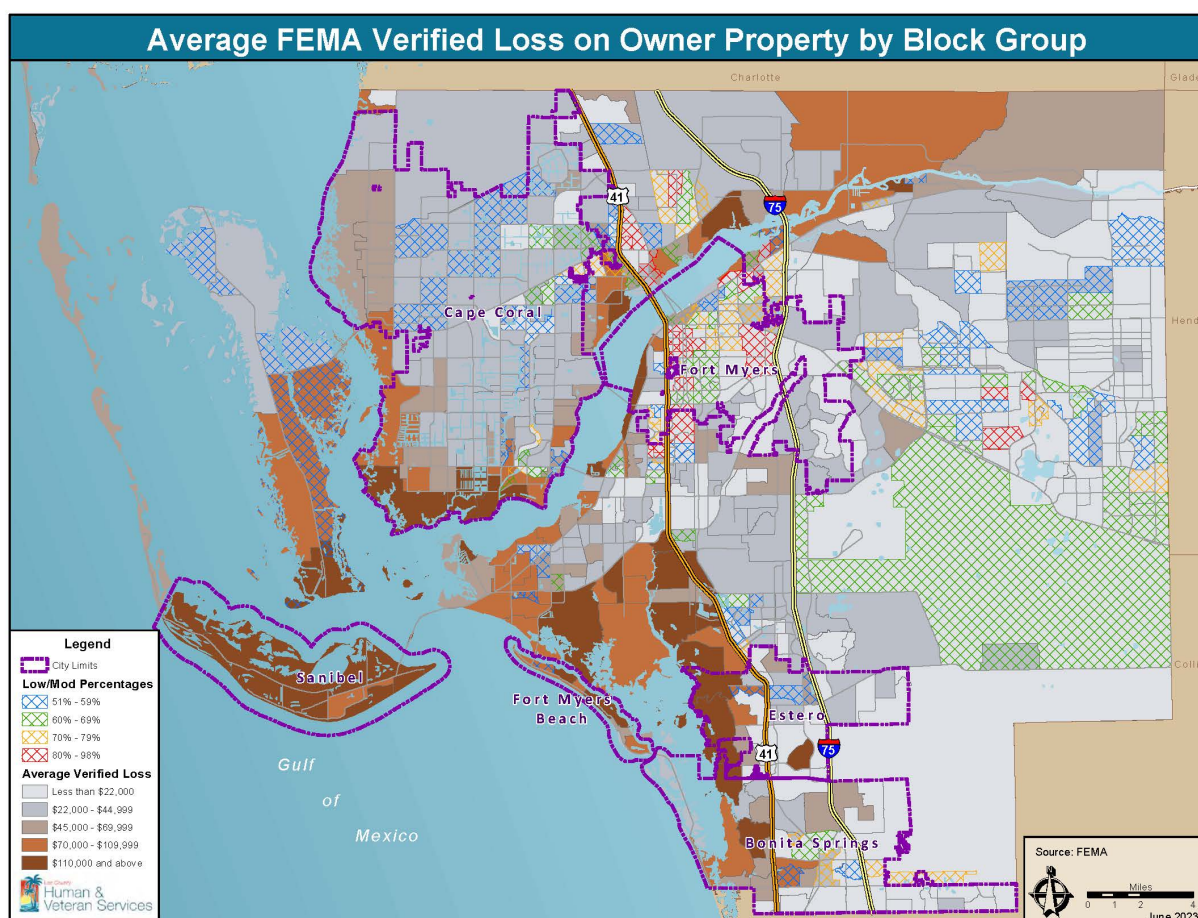
¹⁰⁷ Lee County Homeless Coalition, <https://www.leehomeless.org/2023-census/>

¹⁰⁸ Lee County Human and Veteran Services

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Disasters can have life-altering impacts especially on low-and moderate (LMI) persons. They are more likely to experience significant and lengthier impacts emphasizing the need for recovery projects to prioritize the protection of and benefit to LMI persons within the County. As per the May 18 Notice, 70 percent of CDBG-DR funds must be spent to benefit LMI persons. As defined by HUD, a household is considered LMI if their annual income is 80 percent of the area median income (AMI). Although there are portions of the County that have significant LMI populations, certain areas have higher concentrations of populations with income below 50 percent AMI. As noted in Figure 29, Fort Myers, North Fort Myers, Cape Coral, and Lehigh Acres contain significant areas of LMI populations with incomes at or below 50 percent of AMI.

As depicted in Figure 29, there are several areas with high concentrations of low- and moderate-income households that experienced FEMA verified loss of greater than \$45,000 per household. The average verified loss exceeds \$70,000 per household in areas on Pine Island, Fort Myers Beach, and along the Caloosahatchee River, where 51 percent or more of the population has a household income of 80% or less of the AMI.



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Figure 29- Average FEMA Verified Loss for owner-occupied housing units by block group. FEMA Individual Assistance Data, as of June 20, 2023.

b) INCOME DEMOGRAPHICS

Table 29 -Median Household and Per Capita Income for the State-wide, Disaster Area, and MID levels.

Income/Economic Demographics	Statewide	Areas Impacted by the Disaster	HUD MIDs
Median Household Income	\$63,062	\$58,921	\$63,235
Per Capita Income	\$36,196	\$33,848	\$32,642

Source: 2021 American Community Survey 5-year Estimates Subject Tables¹⁰⁹

1) EDUCATION DEMOGRAPHICS

Table 30 - Education by State, Disaster Area, and MID Area.

Education	State Estimates	State Percent	Disaster Declaration Estimate	Disaster Declaration Percent	MID Estimates	MID Percent
Population 25 and over	15,762,122	100.00%	8,809,658	100.00%	598,375	100.00%
Less than high school graduate	1,608,543	10.21%	801,300	9.10%	58,255	9.74%
High school graduate or equivalency	4,363,466	27.68%	2,398,309	27.22%	181,266	30.29%
Some college, associate degree	4,563,267	28.95%	2,590,647	29.41%	173,950	29.07%
Bachelor's degree or higher	5,226,846	33.16%	3,019,402	34.27%	184,904	30.90%

Source: 2021 ACS 1-Year Estimates Subject Tables - S1501 EDUCATIONAL ATTAINMENT¹¹⁰

2) HUD INCOME LIMITS

Proposed CDBG-DR programs and projects must prioritize the protection of low- and moderate-income (LMI) persons and meet HUD's overall LMI benefit requirement. Seventy percent of CDBG-DR funds must be spent to benefit LMI persons. As defined by HUD, LMI households are

¹⁰⁹ https://www.huduser.gov/portal/datasets/il.html#2020_data

¹¹⁰ <https://data.census.gov/table?q=S1501+Florida&g=040XX00US12>

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classified per a gross household income of under 80 percent of Area Median Income (AMI), adjusted for family size.¹¹¹

- Statewide median income as of 2023 in Florida is \$85,500 and a household of four is considered LMI if earning a gross income of \$66,350 or less.¹¹²
- In Lee County, the median income as of 2023 is \$85,900 and a household of four is considered LMI if earning a gross income of \$68,100 or less.¹¹³

c) INCOME DEMOGRAPHICS – LOW INCOME

Table 31 - Population with Income Below Poverty Rate at the State-wide, Disaster Area, and MID levels.

Income/Economic Demographics	Statewide	Areas Impacted by the Disaster	HUD MID
Income in the past 12 months below poverty level	1,042,235	1,435,547	89,578
Total for whom poverty is determined	8,157,420	11,671,552	743,628

Source: *Income in the Past 12 Months (in 2021 inflation-adjusted dollars) – 2021: ACS 5-year Estimates Subject Tables; Poverty Status in the Past 12 Months by Household Type by Age of Householder - 2021: ACS 1-Year Estimates Detailed Tables; Per Capita Income In The Past 12 Months (In 2021 Inflation-Adjusted Dollars) - 2021: ACS 5-Year Estimates Detailed Table*¹¹⁴

¹¹¹ U.S. Department of Housing and Urban Development Office of Planning and Community Development. Laws and Regulations: Low- and Moderate-Income Definitions under the CDBG Program. Available at:

<https://www.huduser.gov/portal/datasets/cdbg-income-limits.html>

¹¹² U.S. Department of Housing and Urban Development, Program Parameters and Research Division. Available at:

https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=STTLT*1299999999%2BFlorida&selection_type=county&stname=Florida&statefp=12.0&year=2023

¹¹³ U.S. Department of Housing and Urban Development, Program Parameters and Research Division. Available at:

[https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=METRO15980M15980%2aCape+Coral-Fort+Myers%2c+FL+MSA&wherefrom=\\$wherefrom\\$&selection_type=hmfa&year=2023](https://www.huduser.gov/portal/datasets/il/il2023/2023summary.odn?inputname=METRO15980M15980%2aCape+Coral-Fort+Myers%2c+FL+MSA&wherefrom=$wherefrom$&selection_type=hmfa&year=2023)

¹¹⁴ https://www.huduser.gov/portal/datasets/il.html#2020_data

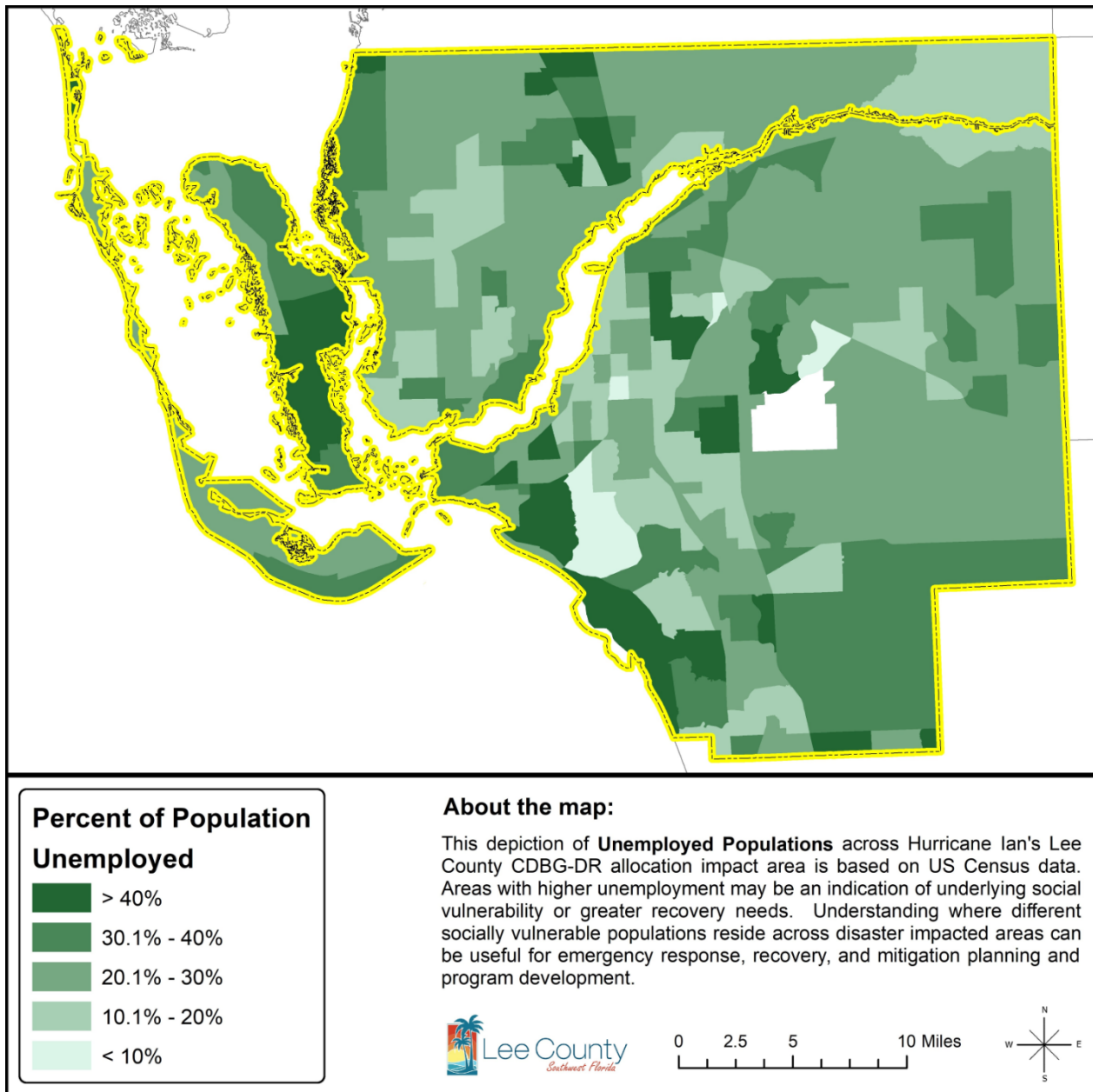


Figure 30 - The percent of population unemployed in Lee County. ¹¹⁵

¹¹⁵ Map generated from Census ACS 2016-2020 [https://data.census.gov/table?q=B23022&g=050XX00US12071\\$1400000](https://data.census.gov/table?q=B23022&g=050XX00US12071$1400000) tract level data for Lee County

- SNAP AND D-SNAP APPLICANTS IMPACTED BY DISASTER**

Table 32 - The SNAP and D-SNAP for Lee County.

County	# of SNAP Households Impacts	# of SNAP Individuals Impacted	# of Households Issued D-SNAP Benefits	# of Individuals Issued D-SNAP Benefits
Lee County	22,442	22,442	11,112	37,785

Source: United States Department of Agriculture 2018 19th Congressional District⁶⁶ & Florida Department of Children and Families¹¹⁶

d) LMI ANALYSIS – AREA WIDE

Table 33 - The LMI populations for Lee County.

County	Total LMI Population	Total Population	Percent LMI
Lee County	273,093	653,665	41.78%

Source: HUD LMI Data¹¹⁷

e) LMI ANALYSIS – FEDERALLY DECLARED DISASTER AREA

Table 34 - LMI population in the Non-MID and MID Area.

County	Non-MID-Total LMI Persons	Non-MID-Total Population	Non-MID-Percentage LMI	MID-Total LMI Persons	MID-Total Population	MID-Percentage LMI
Lee County	0	0	0%	273,093	653,665	41.78%

Source: HUD LMI Data

All of Lee County is in the HUD-defined Most Impacted and Distressed area, so the non-MID population is zero for *Table 34*.

Table 35 - Total LMI Population for Lee County.

County	Total LMI Disaster Applicants	Total Universe of Disaster Applicants	Percentage LMI	Possible Additional LMI Persons	Possible Additional Percentage LMI
Lee County	113,649	405,711	28.01%	191,767	47.27%

Source: HUD LMI Data

¹¹⁶ <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>

¹¹⁷ <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

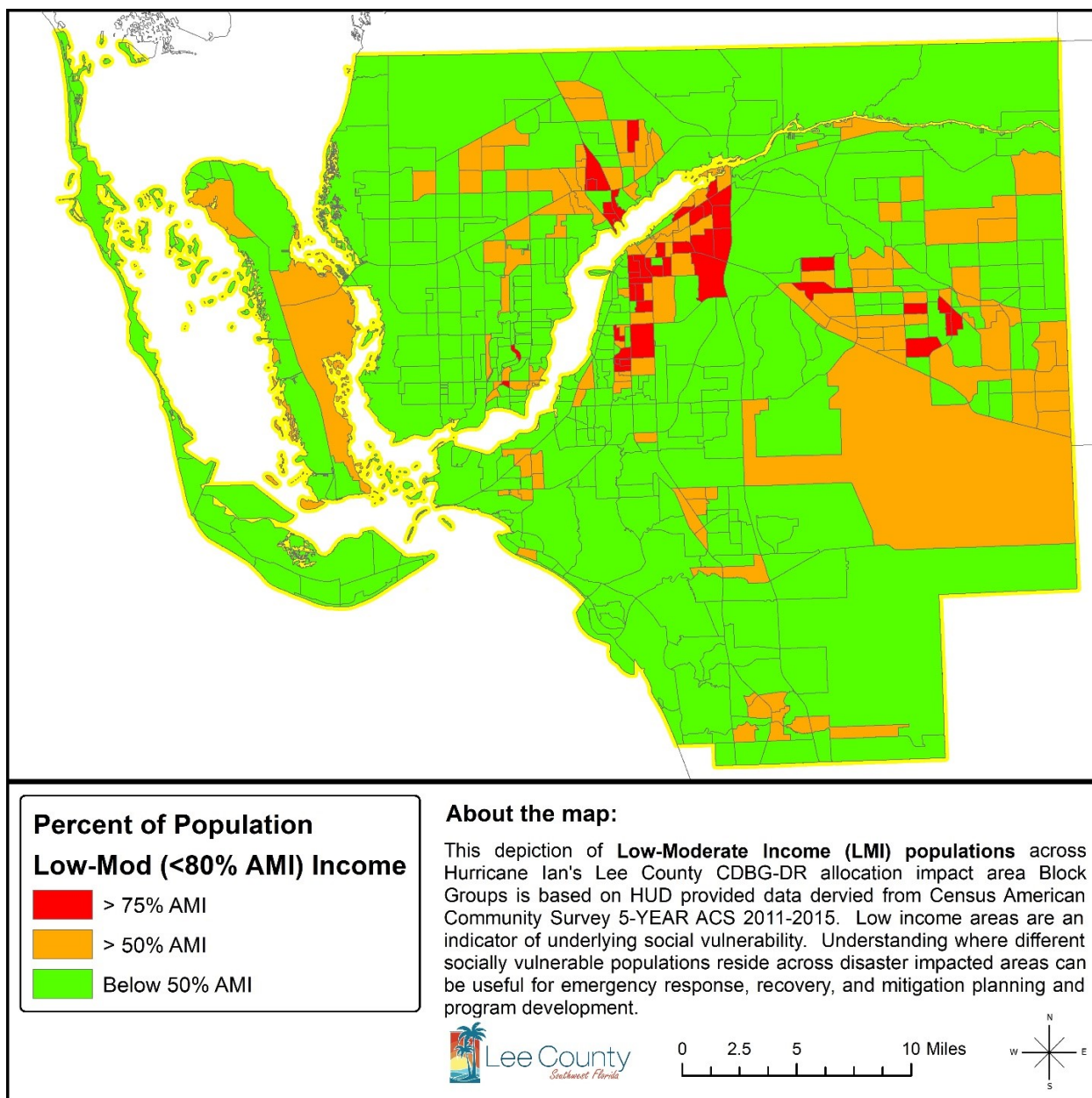


Figure 31 - The percent of LMI populations by census block group for Lee County. ¹¹⁸

¹¹⁸ Map generated from data provided by HUD <https://hudgis-hud.opendata.arcgis.com/datasets/low-to-moderate-income-population-by-block-group>

f) MANUFACTURED HOUSING UNITS IMPACTED BY DISASTER

Table 36 - The percentage of manufactured housing units in Lee County.

County	Number of Units	% of Total Units in County Impacted	Remaining Unmet Need
Lee County	20,452	52.91%	\$73,215,791

Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023¹¹⁹ and 2021 ACS 5-Year Estimates Subject Tables - DP04 SELECTED HOUSING UNITS¹²⁰

¹¹⁹ <https://www.fema.gov/openfema-data-page/individuals-and-households-program-valid-registrations-v1>

¹²⁰ <https://data.census.gov/table?q=DP04&g=050XX00US12071&tid=ACSDP5Y2021.DP04>

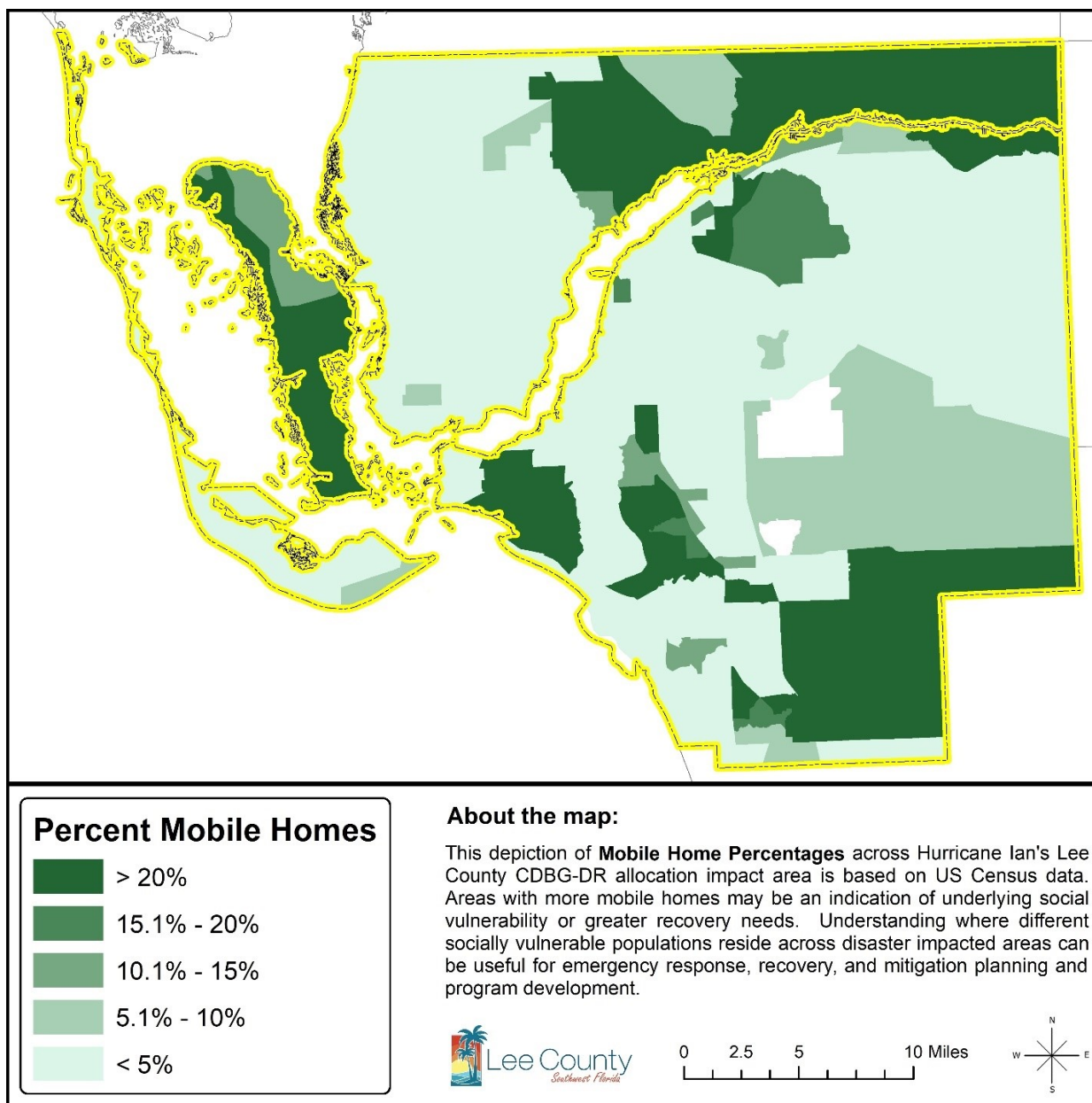


Figure 32 - The percentage of mobile homes by census tract. ¹²¹

Figure 33 further reflects the mobile home counts in the County. Areas with mobile home counts greater than 400 are concentrated on Pine Island, Fort Myers, North Fort Myers, and Bonita Springs.

¹²¹ Map generated from Census ACS 2017-2021

[https://data.census.gov/table?q=B25024&g=050XX00US12071\\$1400000&y=2021](https://data.census.gov/table?q=B25024&g=050XX00US12071$1400000&y=2021) tract level data for Lee County

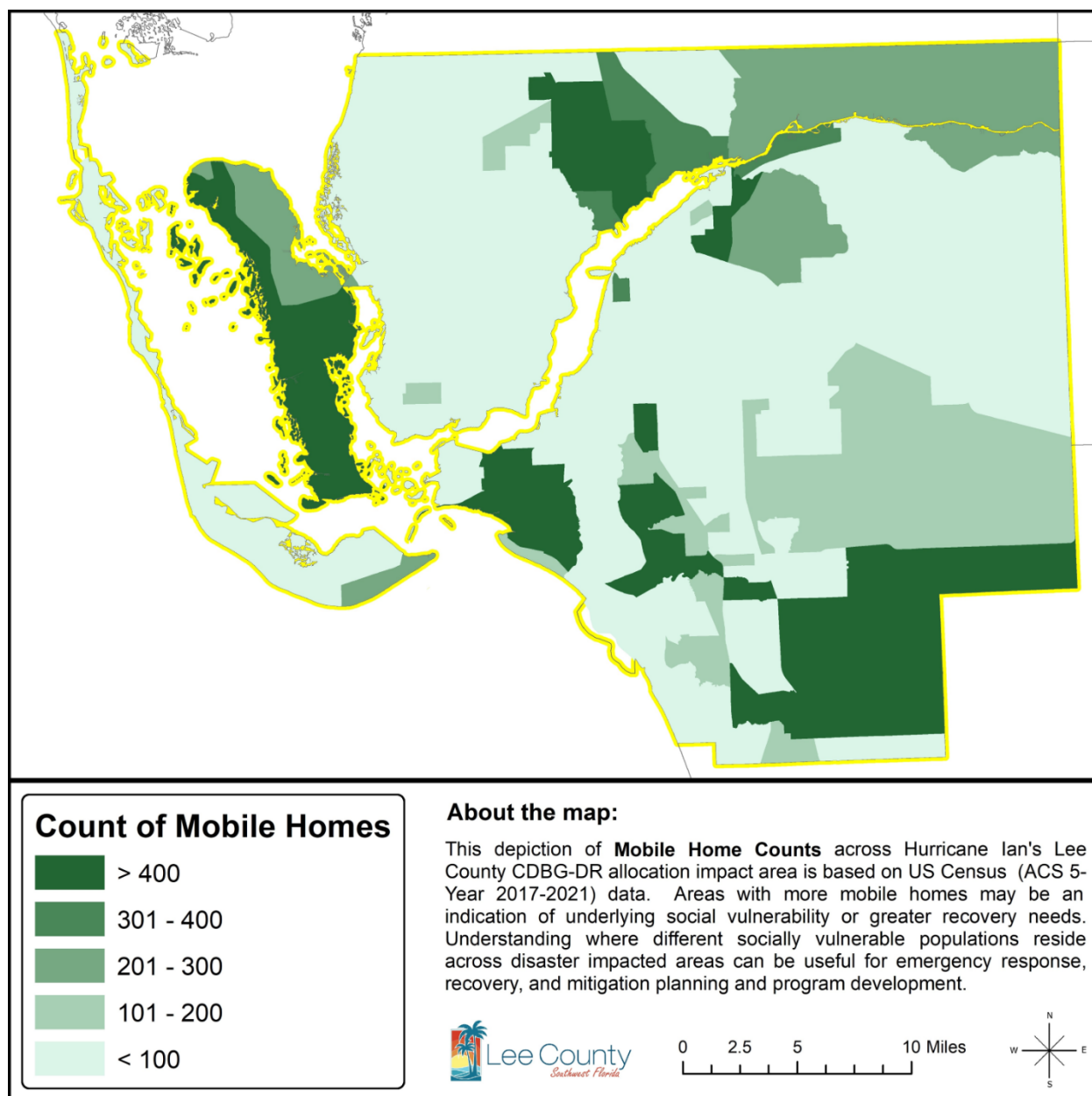


Figure 293 - The Mobile Home Counts in Lee County. ¹²²

¹²² Map generated from Census ACS 2017-2021

[https://data.census.gov/table?q=B25024&g=050XX00US12071\\$1400000&y=2021](https://data.census.gov/table?q=B25024&g=050XX00US12071$1400000&y=2021) tract level data for Lee County

g) LIMITED ENGLISH PROFICIENCY BREAKDOWN OF DISASTER-RELATED AREAS

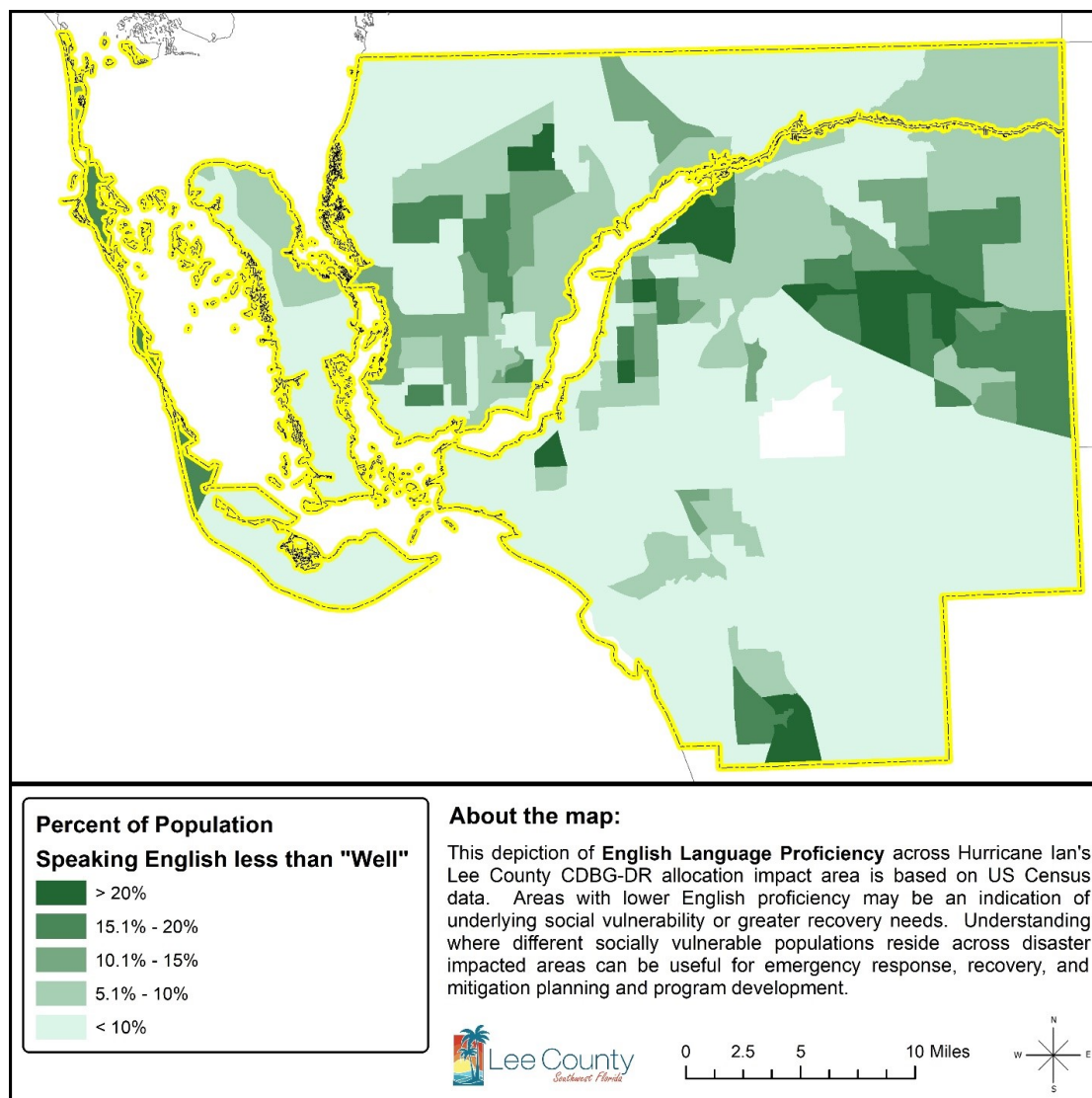


Figure 34 - The percent population speaking less than "Well" by Census Tract in Lee County. ¹²³

h) POINT-IN-TIME COUNT – TYPE OF SHELTER

Table 37 - Point-in-Time Count - Type of Shelter.

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Statewide	10,040	4,041	11,746	25,959

¹²³ Map generated from Census ACS 2016-2020

[https://data.census.gov/table?q=B06007&g=050XX00US12071\\$1400000&y=2020](https://data.census.gov/table?q=B06007&g=050XX00US12071$1400000&y=2020) tract level data for Lee County

Geography	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
FEMA Declared*	5,340	1,985	5,227	12,618
Lee County (MID)	264	0	593	857

Source: 2022 Point In Time Count, HUD Exchange, PIT and HIC Data Since 2007 ¹²⁴

*FEMA Declared Counties do not overlap completely with CoC jurisdictions. The following CoC's were used for the above figures: FL-500, FL-501, FL-502, FL-503, FL-504, FL-506, FL-507, FL-508, FL-512, FL-517, FL-520, FL-602, FL-603, FL-606

i) POINT-IN-TIME COUNT – IMPACTED BY DISASTER

Table 38 - The point-in-time count – impacted by disaster.

County	Emergency Shelter	Transitional Housing	Unsheltered Homeless	Total Known Homeless
Statewide	10,040	4,041	11,746	25,959
FEMA Declared*	5,340	1,985	5,227	12,618
Lee County (MID)	264	0	593	857

Source: 2022 Point In Time Count, HUD Exchange, PIT and HIC Data Since 2007 ¹²⁵⁷⁰

*FEMA Declared Counties do not overlap completely with CoC jurisdictions. The following CoC's were used for the above figures: FL-500, FL-501, FL-502, FL-503, FL-504, FL-506, FL-507, FL-508, FL-512, FL-517, FL-520, FL-602, FL-603, FL-606

j) ASSISTED HOUSING IMPACTED BY THE DISASTER

Table 39 - The housing Choice Vouchers, Low Income Housing Tax Credit (LIHTC), and Public Housing Units for Lee County.

County	Total Housing Choice Vouchers	Total Impacted Housing Choice Voucher Units	Total LIHTC Units	Total Impacted LIHTC Units	Total Public Housing Dwelling Units	Total Impacted Public Housing Dwelling Units	Remaining Unmet Need
Lee County	2,231	2,231	3,688	3,688	1,069	1,069	\$16,000,000

Source: [Housing Choice Vouchers by Tract](#) | [Housing Choice Vouchers by Tract](#) | [HUD Open Data Site \(arcgis.com\)](#); [Low-Income Housing Tax Credit Properties](#) | [Low-Income Housing Tax Credit Properties](#) | [HUD Open Data Site \(arcgis.com\)](#); [Public Housing Developments](#) | [Public Housing Developments](#) | [HUD Open Data Site \(arcgis.com\)](#)
Accessed May 25, 2023

k) NATURAL AND ENVIRONMENTAL HAZARDS

Lee County consulted the U.S. Environmental Protection Agency's EJScreen: Environmental Justice Screening and Mapping Tool to determine the natural and environmental hazards that

¹²⁴ 2022 <https://www.hudexchange.info/resource/3031/pit-and-hic-data-since-2007/>

¹²⁵ 2022 <https://www.hudexchange.info/resource/3031/pit-and-hic-data-since-2007/>

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were potentially impactful to protected classes and vulnerable populations.

The EJ Screen Report for Lee County indicated that there are no superfund sites in Lee County. There are 21 Brownfields, most of which are located within the City of Fort Myers, along Dr. Martin Luther King Jr. Boulevard and Ortiz Avenue.

Maps depicting the proximity of EPA sites and natural waterbody hazards to areas with the highest concentrations of low-income populations and people of color are found in Appendix G.

Table 40 – EJ Screen Community Report for Lee County, FL

Sites reporting to EPA within defined area	
Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	3
Water Dischargers	3884
Air Pollution	207
Brownfields	21
Toxic Release Inventory	51

Source: Environmental Protection Agency, Environmental Justice Tool, EJ Screen, Accessed July 20, 2023 ¹²⁶

EJScreen Environmental and Socioeconomic Indicators Data in *Figure 35* indicates an Air Toxics Cancer Risk slightly higher than the state average, but all other pollution and sources are lower than the state average. Health indicators for Lee County are near the state average, but climate indicators exceed the state average, especially for flood risk. Critical service gaps are identified as housing cost burden, access to transportation, and food deserts.

¹²⁶ <https://www.epa.gov/ejscreen>

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SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter ($\mu\text{g}/\text{m}^3$)	7.4	7.52	40	8.08	29
Ozone (ppb)	59.4	59.4	50	61.6	34
Diesel Particulate Matter ($\mu\text{g}/\text{m}^3$)	0.186	0.293	25	0.261	41
Air Toxics Cancer Risk* (lifetime risk per million)	31	27	32	28	35
Air Toxics Respiratory HI*	0.29	0.32	1	0.31	4
Toxic Releases to Air	33	1,900	25	4,600	14
Traffic Proximity (daily traffic count/distance to road)	81	160	47	210	51
Lead Paint (% Pre-1960 Housing)	0.032	0.14	48	0.3	22
Superfund Proximity (site count/km distance)	0.0076	0.13	4	0.13	2
RMP Facility Proximity (facility count/km distance)	0.15	0.31	52	0.43	45
Hazardous Waste Proximity (facility count/km distance)	0.17	0.52	46	1.9	31
Underground Storage Tanks (count/km ²)	3.3	7	53	3.9	68
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.3	0.52	87	22	87
SOCIOECONOMIC INDICATORS					
Demographic Index	32%	39%	45	35%	54
Supplemental Demographic Index	14%	15%	51	14%	56
People of Color	35%	45%	45	39%	54
Low Income	30%	33%	50	31%	55
Unemployment Rate	5%	5%	57	6%	55
Limited English Speaking Households	5%	7%	64	5%	75
Less Than High School Education	10%	11%	58	12%	58
Under Age 5	5%	5%	55	6%	47
Over Age 64	28%	23%	74	17%	87
Low Life Expectancy	17%	19%	25	20%	24

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

HEALTH INDICATORS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	17%	19%	25	20%	24
Heart Disease	7.9	7.2	66	6.1	81
Asthma	8.5	8.7	42	10	11
Cancer	7.9	6.9	72	6.1	86
Persons with Disabilities	13.6%	13.9%	53	13.4%	57

CLIMATE INDICATORS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	52%	26%	82	12%	96
Wildfire Risk	40%	32%	65	14%	85

CRITICAL SERVICE GAPS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	11%	13%	52	14%	49
Lack of Health Insurance	13%	13%	59	9%	79
Housing Burden	Yes	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Figure 35 – EJScreen Environmental and Socioeconomic Indicators Data, Lee County, FL¹²⁷

¹²⁷ <https://www.epa.gov/ejscreen>

I) ENVIRONMENTAL REVIEWS

To evaluate environmental factors for CDBG-DR funded projects and activities, including those evaluated by the Environmental Justice tool, Lee County will meet the applicable environmental requirements, listed under 24 CFR Part 58, before the use or commitment of funds for each activity. After Lee County's Office of Strategic Resources and Government Affairs, as the Responsible Entity (RE), 1) completes environmental review(s) pursuant to 24 CFR Part 58 and receives from HUD an approved Request for Release of Funds (RROF) and certification (as applicable), or 2) adopts another Federal agency's environmental review, approval, or permit and receives from HUD (or the state) an approved Request for Release of Funds and certification (as applicable), Lee County may draw down funds from the line of credit for an activity.

This environmental review process provides a mechanism to identify potential environmental conditions that may impact affected populations, including members of protected classes, vulnerable populations, and underserved communities. The reviews also consider means to mitigate adverse impacts or provide alternate assistance in the recovery process. At a minimum, every project site is inspected and evaluated for potential hazardous materials and contamination, giving specific attention to any proposed site on, or in the general proximity of, industrial corridors, waterways, EPA superfund sites, brownfields, leaking underground storage tanks, etc. In addition, the review will consider proximity to hazardous facilities which store, handle, or process hazardous substances as part of the decision-making and mitigation processes.

Tier 1 Environmental Reviews will be conducted in accordance with 24 CFR 58 for Lee County. Site-specific reviews will be conducted to further evaluate certain factors during the Tier 2 reviews as outlined in the Tier 1 reviews. For all projects that do not meet the scope of the tiered reviews, separate environmental reviews in accordance with 24 CFR 58 will be conducted. Lee County will prioritize safe, decent, and affordable housing for vulnerable populations, protected classes, and underserved communities.

Lee County will execute resiliency planning methods that incorporate data analyzed via social vulnerability as well as public involvement. Resiliency planning will incorporate measures to strategically align resources to drive resilience, especially those that provide protection for the most vulnerable, consistent with HUD's direction to Affirmatively Further Fair Housing.

Storm and flood-related risk often corresponds with a high level of social vulnerability, compounding the impact of flood events with the challenges of poverty, educational disparities,

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and housing insecurity for many minority and vulnerable populations. This Action Plan shows the social vulnerability across the county, as well as exposure to flood, storm, and coastal hazards. Recovery can have long-term negative impacts on household wealth, mental health, and community cohesion. Moreover, as illustrated by the Social Vulnerability Index (SoVI®) and vulnerability analysis, many of Lee County's most disaster-prone and historically impacted geographies are co-located with pockets of vulnerable populations, including concentrations of poverty and populations of various racial and ethnic disparity.

C. INFRASTRUCTURE UNMET NEED

1. DISASTER DAMAGE AND IMPACTS – INFRASTRUCTURE

As Hurricane Ian made landfall on Sept. 28, 2022, it became clear that the Category 4 storm would drastically change the landscape of critical and public infrastructure in the County. The infrastructure systems affected by Hurricane Ian's widespread damage included damage to energy systems, roadways, bridges, traffic controls, water and wastewater treatment systems, septic systems, cell towers, and voice and data services. Transportation was hazardous as water and debris, including many boats, blocked roads; there were downed trees and power lines, and traffic lights were out. Both the Sanibel Causeway (see [Figure 36](#)) and the Matlacha Pass Bridge were severely damaged during the storm; until repairs were made, those barrier island areas were inaccessible by car. Public facilities such as hospitals and schools experienced damage. Some local hospitals evacuated patients because the building had no running water. Lee County schools were impacted; 119 suffered minor damages, 14 suffered significant damage.¹²⁸ Community resources were closed, some for many months, due to damage including homeless shelters, domestic violence shelters, the local behavioral health crisis stabilization unit, and libraries. Both navigable waterways and drainage canals required debris removal efforts. Beaches, parks, and preserves received significant damage during Hurricane Ian, including damage to natural features, park structures, and amenities. Post-storm emergency management response teams documented the status and monitored the systems as clean-up or temporary repairs were completed.

The widespread and significant damages described above, assisted in identifying the County's unmet infrastructure needs as \$3 billion. [Table 39](#) represents the estimated total unmet needs broken out by each Infrastructure program and is further explained in the following sections.

¹²⁸ [Southwest Florida school district targeting mid-October for reopening after Hurricane Ian](#)

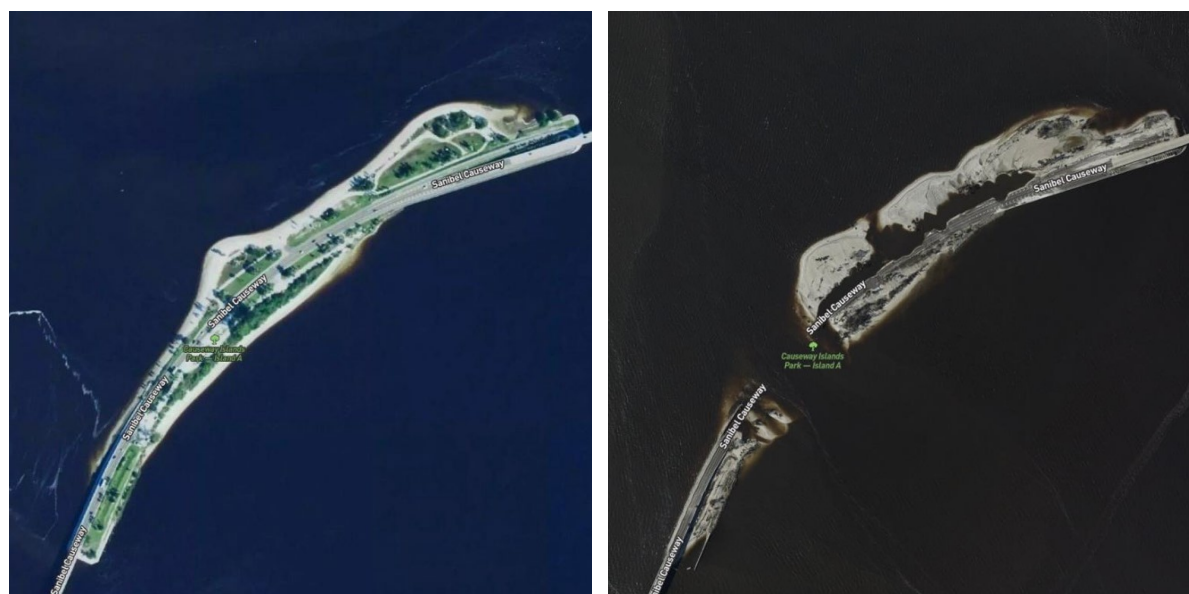
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Table 41 - A summary of infrastructure unmet need by program.

Infrastructure Unmet Need by Program	Estimated Number of Projects	Estimated Unmet Need
PA (Cat C-G) Non-Federal Cost Share*	942	\$288,647,344
HMGP Non-Federal Cost Share	167	\$377,069,006
FHWA Non-Federal Match	7	\$85,860,842
Lee County Non-Match Projects	47	\$491,667,060
Municipality Project Submissions**	75	\$1,797,381,358
Total	1238	\$3,040,625,610

*PA Non-Federal Cost Share (25%) + Resiliency (+30%) + Building/Materials (+38%)

**An estimated portion of the Lee County Recovery Task Force infrastructure project submissions were included based on a preliminary CDBG-DR eligibility review.



*Figure 36 - Before and after imagery of a portion of the Sanibel Causeway, showing the damage of Hurricane Ian*¹²⁹

The following paragraphs describe the impact and unmet needs related to Hurricane Ian's impacts to infrastructure in the County. Specific references are made to infrastructure damage and challenges to recovery, with an emphasis on FEMA Public Assistance (PA) non-Federal cost share, FEMA Hazard Mitigation Grant Program (HMGP) non-Federal cost share, the Federal Highway Administration (FHWA) non-Federal Match, and non-match projects not covered by other grant sources.

¹²⁹ NOAA Remote Sensing Division and <https://storms.ngs.noaa.gov/storms/ian/index.html#17/26.4797/-82.02219>

For Hurricane Ian, cost share percentages are as follows:

- **FEMA PA Non-Federal Cost Share:** The Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share.
- **FEMA HMGP Non-Federal Cost Share:** The Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share.
- **FHWA Non-Federal Match:** The Federal share of assistance is 80 percent of the eligible project cost, requiring the local government to contribute the remaining 20 percent in cost share.

The County has identified significant unmet needs for non-match projects. The County intends to implement a range of eligible CDBG-DR projects, such as utility repair, road repair, sewer extensions, and stormwater drainage improvements. Additional non-match projects were identified by Lee County's Recovery Task Force, which engaged local partners in identifying unmet needs throughout the County.

2. TOTAL COST AND NEED BY FEMA PA CATEGORY

FEMA's Public Assistance (PA) Program provides supplemental grants to state, tribal, territorial, and local governments, and certain types of private non-profits so that communities can quickly respond to and recover from major disasters or emergencies. Due to the catastrophic impact of Hurricane Ian across the County, data supports the need for a FEMA PA non-Federal cost share program. The County is in the process of documenting Hurricane Ian's severe damage to public facilities and infrastructure across the local municipalities. *Table 40* breaks down the FEMA PA sites and costs distributed by PA Category within the County. Category E – Building and Equipment, has the highest cost at an estimated \$338,078,327 with a total of 537 sites followed by Other under Category G. As per the data, the unmet needs for the non-federal cost share, Categories A through G, are estimated at \$236,782,757. Due to the nature of this program, Lee County anticipates that some of the specific needs included in the public assistance will have had a particular urgency, including existing conditions posing a serious and immediate threat to the health and welfare of the community. A further breakdown of PA projects is in *Appendix A*.

Table 42 - The estimated cost per FEMA PA Category A-G.

PA Category	Estimated Number of Damaged Sites (#)	Estimated Total Cost (\$)	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)
A – Debris*	93	\$245,404,160	\$198,466,146	\$46,938,014
B – Emergency Measures*	166	\$204,720,421	\$175,771,633	\$28,948,789
C – Roads and Bridges	23	\$13,190,530	\$9,892,897	\$3,297,632
D – Water Control Facilities	30	\$16,149,821	\$12,112,366	\$4,037,455
E – Public Buildings and Equipment	537	\$338,078,327	\$253,558,746	\$84,519,581
F – Utilities	63	\$148,867,827	\$111,650,870	\$37,216,957
G – Other	289	\$127,297,316	\$95,472,987	\$31,824,329
Total	1201	\$1,093,708,402	\$856,925,645	\$236,782,757

*CDBG-DR funds are generally not used for damage identified in categories A and B.

Source: FEMA May 2023¹³⁰

¹³⁰ <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

Table 43 – The estimated Cost per PA Applicant Type Categories A-G.

Applicant Type	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)	Estimated Total Cost (\$)
City or Township Government	\$347,316,010	\$96,244,054	\$443,560,063
County Government	\$221,174,474	\$54,709,033	\$275,883,507
Nonprofit with 501C3 IRS Status	\$60,269,034	\$17,608,420	\$77,877,453
Nonprofit without 501C3 IRS Status	\$2,278,773	\$685,272	\$2,964,045
Public/Indian Housing Authority	\$10,747,881	\$3,582,627	\$14,330,508
Public/State Controlled Institution of Higher Education	\$11,578,001	\$3,663,299	\$15,241,299
Special District Government	\$206,491,169	\$60,290,054	\$266,781,223
Total	\$859,855,342	\$236,782,758	\$1,096,638,100

*CDBG-DR funds cannot be used for damage identified in categories A and B.

Source: FEMA May 2023¹³¹

As noted above, the Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share. It is yet to be determined for PA projects if a cost share adjustment will be authorized by the Federal government. In accordance with *Florida Statute (F.S.) 252.37 Financing*, “whenever the State of Florida accepts financial assistance from the Federal Government or its agencies under the federal Public Assistance Program and such financial assistance is conditioned upon a requirement for matching funds, the state shall provide the entire match requirement for state agencies and one-half of the required match for grants to local governments¹³².” The County has further broken down the Non-Federal cost share by 12.5 percent to obtain an accurate non-Federal cost share estimate.

¹³¹ <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

¹³² <https://flsenate.gov/Laws/Statutes/2022/0252.37>

Table 44 - The total estimated non-federal cost share by FEMA PA Category C-G.

PA Category	Estimated Number of Damaged Sites (#)	Estimated Total Project Cost (Federal and Non-Federal Share)	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)	Estimated Non-Federal Cost Share (12.5%)
C – Roads and Bridges	23	\$13,190,530	\$9,892,898	\$3,297,633	\$1,648,816
D – Water Control Facilities	30	\$16,149,821	\$12,112,366	\$4,037,455	\$2,018,728
E – Building and Equipment	537	\$338,078,327	\$253,558,745	\$84,519,582	\$42,259,791
F – Utilities	63	\$148,867,827	\$111,650,870	\$37,216,957	\$18,608,478
G – Other	289	\$127,297,316	\$95,472,987	\$31,824,329	\$15,912,165
Total	942	\$643,583,821	\$482,687,866	\$160,895,955	\$80,447,978

Source: FEMA May 2023¹³³

As established by HUD in 2013 under the allocation for Hurricane Sandy (78 FR 69104), the County has calculated a 30 percent increase which is used to incorporate resiliency components.¹³⁴ Since this resiliency add-on was used in 2013, and subsequently followed by many grantees in their unmet needs assessments to estimate the increased cost of compliance, the County has identified an unmet need of \$209,164,742 as noted in *Table 43*.

According to the Federal Reserve Economic Data Producer Price Index by Industry: Building Material and Supplies Dealers, there has been a consistent cost increase in building materials in recent years. The County compared the price index from May 2020 to April 2023 and notes that it reflects roughly a 38 percent Producer Price Index increase for building materials and supplies dealers.¹³⁵ The County has included 38 percent to reflect the increase in materials and supply costs that is anticipated for implementation of these projects.

¹³³ <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

¹³⁴ "From this base calculation, HUD calculates both the amount not covered by insurance and other federal sources to rebuild back to pre-disaster conditions as well as a 'resiliency' amount which is calculated at 30 percent of the total basic cost to rebuild back the most distressed homes, businesses, and infrastructure to pre storm conditions. The repair unmet needs are combined with the resiliency needs to calculate the total severe unmet needs estimated to achieve long-term recovery." [FR-5696-N-06](#)

¹³⁵ Producer Price Index by Industry: Building Material and Supplies Dealers, April 2023, <https://fred.stlouisfed.org/series/PCU44414441>

As noted in *Table 43*, the building materials increase of 38 percent combined with the 30 percent for increased cost of compliance and resiliency measures and the PA non-Federal cost share unmet need, excluding Categories A and B, is estimated at \$288,647,344. This number includes Categories C through G, roads and bridges, water control facilities, public buildings and equipment, utilities, and other public assistance needs.

Table 45 -The total Estimated Non-Federal Cost Share (25%) Plus Resiliency and Building/Materials Increase.

PA Category	Estimated Non-Federal Cost Share (25%)	Resiliency (+30%)	Estimated Non-Federal (25%) + Resiliency	Building / Materials (+38%)	Est. Non-Federal (25%) + Resiliency + Building / Materials
C – Roads and Bridges	\$3,297,633	\$989,290	\$4,286,922	\$1,629,030	\$5,915,953
D – Water Control Facilities	\$4,037,455	\$1,211,237	\$5,248,692	\$1,994,503	\$7,243,195
E – Building and Equipment	\$84,519,582	\$25,355,875	\$109,875,456	\$41,752,673	\$151,628,130
F – Utilities	\$37,216,957	\$11,165,087	\$48,382,044	\$18,385,177	\$66,767,220
G – Other	\$31,824,329	\$9,547,299	\$41,371,628	\$15,721,219	\$57,092,846
Total	\$160,895,955	\$48,268,787	\$209,164,742	\$79,482,602	\$288,647,344

Source: FEMA May 2023¹³⁶

3. TOTAL COST AND NEED BY FEMA HMGP PROJECTS

The Hazard Mitigation Grant Program (HMGP) will be a critical part of the long-term recovery process in both rebuilding and protecting vital infrastructure. In addition to the PA unmet need noted above, the County has identified a significant burden on local governments for the HMGP non-Federal cost share. The Federal share of assistance is 75 percent of the eligible project cost, requiring the local government to contribute the remaining 25 percent in cost share. While some HMGP projects may be deemed ineligible for CDBG-DR match assistance, the County will work to identify those projects under mitigation funding for implementation (see Section I program details). *Table 44* outlines that for the 167 projects, there is a HMGP non-Federal cost share unmet need estimated at \$377,069,006. The program’s narrative describes how resilience planning, preparedness, and mitigation measures will be integrated into rebuilding.

¹³⁶ <https://www.fema.gov/openfema-data-page/public-assistance-funded-projects-details-v1>

Table 46 - Total Estimated HMGP Non-Federal Cost Share Unmet Need.

County	Estimated Number of HMGP Projects (#)	Estimated Total Cost (\$)	Estimated Federal Cost Share (75%)	Estimated Non-Federal Cost Share (25%)
Lee County	167	\$1,508,276,024	\$1,131,207,018	\$377,069,006

Source: Lee County Disaster Advisory Committee May 2023¹³⁷

4. TOTAL COST AND NEED FOR THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) PROJECTS

Hurricane Ian brought significant damage to the County's transportation corridors and was highlighted by the direct destruction of bridges and lifeline networks to the communities. Sections of the Sanibel Causeway, which connects Sanibel Island to mainland Florida, collapsed and were destroyed leaving those on the Island unable to evacuate following Hurricane Ian. The County reported that there were five major breaches resulting in access to the island being cutoff to roughly 6,700 people who call the island home.¹³⁸ The Sanibel Causeway is one of seven critical projects that connect communities to evacuation routes and allows access for emergency responders. The County has identified an estimated non-Federal cost share unmet need of \$85,860,842 for those seven projects.

Table 47 - Total Estimated FHWA Non-Federal Cost Share Unmet Need.

County	Estimated Number of FHWA Projects	Estimated Total Cost (\$)	Estimated Federal Cost Share (80%)	Estimated Non-Federal Cost Share (20%)
Lee County	7	\$429,304,212	\$343,369,742	\$85,860,842

Source: Lee County Department of Transportation May 2023¹³⁹

¹³⁷ List of HMGP projects were provided by the Lee County Disaster Advisory Committee

¹³⁸ ["Hurricane Ian destroyed sections of the Sanibel Causeway in Florida, cutting off access to the island community"](#)

¹³⁹ List of FHWA projects were provided by the Lee County Department of Transportation

5. TOTAL COST AND NEED FOR NON-MATCH PROJECTS

In response to the massive and widespread devastation caused by Hurricane Ian, the Lee County Board of County Commissioners voted to form the Recovery Task Force (RTF) based on the FEMA National Disaster Recovery Framework. The RTF consists of 13 members who serve as liaisons to their communities by gathering input and direction.¹⁴⁰ The County and the RTF requested that each jurisdiction submit their project-related unmet needs.

The County coordinated with the RTF to collect this information and received a series of non-match projects. Through the RTF, the jurisdictions submitted approximately 148 infrastructure projects with \$4.2 billion in estimated costs. Based on a preliminary review, some of these projects will not be eligible for CDBG-DR funding because of no storm tie-back or LMA benefit. To estimate the unmet needs for infrastructure using the RTF project submissions, Lee County has chosen a conservative estimate by including projects with unmet needs that appear to have a storm tie-back and benefit low- and moderate-income households. Additionally, a third of the projects that may have a storm tie-back and benefit low- and moderate- income populations (additional information would be needed) were included. The selection was limited to one third to not overstate the unmet needs. Based on the preliminary review of RTF projects and the logic above, unmet needs of \$1,797,381,358 were identified through RTF project intake.

In addition to the submissions noted above, the County conducted a preliminary review of projects identified by County departments that may be eligible due to the tie back to Hurricane Ian or as mitigation projects. Based on the preliminary review of those projects, unmet needs of \$491,667,060 were identified. As programs and projects are built out, the County will work with regional and local partners to identify any non-match planning activities independent of implementation funds as per the Federal Register Notice. This project total for non-match projects comes to \$2,289,048.418.

Table 48 - Non-Match projects and related unmet need.

County	Estimated Number of Non-Match Projects	Estimated Unmet Need (\$)
Recovery Task Force Non-Match Intake Project Submissions*	75	\$1,797,381,358
Lee County Non-Match Projects	47	\$491,667,060
TOTAL	122	\$2,289,048,418

Source: Lee County's Recovery Task Force and Lee County department submissions¹⁴¹

*An estimated portion of the Lee County Recovery Task Force infrastructure project submissions were included based on a preliminary CDBG-DR eligibility review.

¹⁴⁰ <https://www.resilientlee.com/>

¹⁴¹ Submissions made to the Lee County Recovery Task Form by local jurisdictions.

D. ECONOMIC REVITALIZATION UNMET NEED

1. DISASTER DAMAGE AND IMPACTS – ECONOMIC REVITALIZATION

Through Lee County's consultation process, information was gathered regarding economic revitalization unmet needs. A summary is provided below, along with an analysis of Small Business Administration loans provided to the business community following Hurricane Ian.

Lee County Economic Development Office:

According to the County's Economic Development Director, a week after Ian:

- 98 percent of all the businesses on Fort Myers Beach were closed.
- 98 percent of the businesses on Sanibel were closed.
- 96 percent of the businesses on Pine Island were closed.
- 45 percent of the businesses in North Fort Myers were closed.
- 38 percent of the businesses in Cape Coral were closed.

Businesses struggled to pay commercial rent/mortgage, suppliers, vendors, and/or workers. In the six months after Hurricane Ian, the County has seen 18,000 jobs added, which reflects a positive trend compared to an average of 10,000 to 15,000 new jobs a year from 2010 to 2020.¹⁴²

As outlined in the *County's Economic Developments Post Ian Economic Health Analysis*, Hurricane Ian was expected to cause declining economic conditions, but instead it has provided opportunities for revitalization along coastal and vulnerable communities. The analysis references the critical need to allocate CDBG-DR funding for new housing units and the infrastructure to support them.⁸⁴

Lee County Visitor & Convention Bureau:

The Lee County Visitor & Convention Bureau (VCB) gathered data showing Ian's impact on tourism in the County.

At the time Hurricane Ian landed, Lee County had hotel capacity of 14,320 rooms. As of October 19th, 2022, approximately 53 percent of those hotel rooms were closed or not available

¹⁴² WGPU, "Lee County Economic Development Director John Talmage talks about recovery after Hurricane Ian: Moore About Business" <https://news.wgcu.org/section/business/2023-04-24/lee-county-economic-development-director-john-talmage-talks-about-recovery-after-hurricane-ian-moore-about-business>

due to Hurricane Ian damage, leaving 6,661 rooms open. With recovery efforts still in process, as of June 29th, 2023, the number of hotel rooms available has increased to 9,991 (approximately 70 percent of total available rooms). The vast majority of hotels along the tourist driven beaches remain closed. These rooms command the highest room rate and generate the most Tourist Development Tax (TDT) revenue. As reflected in the charts below, TDT revenues and visitors streams suffered significant losses in late 2022 and early 2023.

- Tourist Development Tax Collections by Quarter (Fiscal Year)

Quarter	FY 2022	FY 2023	% Diff
Q1	\$12,741,439	\$7,375,862	(42%)
Q2	\$27,314,465	\$14,410,732	(47%)

- Visitors by Quarter (Calendar Year)

Quarter	2021	2022	2023	% Diff
Q1		1,126,500	736,300	(35%)
Q4	1,301,600	633,300		(51%)

- Direct Visitor Expenditures by Quarter (Calendar Year)

Quarter	2021	2022	2023	% Diff
Q1		\$1,410,763,600	\$967,837,700	(31%)
Q4	\$959,551,600	\$666,254,300		(31%)

- Room Nights Sold by Quarter (Calendar Year)

Quarter	2021	2022	2023	% Diff
Q1		1,985,900	1,378,600	(31%)
Q4	1,780,000	1,078,500		(39%)

As displayed in the data above, Lee County tourism suffered at minimum a 31 percent reduction in the number of visitors, expenditures by visitors, and the number of room nights sold during

the first two calendar quarters following Hurricane Ian’s landfall, leading to a reduction in TDT collections of at least 42 percent.

Lee County Sports Development:

Lee County Sports Development gathered data showing the impact of Ian on sports business activities in the County.

From late September 2022 through February 2023, there were 28 sports business events cancelled that equated to 74 event days. This resulted in 49,139 Lee County hotel room nights lost with a direct spending impact of approximately \$24,285,954, based on data from the most recent year the event was hosted in Lee County. Not included in the room nights or the direct spending figures are 6 cancelled events that would have been held in Lee County for the first time. While Sports Development will host all scheduled 2023 sports tourism events, it is estimated that attendance will be reduced by approximately 20 percent from previous years.

The County understands that meeting housing and infrastructure needs will rebuild tourism and increase economic stability. Through recovery task force meetings and consultations, the County has received a substantial number of requests to reduce the non-federal cost share on local municipalities and implement standalone projects. As recovery continues to take place in the County, it is crucial to consider the most effective and efficient use of these funds.

Small Business Administration:

The Small Business Administration (SBA) makes low-cost disaster loans available to qualified businesses. According to SBA, 895 Business/EIDL Loans have been approved (*Table 47*).

Table 49 - Total Loans Approved by the SBA.

County	Business/EIDL Loans
Lee County	895

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, Status of Approved.

Utilizing all SBA business data rather than a sub-set to understand the financial impact to livelihoods provides additional understanding of impacts and recovery across the county. A summary of SBA applicants (*Table 48*) shows a breakdown of all status types for the applications. According to SBA business loan information, *Table 49* summarizes all applicants that had a verified loss by all operational categories, which totals \$881,606,386.

Table 50 - SBA Application Status Breakdown.

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Application Status	# of Applications	\$ Verified Losses
Approved	895	\$261,754,886
Auto Decline – Credit	285	\$0
Declined	1187	\$177,185,153
Document Gathering	2	\$0
Duplicate	123	\$0
In Approval	6	\$14,467,571
Late Filing – Not Accepted	91	\$0
LO Recommend Approval	5	\$6,989,492
LO Recommend Decline	1	\$98,555
LO Recommend Withdrawal	1	\$379,131
Not System Recommended	50	\$53,073,024
Withdrawn	1965	\$367,658,573
TOTAL		\$881,606,386

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, All Application Status.

Table 51 - Estimating Business Operating Losses.

Operational Category	County of Businesses with Verified Loss	Total Verified Loss
Inventory	Lee County	\$15,821,795
Machinery & Equipment	Lee County	\$48,604,621
Furniture and Fixtures	Lee County	\$66,288,908
Debris Removal	Lee County	\$20,046,991
Personal Property	Lee County	\$82,800
Motor Vehicle	Lee County	\$0
Manufactured Housing	Lee County	\$18,578,164
Real Estate Relocation	Lee County	\$0
Real Estate Repair	Lee County	\$511,200,128
Real Estate Reconstruction	Lee County	\$86,723,167
Landscaping	Lee County	\$50,374,612
Other Land Improvements	Lee County	\$26,027,595
Mitigation	Lee County	\$0
Code Required Elevation	Lee County	\$0
Leasehold Improvements	Lee County	\$37,857,604
TOTAL		\$881,606,386

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, All Application Status.

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To help determine unmet economic revitalization needs, the analysis below was completed using data from SBA loan applications. *Table 50* summarizes damage only to real-estate (repair, rebuild, relocate) and contents (machinery, furniture, inventory). Each SBA application was classified into one of five categories based on this estimate of damage and categories defined by HUD. The table shows only approved and declined applications. The sum of verified losses to real estate, furniture, machinery, and inventory results in a total verified loss of \$356,256,005 (M). When accounting for resiliency requirements (30 percent increase) the total impact to businesses in Lee County is \$463,132,807 (N). SBA payouts to businesses totaled \$22,881,900 (P) for these lines of loss, leaving potential unmet needs of \$440,320,907 (Q).

Table 52 - SBA Derived Impact and Unmet needs for businesses.

Row	Description	Count	Impact
A	SBA approved applicants with verified HUD Category 1 < \$12,000 Losses	106	\$624,347
B	SBA approved applicants with verified HUD Category 2 \$12,000 - \$29,999 Losses	117	\$2,385,118
C	SBA approved applicants with verified HUD Category 3 \$30,000 - \$64,999 Losses	162	\$7,536,798
D	SBA approved applicants with verified HUD Category 4 \$65,000 - \$149,999 Losses	231	\$23,316,150
E	SBA approved applicants with verified HUD Category 5 >= \$150,000 Losses	234	\$185,645,828
F	SBA approved applicants - No Category	45	\$0
G	SBA declined applicants with verified HUD Category 1 < \$12,000 Losses	259	\$1,435,693
H	SBA declined applicants with verified HUD Category 2 \$12,000 - \$29,999 Losses	176	\$3,586,231
I	SBA declined applicants with verified HUD Category 3 \$30,000 - \$64,999 Losses	186	\$8,476,070
J	SBA declined applicants with verified HUD Category 4 \$65,000 - \$149,999 Losses	222	\$22,074,564
K	SBA declined applicants with verified HUD Category 5 >= \$150,000 Losses	188	\$101,175,206
L	SBA declined applicants - No Category	156	\$0
M	Total Verified Loss (estimate)		\$356,256,005
N	Accounting for an additional 30% in funding needed to support rebuilding to higher standards (resilience)		\$463,132,807
	Duplication of Benefits		

O	Total Amount Distributed by SBA		\$22,811,900
P	Total Benefit		\$22,811,900
	Overall Business Unmet Needs		
Q	Total Verified Loss accounting for 30% resilience addition minus Total Benefit Amounts Distributed by SBA		\$440,320,907

Source: Small Business Administration Data for Lee County, Disaster 4673, Date: June 18, 2023, Application Status of Approved and Declined; Operational Categories: verified loss to repair, rebuild, relocate, machinery, furniture, and inventory. Duplication of benefits from "current" fields in SBA data.

Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

E. PUBLIC SERVICE UNMET NEED

LONG TERM RECOVERY

Lee County understands that wraparound public services and early opportunities for case management following a disaster are critical to complement housing and infrastructure activities. Approximately one month after Hurricane Ian, Lee County's Homeless Continuum of Care relaunched the Coordinated Entry line, as a 24-hour, 7 day per week phone line that conducts assessments and makes referrals to shelter, housing, and services for persons experiencing homelessness. After Hurricane Ian, the role of the line was expanded to conduct unmet needs assessment and assist with service navigation for persons impacted by Hurricane Ian. To date, the Coordinated Entry line has completed 2,417 unmet needs assessments and continues to receive calls daily.

Assessments gathered are referred to the unmet needs long-term recovery group for assignment to case management and any available services necessary to assist in each household's individual recovery. Case management for housing and supportive services is critical for those individuals with disabilities, persons who are elderly, and others who are particularly vulnerable, including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments. Data for unmet needs is summarized and updated weekly in a dashboard.¹⁴³

To lead the unmet needs long-term recovery effort, Lee County identified Catholic Charities as

¹⁴³ <https://www.arcgis.com/apps/dashboards/ce60d6f7cab04f708200551a22082f76>

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the lead organization through a NOFA process conducted in February 2023. Catholic Charities coordinates a group of non-profit organizations that provide individual case management, funding, and housing repairs for disaster victims who are unable to recover without assistance. Lee County will continue to support the efforts of the long-term recovery group through CDBG-DR funds allocated for public services activities.

BEHAVIORAL HEALTH

Interviews and focus groups conducted as part of the 2019 Lee County Gaps Analysis¹⁴⁴ and consultations conducted for the completion of this plan, frequently and consistently, identified the general area of behavioral health (mental health/substance abuse/co-occurring disorders) as a service need for both adults and children/youth. “Using per capita expenditures as the metric, depending upon the source, Florida is often ranked somewhere between 48th and 50th in per-capita funding for mental health services.”¹⁴⁵ The 2019 Gap Analysis noted that access to care is a significant issue nation-wide, and Lee County is no exception.

Lee County is lacking a comprehensive system of care for behavioral health services. This model is sometimes referred to as a continuum of care. The community would benefit from an agency taking the lead to design and implement a coordinated service system for all behavioral health services within Lee County. Planning and implementation for this system and supporting participation to ensure sustainability will be critical to address pre-existing and exacerbated behavioral needs resulting from Hurricane Ian. Simplifying access through coordinated entry to the behavioral health system will also better support individuals with disabilities including, but not limited to, mobility, sensory, developmental, emotional, cognitive, and other impairments.

F. MITIGATION ONLY ACTIVITIES

The widespread devastation by Hurricane Ian on diverse communities creates significant challenges to recovery, but also offers opportunities for transformational mitigation and resilience for future disasters.

As noted in the May 18, 2023, Federal Register, grantees must use 15 percent of their total allocation to fund mitigation activities. Of the \$1,107,881,000 CDBG-DR funds allocated to Lee County, \$144,506,000 was identified as a “CDBG–DR Mitigation set-aside” for mitigation activities. The May 18, 2023 Notice also requires a mitigation needs assessment in the Action

¹⁴⁴ <https://www.leegov.com/Documents/Human%20Services%20Gap%20Analysis%20DRAFT%202-11-20.pdf>

¹⁴⁵ <https://www.leegov.com/Documents/Human%20Services%20Gap%20Analysis%20DRAFT%202-11-20.pdf>

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Plan that clearly illustrates the connections among impacts of current and future hazards, mitigation needs, and proposed mitigation activities.

To address this challenge, this Action Plan includes:

- A Mitigation Needs Assessment to complement the disaster recovery-focused unmet needs assessment;
- Proposed eligible activities that do not tieback to direct impacts of Hurricane Ian but meet the HUD definition of “mitigation” and are included in the Mitigation Needs Assessment; and
- Descriptions of how mitigation measures have been incorporated into recovery-related construction projects.

Mitigation activities increase resilience to disasters and reduce or eliminate the fiscal and human costs of long-term risk of hazards. These risks include loss of life, injury, damage to and loss of property, and suffering and hardship. Each activity proposed for the mitigation set-aside will:

- Meet the definition of mitigation activities;
- Address current and future risks as identified in Lee County’s Mitigation Needs Assessment;
- Meet eligibility requirements for CDBG activities under Title I of the HCDA or be otherwise eligible pursuant to a waiver or alternative requirement; and
- Meet a national objective.

To validate its CDBG-DR mitigation set-aside, Lee County assessed its ability to ensure continuous operation of indispensable services during a future hazard event. This included examining critical business and government functions, services critical to health and human safety, and economic security for all community members and focusing on preventative actions. Proposed mitigation projects align with other projects funded with CDBG-DR dollars, as well as other disaster recovery activities funded by FEMA, the Federal Highway Administration, the Department of Agriculture Natural Resource Conservation Service, Economic Development Association, the State of Florida, and a variety of private funding sources channeled through local nonprofit service organizations.

Put simply, the goal of mitigation is to make a community safer, stronger, and more capable of recovering from a disaster. Lee County protects its people, neighborhoods, beaches, businesses, and highways with the assistance of mitigation planning and projects including surface water management, coastal protections against wave surge and sea level rise, and response activities for a variety of natural and manmade disasters. In coordination with state and federal agencies,

the County's emergency management experts implement projects that meet standardized mitigation guidance for long-term benefit. The County also analyzes best practices and lessons learned across private and public sectors to help reduce risks and hazards.

In the development of this Action Plan, the County has reviewed its Hazard Identification and Risk Assessment (HIRA), which is produced in compliance with FEMA and Florida Department of Emergency Management requirements. This document guides multijurisdictional development of the Joint Local Mitigation Strategy (LMS) plan to ensure alignment of resources and completion of mitigation projects that have already been identified as necessary to mitigate the impacts of future disasters. This combined effort is the roadmap that guides the County's identification of hazards, assessment of risk, and proposal of mitigation projects that will reduce losses to life and property. The strategy has plans for short-term and long-term projects and is updated every five years. The LMS is adopted by the Lee Board of County Commissioners, each Lee County municipality, and Florida Gulf Coast University and is approved by FDEM and FEMA.

1. METHOD

The State of Florida has been at the forefront of mitigation planning and the identification of resiliency opportunities for many years. Florida administrative code 27P-22 requires the State as well as each County to develop mitigation planning documents to identify potential hazards, the risk of hazards, and projects to reduce risk to life and property. Florida's 2018 State Hazard Mitigation Plan¹⁴⁶ and Lee County's 2022 LMS plan, as well as the 2023 draft State Hazard Mitigation Plan¹⁴⁷ were used as foundational resources for this assessment. The County most recently updated its Hazard Identification and Risk Assessment (HIRA)¹⁴⁸ in 2022 to categorize the risk of hazards. Data related to historical hazards and the cost of hazard impacts was provided by the National Oceanic Atmospheric Association (NOAA), United States Geological Survey (USGS), and FEMA. Mitigation measures for the identified hazard in this assessment were developed by FEMA as part of their library of hazard mitigation documents.¹⁴⁹

2. PRIMARY HAZARD RANKINGS

Lee County has experienced and endured numerous natural disasters in the last five years. During this period, the County has suffered multiple major natural hazards including tropical cyclones, flooding events, major tornadic events as well as man-made or indirect damages from

¹⁴⁶ <https://www.floridadisaster.org/dem/mitigation/statemitigationstrategy/state-hazard-mitigation-plan/>

¹⁴⁷ <https://flshmp-floridadisaster.hub.arcgis.com/>

¹⁴⁸ <https://www.leegov.com/publicsafety/Documents/Emergency%20Management/2022%20Hazard%20Identification%20and%20Risk%20Assessment.pdf>

¹⁴⁹ <https://www.fema.gov/grants/mitigation/job-aids>

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pandemics, cyber-attacks, hazardous material spills, and bridge failures. Despite the County's ability to recover from disasters, weaknesses remain to be addressed to improve the County's infrastructure resiliency.

Lee County's assessment concludes that funded projects should direct outcomes toward reducing costs resulting from these major hazards:

- Tropical cyclone and storm surge
- Flood
- Tornado
- Wildfire

The assessment also notes that 18 percent of the 548 incidents tracked by NOAA since 1953 occurred in low- to moderate-income areas and 57 percent were in areas given high, medium, or low social vulnerability index ratings by HUD. *Table 51* illustrates the types of hazards that impact Lee County by listing the declared disasters in Florida since 1965. Although all hazards can cause significant disruption to the County, those with long-term impacts include tropical cyclones, storm surge, and flooding as noted in the HIRA. Due to the downing of trees and other vegetation debris, Hurricane Ian also posed a threat of wildfires, which are often a priority hazard during Florida's dry season. Each hazard poses a risk to the residents, property, infrastructure, and/or economy of the community. Proposed mitigation projects can reduce the risks from the hazards identified in this assessment.

Table 51 provides an historic overview of the Lee County designated presidential declarations and the amount of obligated public assistance to the State of Florida for each event. Recent events currently undergoing PA obligation that have not been closed out may see a change in the total amount of obligated dollars shown in this assessment after closeout. This is raw, unedited data from FEMA's National Emergency Management Information System (NEMIS) and as such, is subject to a small percentage of human error. The financial information is derived from NEMIS and not FEMA's official financial systems.

Since 1965, there have been 22 disaster declarations for Lee County. Eleven of the declarations were for hurricanes, two were for severe and coastal storms, five were for severe freeze, and one was for fire and/or biological hazard.

Table 53 - The presidential declared disasters since 1965 and the available total obligated public assistance (PA) amount to date.

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Presidential Declaration	Year Declared	Event Type	Declaration Title	Total PA Obligated (\$)
DR-4680-FL*	2023	Hurricane	HURRICANE NICOLE	\$8,976,409.33
EM-3587-FL	2023	Tropical Storm	TROPICAL STORM NICOLE	\$0.00
DR-4673-FL*	2022	Hurricane	HURRICANE IAN	\$994,043,998.69
EM-3584-FL	2022	Hurricane	TROPICAL STORM IAN	\$0.00
EM-3561-FL*	2021	Severe Storm	TROPICAL STORM ELSA	\$2,155,318.91
DR-4486-FL*	2020	Biological	COVID-19 PANDEMIC	\$2,595,644,325.60
EM-3432-FL	2020	Biological	COVID-19	\$0.00
EM-3419-FL	2019	Hurricane	HURRICANE DORIAN	\$0.00
FM-5179-FL	2017	Fire	LEHIGH ACRES (ANNA AVE. N.) FIRE	\$81,038.27
DR-4337-FL*	2017	Hurricane	HURRICANE IRMA	\$2,465,946,571.78
EM-3385-FL	2017	Hurricane	HURRICANE IRMA	\$0.00
DR-4068-FL*	2012	Severe Storm	TROPICAL STORM DEBBY	\$48,180,459.23
EM-3288-FL	2008	Severe Storm	TROPICAL STORM FAY	\$8,915,740.63
DR-1785-FL*	2008	Severe Storm	TROPICAL STORM FAY	\$98,294,056.79
FM-2692-FL	2007	Fire	CALLOOAHATCHEE FIRE COMPLEX	\$2,004,861.40
DR-1609-FL*	2006	Hurricane	HURRICANE WILMA	\$1,489,338,542.84
EM-3220-FL	2005	Hurricane	HURRICANE KATRINA EVACUATION	\$3,810,182.41
DR-1561-FL	2004	Hurricane	HURRICANE JEANNE	\$520,033,714.90
DR-1551-FL	2004	Hurricane	HURRICANE IVAN	\$694,779,708.94
DR-1545-FL	2004	Hurricane	HURRICANE FRANCES	\$685,254,867.41
DR-1539-FL	2004	Hurricane	TROPICAL STORM BONNIE AND HURRICANE CHARLEY	\$619,521,235.51
FM-2355-FL	2001	Fire	FL - CALOOSAHATCHEE FIRE COMPLEX	\$959,055.00
DR-1393-FL	2001	Coastal Storm	SEVERE STORMS, TORNADOES AND FLOODING ASSOCIATED WITH TROPICAL STORM GABRIELLE	\$22,990,447.07
DR-1359-FL	2001	Freezing	SEVERE FREEZE	\$0.00
EM-3150-FL	2000	Hurricane	TROPICAL STORM IRENE - FLORIDA	\$547,528.10

Presidential Declaration	Year Declared	Event Type	Declaration Title	Total PA Obligated (\$)
EM-3139-FL	1999	Fire	FL-FIRES 04/15/99	\$1,064,337.65
FM-2254-FL	1999	Fire	FL-FIRES 04/13/99	\$1,273,616.40
EM-3131-FL	1998	Hurricane	HURRICANE GEORGES	\$42,178,183.02
DR-1223-FL	1998	Fire	EXTREME FIRE HAZARD	No Data
DR-1069-FL	1996	Hurricane	HURRICANE OPAL	No Data
DR-851-FL	1990	Freezing	SEVERE FREEZE	No Data
DR-732-FL	1985	Freezing	SEVERE FREEZE	No Data
DR-526-FL	1977	Freezing	SEVERE WINTER WEATHER	No Data
DR-337-FL	1972	Coastal Storm	TROPICAL STORM AGNES	No Data
DR-304-FL	1971	Freezing	FREEZE	No Data
DR-252-FL	1969	Hurricane	HURRICANE GLADYS	No Data
DR-209-FL	1965	Hurricane	HURRICANE BETSY	No Data

*Declarations not closed out from FEMA's NEMIS database.

Source: FEMA Open Data Declaration Summaries¹⁵⁰

The National Weather Service (NWS) provides the Storm Events Database through the National Centers for Environmental Information (NCEI), which covers data from October 1953 to November 2022. As stated in Chapter 3 Community Hazards and Risks in the Hazard Identification and Risk Assessment 2022¹⁵¹, the weather event records were reported since 1996, as defined in the NWS Directive 10-1605, except for tornado events that were recorded from 1950-1954. Thunderstorm wind and hail events have not been recorded since 1955. The information in the database pertains to storms and weather events that have resulted in a loss of life, injuries, significant property damage, and/or disruption to commerce. The data collection methods for the NCEI Database have varied significantly over time. The records maintained prior to 1993 were extracted from a manually typed Storm Data Publication. From 1993 until now, the digital records of the database have been used to create the Storm Data Publication. However, the estimates for property and crop damage are quite broad.

¹⁵⁰ <https://www.fema.gov/openfema-data-page/disaster-declarations-summaries-v2>

¹⁵¹ https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA

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The NWS makes the “best guess” using all available data. Since 1953, the NCEI database has recorded 648 incidents in Lee County; however, a total of 548 events have actually occurred. If the same event type occurred on the same date, only one event was recorded. *Table 52* provides a summary of these incidents.

Table 54 - The number of occurrences, fatalities, injuries, and property and crop damage for each of the incidents recorded since 1953.

Incident Record Type	Number of Occurrences since 1953	Fatalities	Injuries	Property Damage (\$)	Crop Damage (\$)
Tropical Cyclones	12	61	0	\$7,163,255,000.00	\$9,600,000.00
Flooding	39	0	0	\$502,752,500.00	\$0.00
Wildfire	15	0	0	\$103,025,000.00	\$0.00
Tornado	132	1	35	\$44,244,840.00	\$0.00
Severe Weather	344	14	31	\$21,566,000.00	\$2,000.00
Heat	3	3	0	\$0.00	\$0.00
Rip Current	3	4	0	\$0.00	\$0.00
Total	548	83	66	\$7,834,943,340.00	\$9,602,000.00

Source: NOAA National Weather Service (NWS) Storm Events Database through the National Centers for Environmental Information (NCEI)¹⁵²

Table 53 provides a summary of historical incident record types in Lee County located in a LMI block group. However, this table may not capture all hazardous incidents. *Table 53* may not capture all hazardous incidents. The flooding category encompasses riverine floods and flash floods. Tropical cyclones include tropical storms, tropical depressions, high wind, hurricanes, coastal flooding, and storm surges. Severe weather involves thunderstorms, lightning, heavy rain, and hail. The tornado category includes not only tornadoes classified as EF0 or greater, but also dust devils, waterspouts, and funnel clouds. Additionally, the database calculates the total damage estimate based on the available information.

Each incident recorded for Lee County with a known coordinate location or path is demonstrated in *Figure 37*. Bridge failures were identified as an additional incident on the map due to the major impacts to the County’s population from Hurricane Ian. The indirect damage from Hurricane Ian’s

¹⁵²https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA

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storm surge to the bridges cut off connections to the mainland road access for thousands of residents.

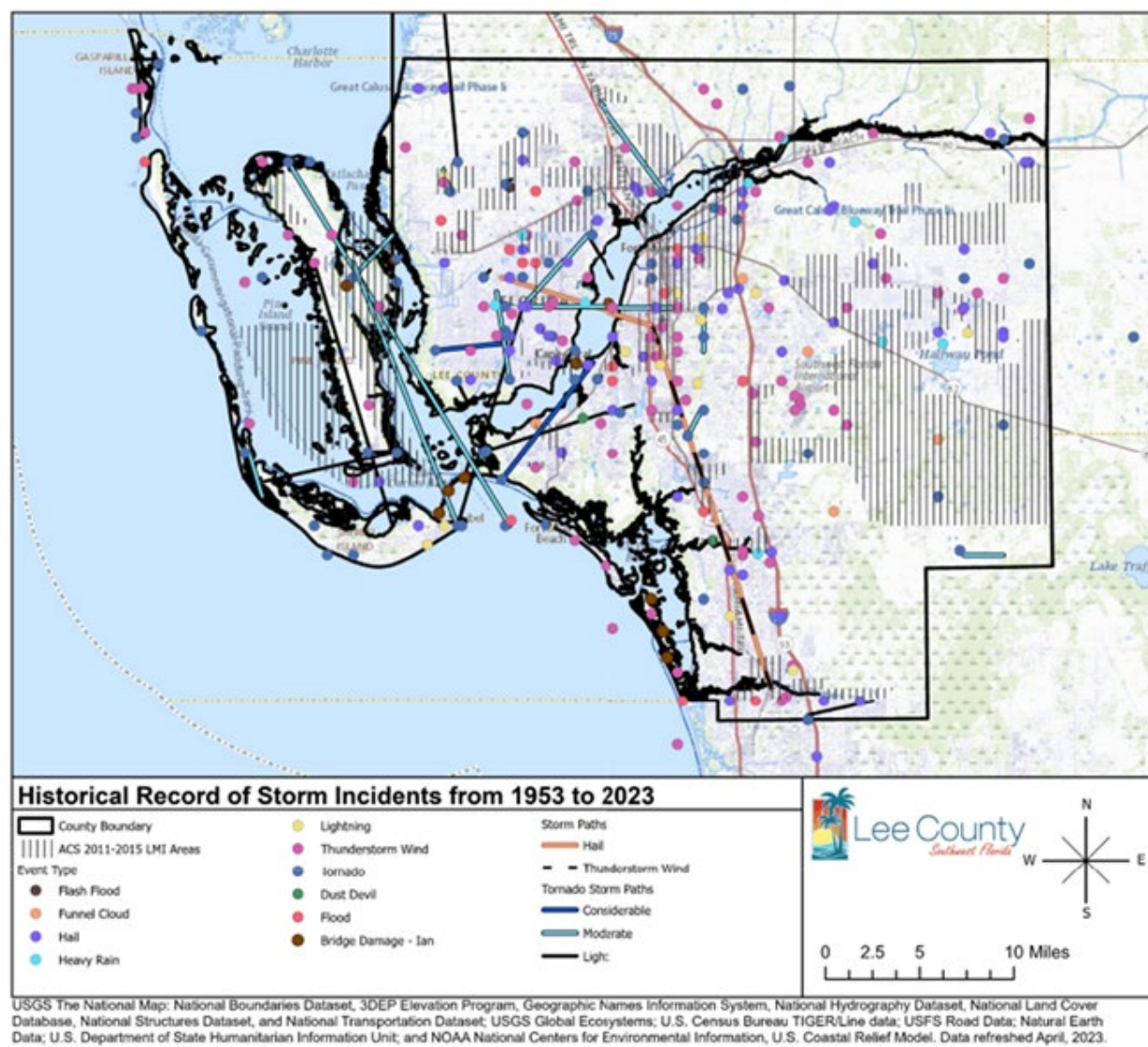


Figure 37 - The historical incident record types in a known coordinate or path in Lee County. The American Community Survey (ACS) 2011-2015. Low-to-Moderate Income data was used to demonstrate LMI areas.¹⁵³

¹⁵³https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA, and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

Table 55 - The historical incident record types in Lee County located in an ACS LMI block group.

Incident Record Type	Located in a LMI Block Group
Dust Devil	1
Flash Flood	1
Flood	2
Funnel Cloud	1
Hail	22
Heavy Rain	4
Lightning	4
Thunderstorm Wind	31
Tornado	30
Total	96

Source: NOAA NWS Storm Events Database through the NCEI and HUD data¹⁵⁴

Out of the 548 incident record types, 96 listed in *Table 53* have a known coordinate within an LMI block group. The LMI count for incident record types represents approximately 18 percent of the incident records across Lee County.

¹⁵⁴ <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>,
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

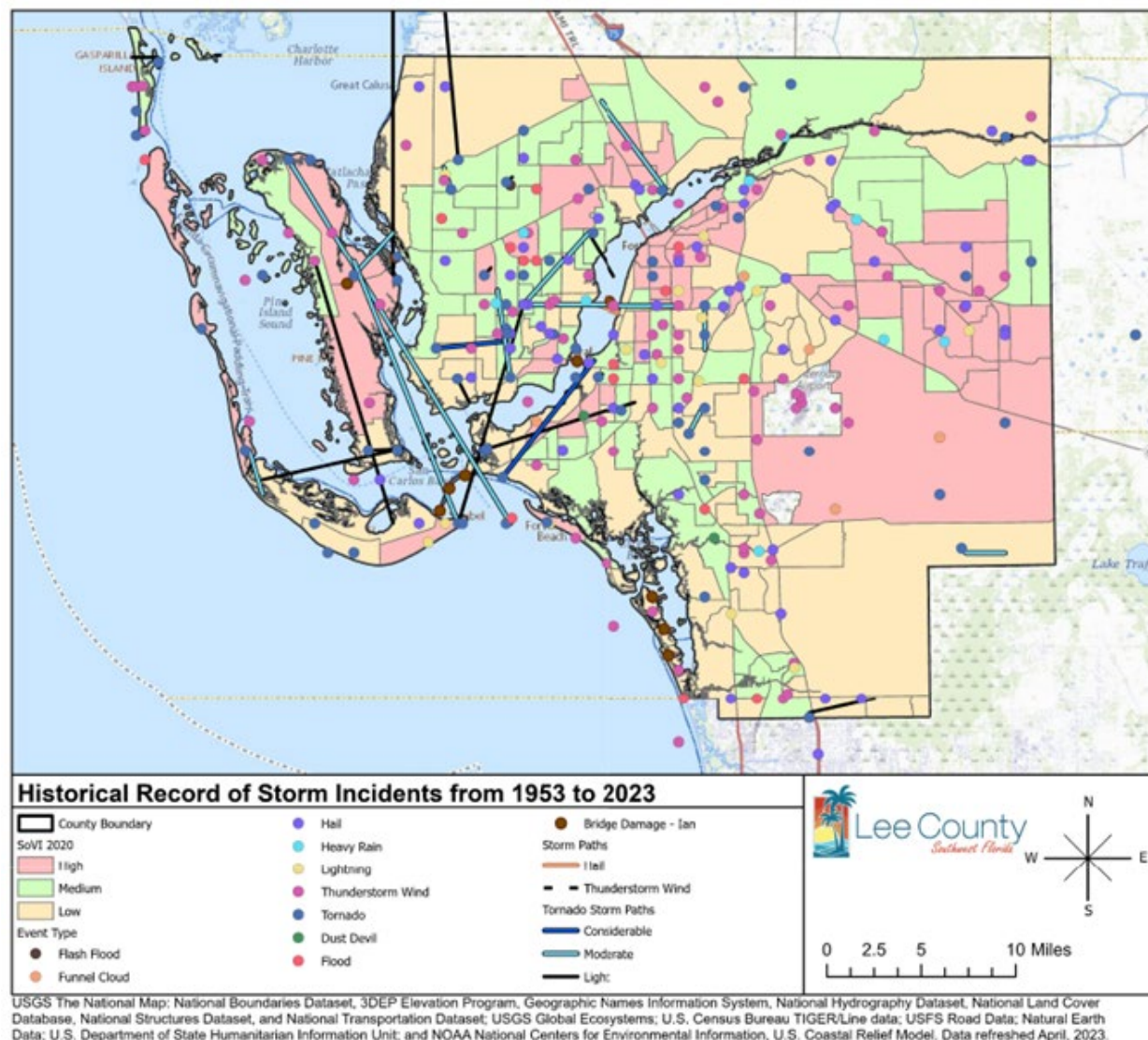


Figure 3830 - The historical incident record types in a known coordinate or path in Lee County grouped according to HUD's Social Vulnerability Index rating (SoVI).¹⁵⁵

¹⁵⁵https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA, and <https://www.vulnerabilitymap.org/>

Table 56 - The number of known incident types in the Lee County SoVI areas rated High, Medium, or Low vulnerability.

Incident Record Type	High	Medium	Low	Grand Total
Dust Devil	1	1	0	2
Flash Flood	0	1	0	1
Flood	3	6	1	10
Funnel Cloud	2	1	2	5
Hail	29	28	18	75
Heavy Rain	3	3	2	8
Lightning	6	6	2	14
Thunderstorm Wind	26	69	23	118
Tornado	30	32	20	82
Total	100	147	68	315

Source: NOAA NWS Storm Events Database through the NCEI and SoVI data¹⁵⁶

Out of the 548 incidents, 315 occurred in a Lee County SoVI census tract rated as having high, medium, or low social vulnerability. The SoVI count for the incident record types represents approximately 57 percent of the incidents across Lee County. *Table 55* demonstrates the percentages for each of the vulnerability index: high, medium, and low.

Table 57 - The percentages of the SoVI high, medium, and low areas compared to the total incident records across Lee County.

Total Incident Records	High	Medium	Low	Total
548	18%	27%	12%	57%

Source: NOAA NWS Storm Events Database through the NCEI and SoVI data¹⁵⁷

The four hazards in this section highlight the greatest vulnerability and threat to the County according to the Hazard Identification and Risk Assessment of 2022.

¹⁵⁶https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitButton=Search&statefips=12%2CFLOIDA, and <https://www.vulnerabilitymap.org/>

¹⁵⁷https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=0.00&sort=DT&submitButton=Search&statefips=12%2CFLOIDA, and <https://www.vulnerabilitymap.org/>

Tropical Cyclones and Storm Surge

The County's coastline is vulnerable to flooding and storm surge due to its shallow depth and low land elevation. During cyclones and hurricanes, which have wind speeds of at least 74 miles per hour, wave and heightened water levels spread across the land and place lives and property at risk. *Figure 39* illustrates the low-lying areas across the County. Of particular interest in the coastline, which saw the greatest levels of storm surge during Hurricane Ian.

Flooding

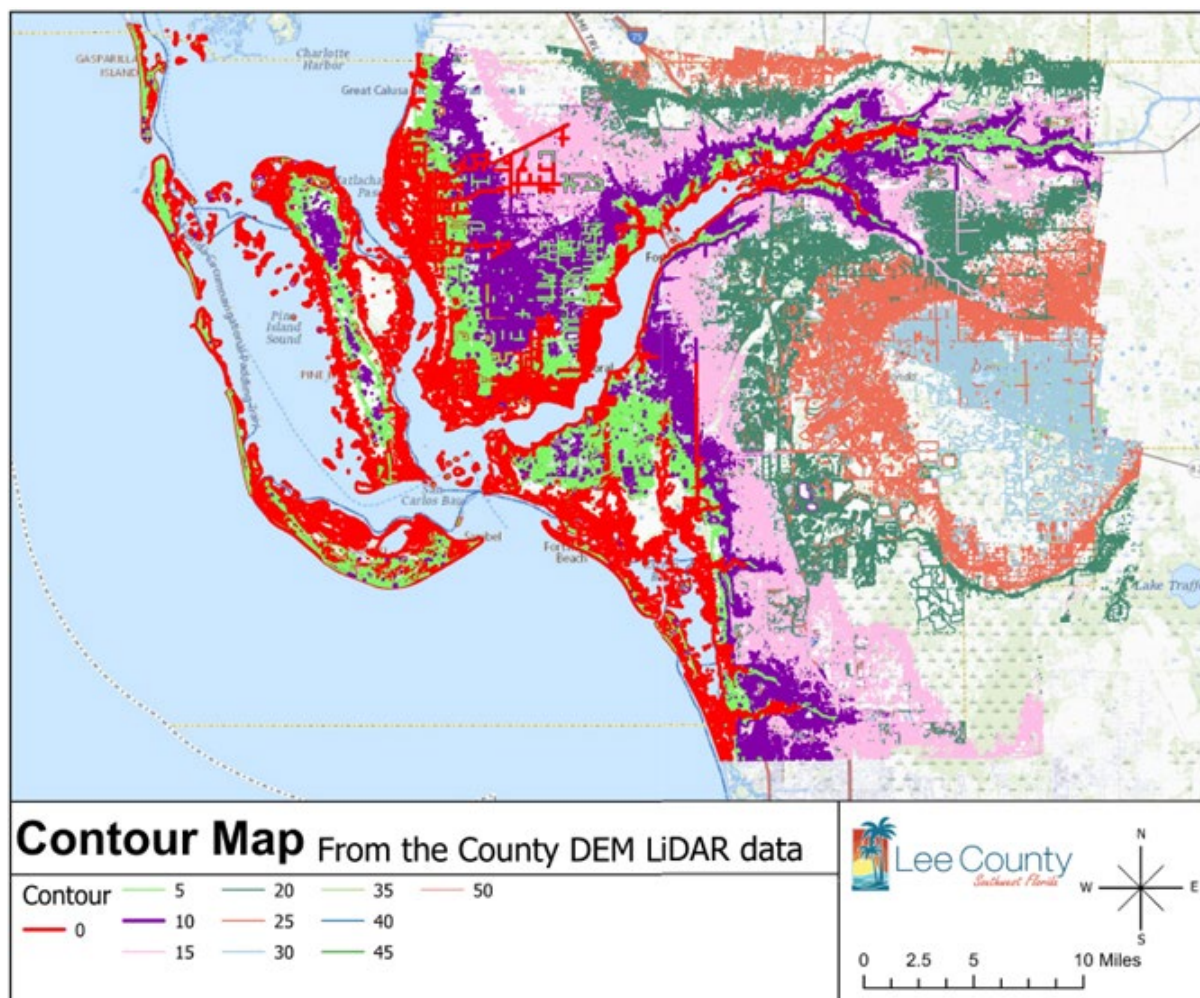
Flooding can result from a variety of causes, such as extended periods of heavy rain, sheet flow moving south from northern counties, rivers overflowing their banks, and tropical storms or hurricanes. A large portion of Lee County's geography is located within the 100-year floodplain.

Tornadoes

Tornadoes can occur during tropical cyclones or can develop along frontal boundaries between hot and cold air masses.

Wildfires

Wildfires happen for a variety of reasons, lightning strikes being one of them. Local firefighters work closely with the Florida Forest Service and others to battle these blazes when they erupt.



USGS The National Map: National Boundaries Dataset, SDEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.

Figure 39 - The Contour Map identifies the low-lying areas across Lee County. Along the coastline, the ground elevation is below zero. The Contour was developed using the County's bare earth digital elevation modelling data. A map of the DEM can be found in Figure 40. ¹⁵⁸

¹⁵⁸ <https://www.leegov.com/gis/data/lidar-data>

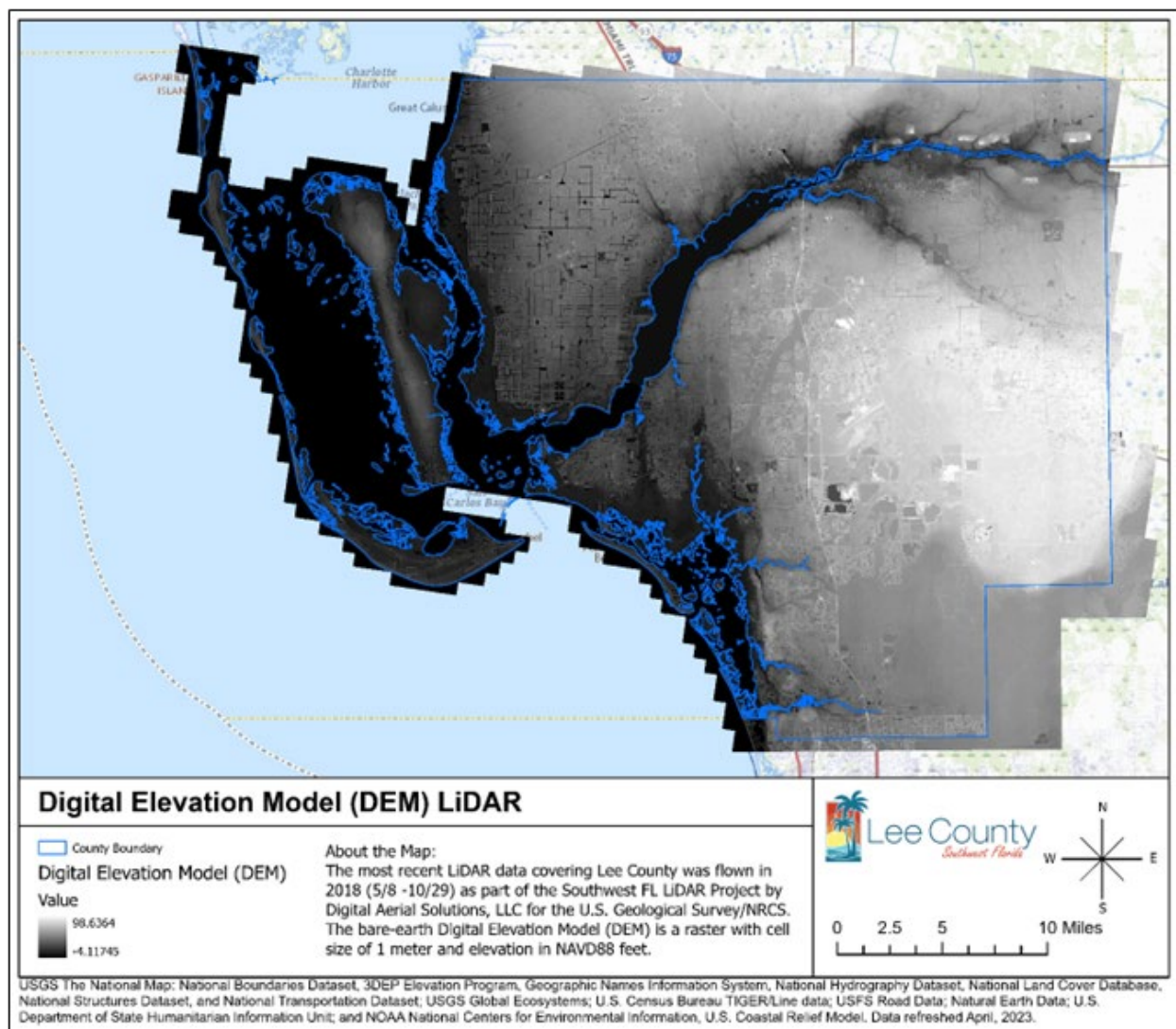


Figure 40 - The Digital Elevation Model demonstrates the bare earth elevation data in NAVD88 feet produced in 2018. (Source: <https://www.leegov.com/gis/data/lidar-data>)

3. LEE COUNTY'S PRIMARY HAZARDS: RISKS AND MITIGATION

The following hazards are outlined in the County's 2022 LMS and were developed with input from stakeholders from across the County. All risks were identified and evaluated as a part of the State Hazard Mitigation Plan and County Hazard Assessment. The mitigation measures proposed are based on the 2023 FEMA Hazard Mitigation Assistance Program and Policy Guide.¹⁵⁹

RAINFALL RELATED FLOODING

Description of hazard

Rainfall related flooding causes excess rainwater accumulating on the ground surface to a depth which can cause significant damage. The relatively flat landscape of the County can cause water to flow slowly into and through stormwater collection and conveyance systems. This slow-moving water can collect in low areas, and enter residences and other structures, causing significant damage. The rainwater can accumulate slowly with persistent low intensity rainfall, or quickly with high-intensity events.

Risk of hazard

According to NOAA, flooding causes more than \$4 billion dollars of damage per declared disaster in the United States.¹⁶⁰ Floodwater can enter residential properties, causing costly repairs and ruining contents. The threat of flooding has also been shown to cause anxiety and mental anguish for residents as they wait for the next flood event to occur. Approximately 35 percent of the area of the County is under FEMA's special flood hazard area (SFHA) designation, indicating risk of flooding in a 100-year probability event. Of the 306 square miles of low-moderate income areas in Lee County, 52.4 square miles of low-moderate income census tracts coincide with the FEMA SFHA. This information indicates that a significant portion of the LMI population of the County could be directly impacted by structural flooding or indirectly by flooding of infrastructure and roadways necessary to maintain community health and economic progress.

¹⁵⁹ <https://www.fema.gov/grants/mitigation/hazard-mitigation-assistance-guidance>

¹⁶⁰ <https://www.ncei.noaa.gov/access/monitoring/dyk/billions-calculations>

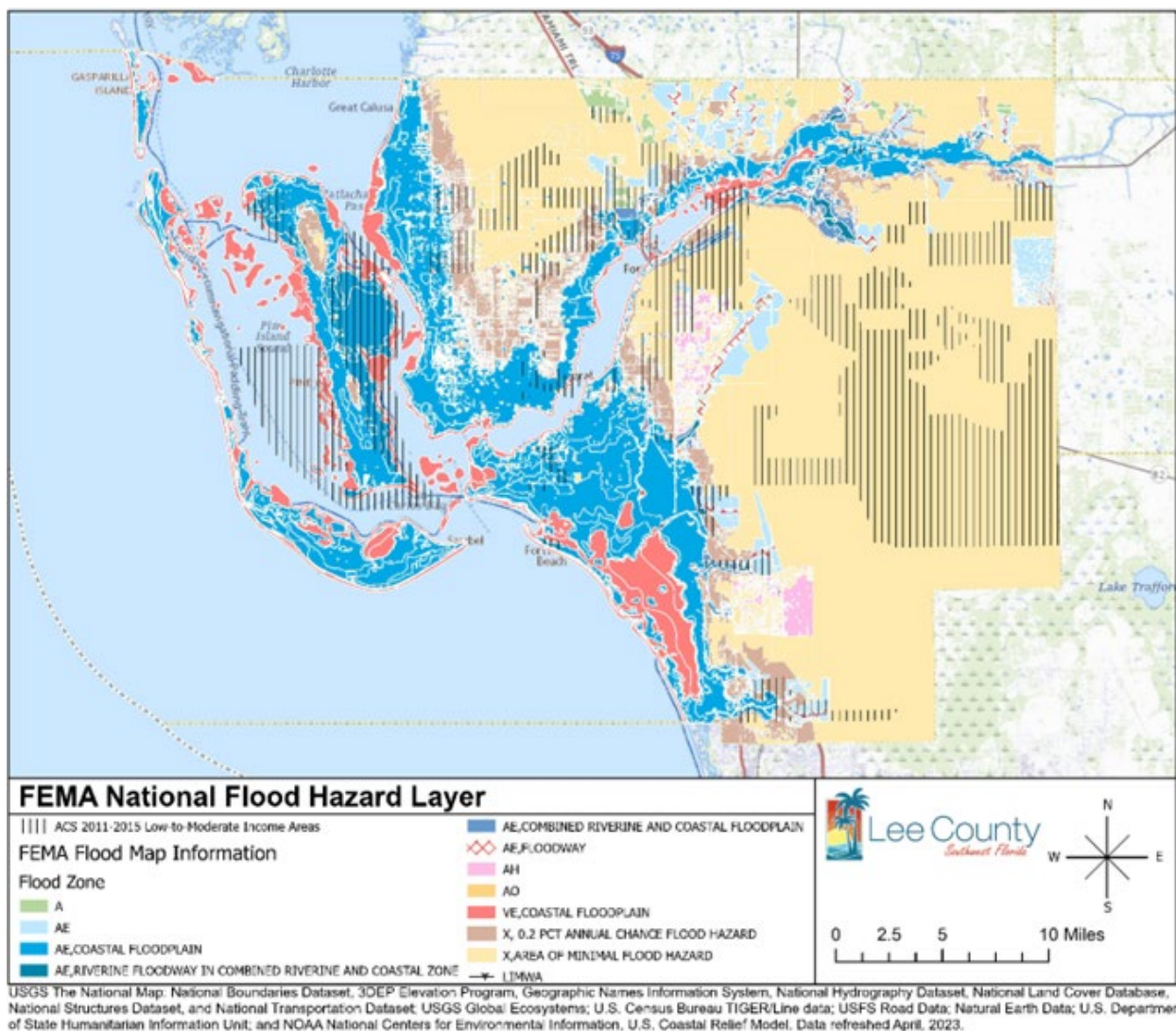


Figure 41 - The FEMA National Flood Hazard Layer (NFHL) flood hazard information and the 2011-2015 American Community Survey (ACS) Low-to-Moderate Income data.¹⁶¹

¹⁶¹ <https://msc.fema.gov/portal/advanceSearch>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

Table 58 - The FEMA Flood Map information located in the LMI areas.

FEMA Flood Zones	LMI Areas (square miles)	LMI Areas (%)	Population
SFHA	52.4	22	143,916
X (shaded)	12.7	5	12,383
X	147.7	61	51,086
Open Water	31	13	0
Lee County LMI	243.9	100	207,385

Source: FEMA Flood Map Service Center and HUD data¹⁶²

Table 56 demonstrates the LMI populations affected by FEMA SFHAs which are the riverine A, AE, AH, coastal AE and VE, floodway AE zones and X (shaded). Areas which are the 0.2 percent riverine and coastal flood hazard zone, and the X area which is the minimal flood hazard zone are seen in *Figure 42*. The total population was derived from the square miles of LMI Areas in the FEMA SFHA and the Lee County U.S Census 2020 population density statistic, 974.2 persons per square mile.

¹⁶² <https://msc.fema.gov/portal/advanceSearch>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

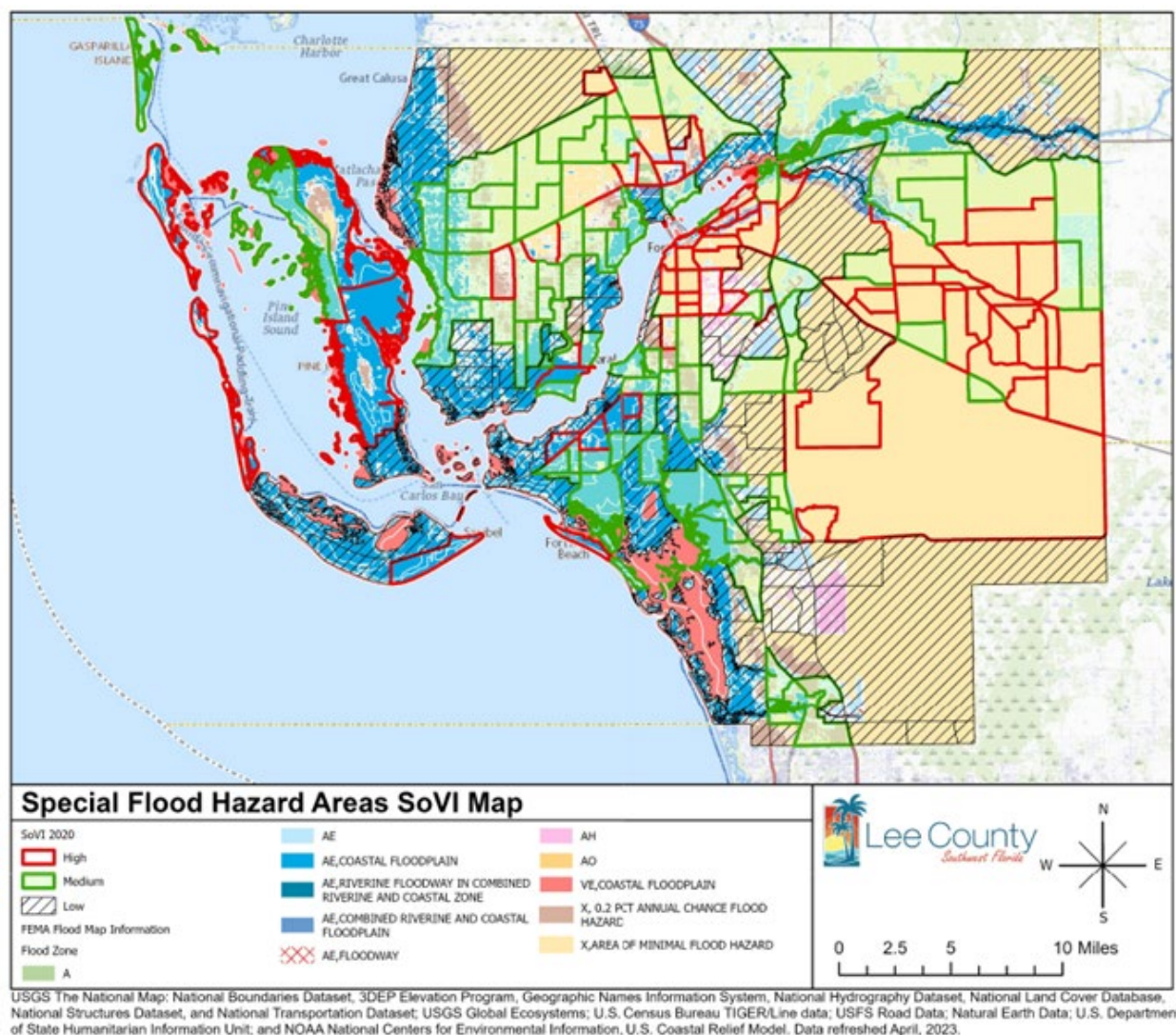


Figure 42 The FEMA National Flood Hazard Layer (NFHL) flood map information and the SoVI data.¹⁶³

Table 59 - The FEMA Flood Map populations in the SoVI areas.

FEMA Flood Zones	High	Medium	Low
SFHA	182,547	256,188	287,702
X (shaded)	23,574	50,946	39,327
X	353,463	405,956	408,347
Open Water	0	0	0
Grand Total	559,584	713,090	735,376

Source: FEMA Flood Map Service Center and SoVI data¹⁶⁴

¹⁶³ <https://msc.fema.gov/portal/advanceSearch>, <https://www.vulnerabilitymap.org/>

¹⁶⁴ <https://msc.fema.gov/portal/advanceSearch>, <https://www.vulnerabilitymap.org/>

Table 57 demonstrates the SoVI populations affected by the FEMA SFHAs, the X (shaded) areas, and the X area utilizing the Lee County U.S Census Bureau population density per square mile.

Floods occur from heavy rainfalls which can be caused by tropical cyclones that drop significant amounts of precipitation in a region in a relatively short period of time. Rainfall outside of a given region can also contribute to flooding conditions through the collection and delivery of the water by drainage basins. The NWS defines the two flooding incident record types accordingly:

- Flash flood: a rapid and extreme flow of high water into a normally dry area, or a rapid water level rise in a stream or creek above a predetermined flood level, beginning within six hours of the causative event (e.g., intense rainfall, dam failure, ice jam).
- Flooding: rise in water levels that result in a river overflowing its banks or the edges of its main channel and inundate areas that are normally dry.

Table 60 - The flooding incident record type list of fatalities, injuries, and property damage.

Incident Record Type	Number of Occurrences since 1953	Fatalities	Injuries	Property Damage (\$)
Heavy Rain	13	0	0	\$0.00
Flash Flood	11	0	0	\$1,432,500.00
Flood	28	0	0	\$501,320,000.00

Source: NOAA National Weather Service (NWS) Storm Events Database through the National Centers for Environmental Information (NCEI)¹⁶⁵

¹⁶⁵ <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>

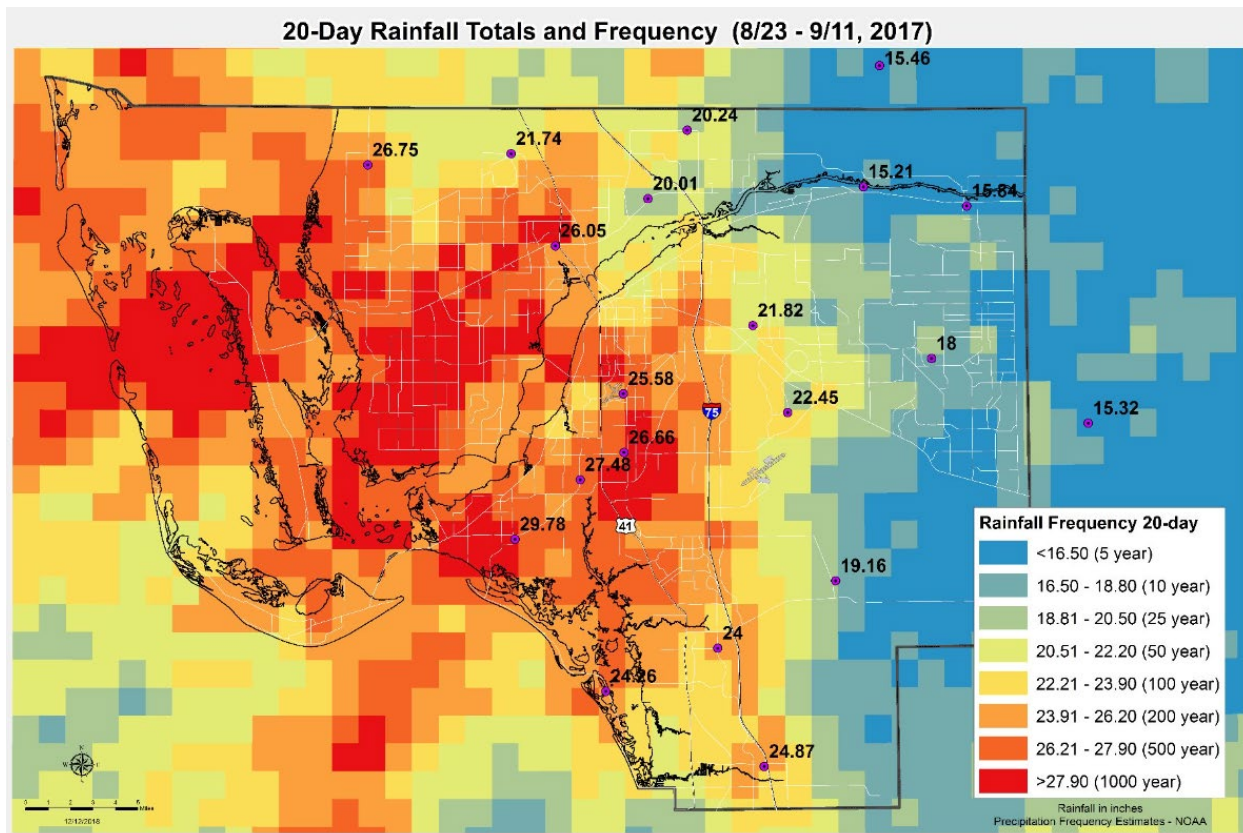


Figure 43 - Lee County experienced two historic rainstorms in 2017 between the dates of August 25 and September 10, INVEST 92L and Hurricane Irma. ¹⁶⁶

Figure 43 illustrates the 2017 historic rainfall events, Invest 92L and Hurricane Irma, where some areas received more than 20 inches of rain during a short period of time. Rainfall at this intense level exceeded the carrying capacity of the County's stormwater system. Significant rainfall caused by Invest 92L resulted in saturation of the ground in many parts of the County. So much so, that additional rainfall associated with Hurricane Irma caused significant flooding to occur.

Mitigation Measures

Reducing the risk to life and property can generally be accomplished in two ways: getting the life and property out of the way of the water or moving the water away from the life and property. Getting life and property out of the way of the water typically entails elevating structures on new higher foundations above the flood risk or purchasing the structure and property to convert an impervious area into green space to absorb excess rainfall. Buyout programs are also an option

¹⁶⁶ <https://msc.fema.gov/portal/advanceSearch>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

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for people and structures out of the floodplain or high hazard areas. Lee County and jurisdictions in Lee County have historically used available funding to buy out damaged or at-risk properties.¹⁶⁷

To reduce the risk of high flood water from life and property, there are several engineered or non-engineered solutions to retain, detain, divert, or convey excess stormwater runoff to lower the risk of flooding to those with known flood risks. A number of flood risk reduction projects are anticipated to be funded for Lee County and other jurisdictions to reduce the flood risks to residents.

STORM SURGE

Description of hazard

Storm surge events are caused by wind driven, and sometimes low pressure enhanced, water moving on land. These events can cause long-term accumulation of storm surge water to flood and remain in highly populated areas. Storm surge activities can occur at the same time as rainfall flooding events, exacerbating the flooding conditions.

In certain areas of the County, storm surges can reach heights of more than 20 feet. These vulnerable locations, including coastal high-hazard areas and the surrounding political subdivisions, are at risk of flooding from wave and wind action. These areas include Sanibel Island, Fort Myers Beach, Pine Island, southern Cape Coral, Estero, and Bonita Springs.

¹⁶⁷https://www.cityofbonitasprings.org/services_departments/public_works/voluntary_home_buyout_program_information

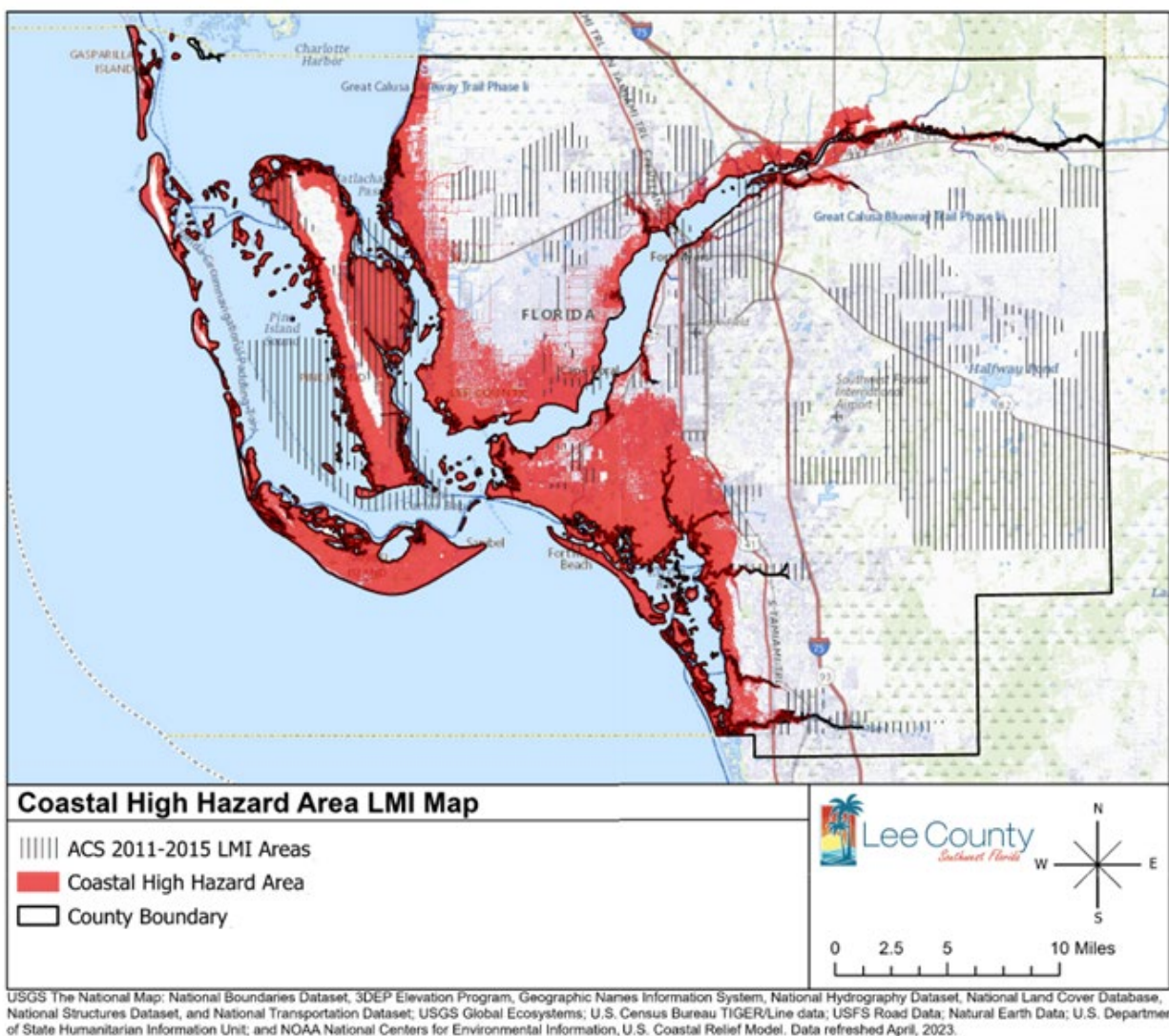


Figure 44 - The coastal high hazard area with the LMI areas identified.¹⁶⁸

Table 61 – Population Density Data for Total Population Calculation

GEOGRAPHY	
Geography	
Population per square mile, 2020	974.2
Population per square mile, 2010	788.7
Land area in square miles, 2020	781.01
Land area in square miles, 2010	784.51
FIPS Code	12071

¹⁶⁸ <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

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Table 62 - The coastal high hazard area compared to the LMI data.

Coastal High Hazard Area (square miles)	LMI Area (square miles)	Population
169	23.9	23,263

Source: Lee County Coastal High Hazard Area Geographic Information System and HUD data. ¹⁶⁹

Table 60 demonstrates the LMI populations affected by the coastal high hazard areas utilizing the Lee County U.S Census Bureau population density per square mile. Of the 169 square miles of coastal high hazard area, 23.9 square miles are in a LMI area.

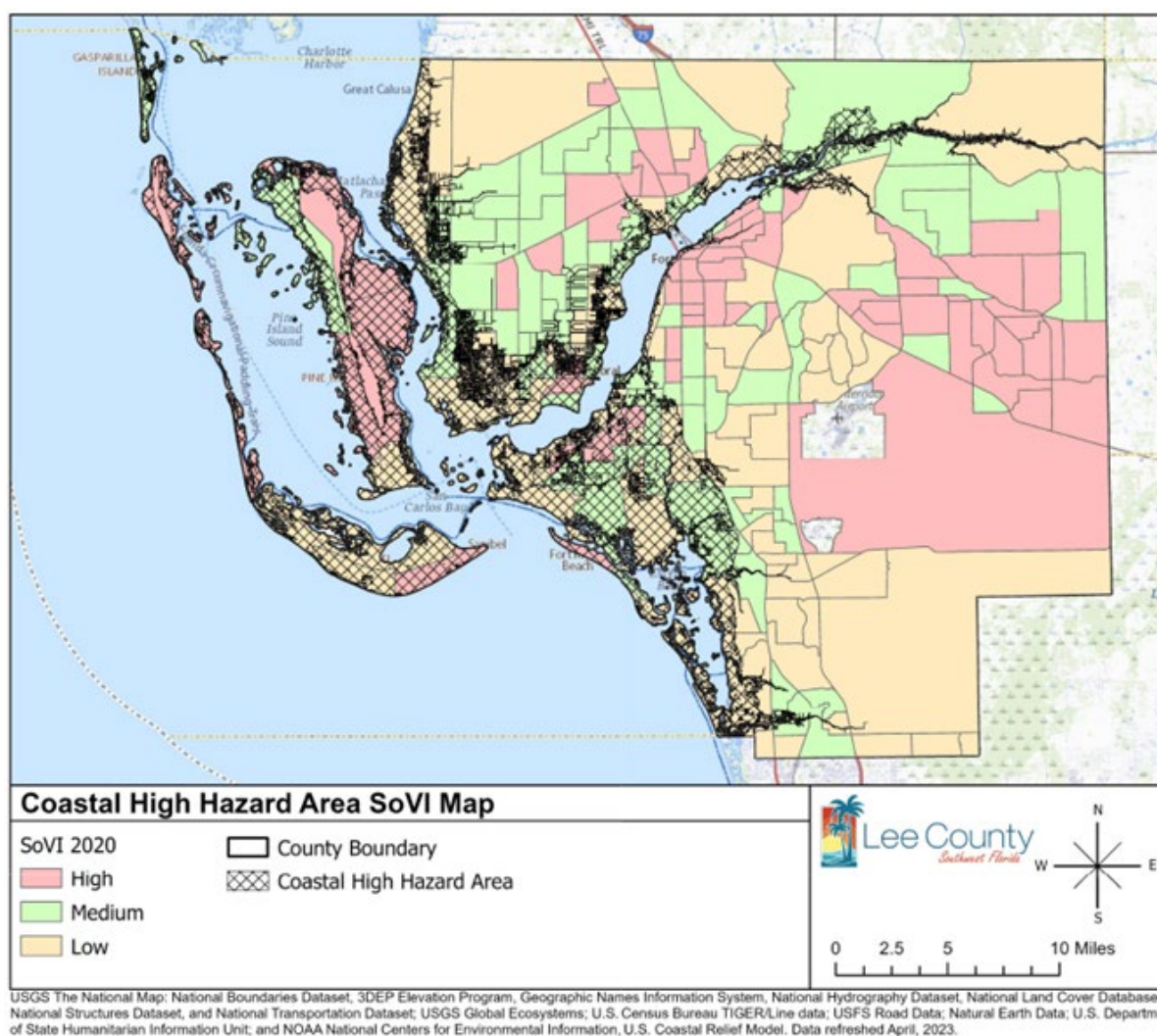


Figure 45 - Coastal High Hazard areas map compared to the CDC/ATSDR SVI Index. ¹⁷⁰

¹⁶⁹ <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

¹⁷⁰ <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, <https://www.vulnerabilitymap.org/>

Table 63 - The coastal high hazard areas located in the SoVI data.

SoVI	Area (square miles)	Population
High	38.4	37,363
Medium	53.1	51,690
Low	77.5	75,460

Source: Lee County Coastal High Hazard Area Geographic Information System and SoVI data.¹⁷¹

Storm surge is not limited to the coastline; it can travel miles inland across land and through estuaries.¹⁷² Hurricane Ian demonstrated this with storm surge traveling several miles inland through the interconnected waterways of rivers, streams, and canals. As seen in *Figure 46*, the surge from Ian traveled 15 miles inland to flood the downtown Fort Myers area. The storm surge also reached well inland, with the Caloosahatchee River rising just over 8 feet 24 miles upriver in North Fort Myers.

The peak stages of Hurricane Ian storm surge are compared to the FEMA coastal floodplain in *Figure 46*. The base flood elevations (NAVD88) of the coastal floodplain represent the 100-year storm surge events, which is the closest storm event to Hurricane Ian in the jurisdiction south of Lee County.

¹⁷¹ <https://maps-leegis.hub.arcgis.com/datasets/coastal-high-hazard-area/explore>, <https://www.vulnerabilitymap.org/>

¹⁷² Estuary: the widening channel of a river where it nears the sea, with a mixing of fresh water and salt (tidal) water · an inlet of the sea.

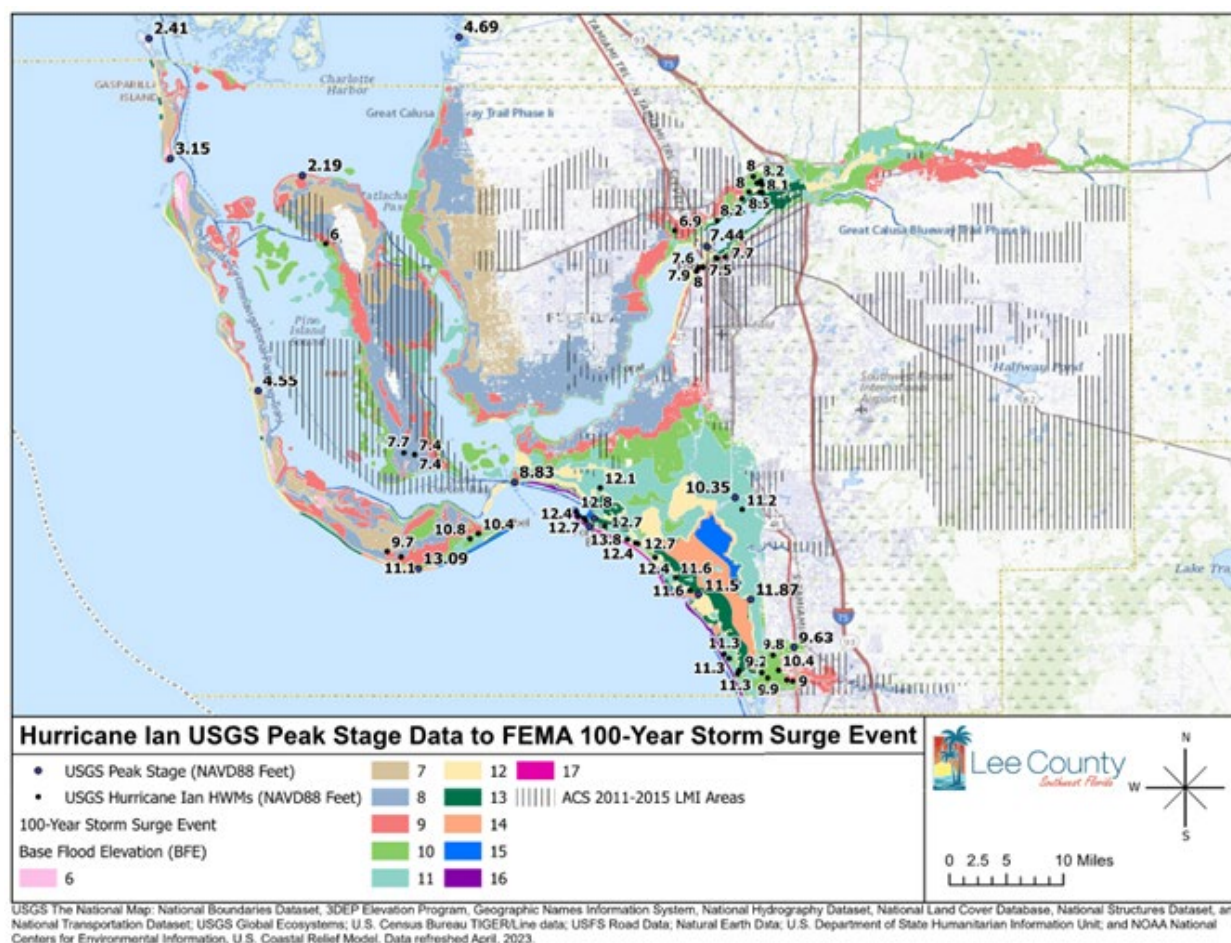


Figure 316 - The Hurricane Ian peak stages in NAVD88 feet captured by the USGS sensors compared to the FEMA coastal floodplain (100-year event).¹⁷³

Areas in southern Lee County, including the coastal rivers, streams and canals, experienced storm surges reaching maximum heights of approximately 13.8 NAVD88 feet. The peak stages are comparable to a FEMA 100-year event. Hurricane Ian storm surge was most similar to the FEMA 100-year event in areas of southern Lee County, including Sanibel, Fort Myers Beach, Bonita Springs, Village of Estero, and unincorporated Lee County.

¹⁷³ <https://stn.wim.usgs.gov/FEV/>, <https://stn.wim.usgs.gov/FEV/>, <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

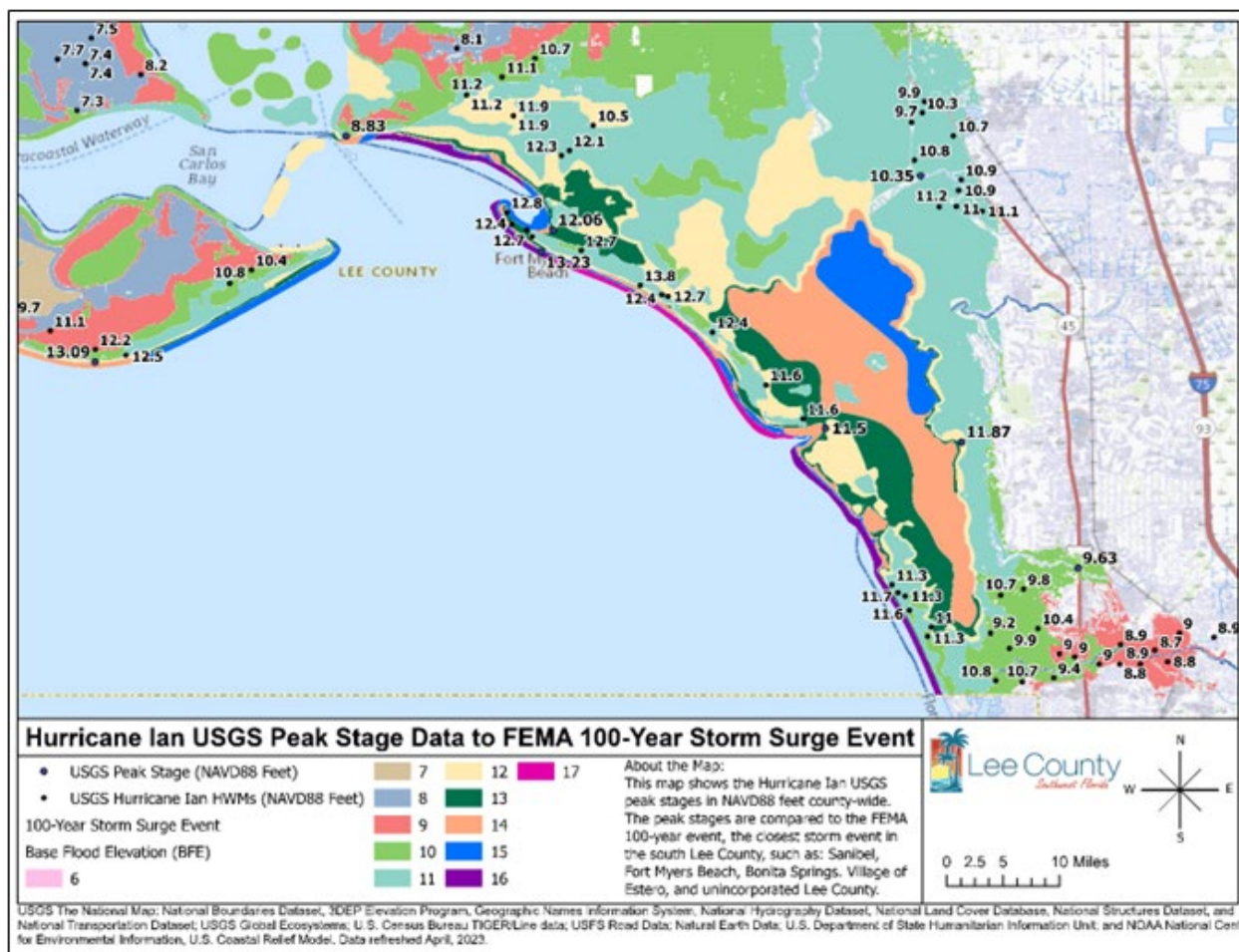


Figure 32 - The Hurricane Ian peak stages captured by the USGS sensors compared to the FEMA coastal floodplain (100-year event).¹⁷⁴

Other areas north along the Caloosahatchee River, such as the City of Fort Myers, South Fort Myers, and North Fort Myers experienced storm surge heights of 8 NAVD88 feet.

¹⁷⁴ <https://stn.wim.usgs.gov/FEV>

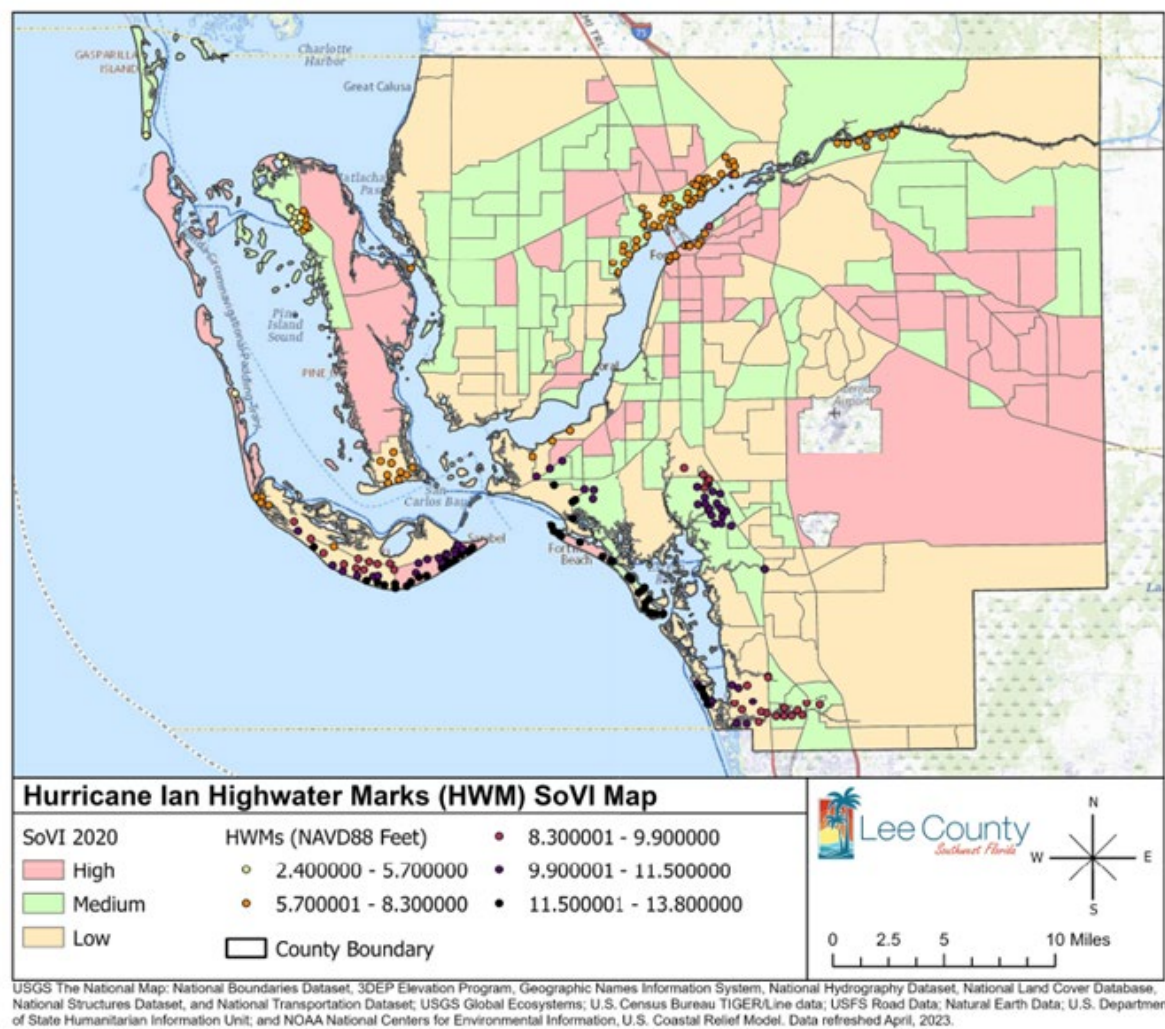


Figure 48 – The Hurricane Ian peak stages captured by the USGS sensors compared to US Census Tract Level SoVI (100-year event).¹⁷⁵

Table 64 - The number of highwater marks located in the high, medium, and low SoVI US Census Tract.

Highwater Marks	High	Medium	Low
2.4 - 5.7	1	0	13
5.700001-8.3	15	38	41
8.300001-9.9	0	21	14
9.900001-11.5	14	19	21
11.500001-13.8	25	20	8
Total	55	98	97

Source: USGS and SoVI data¹⁷⁶

¹⁷⁵ <https://stn.wim.usgs.gov/FEV>, <https://stn.wim.usgs.gov/FEV>, <https://www.vulnerabilitymap.org/>

¹⁷⁶ <https://stn.wim.usgs.gov/FEV>, <https://stn.wim.usgs.gov/FEV>, <https://www.vulnerabilitymap.org/>

Risk of hazard

Large-scale storm surge events are less common than rainfall flood events due to the strong and persistent wind forces that cause storm surge events. The speed, direction, and strength of Hurricane Ian resulted in the magnitude of storm surge during the event.¹⁷⁷ While uncommon, the widespread and dramatic impacts of storm surge cause significant damage as described above in the summary of impacts from Hurricane Ian.

Table 65 - The coastal flood and storm surge/tide list of fatalities, injuries, and property damage.

Incident Record Type	Number of Occurrences since 2018	Fatalities	Injuries	Property Damage (\$)
Coastal Flood	1	0	0	\$0.00
Storm Surge/Tide	1	0	0	\$0.00

*Hurricane Ian Storm Surge is accounted for in the Hurricane event type in the Tropical Cyclones section.

Source: NOAA National Weather Service (NWS) Storm Events Database through the National Centers for Environmental Information (NCEI)¹⁷⁸

Mitigation measures

Preventing storm surge damage is difficult due to the disbursed nature of the water as it moves onshore. These dynamics make mitigating damage from storm surge events difficult. The best mitigation measures to prevent damage to structures are elevating structures or acquiring properties through a buyout program and returning the area to green space. As noted above, Lee County and jurisdictions therein have a history of successful programs to purchase properties in areas prone to repetitive flooding or storm surge.

Mitigation for storm surge through CDBG-DR related programs and projects will include science-based project design that conforms to Florida's and Lee County's building code and standards.

Lee County will conform to Florida Building Code and local permitting requirements, which contain elevation standards to mitigate risks associated with storm surge. Lee County will balance cost-effectiveness and science-based construction as defined by Florida Building Code. Contractors will be required to specify their design and materials standards for elevation to ensure appropriate mitigation efforts.

¹⁷⁷ https://www.nhc.noaa.gov/data/tcr/AL092022_Ian.pdf

¹⁷⁸ <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>

TORNADOES

Description of hazard

Tornadoes are localized high wind rotational events ranging from a few dozen feet wide to over a mile. Wind speeds can range from 60 miles per hour to over 200 miles per hour and are measured on the Enhanced Fujita (EF) scale 0 to 5. Even moderately strong tornadoes can demolish structures.

Table 66 - The EF rating compared to the tornado magnitude and gust (mph).

EF Rating	Magnitude	Gust (mph)
0	Light	65-85
1	Moderate	86-110
2	Considerable	111-135
3	Severe	136-165
4	Devastating	166-200
5	Incredible	>200

Source: NWS Fujita Damage Intensity Scale ¹⁷⁹

Risk of hazard

Since 1953, 118 recorded tornadoes have touched down in Lee County, with 88 causing an estimated total damage of \$44 million. This equates to an average of more than one damaging tornado impacting Lee County each year. While typically localized, these events can have a devastating effect on those in the impact zone. As recently as 2022, 28 residences were destroyed in Lee County by an EF2 tornado.¹⁸⁰

¹⁷⁹ VII <https://www.weather.gov/bmx/fujitascale>

¹⁸⁰ <https://www.wunderground.com/article/news/news/2022-01-16-florida-tornado-damage-winter-storm>

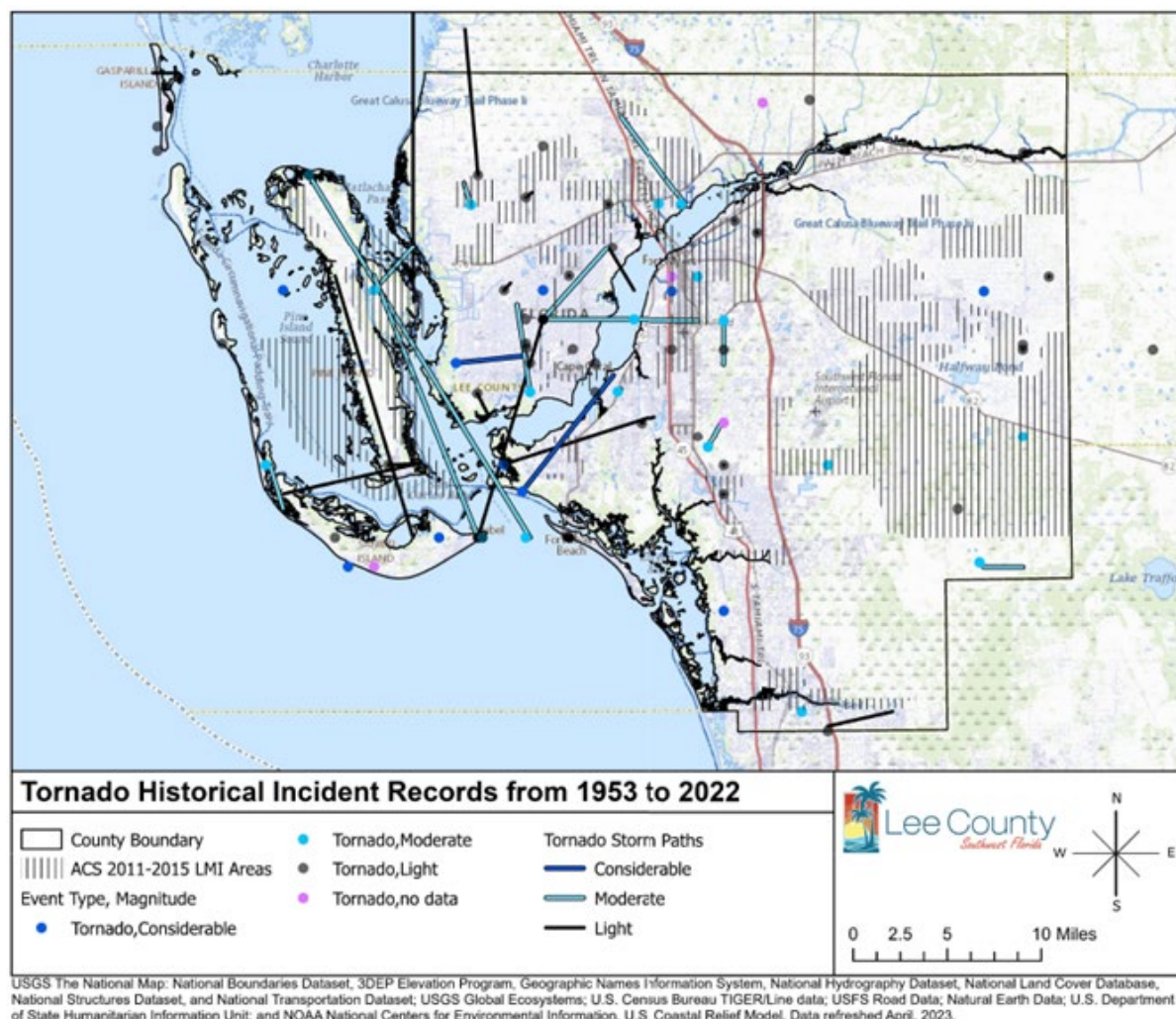


Figure 49 - Historical tornadoes from 1950 to 2023 across the County from a light to considerable magnitude¹⁸¹

Table 67 - The number of tornado incident record types located in the LMI areas.

Tornado Magnitudes	LMI
Considerable	2
Moderate	8
Light	19
No Data	1
Total	30

Source: NOAA NWS Storm Events Database through the NCEI and HUD data.¹⁸²

¹⁸¹ https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLORIDA, and <https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

¹⁸² <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>

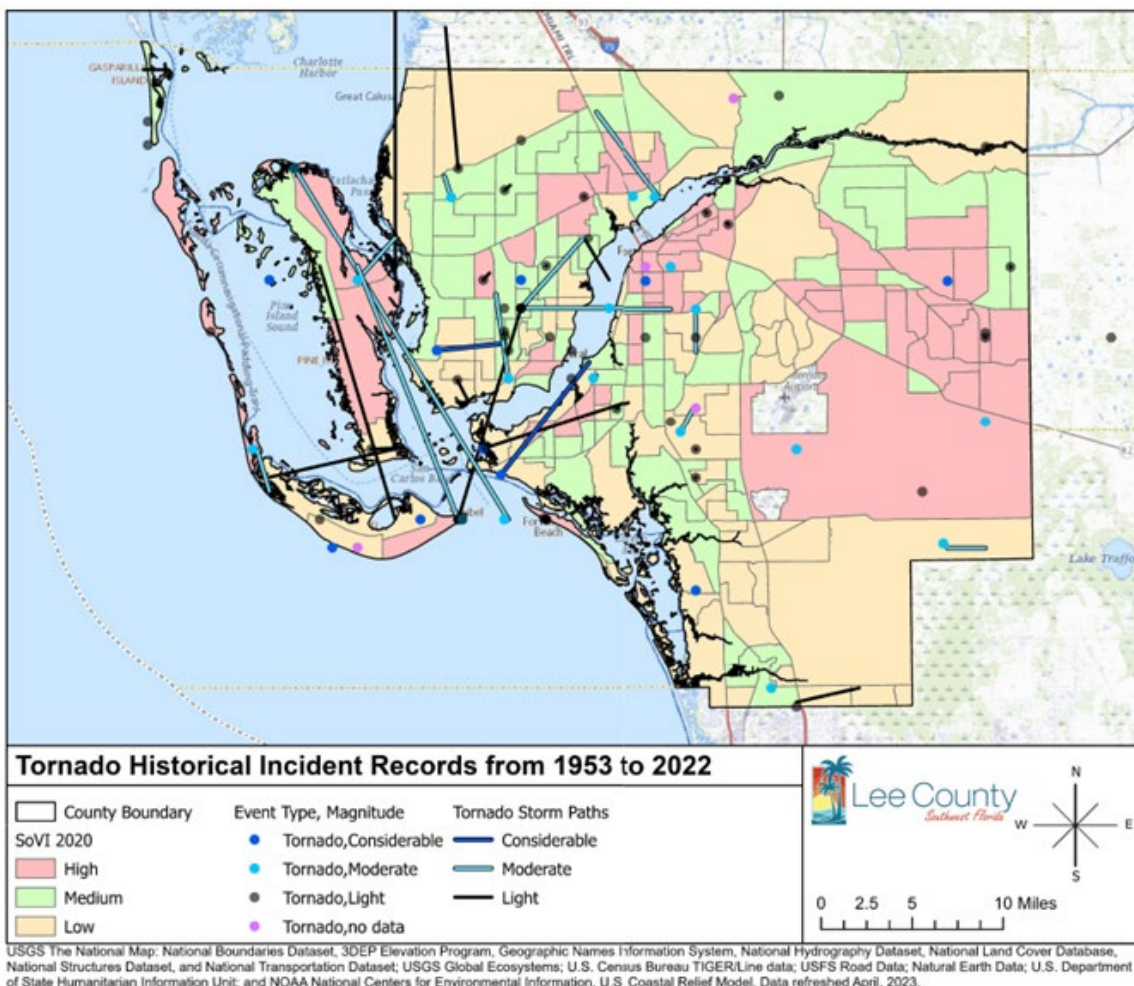


Figure 50 - Historical tornadoes from 1950 to 2023 across the County from a light to considerable magnitude.¹⁸³

Table 68 - The number of tornadoes incident record types located in the high, medium, and low SoVI US Census Tract.

Tornado Magnitudes	High	Medium	Low
Considerable	3	3	2
Moderate	6	11	3
Light	20	18	12
No Data	1	0	3
Total	30	32	20

Source: NOAA NWS Storm Events Database through the NCEI and SoVI data¹⁸⁴

¹⁸³ https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=01&beginDate_dd=01&beginDate_yyyy=1950&endDate_mm=06&endDate_dd=27&endDate_yyyy=2023&county=LEE%3A71&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=12%2CFLOIDA, <https://www.vulnerabilitymap.org/>

¹⁸⁴ <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CAL>, <https://www.vulnerabilitymap.org/>

Table 69 - The tornado magnitude incident record list of fatalities, injuries, and property damage.

Tornado Magnitude	Number of Occurrences since 1950	Fatalities	Injuries	Property Damage (\$)
Considerable	10	1	16	\$19,805,000.00
Moderate	23	0	14	\$19,955,250.00
Light	66	0	5	\$2,496,530.00
No Data	4	0	0	\$250,030.00

Source: NOAA NWS Storm Events Database through the NCEI¹⁸⁵

Mitigation measures

The variable strength of tornadoes can allow for multiple mitigation measures to be used. To protect against the strongest tornadoes, structures should be built to International Code Council (ICC) Building Code – 500¹⁸⁶ and FEMA document P-361¹⁸⁷. ICC-500 requires structures to be built to a condition of near absolute protection of human life. This requirement includes protection to 200 miles per hour, protection from wind-borne debris, and backup power systems to serve the inhabitants of the structure for up to 24-hours. Lower strength, more common tornadoes, can be mitigated with code rated, or above code rated structures and by protecting openings from flying debris. Lee County and other jurisdictions have proposed safe rooms as part of the HMGP project list.

Mitigation for tornadoes through CDBG-DR related programs and projects will include science-based project design that conforms to Florida's and Lee County's building code and standards.

Lee County will conform to Florida Building Code and local permitting requirements, which contain wind and elevation standards to mitigate risks associated with tornadoes. Lee County will balance cost-effectiveness and science-based construction as defined by Florida Building Code. Contractors will be required to specify their design and materials standards for roofs, exterior walls, including soffits and windows to ensure appropriate mitigation efforts.

¹⁸⁵ <https://www.ncdc.noaa.gov/stormevents/choosedates.jsp?statefips=-999%2CALL>

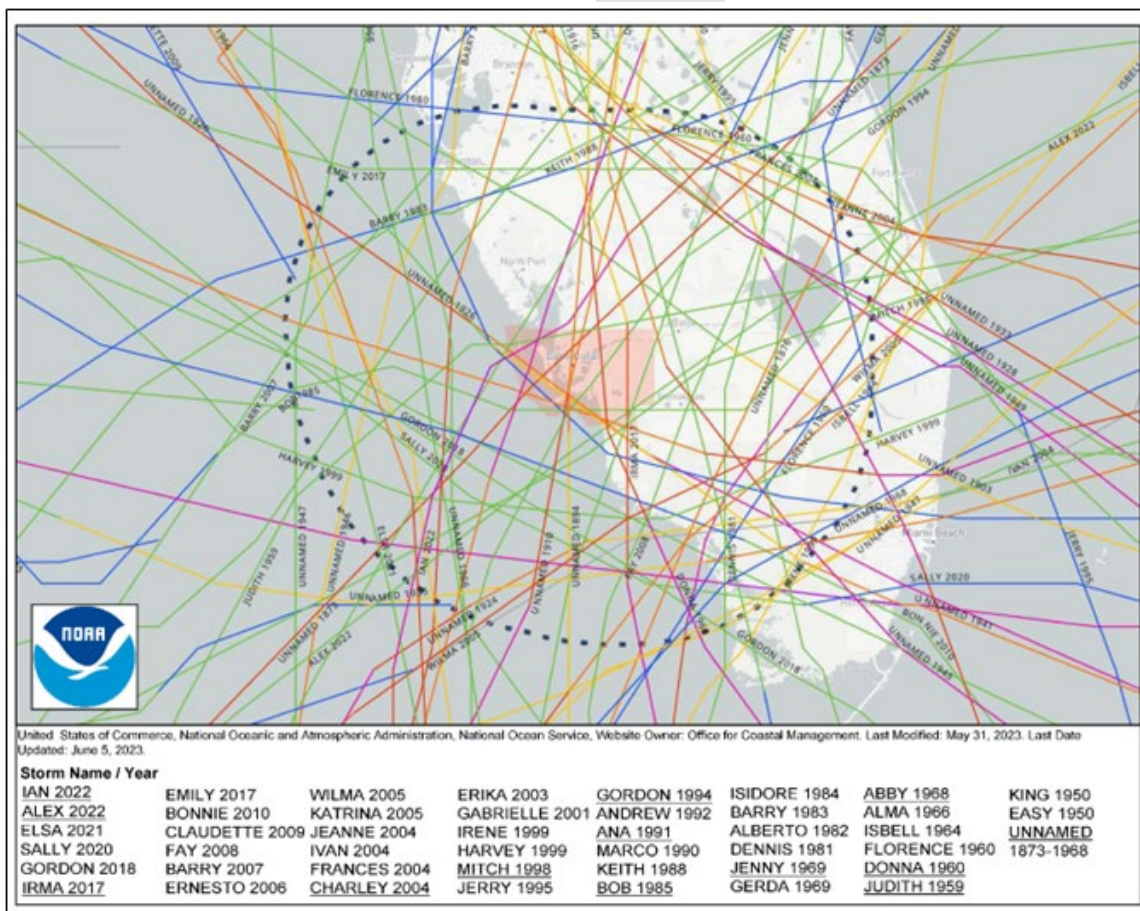
¹⁸⁶ <https://codes.iccsafe.org/content/ICC5002020P1/chapter-1-application-and-administration>

¹⁸⁷ https://www.fema.gov/sites/default/files/documents/fema_safe-rooms-for-tornadoes-and-hurricanes_p-361.pdf

TROPICAL CYCLONES

Description of hazard

Tropical cyclones, including tropical storms and hurricanes, can be devastating as the event can combine the impacts of rainfall flooding, storm surge, high winds, wind-borne debris, tornadoes, lightning, and numerous other ancillary hazards. Since 1873, 17 documented tropical cyclones have directly impacted the County, with a total of 52 other tropical cyclones within a 60-mile radius passing close by and causing damage, see *Figure 51*.



*Figure 51 - The storms underlined directly hit Lee County compared to the storms that were within a 60-mile radius to Lee County.*¹⁸⁸

¹⁸⁸ <https://bit.ly/444vi47>

Table 70 - Presidential Declared Emergencies and Disasters for Hurricanes since 1965.

Tropical Cyclone	Event Type	Year	Presidential Declaration	Total PA Obligated (\$)
HURRICANE BETSY	Hurricane	1965	DR-209-FL	No Data
HURRICANE GLADYS	Hurricane	1969	DR-252-FL	No Data
TROPICAL STORM AGNES	Coastal Storm	1972	DR-337-FL	No Data
HURRICANE OPAL	Hurricane	1996	DR-1069-FL	No Data
HURRICANE GEORGES	Hurricane	1998	EM-3131-FL	\$42,178,183.02
TROPICAL STORM IRENE - FLORIDA	Hurricane	2000	EM-3150-FL	\$547,528.10
SEVERE STORMS, TORNADOES AND FLOODING ASSOCIATED WITH TROPICAL STORM GABRIELLE	Coastal Storm	2001	DR-1393-FL	\$22,990,447.07
HURRICANE JEANNE	Hurricane	2004	DR-1561-FL	\$520,033,714.90
HURRICANE IVAN	Hurricane	2004	DR-1551-FL	\$694,779,708.94
HURRICANE FRANCES	Hurricane	2004	DR-1545-FL	\$685,254,867.41
TROPICAL STORM BONNIE AND HURRICANE CHARLEY	Hurricane	2004	DR-1539-FL	\$619,521,235.51
HURRICANE KATRINA EVACUATION	Hurricane	2005	EM-3220-FL	\$3,810,182.41
HURRICANE WILMA	Hurricane	2006	DR-1609-FL	\$1,489,338,542.84
HURRICANE IRMA	Hurricane	2017	DR-4337-FL	\$2,465,946,571.78
HURRICANE IRMA	Hurricane	2017	EM-3385-FL	\$0.00
HURRICANE DORIAN	Hurricane	2019	EM-3419-FL	\$0.00
HURRICANE IAN	Hurricane	2022	DR-4673-FL	\$994,043,998.69
TROPICAL STORM IAN	Hurricane	2022	EM-3584-FL	\$0.00
HURRICANE NICOLE	Hurricane	2023	DR-4680-FL	\$8,976,409.33
TROPICAL STORM NICOLE	Tropical Storm	2023	EM-3587-FL	\$0.00

Source: FEMA Open Data Declaration Summaries¹⁸⁹
¹⁸⁹ <https://www.fema.gov/openfema-data-page/fema-web-disaster-summaries-v1>

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Risk of hazard

The compounding effects of a tropical cyclone and the frequency in which tropical cyclones impact the County present a major risk of hazard for the area. FEMA estimates that a tropical cyclone results in impacts to Lee County approximately every three years with a direct impact occurring on average every 13 years.¹⁹⁰

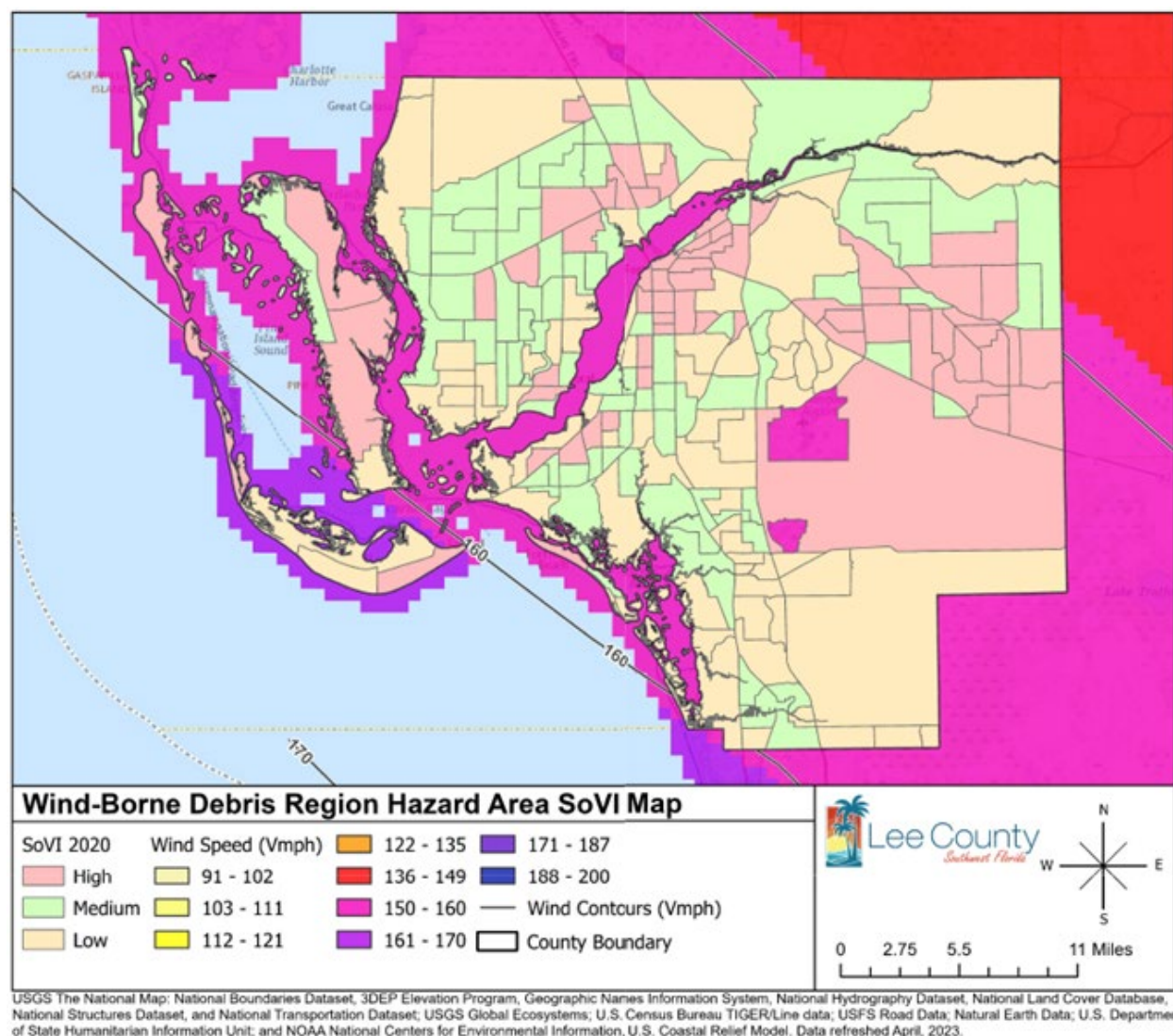


Figure 52 - Wind-Borne Debris Regions for Category II and III buildings and structures except for health care facilities.¹⁹¹

¹⁹⁰ https://www.fema.gov/pdf/rebuild/mat/fema488/488_e.pdf

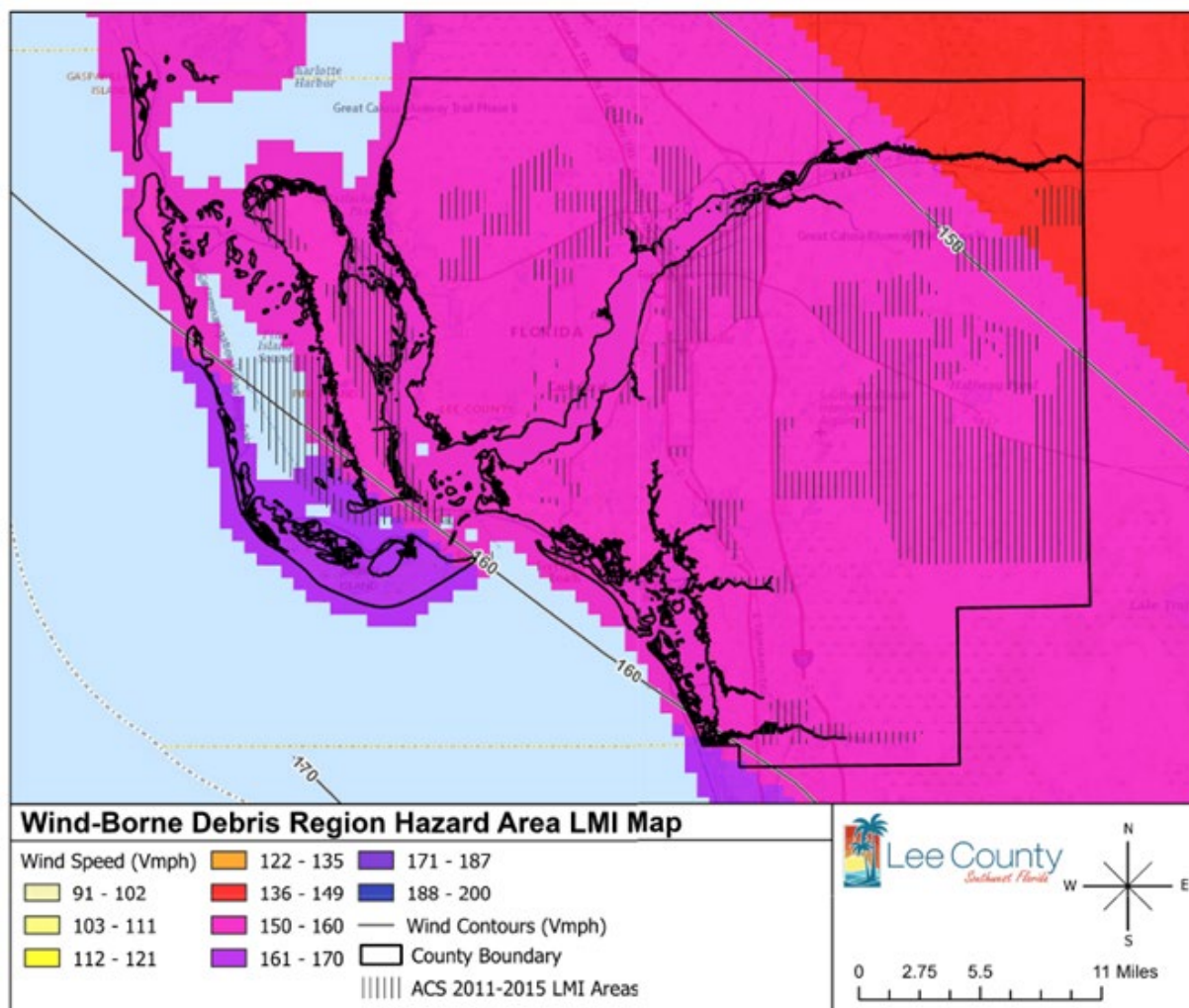
¹⁹¹ https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer, <https://www.vulnerabilitymap.org/>

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Table 71 - Wind Borne Debris Region for Category II and III buildings and structures located in the SoVI areas.

Wind (mph)	High	Medium	Low
<150	731	17,040	31,049
150-160	224,789	211,385	272,419
160-170	5,688	0	14,824

Source: American Society of Civil Engineers (ASCE) and SoVI data¹⁹²



*Figure 53 - Wind-Borne Debris Regions for Category II and III buildings and structures except for health care facilities.*¹⁹³

¹⁹² https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer, <https://www.vulnerabilitymap.org/>

¹⁹³ https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer,
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

Table 72 - Wind Borne Debris Region LMI Data.

Wind (mph)	LMI Area (square miles)	Population
<150	4.4	4,286
150-160	225.9	220,072
160-170	13.1	12,762
Grand Total	243.4	23,120

Source: ASCE and HUD data ¹⁹⁴

The code for regions in Florida that are vulnerable to wind and wind-borne debris have undergone frequent changes as a result of wind events. The current code requirements, which were implemented in 2021 and will remain in effect until 2023, are similar to those established in 2012. These requirements have expanded and improved resiliency in wind zone areas significantly.

Mitigation measures

The variety of impacts from tropical cyclones means that a multitude of mitigation measures must be implemented to reduce the risk of hazards. To reduce the hazard of wind and wind-borne debris, structures need to be strengthened and openings protected. Other mitigation measures are similar to constituent hazards. The same mitigation measures that reduce flooding in rain-based hazard events could also reduce flooding during tropical cyclones, such as purchasing property or elevating structures, or by creating systems that reduce the risk of flooding. Lee County and other jurisdictions are proposing these project types as part of the HMGP project list.

For CDBG-DR related programs and projects, efforts to mitigate the damaging effects of tropical cyclones, including tropical storms and hurricanes, will include science-based project design that conforms to Florida's and Lee County's building code and standards.

Lee County will conform to Florida Building Code and local permitting requirements, which contain standards to mitigate risks associated with tropical cyclones. Lee County will balance cost-effectiveness and science-based construction as defined by Florida Building Code. Contractors will be required to specify their design and materials standards for roofs, exterior walls, including soffits and windows to ensure appropriate mitigation efforts.

¹⁹⁴ https://gis.asce.org/arcgis/rest/services/ASCE/Wind_2016_700_Tile/MapServer,
<https://www.hudexchange.info/programs/acs-low-mod-summary-data/>

WILDFIRES

Description of hazard

Wildfires are caused when excess dry fuels are available and are ignited, either by natural processes such as lightning or by manmade causes such as uncontained fires. The risk of a conflagration is typically higher during periods of drought or when another natural disaster such as a hurricane or flood causes trees to die off and/or fall and create excess fuel for wildfires.

FEMA defines the Wildfire Urban Interface (WUI) as the “zone of transition between unoccupied land and human development. It is the line, area, or zone where structure and other human development meet or intermingle with undeveloped wildland or vegetative fuels.”¹⁹⁵ This makes the WUI a focal area for human-environment conflicts such as wildland fires, habitat fragmentation, invasive species, and biodiversity decline. Wildfires pose the greatest danger to people and property around the wildland urban interface (WUI).

Generally, the WUI can be areas where the edge of a community transitions to forest land (i.e., boundary); structures that are scattered and interspersed among wildland areas, like individual farms or vacation homes (i.e., intermix); or areas where structures surround wildland, like neighborhood preserves (i.e., island/occluded).¹⁹⁶

195 What is the WUI? (fema.gov)

196 [Wildland Urban Interface / Firewise USA / For Communities / Forest & Wildfire / Home - Florida Department of Agriculture & Consumer Services \(fdacs.gov\)](#)

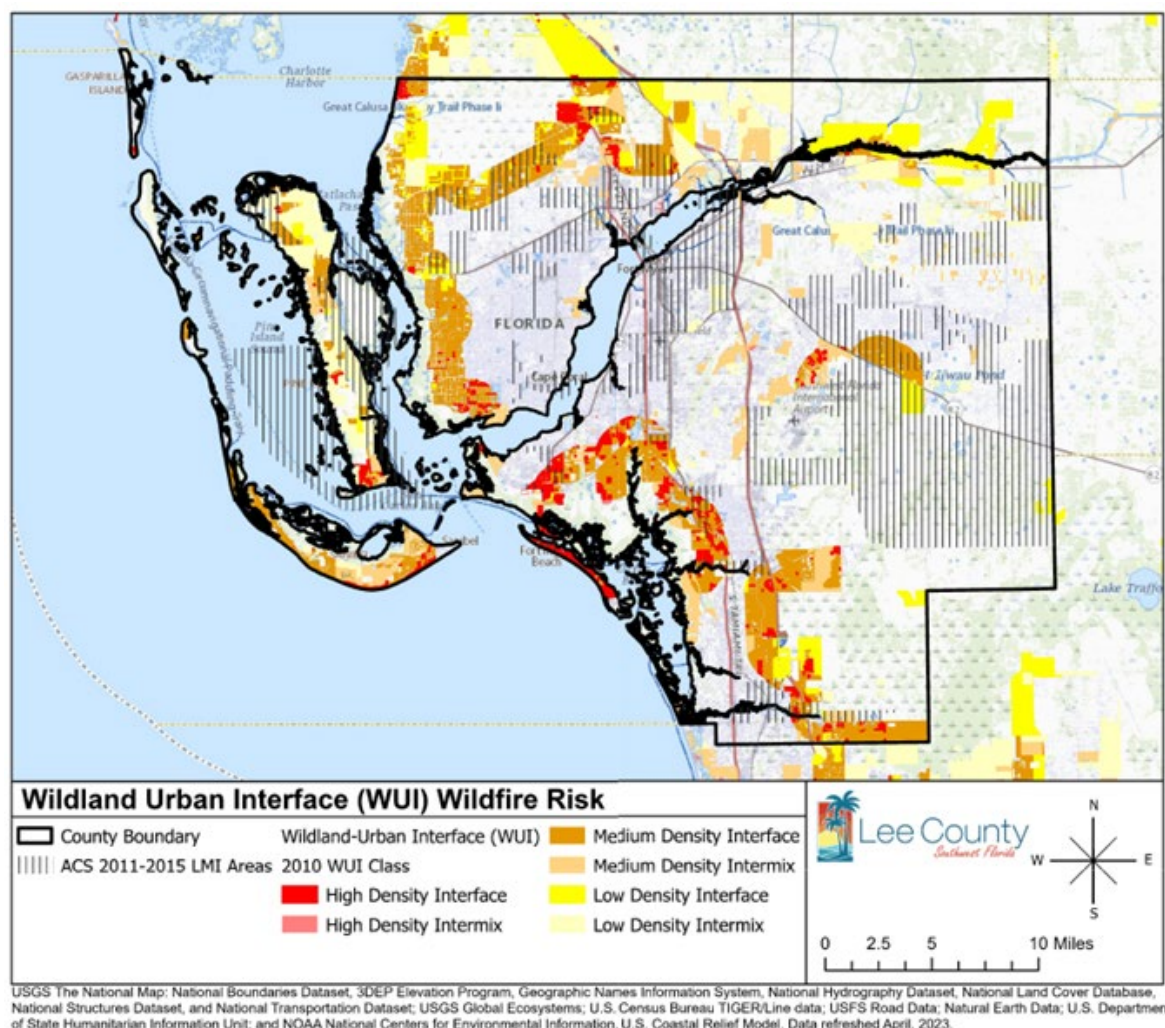


Figure 54 - The County Wildland Urban Interface (WUI) classes across Lee County and LMI areas. ¹⁹⁷

Table 73 - The WUI class located in LMI areas.

WUI Class	LMI Area (square miles)	Population
High Density Interface	1.3	1,300
High Density Intermix	0.0	2
Medium Density Interface	16.6	16,179
Medium Density Intermix	3.2	3,126
Low Density Interface	3.0	2,929
Low Density Intermix	9.5	9,303
Total	33.6	32,839

¹⁹⁷ [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), FY 2022 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data - HUD Exchange](#)

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Source: Wildland Urban Interface and HUD data.¹⁹⁸

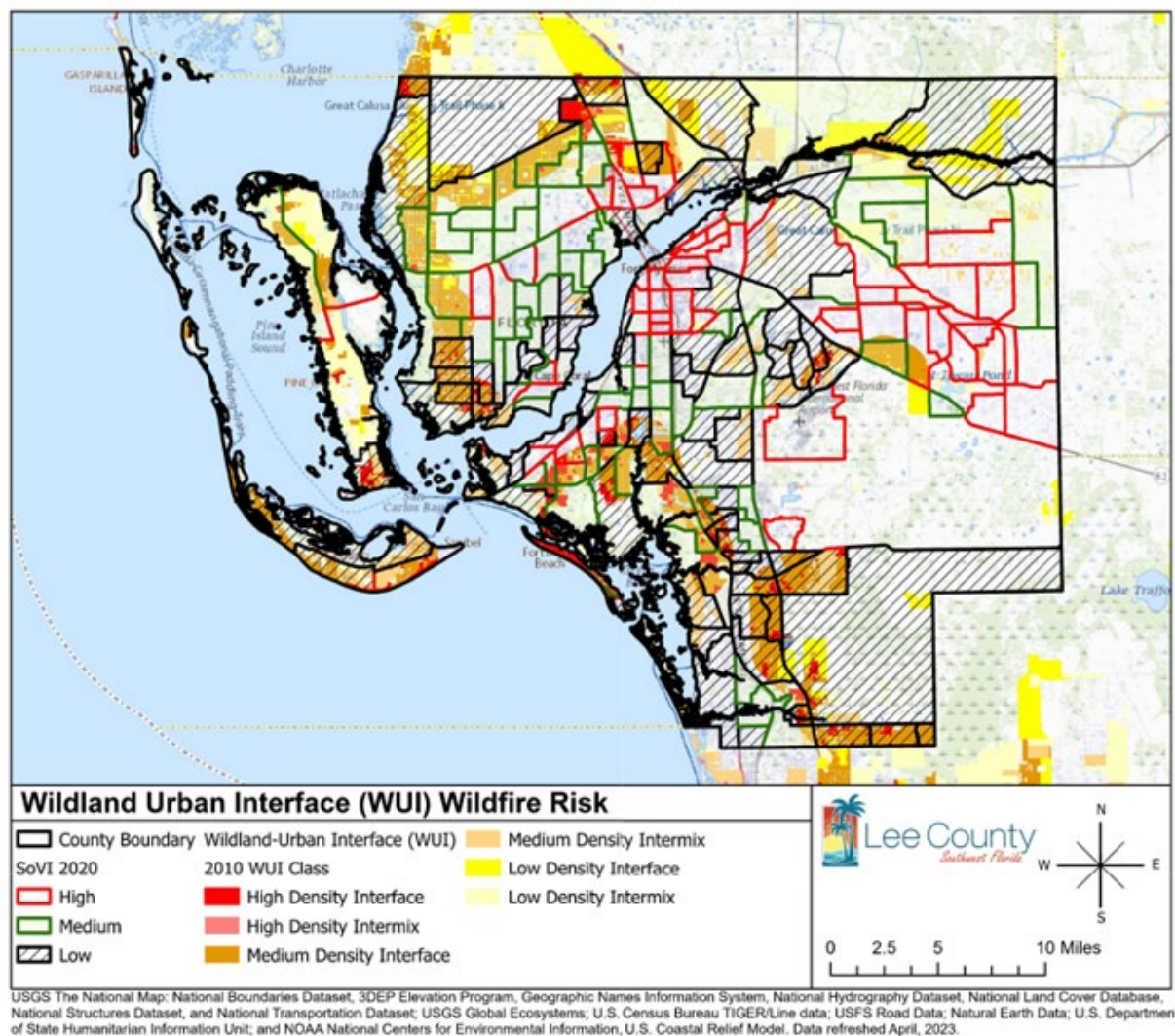


Figure 55 - Lee County Wildland Urban Interface Risk Map.¹⁹⁹

¹⁹⁸ [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), FY 2022 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data - HUD Exchange](#)

¹⁹⁹ [Layer: Wildland-Urban Interface \(WUI\) \(ID:6\) \(arcgis.com\), FY 2022 ACS 5-Year 2011-2015 Low- and Moderate-Income Summary Data - HUD Exchange](#)

Table 74 - The WUI class located in the SoVI index areas.

WUI Class	High	Medium	Low
High Density Interface	2,668	4,057	5,001
High Density Intermix	61	229	249
Medium Density Interface	7,891	31,555	13,402
Medium Density Intermix	3,461	9,174	13,770
Low Density Interface	3,031	5,525	37,825
Low Density Intermix	14,758	16,282	21,156
Total	31,870	66,822	91,403

Source: Wildland Urban Interface and SoVI data²⁰⁰

Risk of hazard

Wildfires can develop and move quickly, causing damage to structures and having the potential to injure or kill. Beyond the potential catastrophe to life and property, wildfires have several other impacts. Wildfires can damage silviculture, causing loss of wildlife habitat, recreation, and timber. Wildfires produce a significant amount of smoke which can cause respiratory issues to sensitive populations. Additionally, the resources required to fight a wildfire are substantial and can pull firefighters and other emergency personnel away from their normal duties, leaving a vulnerability in other areas of the community.

Table 75 - The declared disasters for the fire incident/event type in Lee County, FL.¹²²

Name	Event Type	Year	Presidential Declaration	
Florida Extreme Fire Hazard	Fire	1998	DR-1223-FL	No Data
Caloosahatchee Fire Complex	Fire	1999	FSA-2254-FL	\$1,064,337.65
Florida Fire Hazard	Fire	1999	EM-3139-FL	\$1,273,616.40
Caloosahatchee Fire Complex	Fire	2007	FM-2692-FL	\$959,055.00
Florida Lehigh Acres Fire	Fire	2017	FM-5179-FL	\$2,004,861.40

Source: FEMA Open Data Declaration Summaries²⁰¹

²⁰⁰ Layer: Wildland-Urban Interface (WUI) (ID:6) (arcgis.com), <https://www.vulnerabilitymap.org/>

²⁰¹ <https://www.fema.gov/data-visualization/disaster-declarations-states-and-counties>

Mitigation measures

The risk of wildfire can be mitigated by reducing fuel loads in wildland areas and especially in the wildland urban interface. Reducing the amount of flammable material can reduce the size and speed of a wildfire and make it easier to bring under control for response personnel. On an individual basis, residents can implement a defensible space perimeter around their structures and/or retrofit those structures to be constructed of ignition resistant materials.²⁰²

Wildfire mitigation for Lee County CDBG-DR related programs and projects will include: (1) science-based project design that conforms to Florida's and Lee County's fire prevention code and (2) Florida and local fire-restrictive building standards and Land Development Code.

Lee County will conform to Florida Building Code and local permitting requirements, which reference the Florida Fire Prevention Code and Life Safety Code. Lee County will balance cost-effectiveness and science-based fire-resistive construction as defined by Florida Building Code. Contractors for WUI area homes will be required to specify their fire-resistive design and materials standards for roofs, and exterior walls, including soffits and windows²⁰³. Additionally, construction must conform to the Lee County Land Development Fire Safety Code. This code requires fire department access, fire flows, and fire hydrant standards.

ADDITIONAL HAZARDS

The hazards mentioned in the previous section are most common and have been the most impactful to the County. Other hazards, as defined by the County's LMS and noted in the State Hazard Mitigation Plan, are less common but still pose a risk to the community and can therefore be mitigated.

- Animal/Plant disease outbreak can cause significant damage to the economy and the environment. As evidenced by the recent pandemic, animal diseases can become communicable to humans and every effort should be made to reduce transmission. Disease is typically caused by outside factors and can be mitigated with appropriate protocols. Lee County has experienced plant-based diseases in the form of Citrus Canker as recently as 2006 which resulted in citrus trees being destroyed resulting in economic loss.²⁰⁴
- Algal blooms can be caused by human factors such as excess fertilizer being deposited into bodies of water and by environmental factors such as temperature or rainfall. Algal blooms such as Red Tide and Green-Blue Algae can cause respiratory issues in humans and significant outbreaks can lead to beach closures and subsequent economic impacts. Algal blooms can be mitigated by reducing the human factors that can exacerbate biological activity, such as

²⁰² https://www.fema.gov/sites/default/files/documents/fema_funded-wildfire-mitigation-activities.pdf

²⁰³ Florida Building Code 7th Edition, ch.6, (2020))

²⁰⁴ <https://www.news-press.com/story/money/companies/2021/01/07/citrus-trees-florida-lee-homeowners/6561855002/>

reducing the leeching of nutrients from septic tanks into bodies of water. Algal blooms are an ongoing problem for Lee County residents with health warnings being issued as recently as 2023.²⁰⁵

- Coastal erosion can be caused by wind and wave action removing sand from beaches and other coastal areas. This action can expose or even damage infrastructure. Coastal erosion also damages engineered beaches, which are an economic driver for the County. Sea level rise can exacerbate coastal erosion with high water levels bringing wave action more inland. Coastal erosion can be mitigated by maintaining the size and shape of engineered beaches and by installing wave breaks. Environmental harmonious solutions such as constructed oyster beds, mangroves, or marshes can also reduce coastal erosion.
- Droughts occur when an area experiences a rainfall deficit. The lack of rainwater can impact crops, reduces economic capacity, and can lead to residential drinking water wells going dry. Rural residents in the County are more likely to have water wells on their property. While the factors that cause droughts cannot be mitigated, communities can prepare for drought conditions by storing excess water during wetter times. Projects such as aquifer storage and recovery systems or interconnections with more resilient systems can provide water when surface and shallow groundwater sources are scarce.
- Epidemic/Pandemic disease, as evidenced by the recent period of COVID-19, can have dramatic impacts on communities and the economy. Epidemics and pandemics are not localized and require a response from a much larger community than just Lee County. It is feasible to mitigate some of the risk from epidemics and pandemics, but these efforts require largescale buy-in and sacrifice. Disease mitigating measures are typically implemented at the time when an epidemic or pandemic is recognized.
- Excessive Heat is a common occurrence in the state of Florida and is it especially impactful to low income, minority, and working populations as they typically have less access to air-conditioned spaces. The risk of excess heat can be incredibly harmful to humans and cause major short and long-term health impacts. Higher temperatures, lasting for longer durations, are becoming increasingly frequent in southwest Florida. Mitigation measures for excessive heat are becoming more common as temperatures rise due to climate change. These measures can include community cooling systems and the introduction of systems and techniques to reduce heat island effects such as using lighter colored materials and less heat absorbing materials in construction, and by increasing urban tree canopies by planting more trees.

²⁰⁵ <https://www.fox4now.com/news/local-news/lee-county/blue-green-algae-bloom-alert-issued-for-lee-county>

- Extreme cold and freezing is another almost yearly hazard in southwest Florida. While freezing conditions typically have a short duration in this geographical area, as little as four hours of below freezing temperatures can have a major impact on crops and therefore the community economy. Extreme cold also has an impact on humans with those impacts falling on disadvantaged communities similar to excessive heat. Individuals lacking permanent shelter or those whose residences are under-heated can be adversely impacted during extreme cold and freeze periods. Extreme cold and freezing temperatures for vulnerable populations can be mitigated by creating communal heated spaces. Individual agricultural entities can institute measures to protect crops during freezing periods.
- Severe weather can encompass multiple hazards at once. It can include strong, straight-line winds, hail, lightning, and other natural phenomenon that can cause significant property damage and bodily harm. The climate of southwest Florida is conducive to the development of severe weather events resulting in a number of these events occurring every year. While the risk of a negative outcome from any one severe weather event is low, the frequency of these events leads to more damaging occurrences and injuries than other, larger natural disasters.

4. LOCAL HAZARD MITIGATION PLAN

Primary Risks and Exposure Identified in LHMP

The County engaged multiple stakeholders in 2022 to update and clarify the hazards impacting the Lee County community as part of the Joint Local Mitigation Strategy (LMS). The hazards identified are those noted above.

Safety Element of County General Plan

Mitigation is a consideration in multiple County plans including the Lee County Comprehensive Emergency Management Plan²⁰⁶ which explains the processes, procedures, and tools put in place to prevent, prepare for, respond to, recover from, and mitigate against the hazards identified in the Hazard Identification and Risk Assessment.

Threat to Community Lifelines

FEMA has developed the community lifeline program to understand the threats to people and the built environment. The community lifelines include safety and security, food/water/shelter, health and medical, energy, communications, transportation, and hazardous materials. *Table 74* defines how each hazard impacts each community lifeline.

²⁰⁶https://www.leegov.com/publicsafety/Documents/Emergency%20Management/LeeCountyAPPROVED_2019CEMPRedacted.pdf

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Table 76 - FEMA Community Lifelines.

Hazard	Safety and security	Food/water/ shelter	Health and medical	Energy	Communications	Transportation	Hazardous Materials
Flooding	Potential bodily harm	Damage to crops	Damage to medical facilities			Damage to roads and mass transit	Damage or transportation of hazardous material
Storm surge	Potential bodily harm	Damage to crops and water sources	Damage to medical facilities	Damage to power grid	Damage to communications systems	Damage to roads and mass transit	Damage or transportation of hazardous material
Tornadoes	Potential bodily harm		Damage to medical facilities	Damage to power grid	Damage to communications systems		Damage hazardous material facilities
Tropical cyclones	Potential bodily harm	Damage to crops and water sources	Damage to medical facilities	Damage to power grid	Damage to communications systems	Damage to roads and mass transit	Damage or transportation of hazardous material
Wildfires	Potential bodily harm	Damage to crops and water sources			Damage to communications systems		Damage hazardous material facilities
Animal/Plant disease		Damage to crops and animals	Potential medical incidents				
Algal blooms			Potential medical incidents				Direct contribution to pollutant levels
Coastal erosion						Damage to maritime facilities	
Drought		Damage to crops and water sources					
Epidemic/ Pandemic	Potential bodily harm		Potential medical incidents				
Excessive heat	Potential bodily harm	Damage to crops and animals	Potential medical incidents				
Extreme cold/Freeze	Potential bodily harm	Damage to crops and animals	Potential medical incidents				
Severe weather	Potential bodily harm	Damage to crops and water sources	Damage to medical facilities	Damage to power grid	Damage to communications systems	Damage to roads and mass transit	Damage or transportation of hazardous material

Data Source: FEMA, <https://www.fema.gov/emergency-managers/practitioners/lifelines>

5. OTHER FUNDING FOR MITIGATION ACTIVITIES

The County will continue to leverage other funding sources to maximize recovery and resiliency with a continued focus on vulnerable populations. The County has identified the below resources:

Resilient Florida:

In 2021, the State of Florida created the Resilient Florida program under the Florida Department of Environmental Protection (FDEP). The goal of the program is to develop and implement projects that can protect coastal and inland areas from the impacts of sea level rise, intensifying storms, and flooding. The total program has over \$500 million in funding available for studies, planning activities, and construction projects. The projects are evaluated to ensure the final project will increase the resiliency of the area and reduce the risk to life and property from sea level rise and flooding hazards.

Building Resilient Infrastructure and Communities (BRIC)/Flood Mitigation Assistance (FMA):

FEMA manages two annual mitigation programs that are nationally competitive but can provide significant funding to merited projects. The two programs, Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA). In fiscal year 2022, the federal government allocated \$2.295 billion for BRIC projects nationally and \$800 million for FMA.

6. MITIGATION PROJECT FUNDING

Mitigation projects are being funded by FEMA under HMGP. Under this program, FEMA requires a 25 percent local share, which could potentially be subsidized by CDBG-DR infrastructure funding. HMGP projects not eligible for CDBG-DR due to a lack of tieback to Hurricane Ian or not meeting a national objective, would remain an unmet need for the County. Those projects will be evaluated for mitigation funding under CDBG-DR. The HMGP non-Federal cost share unmet need is estimated at \$377,069,006. Additionally, part or all the funding for mitigation projects not meeting the requirements of HMGP would be a significant unmet need for the County.

III. GENERAL REQUIREMENTS

A. CITIZEN PARTICIPATION

1. OUTREACH AND ENGAGEMENT

In the development of this disaster recovery Action Plan, Lee County consulted with disaster-affected citizens, stakeholders, local governments, public housing authorities, and other affected parties in the surrounding geographic area to ensure consistency of disaster impacts identified in the plan, and that the plan and planning process was comprehensive and inclusive.

CDBG-DR funded programs will be marketed via direct outreach and wide-spread marketing to promote the likelihood of underserved populations knowing about and partaking in the programs and activities. Lee County and implementation vendors will create a communications plan and conduct outreach to inform the public and potential contractors of funding opportunities. The County will coordinate with municipalities to ensure the public has physical access to program applications throughout the geographic area and will provide for diversity in application entry points, which should include onsite and mobile application sites. The inclusion of diverse marketing and application methods will ensure that applicants who do not have access to a vehicle, who live in more remote areas of the County, and who are least likely to apply for assistance have access to CDBG-DR funded programs.

Lee County will also ensure meaningful access and equal opportunity to programs for individuals with disabilities and persons with limited English proficiency, including appropriate ADA accommodations and translation of vital documents. All planned communication and information gathered through the citizen participation process will be compliant with Lee County Board of County Commissioners policies in support of the Section 504 and Americans with Disabilities Act, the Civil Rights Act Section VI, Lee County Language Access Plan, and HUD provisions of 24 CFR 8.6 for effective communication with applicants, beneficiaries, and members of the public.

a) **Lee County Recovery Task Force Town Hall Meetings**

The Lee County Recovery Task Force hosted town hall meetings throughout the County to provide residents the opportunity to participate in planning efforts for the Resilient Lee Recovery and Resiliency Plan. The information gathered through those town hall meetings was considered during the development of the CDBG-DR Action Plan. Input gathered during the town hall meetings was analyzed and the priorities below were identified. While the town hall meetings discussed a variety of topics, only those that fall within the CDBG-DR eligible program categories

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are reflected below.



Figure 56 – Top Priority CDBG-DR Eligible Activities identified by the public during Recovery Task Force Town Hall Meetings.

b) Stakeholder Consultations

Lee County recognizes that affected stakeholders are the center of, and partners in, the development and implementation of this plan. Opportunities for citizen input were provided throughout the planning process, including these consultation meetings hosted by Lee County with the following stakeholders:

- June 5, 2023: **Town of Fort Myers Beach**, Fort Myers Beach Town Hall

Summary of Input Received: Town representatives discussed various planning efforts, including planning and zoning studies for affordable housing development, storm water management, and community land trust planning. The Town discussed support for Hurricane Mitigation Grant Programs (HMGP), including potential voluntary buyout programs. The Town shared some ideas related to economic revitalization and workforce housing initiatives.

- June 5, 2023: **City of Bonita Springs**, Lee County Administrative Offices

Summary of Input Received: The City of Bonita Springs provided a list of potential infrastructure projects for discussion. In addition, the City provided a summary of unmet needs, which included the following:

- Lack of qualified housing providers to develop a variety of housing options.
- Lack of alternative transportation options for the households within the city that do not have access to motorized vehicles.
- Lack of access to physical and mental healthcare facilities.
- Lack of public services type activities (e.g., food pantries, housing counseling, etc.).

In addition to the list of unmet needs, city representatives discussed potential planning projects, including septic to sewer conversions and transportation planning. The city discussed the need for workforce housing, specifically for frontline staff and public servants (e.g., teachers, fireman, police, etc.).

- June 8, 2023: **Lee County Departments**, Lee Commission Chambers
 - Public Safety/Emergency Management
 - Utilities
 - Solid Waste
 - Department of Transportation
 - Facilities Construction and Management
 - Parks and Recreation
 - Economic Development
 - Community Development
 - Natural Resources
 - Human and Veteran Services (Homeless Continuum of Care Lead Agency and Entitlement Entity)

Summary of Input Received: Departments provided lists of projects with remaining unmet needs. Nearly 80 projects were submitted, the majority being critical infrastructure and mitigation type projects. The estimated total project costs exceed \$1.5 billion. Department representatives asked questions regarding project eligibility, cross cutting requirements, and ensuring that information requested to understand unmet needs was submitted.

- June 8, 2023: **City of Sanibel**, Lee County Administrative Offices

Summary of Input Received: City representatives discussed various planning efforts, including main street development, park and ride/complete streets and

transportation initiatives, comprehensive land management, and broadband planning. The City discussed support for exploration of underground utility installation. The City identified the need for employee housing, mixed income and mixed-use developments, elevation of housing, and new housing development in partnership with the city's land trust organization. The city identified economic revitalization as a need to assist businesses with severe physical impacts resulting from the storm.

- June 8, 2023: **City of Cape Coral**, Lee County Administrative Offices

Summary of Input Received: City representatives provided an extensive list of unmet needs and potential projects for discussion.

Housing: The City highlighted the importance of providing critical assistance to its most vulnerable populations by repairing damaged homes, expanding access to affordable housing resources, and constructing new homes outside of the existing floodplain. Many homes have experienced damage due to significant surge in the floodplain where rebuilding is unsustainable.

Infrastructure and Public Facilities and Improvements: The City emphasized the need for Infrastructure funding to cover the local cost share of disaster grants from the Federal Emergency Management Agency (FEMA) and the Federal Highway Administration (FHWA) and for disaster-related standalone projects not covered by other grant sources.

Mitigation: The City expressed their need for mitigation measures to reduce the need for costly post-disaster repairs and bring the City up to appropriate building standards.

Economic Development and Revitalization: Building a strong economic base in areas of the city most impacted by Hurricane Ian will help increase the resiliency and the community's ability to withstand future disasters and create opportunities for low- and moderate-income workers.

Planning and Public Services: The City expressed interest in developing comprehensive recovery plans that address ongoing community needs related to housing, infrastructure, and economic development.

Although the City of Cape Coral has demonstrated needs in each program category, during consultation they listed housing, planning, infrastructure/public facilities, and public services as their largest needs. The city expressed interest in Down Payment Assistance or Homebuyer Assistance programs, as well as creating opportunities for single-family homeownership. The City indicated they are planning to use state funding sources to support rehabilitation of housing units, as continued need exists. The city discussed public facility hardening as a priority, including the local domestic violence shelter and community services center.

- June 8, 2023: **Village of Estero**, Lee County Administrative Offices

Summary of Input Received: The Village of Estero provided a list of potential projects for discussion. Village representatives discussed potential planning projects for redevelopment and revitalization of the Olde Estero District. The Village discussed potential street improvement, septic to sewer conversion, and stormwater management projects. The Village also discussed the potential for several mixed income housing developments and voluntary residential buyouts.

- June 9, 2023: **Non-Profit Partners and Housing Authorities**, Lee County Administrative Offices

- City of Fort Myers Housing Authority
- Lee County Housing Authority
- SalusCare
- Affordable Homeownership Foundation
- The Center for Progress and Excellence
- Community Assisted and Supported Living
- Community Cooperative
- Center for Independent Living Gulf Coast
- Abuse Counseling and Treatment
- Centerstone
- Florida Rural Legal Services
- Catholic Charities Diocese of Venice
- Habitat for Humanity
- Goodwill of SWFL
- Boys and Girls Club
- Salvation Army
- Big Brothers Big Sisters

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- Lutheran Services
- Family Health Centers of SWFL
- All Hands and Hearts
- Area Agency on Aging
- Early Learning Coalition of SWFL
- Lee County Housing Development Corporation
- Hope Clubhouse
- Lee Health
- Sally J. Pimentel Deaf and Hard of Hearing Center
- Children’s Advocacy Center
- United Way
- FISH of San Cap
- The Heights Center
- Quality of Life Center

Summary of Input Received: Representatives from more than 30 non-profit partner organizations provided input regarding unmet needs resulting from Hurricane Ian. During consultation, representatives completed polls ranking the most disaster impacted critical lifelines from most severe to least severe. The results of the poll are below.

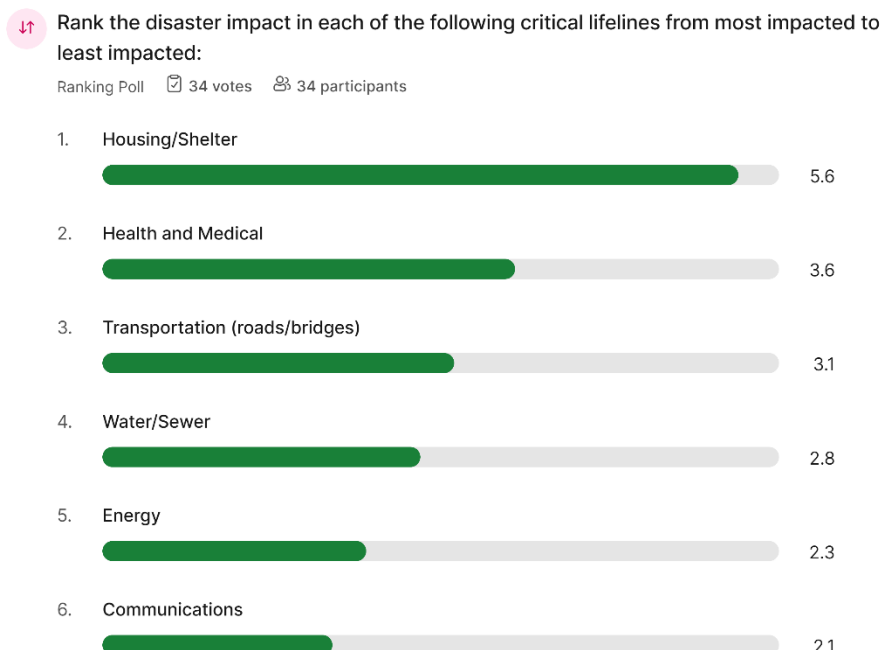


Figure 57 33– Non-profit and Housing Authority Consultation Poll Results

Following input received through the poll, the group discussed specific remaining unmet needs in each of the top three impacted lifelines. The group discussed affordable housing as a top priority need, emphasizing the importance of affordable housing for a sustainable workforce. The group emphasized the importance of housing counseling, foreclosure prevention, and assisting with damaged rental properties to ensure households can remain stably housed. Representatives from local nonprofit organizations emphasized the need for assistance to elderly homeowners, many of whom were uninsured or underinsured at the time of the storm. The group agreed that reconstruction and rehabilitation of homes should be done with mitigation and resiliency measures in mind. The group discussed exploring alternatives to reconstructing mobile homes on barrier islands and developing housing outside of flood prone areas. The group also suggested flood mitigation measures for housing units.

Access to health and medical services, specifically behavioral health, was the second priority for the group. Representatives from local children's services organizations shared that there have been significant increases in maltreatment of children, domestic violence, and behavioral health needs since the storm.

Access to transportation was a third priority for the group. Representatives indicated that many clients had lost cars in the disaster, and due to increasing car insurance rates, many have not been able to replace their cars. Transportation networks to and from the barrier islands were cited as a significant need.

- June 13, 2023: **City of Fort Myers**, Fort Myers City Hall

Summary of Input Received: City representatives discussed various potential project ideas. A top priority for the City of Fort Myers is water and sewer infrastructure, followed by support for the rehabilitation and expansion of their small business enterprise center. The City discussed the need for communications plans to traditionally marginalized groups, as well as direct outreach programs, including door-to-door campaigns, upon program launch. City representatives expressed support and need for housing rehabilitation and housing development projects.

Notification regarding consultation meetings was provided via direct email to stakeholders and municipality partners.

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Notification regarding public meetings was provided via press release, social media, website, email newsletter, and contacts with neighborhood organizations. Notices of meetings and public comment periods, as well as information regarding requesting language interpretation or accessibility accommodations were published in English and Spanish.

In addition to the activities above, Lee County has published this Action Plan on the CDBG-DR Recovery website here: <https://www.leegov.com/recovery/cdbg-dr> for a 30-day public comment period. Citizens were notified through press release, social media, website, email newsletter, and contacts with neighborhood organizations. Lee County will ensure that all citizens have equal access to information, including persons with disabilities (vision and hearing impaired) and limited English proficiency (LEP).

A summary of citizen comments on this Action Plan, along with Lee County responses, is in Appendix F of this document. For more information, citizens can refer to Lee County's Citizen Participation Plan that can be found at <https://www.leegov.com/recovery/cdbg-dr>.

c) Public Comment

The draft Action Plan was available on Lee County's website for public comment between August 1, 2023, and August 31, 2023. A Spanish language executive summary of the Action Plan was provided to ensure access for households who may have limited English proficiency. Public comment was accepted via online webform, email, or in-person during public hearings. A summary of all comments received, and the County's responses are attached in Appendix F.

2. PUBLIC HEARINGS

Public meetings soliciting input regarding the use of CDBG-DR funds, and the draft Action Plan were held in-person at the following times and locations:

Date/Time	Location
August 2, 2023, 5:30 pm	City of Bonita Springs, City Hall 9101 Bonita Beach Road, Bonita Springs, FL 34135
August 3, 2023, 6:00 pm	Cape Coral City Council 1015 Cultural Park Blvd., Cape Coral, FL 33990
August 10, 2023, 5:30 pm	North Fort Myers Recreation Center 2000 N. Recreation Park Way, North Fort Myers, FL 33903
August 15, 2023, 5:00 pm	Town of Fort Myers Beach Diamond Head Beach Resort, 2000 Estero Blvd., Fort Myers Beach, FL 33931
August 16, 2023, 5:30 pm	Veterans Park 55 Homestead Rd., Lehigh Acres, FL 33936
August 22, 2023, 5:30 pm	The Heights Center 15570 Hagie Dr., Fort Myers, FL 33908
August 23, 2023, 5:30 pm	Fort Myers City Council, Stars Complex 2980 Edison Ave, Fort Myers, FL 33916
August 24, 2023, 5:30 pm	Pine Island Elementary School 5360 Ridgewood Dr., Bokeelia, FL 33922
August 31, 2023, 5:30 pm	City of Sanibel, Big Arts Center 900 Dunlop Rd, Sanibel, FL 33957

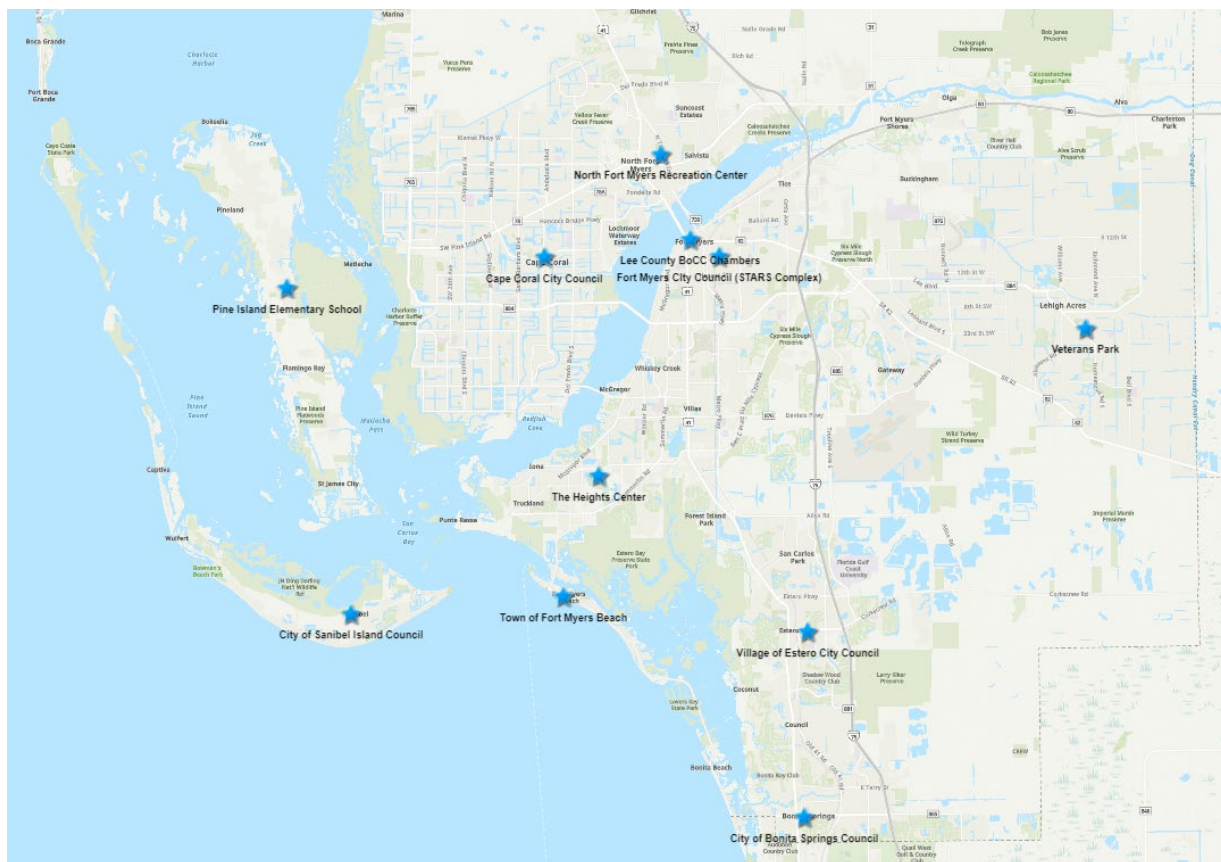


Figure 58 - Public Meeting Locations

Notification regarding all public meetings and the public comment period was distributed via press release, social media, website, email newsletter, and contacts with neighborhood organizations. A press release with the meeting schedule was published on July 24, 2023. Notification regarding the availability of translation services and ADA accommodations for all meetings was made available in English and Spanish within the press release. Several news outlets provided written and on-air coverage of the meeting schedule, and some media were present at meetings. The schedule of public meetings was distributed to local non-profit organizations through Lee County's Human Services Information Network, which provides regular information and updates to more than 500 non-profit and faith-based organizations. Social media posts were made on August 9, 2023, August 14, 2023, and August 21, 2023.

Approximately 196 residents and stakeholders were present at the public meetings. A basic overview of the CDBG-DR process and proposed programs was provided at each meeting, along with question-and-answer sessions, and opportunity for residents to provide input verbally, through written comment cards, or through online survey form. A summary of comments received at each meeting is provided below.

a) City of Bonita Springs

City Council members asked several clarifying questions about the Long-Term Recovery Task Force and housing programs. Two members of the public spoke regarding commercial corridor revitalization programs. Inquiries were made about when applications for funding will be made available, and specific program guidelines, such as expected rental housing rates for CDBG-DR assisted projects.

b) Cape Coral City Council

Public and stakeholders presented questions regarding the development of affordable housing and assistance to individual homeowners.

c) North Fort Myers Recreation Center

Public and stakeholders presented questions regarding assistance to individual households, specifically those residing in mobile homes. Input was provided regarding the need for infrastructure, specifically roadway repairs, in North Fort Myers. Some attendees presented regarding the provision of assistance to small rental property owners, specifically regarding potential duplication of benefits and continued affordability of rent after assistance is provided.

d) Town of Fort Myers Beach

Attendees voiced the need for an economic revitalization program to be included within the draft Action Plan. Attendees also voiced support for housing assistance programs.

e) Lehigh Acres

Public present at the Lehigh Acres meeting asked questions related to individual housing, multi-family housing development, and infrastructure, and expressed particular interest mitigating the impacts of future storms through infrastructure projects.

f) Harlem Heights

Attendees at Harlem Heights presented concerns over income limits restricting access to assistance for households who may have income above 80 percent AMI. One attendee expressed concern over the proposed 5-year mortgage placed on homes assisted with CDBG-DR funds. General questions were presented regarding affordability of housing assisted with CDBG-DR funds, and methods to prevent fraud, waste, and abuse.

g) City of Fort Myers

Residents present voiced concerns about housing affordability and the quality of existing affordable housing stock within the County. Some attendees asked questions regarding the planned NOFA process, specifically requesting for NOFA applications and award information to be made available to the public. Questions regarding the availability of relocation assistance were

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presented, along with a brief discussion regarding the inclusion of economic development programs within the Action Plan.

h) Pine Island

Members of the public presented concerns regarding immediate housing need, including assistance for low-income households to make necessary repairs to their homes. Support for infrastructure improvements on the Island was voiced by many attendees. Representatives from the Greater Pine Island Water Association expressed concern regarding the application process for funds and provided a list of proposed projects to County staff.

i) City of Sanibel

Attendees voiced the need for an economic revitalization program to be included within the draft Action Plan. Others discussed the need for repairs to affordable housing units on the Island, as well as the new development of affordable housing units. One attendee asked about the mitigation and resiliency planning program, and efforts that are planned to ensure more resilient structures will be constructed using CDBG-DR funds.

3. COMPLAINTS

Lee County strives to help meet the needs of all beneficiaries and subrecipients while following the applicable federal, state and/or Lee County regulations and guidelines governing each program. However, there may be instances in which a subrecipient or beneficiary wishes to file a complaint. A complaint is defined as a written or verbal statement or grievance that a situation or behavior is unsatisfactory or unacceptable: (1) a Fair Housing or other discriminatory allegation; (2) an allegation of fraud, waste, or abuse; and/or (3) communication of dissatisfaction of a program and/or personnel. It is the policy of Lee County to provide a clear and fair process for beneficiaries and subrecipients to file a complaint regarding their service or appeal a decision regarding their case.

Beneficiaries or subrecipients have the right to discuss their concerns regarding the eligibility determination, delivery of service, staff actions and/or perceived violation of their rights in a constructive manner.

When appropriate, the County encourages applicants or subrecipients to try to resolve their concerns or disputes directly with a staff person before engaging in a grievance process. If those efforts do not resolve the issue, they may engage the formal complaint procedure. Concerns that are sensitive in nature where the applicant or subrecipient is afraid to address the issue directly with a staff person, should go directly to the Program Manager.

Beneficiaries and subrecipients may express their concerns in writing to the email or mailing address below.

Strategic Resources and Government Affairs staff will investigate the complaint and provide a written response to the beneficiary or subrecipient within 15 working days after receipt of the complaint.

Complaints will be handled sensitively and fairly. A thorough review of any applicable program documentation and contractual agreements will be conducted, as well as careful implementation of policies and procedures, and clear and respectful methods of communication will be used to help prevent and resolve complaints.

The Lee Board of County Commissioners will hear complaints or grievances from the public regarding the development of the Action Plan as well as any substantial amendments to the Action Plan.

The public may submit complaints related to CDBG-DR funded activities through any of the following means:

- Via email at: recovery@leegov.com
- Online at: www.leegov.com/recovery/cdbg-dr
- Mailed to:
Lee County Government County Administration
c/o Strategic Resources and Government Affairs
PO Box 398
Fort Myers, FL 33902

The complaint will clearly state what the activity and associated program is, the nature of the complaint or grievance, and the name, address, and day and evening telephone numbers of the person filing the complaint. Upon receipt of a complaint, County staff will prepare a written substantive response to the complainant within 15 working days.

If necessary, complaints or grievances will be heard in a timely fashion by the Lee County Manager or Assistant County Manager.

The process for complaints regarding fraud, waste, or abuse of government funds can be found

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at www.leegov.com/recovery/cdbg-dr.

Complaints alleging violation of fair housing laws can be made to HUD's office of Fair Housing and Equal Opportunity for Region 4, via phone at (800) 440-8091 or via email to complaintsoffice04@hud.gov.

Complaints regarding fraud, waste, or abuse of funds will be forwarded to the HUD OIG Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.com).

Lee County will make available to HUD detailed Fraud, Waste, and Abuse Policies and Procedures on the Recovery website located at: www.leegov.com/recovery/cdbg-dr to demonstrate adequate procedures are in place to prevent fraud, waste, and abuse.

Appeals

An appeal is a written dispute requesting a reversal or revision of a determination that affects eligibility and/or assistance. Appealable decisions may include determinations of eligibility, award amount, inspection results, and funding requirements.

Policies that have been approved and incorporated by a program, statutory and regulatory requirements/guidelines, may not be appealed. Lee County will implement appeals processes for beneficiaries and subrecipients related to program eligibility and program application process. Details of the point of contact and procedure for submitting the appeal will be detailed in the appropriate program policies and procedures.

B. PUBLIC WEBSITE

Lee County will maintain a public website that provides information accounting for how all grant funds are used, managed, and administered, including links to all disaster recovery Action Plans, Action Plan amendments, program policies and procedures, performance reports, citizen participation requirements, activity and program information described in this plan, and details of all contracts and ongoing procurement processes.

These items are made available through <http://www.leegov.com/recovery/cdbg-dr>. Specifically, Lee County will make the following items available: the Action Plan created using Disaster Recovery Grant Reporting (DRGR) system (including all amendments); each Quarterly Performance Report (as created using the DRGR system); citizen participation plan; procurement policies and procedures; all executed contracts that will be paid with CDBG-DR funds as defined in 2 CFR 200.22 (including subrecipients' contracts); and a summary including the description and

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status of services or goods currently being procured by the grantee or the subrecipient (e.g., phase of the procurement, requirements for proposals, etc.). Contracts and procurement actions that do not exceed the micro-purchase threshold, as defined in 2 CFR 200.67, are not required to be posted to a grantee's website.

In addition, Lee County will maintain a comprehensive website regarding all disaster recovery activities assisted with these funds. The website will be updated in a timely manner to reflect the most up to date information about the use of funds and any changes in policies and procedures, as necessary. At a minimum, updates will be made quarterly.

The website is navigable by all interested parties from the Lee County homepage and links to the disaster recovery website. All materials are published in a form accessible to persons with disabilities and LEP individuals. All websites and documents are translated in accordance with Lee County Limited English Proficiency Policy and Plan

([https://www.leegov.com/civilrights/Documents/FY23-24 Lee TitleVI Nondiscrimination%20%20LEP%20Plan%20061223.pdf](https://www.leegov.com/civilrights/Documents/FY23-24%20Lee%20TitleVI%20Nondiscrimination%20%20LEP%20Plan%20061223.pdf)), and Lee County's Language Access Plan. The website is able to be translated to a variety of languages, including Spanish, using one-click translation at the top of each page.

The website is maintained in a manner that is accessible to persons with disabilities, in accordance with 24 CFR 8.6, and Lee County's ADA policies outlined here: <https://www.leegov.com/ada>. These documents are made available on the County's official disaster recovery website, <https://www.leegov.com/recovery/cdbg-dr> to ensure the public knows how all funds are used and administered.

The CDBG-DR section of the recovery website is updated at least quarterly by the Office of Strategic Resources and Government Affairs or by the Lee County Community Engagement department in accordance with the requirements of the federal register and the Lee County Website Standards Guidebook.

C. AMENDMENTS

Over time, recovery needs will change. Thus, Lee County will amend the disaster recovery Action Plan as often as necessary to best address its long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop over time, an amendment may not be triggered if the program or activity is consistent with the descriptions provided in this plan.

Amendments will clearly identify the changes including what content is being added, deleted, or changed, and will include a chart or table that clearly illustrates where funds are coming from and to where they are being moved. Further, any changes resulting in a budget amendment will include a revised budget allocation table that reflects the entirety of all funds.

1. SUBSTANTIAL AMENDMENTS

A substantial amendment to the CDBG-DR Action Plan is defined as follows:

- a. A change in program benefit or eligibility criteria;
- b. The addition or deletion of an activity;
- c. The allocation or reallocation of funds which exceeds or is expected to exceed 5 percent of the current total approved budget;
- d. A material change occurs. A material change is a change in circumstances within Lee County that affects the information on which the Action Plan is based to the extent that the analysis or the priorities and goals of the Action Plan no longer reflect actual circumstances. Examples include Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), that are of such a nature as to significantly impact the anticipated beneficiaries; project or activity scope; significant demographic changes; new significant contributing factors or unmet needs in the jurisdiction; and/or
- e. Upon HUD's written notification specifying a material change that requires the revision.

Substantial amendments are subject to the citizen participation process. Therefore, a public notice of the proposed substantial amendment will be issued and will allow for a 30-day public comment period. When Lee County pursues the substantial amendment process, the amendment will be posted at <https://www.leegov.com/recovery/cdbg-dr> for a 30-day public comment period. The amendment will be posted in adherence with ADA and LEP requirements. Lee County will review and respond to all public comments received and submit to HUD for approval.

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Notice of the amendments will be posted on the Lee County CDBG-DR website, which is accessible through any internet connection, including those at public libraries. Comments or views received orally or in writing will be considered in preparing the substantial amendment. A summary of the comments or views and Lee County's responses will be included with the final substantial amendment to the CDBG-DR Action Plan.

2. NON- SUBSTANTIAL AMENDMENTS

Non-Substantial Amendments include technical corrections and clarifications and budget changes that do not meet the monetary threshold for substantial amendments to the plan and does not require posting for public comment Lee County will notify HUD five (5) business days before the change is effective.

Every amendment, substantial or not, is numbered sequentially and posted on the website into one final, consolidated plan.

3. AMENDMENTS IN SEQUENTIAL ORDER

A summary of amendments is provided below.

Amendment 1 - Substantial:

Substantial Amendment 1 was made available for public comment between November 8, 2023, and December 8, 2023. Comments were be received via email to recovery@leegov.com or online at www.leegov.com/recovery.

A summary of amendments is provided below. A summary of comments received, and responses are included in Appendix F.

Project(s)	Amendment/Description	Funding or Performance Impact
Affordable Multi-Family Housing Development and Preservation	Increase maximum per unit subsidy for multi-family housing development and preservation activities. The maximum subsidy for multi-family housing development and preservation activities was previously set at \$200,000 per unit. The per unit maximum is being increased to \$250,000 to better align with current construction costs.	The estimated number of households provided housing through this project is being reduced from 1,750 to 1,400.
	Increase affordability period for newly constructed multi-family housing units to 30 years and clarify that repayment and/or amortization will be determined through funding application process.	No change.
Affordable Single-	Change amortization for mortgages placed on newly	No change.

Project(s)	Amendment/Description	Funding or Performance Impact
Family Housing Development and Preservation	constructed single-family housing units. The Action Plan did not include any amortization. Mortgages placed on the units will reduce at 6.667% per year beginning after year 5.	
Individual Housing Rehabilitation, Reconstruction and Elevation Home Purchase Assistance	Adjust application prioritization to include households with household members who are under the age of 18, over the age of 62, or who have a disability. The previous prioritization did not include households with members who were under the age of 18.	No change.
Individual Housing Rehabilitation, Reconstruction and Elevation Individual Housing Rehabilitation, Reconstruction and Elevation	Remove requirement for owner of a rental unit to have had a lease with a renter at the time of the disaster.	No change.
	Modify and expand the definition of housing that is not suitable for rehabilitation. Housing units that are condemned, tagged for demolition, have been demolished, are deemed not safe for rehabilitation by a structural engineer, slab on grade requiring elevation, or mobile home units exceeding \$25,000 in necessary repairs are not suitable for rehabilitation and will be assessed for reconstruction or replacement.	No change.
Voluntary Residential Buyouts	Change program from buyout to acquisition to allow greater flexibility in long-term use of acquired parcels. Remove program requirements for buyouts and temporary relocation assistance.	No change.
	Update eligibility for Voluntary Residential Acquisition to clarify that an applicant must have owned and occupied, as their primary residence, a repetitive loss property at the time of disaster and still own the damaged home.	No change.
HMGP Infrastructure Match Funding	On October 23, 2023, the Florida Division of Emergency Management announced the addition of \$95,551,136.58 to Lee County's allocation of HMGP funds. Lee County will be required to provide a new total match of \$131,778,265. To meet the new match requirement, Lee County is reallocating \$18,447,070. from the Voluntary Residential Acquisition project. The project name is also being adjusted to include "Public Facility" to ensure clarity that match may be provided for public facilities or infrastructure. The maximum per project award amount is being removed. Lee County will determine maximum	Reducing budget for Voluntary Residential Acquisition by \$18,447,070. New allocation for this project will be \$56,552,930. The estimated number of households provided housing through Voluntary Residential Acquisition is being reduced from 129 to 85.

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Project(s)	Amendment/Description	Funding or Performance Impact
	amounts on a case-by-case basis, as necessary to meet global match requirements.	Increasing budget for HMGP Infrastructure Match to \$131,778,265.
Planning	Change threshold requirement for planning to ensure that the applicant has provided evidence that the planning effort will be undertaken within the entity's area of jurisdiction.	No change.
All projects	Add clarification that additional eligibility criteria will be defined in program policies and procedures.	No change.
	Change "municipality" to "Unit of General Local Government" throughout the Program Details section of the Action Plan to ensure inclusion of all eligible applicants.	No change.
	Remove statutory citations, only regulatory citations are needed within the action plan.	No change.

Amendment 2 – Non Substantial:2/21/2024: The Program Budget on page 218 had an addition error in the Housing Program total. It has been corrected to \$641,552,930.

Amendment 23 - Substantial: This Substantial Amendment was not accepted.

Amendment 3 – Non Substantial:

Project(s)	Amendment/Description	Funding or Performance Impact	Action Plan Pages
Individual Housing Rehabilitation, Reconstruction and Elevation	Remove "Must not have received or expect to receive insurance, FEMA, or other payments for housing repair or replacement that are collectively equal to or greater than \$250,000." from applicant eligibility criteria to alleviate confusion regarding duplication of benefits and eligibility requirements.	No Impact	247
All Projects	Clarify language related to the acquisition of temporary and permanent easements necessary for the completion of CDBG-DR eligible projects, primarily those related to public facilities and critical infrastructure.	No Impact	190-191
All Projects	Corrections made on Program Budget to	No Impact	218

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Project(s)	Amendment/Description	Funding or Performance Impact	Action Plan Pages
	reflect current program guidelines and ensure alignment with Program Details section of the Action Plan.		
All Projects	Correct non-substantial and substantial amendment numbering sequence to align with HUD's Disaster Recovery Grant Reporting System.	No Impact	Record of Amendments and 189

Amendment 4 – Non Substantial:

Project(s)	Amendment/Description	Funding or Performance Impact	Action Plan Pages
Critical Infrastructure and Public Facilities	Increase project budget by \$6,616,189 being reallocated from the planning project.	New critical infrastructure and public facilities project budget is \$245,771,944.	220, 238
Planning	Reduce project budget by \$6,616,189 and reallocate funds to critical infrastructure and public facilities project.	New planning project budget is \$18,383,811.	220, 264

D. DISPLACEMENT OF PERSONS AND OTHER ENTITIES

To minimize the displacement of persons and other entities that may be affected by the activities outlined in this Action Plan, Lee County will coordinate with all subrecipients, implementation vendors, and Lee County departments to minimize displacement. Should any proposed projects or activities cause the displacement of people, the County has adopted a CDBG-DR specific Residential Anti-Displacement Relocation Assistance Plan (RARAP) policy to ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended, are met.

Lee County will plan and implement programs that minimize, whenever possible, the displacement of individuals and families. To lessen the adverse impacts of any displacement that may occur Lee County will provide relocation activities as described in 24 CFR 42, 24 CFR 570.606, and 49 CFR 24.2(d)(1) through (6). Lee County will ensure the requirements of Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA), as amended are met through adoption of a separate RARAP for CDBG-DR purposes, to include applicable waivers and alternative requirements identified in FR-6368-N-01.

The County has budgeted for temporary and permanent voluntary relocation activities within the Individual Housing, Rehabilitation, Reconstruction and Elevation and Voluntary Residential Acquisition Programs described in this plan. The CDBG-DR specific RARAP will describe specific relocation activity budget caps for relocation activities for any CDBG-DR funded programs that displace either homeowners or tenants.

Lee County plans to minimize displacement of persons or entities and assist persons or entities displaced because of implementation of a project utilizing CDBG-DR funds. Neither the CDBG-DR RARAP policies nor the provisions outlined in this plan are intended to limit the ability of the County or any subrecipients from conducting buyouts or acquisitions for destroyed or extensively damaged units or units in a floodplain.

Lee County does not anticipate engaging in projects that may result in involuntary participation, however some projects, primarily those related to public facilities or infrastructure, may require Lee County or subrecipients to obtain temporary or permanent easements for completion. Lee County and subrecipients must obtain the proper easements or voluntary acquisition of property to be eligible to participate in the Program. However, for municipalities that wish to use the power of eminent domain and the property is needed for a critical public service, Lee County will review those projects on a case-by-case basis.

Lee County will consider the potential impacts on residents. If an identified project results in owner-occupants or tenants leaving their homes involuntarily (being displaced), the tenants may be eligible for Relocation Assistance under the URA. These requirements apply to the relocation of any displaced person as defined at 49 CFR § 24.2(a)(9). Displaced persons under this definition must be fully informed about their right and entitlement to relocation assistance and payments provided by the URA and its implementing regulations. Lee County and its subrecipients will adhere to all requirements in 49 CFR § 24.

E. PROTECTION OF PEOPLE AND PROPERTY

Lee County and its political subdivisions are responsible for the preservation of life, property, and the environment during times of disaster. Many of the projects and activities outlined within this plan align with the [Joint Local Mitigation Strategy](#), which forms the foundation for minimizing the risks posed to life and the built and natural environments through the implementation of short- and long-term mitigation strategies. In conjunction with prevention, protection, preparedness, response, and recovery efforts, the strategy builds resiliency into the communities that make up Lee County and its political subdivisions. See Section III.E. for more information regarding Lee County's Preparedness, Mitigation and Resiliency efforts.

Lee County intends to promote high quality, durable, energy-efficient, sustainable, and mold-resistant construction methods in areas impacted by the disaster. All new construction, rehabilitation, and reconstruction must meet all local and state building codes, standards, and ordinances. Future property damage will be minimized by requiring that any rebuilding is done according to the best available science for that area with respect to base flood elevations. Details related to specific categories, construction standards, and mitigative requirements will be provided in the program policies and procedures. See Section III.E.3. for additional information regarding construction standards.

1. ELEVATION STANDARDS

To ensure future flood resistance and the safety of local residents and visitors, Lee County will ensure that contractors and subrecipients comply with elevation standards established by FEMA and its National Flood Insurance Program (NFIP) defined at 44 CFR 59.1, Insurance and Hazard Mitigation, and 24 CFR 55.2(b)(10). All programs for new construction and repair of substantially damaged or substantially improved structures will meet these guidelines:

- For new construction, repair of substantially damaged, or substantial improvement structures principally for **residential use** and located in the 1 percent annual (or 100-year) floodplain must be elevated with the lowest floor, including the basement, at least two feet above the 1 percent annual floodplain elevation.
- **Mixed-use structures with no dwelling units and no residents** must be elevated or floodproofed up to at least two feet above the FEMA-designated base flood elevation in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard.
- **All Critical Actions, as defined at 24 CFR 55.2(b)(3), in the 500-year floodplain** must be

elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)– (3) or successor standard). FEMA Flood Insurance Rate Maps (FIRMs) for Lee County, which were updated effective Nov. 17, 2022, to incorporate advanced wave and surge modeling, include designated 0.2 percent chance (500-year) floodplains with specified base flood elevations. The elevation requirement will be based on the higher of the 500 year floodplain or 3 feet above the 100 year floodplain. Critical Actions are defined as “any activity for which even a slight chance of flooding would be too great, because such flooding might result in loss of life, injury to persons or damage to property.”

- **Nonresidential structures, including infrastructure**, assisted with CDBG-DR funds must be elevated to the standards described in this paragraph or floodproofed, in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(3)(ii) or successor standard, up to at least two feet above the 100-year (or one percent annual chance) floodplain. All Critical Actions, as defined at 24 CFR 55.2(b)(3), within the 500-year (or 0.2 percent annual chance) floodplain must be elevated or floodproofed (in accordance with FEMA floodproofing standards at 44 CFR 60.3(c)(2)– (3) or successor standard) to the higher of the 500-year floodplain elevation or three feet above the 100-year floodplain elevation. If the 500-year floodplain or elevation is unavailable, and the Critical Action is in the 100-year floodplain, then the structure must be elevated or floodproofed at least three feet above the 100-year floodplain elevation. Activities subject to elevation requirements must comply with applicable federal accessibility mandates.

Through local flood hazard ordinances, the Lee County Board of County Commissioners (Ord. 22-30) and all local jurisdictions adopt compliance to FEMA and NFIP elevation standards into their land development codes. These ordinances also comply with the Florida Building Code that incorporates the standards of the NFIP and ASCE 24-14, Flood Resistant Design and Construction.

All Lee County jurisdictions participate in the NFIP and are subject to annual compliance reviews of elevation certificates and site visits on three-to-five-year cycles. Unincorporated Lee County, the Cities of Bonita Springs, Cape Coral, and Sanibel, and the Town of Fort Myers Beach have Class 5 ratings and are subject to cycle visits every three years. The Village of Estero is Class 6, and the city of Fort Myers is Class 9; both are subject to visits every five years. All communities have experience and capacity to meet NFIP elevation requirements and have proven compliance in maintaining elevation certificate records. Elevation compliance reviews will be conducted as part of the routine issuing of building permits for all projects. Lee County will ensure that all work funded by CDBG-DR is properly permitted and inspected.

Note that basement construction is rare in Lee County; stem wall and slab-on-grade construction prevails in the A Zones and construction on piers prevails in the V and Coastal A zones.

Currently, property owners have applied privately for elevation permits for post-Hurricane Irma repair. Analysis of permits in Unincorporated Lee County and in Sanibel yielded an estimated average of \$145 per horizontal square foot. For the FEMA-funded Hazard Mitigation Grant Program, Lee County consultants independently estimated the county-wide elevation cost as \$158 per square foot of the horizontal footprint and additionally evaluated that this amount met FEMA benefit/cost analysis standards for HMGP eligibility. Lee County will use the conservative estimate of \$160 per horizontal square foot in forecasting the cost of elevations.

The continual validation of HUD-funded and privately funded local elevation projects will help ensure that Lee County meets HUD guidelines for determining reasonable cost, including:

- The cost is recognized as ordinary and necessary for the operation of the project.
- The cost favorably compares to market prices for comparable goods or services as evidenced by cost estimates and documentation.
- The individuals responsible for incurring the cost acted with prudence and for the benefit of the organization and its activities.
- The cost has been incurred after following the established practices of the organization, in accordance with the terms and conditions of the award.

Elevation projects will be selected to optimize cost benefits of reducing federal, state, and local expenses for repetitive loss properties; implementing hazard mitigation and resiliency best practices; and protecting the economic and social benefits of preserving housing units and neighborhood culture for low-and-moderate income households and communities for persons 55 and older.

2. FLOOD INSURANCE STANDARDS

In addition to complying with all general federal flood insurance requirements, HUD-assisted property owners must comply with provisions specifically tied to receiving disaster response assistance. Section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4106), requires that recipients of financial assistance maintain flood insurance. Lee County will ensure that property owners in a Special Flood Hazard Area obtain and maintain flood insurance in the amount and duration prescribed by FEMA's National Flood Insurance Program (NFIP) regardless

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of whether there is a federally backed mortgage on the property.

Lee County will not provide disaster assistance for the repair, replacement, or restoration of a property to a person who failed to obtain and maintain flood insurance required as a condition for previous receipt of federal flood disaster assistance in accordance with the National Flood Insurance Reform Act of 1994.

For CDBG-DR properties located outside the SFHA, HUD cannot mandate that flood insurance be purchased and maintained, but Lee County will encourage subrecipients and property owners to follow the best practice. Encouraging local property owners to get flood insurance is a best practice supported by annual messaging in the Lee County Multijurisdictional Program for Public Information, and NFIP Community Rating System program, adopted by all local governments in Lee County.

In addition, Lee County will monitor compliance with flood insurance standards listed at 24 CFR 58.6 to ensure that:

- Flood insurance is provided through the National Flood Insurance Program (NFIP).
- Properties within Lee County's Coastal Barrier Resources Act areas, as amended by the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3501), may not receive HUD assistance.
- Property owners, sellers, and buyers are notified if the property is in a Runway Clear Zone or Clear Zone as defined in 24 CFR part 51 and are informed that the property may later be acquired by the airport operator. The buyer must sign a statement acknowledging receipt of this information.

When a homeowner located in the floodplain allows their flood insurance policy to lapse, it is assumed that the homeowner is unable to afford insurance and/or is accepting responsibility for future flood damage to the home. Higher income homeowners who reside in a floodplain, but who failed to secure or decided to not maintain their flood insurance, should not be assisted at the expense of lower income households. To ensure that adequate recovery resources are available to assist lower income homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance, HUD has established that CDBG-DR funds are prohibited from providing CDBG-DR assistance for the rehabilitation or reconstruction of a house in a floodplain, if:

- The combined household income is greater than either 120 percent of AMI or the national median;
- The property was in a floodplain at the time of the disaster; and
- The property owner did not obtain flood insurance on the damaged property, even when the property owner was not required to obtain and maintain such insurance.

To ensure adequate recovery resources are available to LMI homeowners who reside in a floodplain but who are unlikely to be able to afford flood insurance may receive CDBG-DR assistance if:

- The homeowner had flood insurance at the time of the qualifying disaster and still has unmet recovery needs, or
- The household earns less than 120% AMI or the national median and has unmet recovery needs.

3. CONSTRUCTION STANDARDS

Lee County emphasizes proper assessment of damage and classification of the recovery solution to ensure use of high-quality, durable, sustainable, and energy efficient construction methods and materials. Local government has the responsibility for enforcement, interpretation, and regulation and the County will require quality and code compliance inspections on all projects. The County will require construction standards set by the International Code Council (I-Code) from which Florida's Building Code and Lee County's Land Development Code are based.

Newly constructed or reconstructed housing must achieve a minimum energy efficiency standard. Specific requirements will be outlined within programmatic policies and procedures, but may include (i) ENERGY STAR (Certified Homes or Multifamily High-Rise); (ii) DOE Zero Energy Ready Home; (iii) EarthCraft House, EarthCraft Multifamily; (iv) Passive House Institute Passive Building or EnerPHit certification from the Passive House Institute US (PHIUS), International Passive House Association; (v) Greenpoint Rated New Home, Greenpoint Rated Existing Home (Whole House or Whole Building label); (vi) Earth Advantage New Homes; or (vii) any other equivalent energy efficiency standard acceptable to HUD.

All rehabilitation, reconstruction, or new construction must meet an industry-recognized standard as outlined in Consolidated Notices II.B.2.a. Depending on the recovery program and activity, the specific standard that meets the program need will be defined in the project file and the policies and procedure for the specific response. Funded projects will be required to meet a Green and Resilient Building Standard, an industry-recognized standard that has achieved

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certification under (i) Enterprise Green Communities; (ii) LEED (New Construction, Homes, Midrise, Existing Buildings Operations and Maintenance, or Neighborhood Development); (iii) ICC–700 National Green Building Standard (NGBS) Green or NGBS Green+ Resilience; (iv) Living Building Challenge; or (v) any other equivalent comprehensive green standard.

For rehabilitation of non-substantially damaged residential buildings, Lee County will follow the guidelines to the extent applicable to the building type being retrofitted, as specified in the HUD CPD Green Building Retrofit Checklist. When older or obsolete products are replaced as part of rehabilitation work, the project is required to use the materials and equipment specified in the checklist (e.g., Energy Star-qualified, Water Sense-labeled, or Federal Energy Management Program (FEMP)-designed products and appliances).

For infrastructure projects, Lee County will encourage, to the extent practicable, implementation of sustainable planning, and design methods that promote adaptation and resilience.

All projects and activities must comply with Lee County regulations that are consistent with, or more stringent than, the flood resistant construction requirements in the Florida Building Code and applicable floodplain management regulations set forth in 44 C.F.R. Part 60.

Lee County will incorporate mitigation measures for all construction activities as described in Consolidated Notice II.A.2.b. Resilience performance metrics, as described in Consolidated Notice II.A.2.c will be established for new constructions, reconstructions, or residential and non-residential rehabilitations. The standard will show an estimate of the projected risk to the completed activity from natural hazards, identification of the mitigation measures that will address the projected risks, and an assessment of the benefit of the grantee's measures through verifiable data. Contractor compliance with Florida's adopted IBC and IRC ensures compliance with FEMA's hazard-resistant building code (2018 or later IBC and IRC) that is consistent with National Flood Insurance Program, and incorporates best practices identified in post-disaster investigations.

a) COST CONTROLS

All projects will be subject to cost reasonableness standards as outlined in the policies and procedures of the program specific to the applicable activity. Per 2 CFR 200.404, "A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost." Lee County will evaluate the estimated costs of all projects prior to final award and aim to ensure limited change orders, whenever possible. Costs will be evaluated based on the

following:

- The cost is recognized as ordinary and necessary for the project.
- The cost is in accordance with market prices for comparable goods or services as evidenced by cost estimates and documentation.
- The individuals responsible for incurring the cost acted with prudence and for the benefit of the organization and its activities.
- The cost has been incurred after following the established practices of the organization, in accordance with the terms and conditions of the award.²⁰⁷

4. CONTRACTOR STANDARDS

Recovery programs implemented by Lee County will incorporate uniform best practices of construction standards for all construction contractors performing work in all relevant jurisdictions. The contractors will be provided descriptions of the required construction standards based on the program and projects as outlined in the policy and procedures. Construction contractors must carry required licenses and insurance coverage(s) for all work performed. Contractors will be required to provide a warranty period of at least 12 months for all work performed. Contractor standards will be enumerated for each program in respective policies and procedures documents and will pertain to the scale and type of work being performed, including the controls for assuring that construction costs are reasonable and consistent with market costs at the time and place of construction.

Lee County will ensure that procurement for all construction contractors is undertaken in accordance with 2 CFR 200. Implementation vendors will be required to provide bid documentation to demonstrate the fair and open competitive application process when requesting reimbursement for construction related costs. Lee County and its implementation vendors will manage the construction process for the rehabilitation or reconstruction of damaged homes on behalf of homeowners, including regular inspections to prevent contractor fraud, poor quality work, and associated issues.

Lee County promotes high quality, durable, and energy efficient construction methods. All construction contractors must ensure that their work meets all locally adopted building codes, standards, and ordinances as evidenced by final certificate of occupancy in addition to meeting the Florida Building Code. In cases of conflicting standards, the more restrictive and higher standard will prevail. Future property damage will be minimized by incorporating resilience

²⁰⁷ <https://www.hudexchange.info/programs/multifamily-housing/financial-management-toolkit/9-basics-of-cost-allocation/9b-reasonable-costs/>

standards through requiring that any rebuilding be done according to the best available science for that area with respect to base flood elevations and the incorporation of at least one HUD approved construction standard outlined in Consolidated Notice II.B.2.a. through II.B.2.d.

Rehabilitation and new construction contract work provided through the Lee County CDBG-DR program described in this Action Plan may be appealed by property owners (as applicable) whose property was repaired or replaced by contractors under the control of Lee County or one of its implementation contractors. Appeals must comply with the policies and procedures of the specific program under which the property was rehabilitated. Additional appeals information is contained in the “Complaints” section of this Action Plan. Beneficiaries will be provided a mechanism to respond to contractor fraud, poor quality work, and associated issues.

a) SECTION 3 COMPLIANCE

Contractors selected by Lee County to preform work under CDBG-DR will make every effort to provide opportunities to low and very-low-income persons by providing resources and information to notify Section 3 individuals and businesses of opportunities in the community.

Lee County’s Section 3 Plan outlines how Lee County and its subrecipients, contractors, and subcontractors will comply with HUD’s Section 3 requirements in implementing all of Lee County’s HUD funded programs. Lee County will, to the greatest extent feasible, ensure that employment and other economic opportunities are directed to low- and very low-income persons (Section 3 workers and Targeted Section 3 workers) and to eligible businesses (Section 3 Businesses) and requires the same of its contractors.

Contractors and subcontractors should make best efforts to provide employment and training opportunities to Section 3 workers within Lee County in the priority order listed below:

1. Section 3 workers residing within the service area or the neighborhood of the project; and
2. Participants in YouthBuild programs.

Contractors and subcontractors must make their best efforts to award contracts and subcontracts to business concerns that provide economic opportunities to Section 3 workers in the following order or priority:

1. Business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or non-metropolitan county) where assistance is available, in the following order of priority (where feasible):
 - a. Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project; and

b. YouthBuild programs.

Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization requirements prior to beginning work and after work is completed.

To assist contractors with meeting or exceeding the Section 3 goals, Lee County will do the following:

1. Maintain a local Section 3 worker/Targeted Section 3 worker database and provide the contractor with a list of interested and qualified Section 3 workers and Targeted Section 3 workers and contact information. (<https://www.hacfm.org/doing-business/section-3/>)
2. Share the County's Section 3 Plan with contractors and subcontractors and explain policies and procedures.
3. Encourage contractors wishing to submit a bid/offer/proposal to attend a pre-bid/proposal meeting.
4. Require contractor to sign the Section 3 Plan.
5. Review Section 3 benchmarks and prioritization of effort with contractors and subcontractors to ensure that the goals are understood. It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to meet Section 3 benchmark goals by utilizing existing qualified workforce and by considering qualified eligible Section 3 workers and Targeted Section 3 workers (per the prioritization of effort outlined in Section 3) before any other person, when hiring additional employees is needed to complete proposed work to be performed with HUD Funded Projects.
6. At the time of bid, require the contractor to present a list, of the number of total labor hours, Section 3 worker labor hours, and Targeted Section 3 worker labor hours expected to be generated from the initial contract and a list of projected number of available positions, to include job descriptions and wage rates.
7. Inform contractors about the HUD Section 3 Opportunity Portal <https://hudapps.hud.gov/OpportunityPortal/>
8. Require contractors to notify Section 3 Coordinator of their interests regarding employment of Section 3 workers prior to hiring.
9. Encourage local businesses to register on the HUD Business Registry and direct

contractors to the HUD Section 3 Business Registry

<https://www.hud.gov/section3businessregistry>

10. Leverage Lee County 's communication outlets (social media, website, etc.) to effectively communicate employment and contracting opportunities that arise.
11. Require contractors to submit a list of core employees (including administrative, clerical, planning and other positions pertinent to the construction trades) at the time of contact award.

Lee County will report Section 3 accomplishments in the Disaster Recovery Grant Reporting (DRGR) system.

5. PREPAREDNESS, MITIGATION, AND RESILIENCY

Resilience is defined as a community's ability to minimize damage and recover quickly from extreme events and changing conditions, including natural hazard risks. Whenever possible, Lee County will leverage CDBG-DR funds with other federal and state sources to reduce long-term vulnerabilities through the mitigation projects and activities outlined within this plan. These mitigation projects and activities are designed to increase resilience to future disasters and will reduce or eliminate the long-term risk of loss of life, injury, damage to and loss of property, and suffering and hardship.”²⁰⁸

To develop these mitigation and resiliency projects and activities, Lee County focused on the following goals, as outlined in the [Local Mitigation Strategy](#):

- Preventative activities that focus on reducing the risk to people, property, and the environment from identified hazards.
- Property protection activities to reduce or avert property damage on a building-by-building or parcel basis.
- Natural resource protection activities to preserve or maintain natural areas.
- Emergency services measures or activities, taken during any disaster incident caused by a hazard, which reduces the hazard's impact.
- Structural projects that minimize or wholly reduce a hazard's impact.
- Public information activities that advise property owners, potential property owners, and visitors about hazards and ways to protect people and property.

²⁰⁸ https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR_Mitigation_Set-Aside.pdf

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- Pre- and post-disaster redevelopment and mitigation policies and procedures designed to reduce or avert potential for risks from future hazards.

a) PROTECTING PEOPLE AND PROPERTY FROM HARM

At the operations level, tasks related to protecting people and property are coordinated by the Department of Public Safety's Division of Emergency Management. Primary guidance documents and standard operating procedures include:

- [Comprehensive Emergency Management Plan](#)²⁰⁹ (CEMP) – this is the operational guide in preparing for, responding to, and recovering from those natural and man-made hazards that require emergency actions by Lee County.
- [Hazard Identification and Risk Assessment](#)²¹⁰ (HIRA) – this document provides the foundation for prevention, preparedness, response, recovery, and mitigation activities.
- [Joint Local Mitigation Strategy](#)²¹¹ (LMS) – this document includes maintenance and implementation of a Mitigation Action Plan and a Mitigation Project List. The LMS is the mechanism that the Disaster Advisory Council (DAC) utilizes to rank and recommend projects that use Hazard Mitigation Grant Program funds.
- Disaster Recovery Plan (DRP) – this document, when used in conjunction with the Joint Local Mitigation Strategy, addresses community vulnerabilities and resiliencies.
- Continuity of Operations Plans – these plans are created and maintained for County departments to ensure continued government services and response operations during times of significant disruption, such as the loss of government facilities or staff.

The County coordinates with community partners to maintain and improve the County's Community Rating System (CRS) score, which is part of the National Flood Insurance Program. As part of its NFIP membership, all local governments within Lee County approve a joint Multijurisdictional Program for Public Information (PPI) for annual outreach and marketing about

²⁰⁹ Lee County's Comprehensive Emergency Management Plan

https://www.leegov.com/publicsafety/Documents/Emergency%20Management/LeeCountyAPPROVED_2019CEMPRedacted.pdf

²¹⁰ Lee County's Hazard Identification and Risk Assessment

<https://www.leegov.com/publicsafety/Documents/Emergency%20Management/2022%20Hazard%20Identification%20and%20Risk%20Assessment.pdf>

²¹¹ Lee County's Local Mitigation Strategy

<https://www.leegov.com/publicsafety/Documents/Emergency%20Management/Joint%20Local%20Mitigation%20Strategy%20-%202022.03.pdf>

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flood risk and resiliency. Target audiences for this annual messaging are property owners and tenants in repetitive loss areas, permit applicants, the media, and the general public.

Independent of the PPI, Lee County collaborates with local news media, educational institutions, public service groups, and other agencies to deliver education and information programs describing the risks of natural and man-made hazards and actions necessary to mitigate potential damages from such hazards. The County manages several public warning notification and alert programs, including: LeeAlert, EAS, IPAWS and Wireless Emergency Alerts, www.LeeEOC.com, social media, and the LeePrepares App to distribute information and warnings related to disasters.

Lee County has a robust emergency transportation plan in coordination with Lee County's Transit Department, Lee Tran. This transportation plan creates bus routes that span the County and provide transportation for residents to public shelters in the event of an emergency. Residents may sign up ahead of time to access this program for direct pickup or may ride any of the buses for free to take them to a public shelter. Focus is placed on LMI and underserved communities to ensure they have the means of transportation to make it to a shelter.

To protect special needs and vulnerable populations, the County conducts regular reviews of Lee County healthcare facility emergency management plans and develops and maintains a Special Needs Registry in conjunction with the State of Florida Department of Health (FDOH). This registry is statutorily required and allows FDOH and Public Safety to assist individuals with special needs during an emergency.

During emergency events, the County coordinates and cooperates with the FDOH and the Lee County School District to plan for and operate one or more special needs shelters and multiple general population shelters, as needed. A citizen information hotline allows residents to dial 211 and speak to a representative that can provide critical and up-to-date information on an emergency and the response efforts undertaken.

The County also spearheads volunteer and donations programs that include coordination with nonprofit organizations and faith-based organizations.

Emergency Preparedness requires the cooperation of many different multijurisdictional agencies in preparation for and during an emergency. The Public Safety and Emergency Management

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teams provide regular outreach, training, and resources to the community to provide awareness to threats and resources for community preparedness. Examples include:

- Publication of the All-Hazards Guide, which provides resources and information on the hazards that face the community and how to prepare for and mitigate them. This Guide is available online and in print in English, Spanish, and Haitian Creole and for distribution during Hurricane Season utilizes a variety of media-based and private outreach programs.
- Family Emergency Plan – A plan that should be implemented by every household to prepare their family with the resources and information they need to prepare for a hurricane or other hazard.
- Information on evacuation zones so that if an evacuation is called for a particular zone, the residents will know which zone they are and whether they have been called for evacuation.
- Hurricane Preparedness Videos – videos put together by the Emergency Management team to provide useful information for residents to prepare for and respond to a hurricane.

Lee County's Comprehensive Plan, the Lee Plan, establishes objectives and policies to help prevent and mitigate threats from natural disasters by reducing their potential impact on future development and responding efficiently to disasters and hazards after the fact. This particularly includes Section 6: Conservation and Coastal Management, which complies with Florida statutory requirements (F.S. 163.3178) to avoid irreversible and irretrievable loss of coastal zone resources. See details in Section W: Land Use.

b) MITIGATION CONSTRUCTION STANDARDS

Lee County will support high quality, durable, energy efficient, sustainable, and mold resistant construction through the design of standard bid specifications for housing projects. For both housing and infrastructure projects, each bid specification will incorporate best practices for ensuring sustainability. See Section III.E.3. Construction Standards for additional information regarding the Florida Building Code and Lee County's Land Development Code.

Regarding resiliency, climate-related risks including sea level rise, high winds, storm surge, and flooding, Lee County complies with Resilient Florida requirements as outlined in F.S. 380.093 and subsequent rulemaking of the Florida Department of Environmental Protection. Lee County is conducting the state-recommended countywide assessment of risk to critical assets from flooding that results from increases in frequency and duration of rainfall events, storm surge from more frequent and severe weather systems, and sea level rise. Transportation assets, potable

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water and wastewater systems, debris management systems, electricity production and supply systems, communication facilities, and critical community services and emergency response facilities are among the critical assets being assessed.

Results of this assessment are expected in the summer of 2025 and with emerging rulemaking by DEP may influence construction standards for CDBG-DR projects.

c) LAND USE

Lee County and its political subdivisions make use of building codes and land use ordinances to incorporate mitigation into the built and natural environments. These entities also participate in local and regional planning and engineering projects to study natural phenomena (such as water flow) and its interaction with people, economics, and the built environment. Recommendations for additional or revised codes and ordinances come from these efforts, as do proposals and designs for mitigation projects.²¹²

Lee County's Comprehensive Plan, the [Lee Plan](#), outlines the County's land-use decisions that focus on mitigation of future natural hazard risks, including climate-related risks, and removing people and property from harm's way; and increasing awareness of the hazards in their communities (including underserved communities) through outreach. Lee County's land development regulations aim to reduce the vulnerability of development from the threats of natural and manmade hazards. (Ord. No. [94-30](#), [00-22](#), [07-12](#), [16-07](#), [18-28](#)). Lee County requires additional setbacks in critical erosion areas, conservation and enhancement of dunes and vegetation, flood proofing of utilities, structural wind resistance, and floodplain management. (Ord. No. [18-28](#))²¹³

Lee County's Emergency Management personnel participate in reviews of Community Development Orders in Lee County to ensure residential and healthcare development account for tropical cyclones and sheltering needs and considerations, which includes providing analyses of estimated storm surge in areas considered for development and reviewing emergency preparedness plans.

d) RECOVERY PLANNING

Lee County's Comprehensive Emergency Management Plan (CEMP) and Long-Term Recovery Plan outline how Lee County transitions from emergency response to short-term and long-term recovery planning. These documents consider sound, sustainable long-term recovery planning informed by a post-disaster, multijurisdictional evaluation of the hazard. Lee County's Division of

²¹² Lee County's Joint Local Mitigation Strategy

<https://www.leegov.com/publicsafety/Documents/Emergency%20Management/Joint%20Local%20Mitigation%20Strategy%20-%202022.03.pdf>

²¹³ The Lee Plan <https://www.leegov.com/dcd/Documents/Planning/LeePlan/LeePlan.pdf>

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Emergency Management coordinates the adaptable Local Mitigation Strategy approved by the Disaster Advisory Council (DAC). All local governments, tax-supported agencies, private utility services, and non-profit groups integral to emergency response and recovery are represented on the DAC. The Florida Department of Emergency Management (FDEM) oversees the DAC process for approving the LMS and its post-disaster project list, an important requirement for Lee County's receipt of FEMA Hazard Mitigation Grant funding.

All uses of CDBG-DR funds as envisioned in this Action Plan and implemented in its activities will comply with these local and state initiatives for recovery planning.

Specific to Hurricane Ian recovery, the County formed the Resilient Lee Long Term Recovery Task Force to engage municipalities, stakeholders, and residents to develop a long-term recovery and resiliency plan based on the FEMA National Disaster Recovery Framework. The Recovery Task Force (RTF) is composed of eight branches that bring together public, private, and non-profit sector subject matter experts. These branches will review research, data, and analysis from initial and ongoing community engagement and confirm findings. Branches will identify solutions and engage key partners who may have insight into how to address issues. The work of that Task Force is on-going and will address planning and capacity, economic recovery, education and workforce, health and social services, housing, infrastructure, national resources, and cultural resources. Task force input is part of the considerations for crafting this Action Plan and future activities.

Lee County's longstanding relationships with FEMA through the Florida Department of Emergency Management and with HUD through its Community Development Block Grant program administered by the Lee County Department of Human and Veteran Services will ensure that this CDBG-DR Action Plan and its future activities, like all future recovery efforts, continue local momentum toward feasible, cost-effective measures to ensure that Lee County is resilient against a future disaster.

e) **MITIGATION SPECIFIC ACTIVITIES**

HUD permits Lee County to fund eligible mitigation activities that respond to the mitigation needs assessment. Lee County will ensure that at least \$144,506,000 is allocated for activities that mitigate the fiscal and human costs of disaster and ensure improved resiliency to future hazards. Applications for proposed mitigation activities under the County's CDBG-DR program must state whether proposed projects respond directly to disaster related risks and impacts or projected hazard risks unrelated to Hurricane Ian.

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In compliance with Section II.A.2 of the Federal Register Notice, Lee County will use CDBG-DR funds to support feasible, cost-effective measures that will make communities more resilient against a future disaster. Whenever possible, Lee County will leverage CDBG-DR funds with other federal and state sources to undertake mitigation activities.

This Action Plan accomplishes both objectives by proposing to use CDBG-DR as the required 25 percent local match for FEMA's Hurricane Mitigation Grant Program (HMGP) administered by the Florida Division of Emergency Management. As allowed in Section II C.3 of the Consolidated Notice, this plan allocates approximately \$113,331,195 in CDBG-DR funds to cover the expected need for a 25 percent local match based on the FEMA and FDEM conservative estimate of a more than \$330 million HMGP award to Lee County jurisdictions.

Lee County will document that CDBG-DR funds have been used for the eligible, actual costs incurred and have been accurately accounted for in duplication of benefits calculations according to Section II.C.3 of the May 18, 2023, Notice. The matched HMGP projects must also meet a national objective or other applicable CDBG requirements. HMGP match projects may address an unmet recovery need or mitigation need identified in the mitigation needs assessment. Wherever possible, Lee County will encourage applicants to propose match projects that have a tie-back to Hurricane Ian. If no tieback exists, applications will be evaluated for funding through HUD's mitigation set-aside.

Section II.A.2.c of the Consolidated Notice requires grantees to establish resilience performance metrics for mitigation activities, particularly for construction, reconstruction, or rehabilitation of residential or non-residential structures. Lee County has also incorporated resilience and hazard mitigation performance metrics into all CDBG-DR funded projects wherever possible to increase resilience from future disasters. Specifically for mitigation projects, Lee County will:

1. Forecast the projected risk to the completed activity from natural hazards, including those hazards that are influenced by climate change.
2. Identify the mitigation measures that will address the projected risks, for example:
 - Housing: Residential elevations, replacements, and new construction will be completed to at least 2 feet above base flood elevation;
 - Housing: Structures acquired through voluntary acquisition in the Special Flood Hazard area will be demolished and the parcel may be used for surface water management or open space, including passive recreation.
3. Assess the benefit of mitigation measures through verifiable data, for example:

- Housing: Lee County will track the number of dwelling units removed or brought into compliance at least 2 feet above base flood elevations within the Special Flood Hazard Area and specifically within NFIP repetitive loss areas.
- Housing: Lee County will track the number of new, flood-compliant dwelling units now available as a result of CDBG-DR investment with specific tracking of the number of units outside the Special Flood Hazard Area.
- Infrastructure: Lee County will track the percentage of funds allocated to projects that increase the number of acres no longer vulnerable to flood events.
- Infrastructure: Lee County will track the percentage of infrastructure funds expended on projects that improve resiliency of critical infrastructure systems (e.g. bridges, tunnels, energy, drinking water, buildings necessary for disaster emergency response) and the percentage that specifically provide service to underserved communities, protected classes (in accordance with fair housing and civil rights laws), and vulnerable populations who have historically been marginalized and can be most adversely affected by disaster.

In all categories of metrics, Lee County will include the percentage of the project that specifically serves underserved communities, protected classes (in accordance with fair housing and civil rights laws), and vulnerable populations who have historically been marginalized and can be most adversely affected by the disaster.

F. BROADBAND INFRASTRUCTURE IN HOUSING

As required by [Federal Register, 88 FR 32046, Thursday, May 18, 2023](#), Lee County will ensure that any substantial rehabilitation as defined by [24 CFR 5.100](#), reconstruction, or new construction of a building with more than four rental units includes installation of broadband infrastructure, except where the County documents that:

- (i) the location of the new construction or substantial rehabilitation makes installation of broadband infrastructure infeasible; or
- (ii) the cost of installing broadband infrastructure would result in a fundamental alteration in the nature of the program or activity, or cause an undue financial burden; or
- (iii) the structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

HUD defines broadband infrastructure as cables, fiber optics, wiring, or other permanent

(integral to the structure) infrastructure including wireless infrastructure, that can provide access to internet connections in individual housing units.

The installed broadband infrastructure must be designed to reliably meet or exceed symmetrical 100 Mbps download and upload speeds. In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, eligible projects may be designed to reliably meet or exceed 100 Mbps download speed and between at least 20 Mbps and 100 Mbps upload speed. This will provide a platform for individuals and families residing in such housing to participate in the digital economy and increase their access to economic opportunities.

Lee County will require documentation of feasibility for implementing the required broadband infrastructure and will perform on-site inspections during construction and post construction to ensure compliance, where applicable.

Lee County will prioritize multifamily housing projects with five or more rental units that provide new or improved access to high-speed internet service. It is preferred that fixed wire broadband access be provided to each rental unit. An alternate solution is to deliver fixed wire broadband to the building and provide the required high-speed internet service to each rental unit by installing wireless access points (WAPs) throughout the building complex.

G. COST EFFECTIVENESS

Lee County will establish policies and procedures to address the assessment of cost-effectiveness of each proposed project or activity to assist a household under any residential rehabilitation or reconstruction, or other activity funded with CDBG-DR funds. Policies and procedures will also be established to identify the criteria necessary for determining the cost of rehabilitation or reconstruction of a unit relative to other means of assisting a property owner. Contractors and project applicants will be required, as part of their application, to demonstrate cost-effectiveness and a strategy for cost control for their project. Awarded projects will be monitored for compliance related to their adopted cost controls.

1. DEMONSTRABLE HARDSHIP

A demonstrable hardship may be claimed by a program applicant requesting assistance that exceeds program limitations. A demonstrable hardship is defined as experiencing conditions that significantly impact household stability and may include job loss, failure of a business, incarceration of an income providing household member, domestic violence, extraordinary legal

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expenses associated with insurance claims, divorce, severe medical illness, injury, death of a spouse or other contributing family/household member, unexpected and extraordinary medical bills, disability, substantial income reduction, unusual and excessive amount of debt due to a natural disaster, etc. None of the listed examples above, individually or taken together, automatically establish a demonstrable hardship, nor is the listing above exhaustive as there may be other factors relevant to demonstrate hardship in a particular case.

If an applicant believes they have experienced, or are experiencing, a demonstrable hardship that prevents them from complying with program policies, then evidence of the hardship can be presented to program staff for consideration of an exemption. All households must still meet eligibility requirements of the program and assistance is limited to funding availability and HUD guidelines.

2. NOT SUITABLE FOR REHABILITATION

The County defines a housing unit that is not suitable for rehabilitation or elevation under one of the following categories:

- The amount needed to bring the unit to housing habitability standards will exceed the program cap.
- Condemned or tagged for demolition by local jurisdiction.
- Property owners have received a substantial damage letter for the local jurisdiction.
- The housing unit has been demolished.
- Structural assessment by licensed engineer deems the home not safe for rehabilitation.
- The housing unit is a construction on a slab on grade and requires elevation.
- Mobile home units requiring more than \$25,000 in repairs.

3. EXCEPTIONS TO MAXIMUM AWARD AMOUNTS

The limited instances of providing exceptions to maximum award amounts will be based on criteria specified in the program policy, such as, reasonable accommodation requests under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.

H. DUPLICATION OF BENEFITS

Section 312 of the Stafford Act, as amended, generally prohibits any person, business concern, jurisdiction, or other entity from receiving financial assistance with respect to any part of a loss resulting from a major disaster for which such person, business concern, jurisdiction, or other entity has received financial assistance under any other program or from insurance or any other source.

To comply with Section 312, Lee County will ensure that each activity provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met.

CDBG-DR assistance is intended to supplement, not replace, other public, private, and nonprofit sector resources that have already been provided for the same need or loss. For example, if a family's damaged home costs \$250,000 to repair and the homeowner received insurance proceeds in that amount, the homeowner could not also receive federal disaster recovery funds to repair the home. To ensure that CDBG-DR funding is spent on eligible activities, the County is responsible for verifying that each project provides assistance to a person or entity only to the extent that the person or entity has a disaster recovery need that has not been fully met by funds that have already been, or will be, paid from another source.

A Duplication of Benefit occurs when:

- A beneficiary receives assistance; and
- The assistance is from multiple sources; and
- The assistance amount exceeds the need for a particular recovery purpose.

The Duplication of Benefit Policy, available on <https://www.leegov.com/recovery/cdbg-dr>, outlines the process by which the County will verify that all applications for assistance from the projects funded by the County (both housing and non-housing), as well as all projects implemented by contractors and subrecipients, will be reviewed for possible duplication of benefits. The procedures described in the policy are also applicable to all grantees and subrecipients and must be incorporated in the design and administration of projects undertaken by subrecipients.

Lee County is subject to the requirements in Federal Register notice(s) explaining the duplication of benefit requirement (84 FR 28836 and 84 FR 28848, published June 20, 2019, or other applicable notices).

IV. GRANTEE PROPOSED USE OF FUNDS

A. OVERVIEW

Lee County's Office of Strategic Resources and Government Affairs is the lead and responsible entity for administering \$1,107,881,000 in CDBG-DR funds allocated for disaster recovery.

Based on the unmet needs assessment and input from impacted communities and stakeholders, Lee County has prioritized programs that will assist in meeting short- and long-term recovery needs and programs that will increase resiliency. Lee County's analysis indicates that the most severe recovery needs are housing and infrastructure. To address these needs, the County plans to use CDBG-DR funds to support the following programs:

- Housing
- Voluntary Residential Acquisition
- Public Facilities and Infrastructure
- Public Services
- Planning
- Administration

Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

1. HOUSING

The largest portion of funding, \$585,000,000, has been allocated to address disaster impacts to affordable housing, as these were the largest needs identified in the unmet needs assessment. In the wake of the Covid-19 pandemic, national inflation for housing and essentials, and Hurricane Ian, there is a significant deficit in the availability of and access to affordable housing in Lee County. While the impacts of Hurricane Ian caused overwhelming damage to the already struggling affordable housing market, it also created an incredible opportunity to re-imagine how, where, and for whom housing development occurs. The vision outlined within this plan encapsulates this unique time and opportunity by emphasizing the County's intention to

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restructure the housing environment.

The development housing is intended to reflect the County's priority to create and re-create housing units that are safe and resilient to future disasters. Beyond hardened and elevated structures, safe housing is also intended to encompass design elements that contribute to the physical and mental well-being of the resident. This includes the following priorities for all new and redeveloped housing units:

- Integration of green and smart building innovations;
- Co-location with outdoor facilities, such as parks, sidewalks, bike paths, etc.;
- On-site supportive services, such as mental health support, case management, physical health clinics, and wellness services;
- Access to educational services, such as job training, after-school and summer programs, colleges, technical training, college readiness, GED programs, etc.; and
- Access to tools to expand economic mobility, such as job placement assistance, job fairs, banking programs, and investment assistance, etc.

Stable housing units are those where the residents intend to stay for long periods of time. Housing tenure is an important element in developing a sense of community. In communities with high rates of rental properties and high annual turnover of those units, residents do not often get the opportunity to engage with their neighbors and build the sense of community.

Stability in housing is not only beneficial for the community but also for residents. "Housing insecurity in all its forms can negatively affect human health. Whether it's difficulty paying rent, overcrowded living conditions, eviction, or homelessness, housing insecurity exposes individuals and families to increased stress and mental and physical health problems."²¹⁴ Stable housing environments create a solid foundation for residents to expand their economic mobility, create a sense of community, and a consistent tax base for the provision of essential public services.

Lee County understands that one housing type or location is not the solution for all households. For this reason, the projects identified within this plan are intended to provide a diverse array of housing opportunities including:

- Owner-Occupied Housing Rehabilitation, Reconstruction, and Elevation
- Rental Rehabilitation, Reconstruction, and Elevation
- New Construction, Acquisition, and/or Rehabilitation of Multi-Family Housing

²¹⁴ <https://www.huduser.gov/portal/pdredge/pdr-edge-trending-053122.html>

- New Construction, Acquisition, and/or Rehabilitation of Single-Family Housing
- Home Purchase Assistance

2. VOLUNTARY RESIDENTIAL ACQUISITION

Hurricane Ian destroyed more than 9,900 residential structures and left more than 13,000 with major damage. The unmet needs assessment indicates that many of the destroyed and significantly damaged homes were in special flood hazard areas, and some in repetitive loss areas. To increase resiliency, create opportunities for flood control and reduce hazard risks for low- and moderate-income households, Lee County has allocated \$56,552,930 to allow for voluntary residential acquisition program.

Funds allocated for this project will be used to acquire repetitive loss properties. A repetitive loss property is defined as an NFIP-insured structure that has had at least 2 paid flood losses of more than \$1,000 each in any 10-year period since 1978. The sale of residential housing units to the County is completely voluntary and initiated by the property owner. Once a property has been acquired, the land may be used as open “green” space, recreational, or floodplain or wetland management, or for another public benefit with the goal of reducing damage to housing units and impacts to low- and moderate-income households in the event of future hazards.

While acquisition is voluntary, such programs may fail to affirmatively further fair housing because of historical differences in homeownership rates by race, national origin, and other protected classes. Lee County is committed the equitable administration of the voluntary residential acquisition program and will undertake the following efforts toward that goal:

- Ensure clear and open communication with owners and tenants of eligible repetitive loss properties to ensure owners understand the voluntary nature of the program, as well as the requirements for tenant relocation. Homeowners will be provided with a single case manager contact to assist throughout the process, starting at initial engagement through relocation to safe and stable permanent housing.
- Streamline relocation efforts to reduce strain on homeowners and tenants, whenever possible.
- Ensure a consistent use of post-disaster value of all properties being acquired and make safe housing incentives available to all eligible households regardless of race, national origin, and other protected classes. Lee County will monitor appraisal results for properties to ensure that properties in low-income and minority communities are being valued similarly to comparable units in other communities.

- Provide opportunities for affordable housing and other social services through CDBG-DR funded housing development and preservation and public service activities, as well as leveraging community partners to assist in reconnecting relocated households to community support networks.

In compliance with Section 504 and the Americans with Disabilities Act of 1990 (ADA), Lee County will not deny qualified individuals the opportunity to participate in or benefit from CDBG-DR-funded programs, services, or other benefits. For any households who are unable to access programs, services, benefits, or opportunities to participate as a result of physical barriers, Lee County will make reasonable accommodations, including, but not limited to the following:

- conducting home visits for application or case management,
- making necessary physical alternations to permanent housing units (within cost limitations and program guidelines),
- locating physically accessible temporary or permanent housing units, such as ensuring households with mobility challenges have no-step entrances or first floor units,
- providing program documents and materials in a variety of accessible formats, such as online content in formats accessible to optical character readers (OCR) and screen readers.

Lee County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy. Reasonable accommodation requests and physical alternations to housing units made under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions will be paid through CDBG-DR funds. Such costs may be considered as an exception to any maximum award amounts set within the CDBG-DR Action Plan. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.

The ADA does not require Lee County to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. Complaints that a program, service or activity of Lee County is not accessible to persons with disabilities should be directed to Joan LaGuardia at 239-533-2314, Florida Relay Service 711, or ADArequests@leegov.com.

3. CRITICAL INFRASTRUCTURE, PUBLIC FACILITIES AND HMGP MATCH

An infrastructure or public facility activity includes any activity or group of activities (including acquisition of site or other improvements), whether carried out on public or private land, that assist the development of the physical assets that are designed to provide or support services to the public.

The second largest portion of funding, \$370,934,020, has been allocated to address disaster impacts to infrastructure and public facilities, as this was the second largest need identified in the unmet needs assessment.

As required by the applicable federal register notice (88 FR 32046), Lee County will use at least \$144,506,000 toward mitigation activities. It is estimated that Lee County will exceed this set-aside as, where possible, housing and infrastructure projects will be designed with resiliency in mind.

CDBG-DR funds will be used as match for HMGP. Lee County, local municipalities, and partners have submitted more than \$330 million in HMGP mitigation project requests through the Florida Division of Emergency Management. As allowed in Section II.C.3 of the Consolidated Notice, approximately \$131,778,265 in CDBG-DR funds is being allocated in this plan to be used as match for funded HMGP projects that do not have another source for the required 25 percent match. Some projects proposed for infrastructure, public facilities and HMGP match are anticipated to have a direct tie-back to Hurricane Ian. The projects that do not are expected to meet the criteria of a Mitigation (MIT) project. Lee County will document the CDBG-DR funds used for actual costs incurred and for costs that are eligible, meet a national objective, or meet other applicable CDBG-DR requirements.

4. PUBLIC SERVICES

The funding allocated for public services, \$15,000,000, will be available to fund the provision of services for persons who are low- and moderate- income, as well as those who are generally presumed to be principally LMI. This presumption covers abused children, battered spouses, elderly persons, adults meeting the Census Bureau definition of severely disabled persons*, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers, in accordance with §570.208(a)(2)(i)(A).

Definition of Severely Disabled

Persons are considered severely disabled if they:

- Use a wheelchair or another special aid for 6 months or longer; are unable to perform one or more functional activities (seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs, and walking);
- Need assistance with activities of daily living (getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating, and toileting) or instrumental activities or daily living (going outside the home, keeping track of money or bills, preparing meals, doing light housework, and using the telephone);
- Are prevented from working at a job or doing housework;
- Have a selected condition including autism, cerebral palsy, Alzheimer's disease, senility, dementia, or mental retardation; or
- Are under 65 years of age and are covered by Medicare or receive Supplemental Security Income (SSI).

https://www.hud.gov/sites/documents/DOC_16472.PDF

* Census Bureau definition of severely disabled persons checklist:

<https://www.census.gov/content/dam/Census/library/visualizations/2010/demo/figure-1.pdf>

To ensure the provision of services to address unmet needs because of Hurricane Ian, Lee County will be allocating \$5 million in public services to fund the Unmet Needs Long Term Recovery Group. The Lee County Unmet Needs Coordination Lead Organization, Catholic Charities, was selected as the lead agency via a competitive application process held in February 2023. Catholic Charities is responsible for the coordination and delivery of recovery services and case management that is provided through local relief funds, Volunteer Florida, FEMA, HUD, and other philanthropic sources. Approximately \$5 million in CDBG-DR funding will be provided to Catholic Charities through a subrecipient agreement. Funds will allow them to remain fully staffed to continue matching unmet needs with available resources.

Consistent with the unmet needs assessments, Lee County is allocating \$10,000,000 for the provision of behavioral health services and the implementation of a coordinated system of care. Funds may be made available through a competitive application process after the associated planning effort has been completed. It is anticipated that the gaps and solutions identified in the behavioral health planning effort, described in this Action Plan, will provide the framework for future activities to be carried out during this project.

5. PLANNING

A total of \$25,000,000 is being allocated for planning activities; \$21,550,000 will be available via competitive application processes for units of local government to fund studies, analyses, and additional planning efforts that may result in the establishment of additional recovery and resiliency priorities and activities or support the design and implementation of the currently described CDBG-DR programs. The funding allocated across these activity line items will include reimbursement for otherwise allowable recovery costs incurred on or after the incident date of the covered disaster.

Approximately \$2,250,000 will be provided to support the efforts of the Long-Term Recovery Task Force, which has been working to develop a community-wide recovery plan. The Task Force is anticipated to develop a strategic plan which fulfills the following objectives:

- Survey the immediate, short-term, and long-term needs of Lee County.
- Identify and engage key partners to address the needs of the community.
- Develop viable, feasible, desirable, and actionable solutions to meet those needs.
- Maximize funding resources available and recommend policies necessary to implement those solutions.

Additionally, \$1 million will be administered by Lee County through a contracted vendor to develop a strategic plan for the implementation of improved behavioral health services and a coordinated system of care. It is anticipated that the gaps and solutions identified in the behavioral health planning effort will provide the framework for future activities to be carried out through the public services project, described herein.

The remaining \$200,000 has been allocated to support the development of the unmet needs assessment portion of this Action Plan.

6. ADMINISTRATION

Up to five percent of the overall grant, \$55,394,050, will be used for administration of the grant. Funding has been allocated to planning and administration to fund the necessary costs of planning for, setting up, and managing the CDBG-DR recovery programs including application intake, compliance monitoring, performance tracking, management of the Disaster Recovery Grant Reporting system, and quarterly reports, as well as general administration.

B. PROGRAM BUDGET

Program Category	Project	Budget	% of Allocation	Maximum Award (per project)	National Objective	Estimated Outcome	
Housing (\$641,552,930 Total Allocation)	Affordable Multifamily Housing Development and Preservation	\$350,000,000	31.59%	\$20,000,000 (Max \$250,000 per unit subsidy)	Low/Mod Income Housing (LMH)	1,400	Households
	Affordable Single Family Housing Development	\$50,000,000	4.51%	\$20,000,000 (Max \$300,000 per unit subsidy)	Low/Mod Income Housing (LMH)	167	Households
	Individual Housing Rehabilitation, Reconstruction & Elevation – Owner-Occupied	\$145,000,000	13.09%	\$250,000 (Rehabilitation) \$450,000 (Reconstruction & Elevation)	Low/Mod Income Housing (LMH)	365 (Approx 70% of Applications)	Households
					Urgent Need (URG)	87 (Approx 30% of Applications)	Households
						76 (Approx 70% of Applications)	Households
	Individual Housing Rehabilitation, Reconstruction & Elevation - Renter Occupied	\$30,000,000	2.71%	\$250,000 (Rehabilitation) \$450,000 (Reconstruction & Elevation)	Low/Mod Income Housing (LMH)	18 (Approx 30% of Applications)	Households
					Urgent Need (URG)		
	Home Purchase Assistance	\$10,000,000	0.90%	\$75,000	Low/Mod Income Housing (LMH) Urgent Need (URG)	120	Households
	Voluntary Residential Acquisition	\$56,552,930	6.77%	\$525,000	Low/Mod Income Housing (LMH) Urgent Need (URG)	85	Households
Public Facilities & Infrastructure (\$377,550,209 Total Allocation)	HMGP Match	\$131,778,265	10.23%	\$25,000,000	Low/Mod Benefit Urgent Need (URG)	5,000	Households
	Critical Public Facilities and Infrastructure	\$245,771,944	21.59%	\$50,000,000	Low/Mod Benefit Urgent Need (URG)		
Public Services (\$15,000,000 Total Allocation)	Unmet Needs Long Term Recovery Group	\$5,000,000	0.45%	\$5,000,000	Urgent Need (URG)	500	Individuals Annually
	Behavioral Health Services and System of Care Implementation	\$10,000,000	0.90%	\$5,000,000	Low/Mod Income Clientele (LMC)	1,000	Individuals
Planning (\$18,383,811 Total Allocation)	Recovery and Resiliency Planning	\$15,409,766.84	1.95%	\$3,000,000	Not Applicable		
	CDBG-DR Action Plan	\$110,485.15	0.02%	\$200,000	Not Applicable		
	Long Term Recovery Task Force	\$2,213,559.01	0.20%	\$2,250,000	Not Applicable		
	Behavioral Health System of Care Implementation Plan	\$650,000	0.09%	\$1,000,000	Not Applicable		
	Lee County Program Administration Costs	\$55,394,050	5.00%	\$55,394,050	Not Applicable		



Administration (5% Cap \$55,394,050)							
	Total Allocation	\$1,107,881,000	100.00%				

C. CONNECTION TO UNMET NEEDS

As required by 88 FR 32046, Lee County will allocate at least 80 percent of the funds to address unmet needs for low- and moderate-income households within HUD-identified "most impacted and distressed" areas. The remaining 30 percent of the allocation may be used to address unmet needs as a result of Hurricane Ian (DR-4673-FL), which received a presidential major disaster declaration. To meet the overall benefit requirement, Lee County has established prioritization criteria for each program area. Through these criteria, the County will ensure that at least 70 percent of funds are expended for projects and activities that benefit low- or moderate-income households.

Lee County also completed a disaster impact and unmet needs assessment to identify the impacts, long-term needs, and priorities for more than \$1.1 billion of Community Development Block Grant-Disaster Recovery (CDBG-DR) funding allocated as a result of the 2022 Hurricane Ian event. That assessment identified more than \$8 billion in unmet needs among housing, infrastructure, and economic revitalization. More than 94 percent of the overall need is housing and infrastructure.

Housing was identified as the most significant need in the unmet needs assessment. The most impacted populations were owner-occupied (64.59 percent of total FEMA IA applicants) and single-family and duplex housing (66.26 percent of all units damaged). To address remaining unmet need for homeowners, Lee County will undertake housing rehabilitation, reconstruction, and elevation projects to assist owner- and renter-occupied households to repair and maintain their housing. For households that may be interested in relocating to a safer location within the County or who have lost their homes completely, the County will undertake home purchase assistance and voluntary residential acquisition projects.

Prior to the storm, affordable housing stock in Lee County was limited. That challenge was further exacerbated by the widespread destruction of residential properties by Hurricane Ian. To address the remaining unmet need for additional affordable housing units, the County will undertake affordable housing development and preservation activities.

The unmet needs analysis identified a total housing unmet recovery need of \$4,598,352,445.

FEMA real property damage estimates indicate that there are approximately 18,473 (79.87 percent) owner-occupied units and 4,655 (20.13 percent) renter-occupied units that suffered major-high or severe damage. Insurance data indicates that there are an estimated 49.08 percent

of homeowners without insurance. By adding the number renter and owner-occupied units, then dividing by the percent estimated to be uninsured, the County estimates that approximately 11,351 households may need some assistance to fully recover from Hurricane Ian. The County further estimates, based on the overall LMI population, that 4,742 (41.78 percent) of these households may be income qualified for CDBG-DR programs.

Lee County will implement the following housing recovery projects to address the unmet housing need in Lee County:

- Affordable Multifamily Housing Development and Preservation
- Affordable Single Family Housing Development
- Individual Housing Rehabilitation, Reconstruction & Elevation – Owner and Renter Occupied
- Home Purchase Assistance
(i.e., downpayment, closing cost, and mortgage buydown assistance)
- Voluntary Residential Acquisition

The housing programs together will receive \$641,552,930 of the allocated CDBG-DR funds from HUD. This represents approximately 57 percent of the CDBG-DR unmet needs funds allocated to Lee County. Approximately 2,300 households will be provided assistance through the projects listed above.

For individual housing projects, households will be income qualified through one of the following methods:

- Annual income defined in 24 CFR 5.609;
- Annual income as reported on the Census long form for the most recent decennial census;
or
- Adjusted gross income as defined by the Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax reporting purposes.

Applicants with a total household income at or below 80 percent AMI will be prioritized for funding.

For new construction and preservation of rental housing programs, all activities are required to ensure that at least 51 percent of all housing units within the activity are leased to households

with a total income at or below 80 percent AMI. New single family housing construction activities will be leased or sold to households with a total income at or below 80 percent AMI.

The unmet needs assessment indicates that more than 37 percent of the unmet needs are infrastructure related. To address this need, the County will undertake HMGP match and critical infrastructure activities that will make necessary repairs to hurricane impacted roads, bridges, water, sewer, and other public facilities. Infrastructure improvements that mitigate the risk of future disasters will also be undertaken within the infrastructure projects.

The unmet needs analysis identified a total infrastructure unmet recovery need of \$3,040,625,610.

The infrastructure systems affected by Hurricane Ian's widespread damage included damage to energy systems, roadways, bridges, traffic controls, water and wastewater treatment systems, septic systems, cell towers, and voice and data services. Transportation was hazardous as water and debris, including many boats, blocked roads; there were downed trees and power lines, and traffic lights were out. Both the Sanibel Causeway (see [Figure 36](#)) and the Matlacha Pass Bridge were severely damaged during the storm; until repairs were made those barrier island areas were inaccessible by car.

Lee County will implement the following infrastructure recovery projects to address the unmet infrastructure need in Lee County:

- Hurricane Mitigation Grant Program (HMGP) Infrastructure Match Funding
- Critical Infrastructure

The infrastructure programs together will receive \$370,934,020 of the allocated CDBG-DR funds from HUD. This represents approximately 33 percent of the CDBG-DR unmet needs funds allocated to Lee County. Mitigation funds are included in Lee County's total infrastructure budget and will be used to make improvements to infrastructure that was not impacted by Hurricane Ian.

Infrastructure service areas will be defined during the application process. Projects will be prioritized for funding if the defined service area contains 51 percent or more households who have a household income that does not exceed 80 percent AMI.

The unmet needs analysis identified a total economic unmet recovery need of \$440,320,907.

Lee County has determined that the most impactful means by which to support overall economic recovery are included in housing and infrastructure programs. However, the County will continue to evaluate information related to the unmet needs of the business community and collaborate with municipal partners and other stakeholders to assess the feasibility of CDBG-DR programs to support economic revitalization. Consequently, an economic revitalization program could be incorporated into the Action Plan through a substantial amendment.

D. LEVERAGING FUNDS

Lee County, its municipalities, and other government and non-profit agencies will leverage multiple sources of federal, state, and private funding to complement the CDBG-DR allocation for Hurricane Ian recovery.

This Action Plan specifically proposes using CDBG-DR funding as the local match for Lee County's direct allocation of \$330 million from FEMA through the Stafford Act Section 404 – Hazard Mitigation Grant Program.

Lee County has experience and capacity to both find new, and manage existing, sources of funding to avoid primary reliance on HUD CDBG-DR funding. Sources include:

FEMA – Assistance under the Stafford Act allocations for individuals is approximately \$800 million. Assistance is also available under both Section 406 – Public Assistance for infrastructure and general mitigation, and Section 404 – Hazard Mitigation Grant Program. In addition, Lee County is prepared to explore funding options through the Building Resilient Infrastructure and Communities (BRIC) program.

National Flood Insurance Program – Policy holders have claims options for both flood damages and for Increased Cost of Compliance up to \$250,000 per residential and \$500,000 per commercial structure.

Small Business Administration (SBA) – Loans have been made for \$800 million for homes repairs, \$183 million for business repairs, and \$15 million for economic injury loans.

Housing and Urban Development (HUD) – Lee County and its municipalities continue to optimize regular and disaster funding for housing-related assistance for homeowners, renters, and the homeless.

Federal Highway Administration (FHWA) – Significant assistance to repair transportation

infrastructure, particularly for bridges and highways servicing barrier islands and along evacuation routes has been made available to Lee County.

Federal Transit Administration – LeeTran, Lee County’s public transit program, has applied for an \$8.4 million award under the FY2023 Emergency Relief Grant.

American Rescue Plan Act – Lee County has budgeted more than \$64 million of its direct allocation for emergency response and resiliency efforts including expansion of the Lee County Emergency Operations Center and replacement of the Big Carlos Pass bridge on a critical evacuation route.

State of Florida Legislative Appropriations – Lee County received more than \$70 million in direct appropriations for Hurricane Ian recovery projects. The County has additional options for requesting funding for competitive statewide emergency grant programs of \$700 million.

Florida Division of Emergency Management (FDEM) – Lee County will continue to manage approximately \$20 million in existing grants funded from both federal and state sources and seek additional assistance as it becomes available.

Florida Department of Environmental Protection – Lee County will optimize opportunities under the State’s Resilient Florida and Wastewater Grant programs for resiliency and mitigation efforts.

Florida Department of Economic Opportunity – Lee County will continue to manage approximately \$20 million in existing grants funded from both federal and state sources.

State Housing Initiative Program – Lee County has \$10 million available in the estimated FY 23/24 allocation and 22/23 Ian recovery efforts already encumbered.

Lee County Housing Authority and the Housing Authority of the City of Fort Myers, other non-profit organizations, and housing developers, working in partnership with other housing programs including the Lee County Homeless Continuum of Care, these groups are leveraging state, federal and private funding to provide housing and services. Funding sources may include SAIL, SHIP, Low Income Housing Tax Credits, HOME, CDBG Entitlement, and other funding sources.

E. PROGRAM PARTNERS

Lee County may engage program partners through formal agreements such as subrecipient agreements and interagency agreements. Lee County will select program partners through competitive application processes that ensure that potential subrecipients and other partners have the capacity and expertise required to administer the proposed project or activity. Lee County will provide technical assistance and training to partners on program requirements, applicable federal cross-cutting requirements, and reporting and performance requirements.

Lee County acknowledges that HUD holds the grantee ultimately responsible for compliance with all applicable requirements and achieving objectives within schedule and budget. Even though the County may provide subawards to subrecipients to help carry out the overall funding objectives, the County can not relinquish its ultimately responsibility for compliance and funding outcomes. Therefore, per uniform guidance, the County will provide oversight and monitoring of its subrecipients. (2 CFR 200.331, 24 CFR Part 570). Oversight will include ongoing generic reviews, and monitoring will include targeted area-focused reviews of administrative, financial, performance, eligibility of activities, reporting, and compliance with applicable federal cross-cutting requirements, such as fair housing and nondiscrimination obligations. The objective of the oversight and monitoring activities is to facilitate the achievement of performance goals while ensuring that subaward funds are used for authorized purposes in compliance with Federal statutes, regulations, and the terms and conditions of the subaward.

Monitoring activities will consist of formal documented engagement, as defined in the process and procedures, including: notification of monitoring events, entrance conferences, assessment process, exit conference, monitoring report, subrecipient response, and event clearance. Standardized monitoring checklists will be used to ensure consistency and to provide a detailed record. The monitoring checklists are tailored from the HUD monitoring checks found in the CPD Monitoring Handbook 6509.2.

County will formally notify subrecipients of monitoring events. In response to subrecipient monitoring, the County will provide technical assistance to mitigate identified risk and to address concerns and findings. Monitoring will be conducted based on risk. Typically subrecipients will be monitored at least one time annually, prior to the closeout of the subrecipient agreement.

At the time of the submission of this plan, Catholic Charities is the only identified program partner. Catholic Charities will be serving as Lee County's program partner as the lead agency for the Unmet Needs Long Term Recovery Group. Catholic Charities was selected as the lead agency via a competitive application process held in February 2023. Catholic Charities is responsible for

the coordination and delivery of recovery services and case management that is provided through local relief funds, Volunteer Florida, FEMA, HUD, and other philanthropic sources. Approximately \$5 million in CDBG-DR will be provided to Catholic Charities through a subrecipient agreement. Funds will allow them to remain fully staffed to continue matching unmet needs with available resources.

Catholic Charities Diocese of Venice (CCDOV) is a recognized relief agency to provide services during a disaster. CCDOV is a member in good standing with the Florida Voluntary Organizations Active in Disasters (FLVOAD) and is part of the State of Florida's Emergency Support Function 15 (ESF 15). The agency has a history of responding to natural disasters over the last several years and to the Covid-19 pandemic. After Hurricane Irma, in 2017, CCDOV provided relief to thousands of Hurricane victims with direct assistance, home repairs, case management, and mental health services. The agency is a trusted provider for non-English-speaking, Hispanic residents, and those in the community who are unable to access FEMA assistance.

CCDOV has launched a robust effort to respond to the unmet needs of Hurricane Ian survivors. Immediately after Hurricane Ian landed in southwest Florida, CCDOV established 10 emergency centers throughout the region to distribute tarps, food, water, and other supplies. CCDOV's logistics staff organized warehousing, transport, and delivery of supplies to the various CCDOV distribution sites. CCDOV quickly acquired, transported, and deployed emergency relief supplies due to established networks and staff experience. Some sites were assisted by National Guard efforts. In the first six weeks after Hurricane Ian made landfall, CCDOV assisted 112,546 people, distributed 127 semi-trucks worth of supplies, and mobilized 2,064 volunteers.

F. DISTRIBUTION OF FUNDS

Lee County has developed this plan to ensure the equitable distribution of funds. The plan for distribution of funds targets assistance to residents in underserved communities, protected classes (in accordance with fair housing and civil rights laws), and vulnerable populations who have historically been marginalized and can be most adversely affected by disaster.

The programs outlined in Section I. Program Details will be implemented by Lee County unless otherwise noted in the program descriptions. It is anticipated that continued unmet needs, mitigation needs, and additional funding sources will emerge over time. Lee County may shift allocations and planned subrecipients to address those needs as they become evident. Those changes would be reflected in future Action Plan amendments. The programs, projects, and activities established in this Action Plan are subject to all HUD requirements and limited to

funding availability.

The programs are based on the unmet needs assessment and input from impacted stakeholders and residents. The programs are prioritized to address short- and long-term unmet needs. As required by the federal register notice, all CDBG-DR funded activities address an impact of Hurricane Ian, unless specifically designated as a mitigation activity and part of the mitigation set-aside allocation. CDBG-DR regulations require that each activity:

- Be CDBG eligible (or receive a waiver);
- Meet a national objective as defined by 24 Code of Federal Regulations (CFR) 570.483; and
- Addresses a direct or indirect disaster impact in presidentially declared area. A disaster impact can be addressed through several eligible CDBG activities listed in Section 105(a) of the Housing and Community Development Act (HDCA) of 1974, as amended.

The recovery activities described herein will make use of the HUD national objectives under 24 CFR 570.483 which include benefitting low- and moderate-income persons, preventing or eliminating slums or blight, and meeting urgent needs.

As required by the Federal Register, Lee County will spend at least 70 percent of the overall grant on activities that will benefit persons who are low- and moderate- income. Because the whole of Lee County has been identified by HUD as a most impacted and distressed area (MID), 100 percent of CDBG-DR funds will be spent in the MID. Up to five percent of the overall grant will be used by Lee County to ensure the compliant and timely administration of CDBG-DR funds.

1. PRE-AGREEMENT COSTS

Lee County has incurred and plans to incur additional pre-agreement costs and will seek reimbursement for these costs after the effective date of the grant agreement. Pre-agreement costs could include the costs for salaries, benefits, and direct operating expenses of Lee County's Strategic Resources and Government Affairs team and the vendors providing technical support for the planning of the CDBG-DR programs. Other pre-agreement costs, which Lee County will fund with this grant, could include activity delivery and project costs associated with eligible disaster recovery programs identified within this Action Plan.

Lee County may request reimbursement for certain eligible pre-award costs necessary for the efficient and timely implementation of its recovery programs. These costs may include environmental review, damage assessment, and other costs necessary for determining eligibility

of housing related projects. Lee County will also work with non-governmental entities working to fund housing recovery through short term, private, and philanthropic loan funds intended to jump start critical housing recovery programs for at risk populations.

G. PROGRAM INCOME

Lee County expects that certain CDBG-DR-funded projects will generate income. Any program income earned as a result of CDBG-DR-funded projects will be subject to the rules outlined in Federal Register Notice FR 6393-N-01. In the May 18, 2023, Notice, HUD provides grantees the option of transferring program income to their annual CDBG entitlement grant (if applicable) or using it as CDBG-DR funds until grant closeout. The County will apply program income received from the CDBG-DR projects in accordance with the applicable Action Plan with the final determination of end use made by the County's Office of Strategic Resources and Government Affairs. To the maximum extent feasible, HUD requires that program income shall be used or distributed before additional withdrawals from the U.S. Treasury are made.

In accordance with 24 CFR 570.503, each written agreement between Lee County and its subrecipients will specify that the subrecipient will be required to report and remit to Lee County all program income as defined at 24 CFR 570.500. All program income generated by activities carried out with CDBG-DR funds will be remitted to Lee County from the subrecipient prior to contract close-out. Lee County will allocate and utilize the program income in compliance with the requirements set forth at 24 CFR 570.504, and the applicable federal register notice.

General policies and procedures defining and governing the use of program income can be found in Lee County's CDBG-DR Timely Expenditures Procedure. Each program will have specific policies and procedures detailing the collection, maintenance, and use of program income. Programs funded with CDBG-DR have been structured similarly to entitlement programs to allow for easy transition to long term monitoring and collection of program income after CDBG-DR closeout.

H. RESALE AND RECAPTURE

Lee County has elected to use "Recapture" as the primary method of ensuring affordability for low-to-moderate income homeowners and renters. The County's CDBG-DR housing programs will use a soft second mortgage or restrictive covenant recorded in the official records of Lee County, Florida for this purpose. The affordability period and amortization (if any) will vary based on the program, and the timeframes summarized in *Table 75*.

A written agreement between Lee County and a subrecipient or homebuyer for projects funded with CDBG-DR will include the recapture provision that will be used to ensure continued affordability and will accurately reflect the recapture provisions, requirements that must be imposed on the housing, the sales price, or the basis upon which the sales price will be

determined, and the disposition of the sales proceeds. Written agreements with subrecipients will be executed when funds are initially committed to the project. A Restrictive Covenant will be executed and recorded in the official records of Lee County, Florida, at the time of acquisition.

For individual housing projects, written agreements with homebuyers and property owners will be executed before, or at the time of closing, for each activity. In addition, a mortgage and promissory note will be executed and recorded in the official records of Lee County, Florida before or at the time of closing.

Under recapture provisions, financial assistance must be repaid if direct subsidy is provided to the subrecipient, homebuyer, or property owner. Upon resale the seller may sell to any willing buyer at any price. Once the CDBG-DR funds are repaid to the County, the property is no longer subject to any CDBG-DR restrictions. Funds returned to Lee County under the recapture provision are considered program income must be used for CDBG-DR eligible activities, unless CDBG-DR program income has been transferred to the CDBG entitlement program, in which case the program income must be used for CDBG eligible activities.

Table 77 – Program Affordability Period and Amortization

CDBG-DR Program	Affordability Period	Amortization
Home Purchase Assistance	5 years	20% per year
Homeowner Rehabilitation, Reconstruction or Elevation	5 years	20% per year
Rental Rehabilitation (less than 5 units)	5 years	20% per year
Rental Rehabilitation (greater than 5 units)	20 years	Repayment terms determined during funding application process.
Affordable Multi-Family Housing Development and Preservation (Includes acquisition/rehabilitation, new construction)	30 years	Repayment terms determined during funding application process.
Affordable Single-Family Housing Development (new construction)	20 Years	6.667% per year beginning after year 5

I. PROGRAM DETAILS

Program details outlined below are intended to provide a general overview of the planned use of CDBG-DR funds. Specific eligibility criteria and application guidelines will be published in program documents and policies and procedures.

1. CRITICAL INFRASTRUCTURE AND PUBLIC FACILITIES

a) Program Description

The Critical Infrastructure and Public Facilities program will provide CDBG-DR funds to eligible units of general local government to carry out eligible improvements or repairs to publicly owned physical assets that are designed to provide or support services to the public. Examples of such assets include:

- Surface transportation, including roadways, bridges, railroads, and transit;
- Water resources projects;
- Energy production and generation, including from fossil, renewable, nuclear, and hydro sources;
- Electricity transmission;
- Broadband;
- Pipelines;
- Stormwater and sewer infrastructure; and
- Drinking water infrastructure.

b) Long-Term Resilience

All CDBG-DR funded infrastructure and public facility activities must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change. Infrastructure projects undertaken through CDBG-DR will be focused on reducing the risks associated with high flood water and storm surge by including engineered or non-engineered solutions to retain, detain, divert, or convey excess water to lower the risk of flooding. Mitigation funds are included in Lee County's total infrastructure budget and will be used to support improvements to infrastructure that was not impacted by Hurricane Ian. Mitigation improvements will aim to create more resilient infrastructure systems and increase the unit of general local government's ability to ensure continuous operation of indispensable services during a future hazard event.

c) Competition Overview

Critical infrastructure and public facility funds will be awarded to eligible applicants for eligible activities based on a competitive application process to the extent that funds are available. Lee County will use Notice of Funding Availability (NOFA) packages to gather the information necessary to assess each project and potential subrecipient. Potentially eligible applicants will be notified through a direct mailing/emailing and by NOFAs posted on the County's CDBG-DR website.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to understand the proposed activity.
- Proposed activity is CDBG-DR eligible and meets a national objective.
- Proposed activity is feasible and complies with CDBG-DR construction and elevation standards.
- Proposed activity restores, repairs, or improves a community lifeline. *
- Applicant has been in operation for a minimum of 12 months prior to application deadline.
- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management (www.sam.gov).
- Application is signed by an agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal control providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review all application packages, assign applications to the appropriate prioritization phase, and score each application.

Award Phases		Phase I	Phase II	Phase III
Low Income Benefit**	Yes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

	No			<input checked="" type="checkbox"/>
	Yes	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Hurricane Ian Tie-Back	No		<input checked="" type="checkbox"/>	
	No			

Staff will score projects based on technical evaluation criteria. When ranking infrastructure projects for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The criteria below are subject to change and are not necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
Project Design/Approach	The extent to which the proposed activity design/approach is reasonable, efficient, durable, and addresses an unmet need or mitigation need. The extent to which the proposed activity utilizes alternative materials and innovative design options.
Sustainability and Resilience Measures	The extent to which the proposed activity integrates the adaptable and reliable technologies to prevent premature obsolescence of infrastructure. The extent to which the proposed activity will integrate mitigation measures and strategies to reduce natural hazard risks, including climate related risks.
Timeliness and Urgency	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds. The proposed activity is urgent in nature, if not completed will result in new or more significant damages over the coming months/years.
Alignment with Local Plans and Priorities	The extent to which the proposed activity will achieve objectives outlined in regionally or locally established plans and policies that are designed to reduce future risk to the jurisdiction.
Cost-Effectiveness and Controls	The proposed activity is cost reasonable. The applicant has conducted a cost benefit analysis and comparison of proposed activity costs to current market rates. The activity budget includes cost-effective measures that will make communities more resilient against a future disaster.
Leveraged Funds	The proposed activity leverages other federal state and local funding sources and uses CDBG-DR funds as a funding of last resort.
Public Input and Community	The applicant has engaged the community and gathered

Technical Evaluation Criteria	Criteria Description
Engagement	public input regarding the proposed activity. The applicant considered public feedback when designing the activity.
Proposal Presentation	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

*FEMA Community Lifelines

“Efforts to protect lifelines, prevent and mitigate potential impacts to them, and building back stronger and smarter during recovery will drive overall resilience of the nation. Community lifelines were tested and validated by federal, state, local, tribal and territorial partners in the aftermath of hurricanes Michael (Oct. 2018), Florence (Sept. 2018) and Dorian (Aug. 2019), Super Typhoon Yutu (Oct. 2018), the Alaska earthquake (Dec. 2018) and the coronavirus (COVID-19) pandemic (2020). They were formalized in the National Response Framework, 4th Edition.”

In Lee County, rebuilding and mitigating for future impacts to Community Lifelines may include a variety of infrastructure activities, including reducing the risks associated with high flood water and storm surge by including engineered or non-engineered solutions to retain, detain, divert, or convey excess water to lower the risk of flooding.



****Benefit to Low- to Moderate-Income Individuals:** The Evaluation Committee will assess the project's ability to benefit low- to moderate-income individuals and households. Consideration will be given to how the infrastructure project will restore infrastructure or public facilities within

historically underserved communities that lack adequate investments in housing, transportation, water, and wastewater infrastructure prior to the disaster and how the project will improve quality of life, accessibility to essential services, and housing opportunities. To meet these criteria, at least 51 percent of the service area of the proposed project will have an income of at or below 80 percent of the AMI.

See HUD's Guidebook – Appendix D for determining service areas:

<https://www.hudexchange.info/sites/onecpd/assets/File/CDBG-National-Objectives-Eligible-Activities-Appendices.pdf>

d) Total Budget

The estimated total budget for critical infrastructure projects is \$245,771,944

e) Eligible Entities/Applicants

- City of Bonita Springs
- City of Cape Coral
- Village of Estero
- City of Fort Myers
- Town of Fort Myers Beach
- City of Sanibel
- Lee County

Eligible applicants should consider partnering with local utility providers, special taxing districts, etc., to submit applications that address critical infrastructure needs within each jurisdiction.

f) Funding Award Guidelines

Minimum Award: \$5,000,000

Maximum Award: \$50,000,000

Exceptions to minimum award guidelines may be considered on a case-by-case basis for high priority projects of critical public importance.

g) Eligible and Ineligible Activities

Eligible activities must be undertaken in Lee County, Florida.

An infrastructure or public facility activity includes any activity or group of activities (including acquisition of site or other improvements), whether carried out on public or private land, that assists the development of the physical assets that are designed to provide or support services

to the public.

For purposes of this requirement, an activity that falls within this definition is an infrastructure activity regardless of whether it is carried out under sections 105(a)(2), 105(a)(14), or another section of the HCD Act, a waiver, or an alternative requirement established by HUD.

Infrastructure that is assisted by CDBG-DR must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change. Proposed activities shall include sustainable planning, and design methods that promote adaptation and resilience, including the use of adaptable and reliable technologies to prevent premature obsolescence of infrastructure.

Typical infrastructure activities include the repair, replacement, relocation, or improvements to publicly owned facilities.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

h) Application period

Lee County will establish an application timeframe for each project, and this timeframe shall be established within the NOFA. Applications will be accepted for at least 30 days.

i) National Objectives

All eligible activities will be required to meet a national objective in accordance with HUD guidelines in 24 CFR 570.208. Applications submitted for critical infrastructure funding must include a description of the nature of the activity, the specific area and populations served, and the intended national objective for the proposed activity.

Eligible national objectives must align with HUD guidelines based on the eligible activity type. A matrix detailing the national objective by activity type should be reviewed here: <https://files.hudexchange.info/resources/documents/Matrix-Code-National-Objective-Table.pdf>.

Urgent need may be used as an eligible national objective for critical infrastructure activities that are of particularly critical nature to the recovery or resiliency of a community, but do not meet the criteria for other national objectives. Such activities must demonstrate urgency and impact on recovery.

j) Citation for Eligibility

Regulatory Citations | 24 CFR 570.201(c); 24 CFR 570.207; 24 CFR 570.208

k) Tieback

Activities funded under this project may address an unmet recovery need or a mitigation need. Disaster related tieback or mitigation need will be documented in each activity application.

2. HMGP MATCH FUNDING

a) Program Description

The HMGP match program will provide CDBG-DR funds to meet the local match requirement for CDBG-DR eligible, Tier 1 awarded Hurricane Mitigation Grant Program funds. Activities include mitigation projects that will result in protection of public or private property from natural hazards. Eligible activities include, but are not limited to, the following:

- Acquisition or relocation of hazard-prone structures;
- Retrofitting of existing buildings and facilities that will result in increased protection from hazards;
- Elevation of flood-prone structures;
- Infrastructure protection measures;
- Stormwater management improvements;
- Minor structure flood control;
- Flood diversion and storage; or
- Floodplain and stream restoration.

b) Long-Term Resilience

All CDBG-DR funded activities must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change. Infrastructure projects undertaken through CDBG-DR will be focused on reducing the risks associated with high flood water and storm surge by including engineered or non-engineered solutions to retain, detain, divert, or convey excess water to lower the risk of flooding. Mitigation funds are included in Lee County's total infrastructure budget and will be used to support improvements to infrastructure that was not impacted by Hurricane Ian. Mitigation improvements will aim to create more resilient infrastructure systems and increase the chances of continuous operation of indispensable services during a future hazard event.

c) Competition Overview

Matching grants for CDBG-DR eligible, Tier 1, Hazard Mitigation Grant Program (HMGP) activities will be awarded CDBG-DR funds. A request for funding form will be made available to eligible applicants.

Matching grants for Tier 2, CDBG-DR eligible, HMGP activities may be requested through competitive application process for Critical Infrastructure activities, as detailed above.

Recommendations for funding will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

d) Total Budget

The estimated total budget for HMGP infrastructure match projects is \$131,778,265

e) Eligible Entities/Applicants

All applicants must have written documentation supporting a Tier 1 award of HMGP funds through Florida Division of Emergency Management (FDEM) Notice of Funding Availability for DR-4673.

f) Funding Award Guidelines

Minimum Award: Minimum required 25 percent match for Tier 1 HMGP activity.

Maximum Award: Determined by Lee County on a case-by-case basis. Lee County may provide project funding above the required 25 percent match to ensure global match requirements have been met.

g) Eligible and Ineligible Activities

As provided by the Housing and Community Development Act (HCDA), grant funds may be used to satisfy a match requirement, share, or contribution for any other federal program when used to carry out an eligible CDBG-DR activity. (87 FR 6364, p. 32064)

Eligible activities must be undertaken in Lee County, Florida. An infrastructure activity includes any activity or group of activities (including acquisition of site or other improvements), whether carried out on public or private land, that assist the development of the physical assets that are designed to provide or support services to the public.

For purposes of this requirement, an activity that falls within this definition is an infrastructure activity regardless of whether it is carried out under sections 105(a)(2), 105(a)(14), or another section of the HCD Act or a waiver or alternative requirement established by HUD.

Additionally, all newly constructed infrastructure that is assisted by a CDBG-DR funded infrastructure activity must be designed and constructed in a resilient manner to withstand extreme weather events and the impacts of climate change.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political

activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

h) Application Period

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

i) National Objectives

All eligible activities will be required to meet a national objective in accordance with HUD guidelines in 24 CFR 570.208. Applications submitted for HMGP infrastructure funding must include a description of the nature of the activity, the specific area and populations served, and the intended national objective for the proposed activity.

Eligible national objectives must align with HUD guidelines based on the eligible activity type. A matrix detailing the national objective by activity type should be reviewed here: <https://files.hudexchange.info/resources/documents/Matrix-Code-National-Objective-Table.pdf>.

Urgent need may be used as an eligible national objective for critical infrastructure activities that are of particularly critical nature to the recovery or resiliency of a community, but do not meet the criteria for other national objectives. Such activities must demonstrate urgency and impact on recovery.

j) Citation for eligibility

Regulatory Citations | 24 CFR 570.201(c); 24 CFR 570.207; 24 CFR 570.208

k) Tieback

Activities funded under this project may address an unmet recovery need or a mitigation need. Disaster related tieback or mitigation need will be documented in each activity application.

3. AFFORDABLE HOUSING DEVELOPMENT AND PRESERVATION

a) Program Description

Funds allocated for this program will provide for the construction and preservation of quality, affordable multi-family housing units and the development of new, affordable single-family housing units. The rehabilitation of rental units under this program is limited to large scale rental properties (5 units or more).

b) Long-Term Resilience

All CDBG-DR funded housing development and preservation activities must, at a minimum, incorporate hazard mitigation measures and green building standards into design and construction. The use of alternative, more resilient construction materials and methods is also encouraged. These measures aim to reduce impacts of future disasters and increase long-term affordability of the housing units.

c) Competition Overview

Funding for affordable housing development and preservation will be awarded to eligible applicants for eligible activities based on a competitive selection process to the extent that funds are available. Lee County will establish deadlines for submitting applications and will notify all eligible applicants through a direct mailing/emailing and posting on the Lee County CDBG-DR website. Lee County will use a Notice of Funding Availability (NOFA) package to gather the information necessary to assess each project and potential subrecipient.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to undertake the proposed activity.
- Proposed activity is CDBG-DR eligible and meets a national objective.
- Proposed activity is feasible and complies with CDBG-DR construction and elevation standards.
- For multi-family housing units, at least 51 percent will be occupied by households with 80 percent AMI or less.
- For single-family housing units, 100 percent will be occupied by households with 80 percent AMI or less.
- Applicant has been in operation for a minimum of 12 months prior to application deadline.

- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management (www.sam.gov).
- Application is signed by the agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal contract providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review and score each application based on technical evaluation criteria. When ranking affordable housing development and preservation projects for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The criteria below are subject to change and are not necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
Project Design/Approach	The extent to which the proposed activity design/approach is reasonable, efficient, and durable. The extent to which the proposed activity utilizes alternative materials and innovative design options, including designing with broadband in mind.
Sustainability and Resilience Measures	The extent to which the proposed activity integrates adaptable and reliable technologies to prevent displacement and protect tenants/owners, specifically for vulnerable populations. The extent to which the proposed activity will integrate mitigation measures and strategies to reduce natural hazard risks, including climate related risks.
Timeliness and Urgency	Number of months estimated to complete and lease/sell units.
Cost-Effectiveness	Overall cost per unit and cost to CDBG-DR per unit.
Leveraged Funds	Percent of leveraged funds allocated to the activity.
Public Input and Community Engagement	The applicant has engaged the community and gathered public input regarding the proposed activity. The applicant considered public feedback when designing the activity.
Proposal Presentation	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

d) Total Budget

The estimated total budget for affordable housing development and preservation is \$400,000,000.

e) Eligible Applicants

All private non-profit or for-profit agencies, units of general local government, and public housing authorities that have developed housing through new construction or acquisition/rehabilitation within 36 months prior to the date of application are eligible to apply.

The applicant must be a legally formed entity (e.g., limited partnership, limited liability company, etc.) qualified to do business in the state of Florida as of the application deadline. *Evidence from the Florida Department of State, Division of Corporations that the applicant satisfies the foregoing requirements will be required as an application attachment.*

Applicant must also meet all the following requirements:

- Independent certified audited financial statement of the most recent or immediate prior fiscal year, including the management letter and written response (exceptions may be considered on an individual basis); or most recent single audit if the entity is a non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in federal awards, in accordance with 24 CFR 200.501.
- Current CPA's Peer Review letter of Monthly Financial Statements (within last 60 days).
- Any applicant on the excluded parties list (www.sam.gov) will be considered ineligible for funding.
- Applicants should have previous experience administering projects of a similar size and scope and/or working with federal or state housing grant funds.

f) Funding Award Guidelines

Minimum Project Award: \$4,000,000

Maximum Project Award: \$20,000,000

Maximum per unit subsidy may not exceed \$250,000 for multi-family units.

Maximum per unit subsidy may not exceed \$300,000 for single-family units.

g) Eligible and Ineligible Activities

Eligible activities must be undertaken in Lee County, Florida.

Housing activities eligible within this project may include the following:

- Acquisition and/or Rehabilitation of Multi-Family Housing
- New Construction of Multi-Family Housing
- New Construction of Single-Family Housing (*applications must include the new construction of at least 10 new single family housing units*)

For the purposes of CDBG-DR funds, single family housing means four units or less per structure, and multifamily housing is five or more units per structure.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

h) Application Period

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

i) National Objectives

Low- and Moderate-Income Housing (LMH)

j) Citation for eligibility

Regulatory Citation: 24 CFR 570.201, 24 CFR 570.202

Per Federal Register Notice 88 FR 32046, Section 105(a) and 24 CFR 570.207(b)(3) are waived to permit new housing construction.

k) Tieback

Provides affordable housing units which addresses the current lack of affordable rental units as a direct and indirect result of Hurricane Ian.

4. INDIVIDUAL HOUSING REHABILITATION, RECONSTRUCTION, AND ELEVATION

a) Program Description

Funds allocated for this project will provide for the rehabilitation, reconstruction and/or elevation of single-family, owner-occupied housing and rental housing (less than 5 units) that was damaged by Hurricane Ian. All newly constructed or rehabilitated housing units must incorporate disaster resilience measures to provide better outcomes in a major storm. Activities funded under this program may include:

- Rehabilitating existing structures, including substantial rehabilitation to bring the property up to local codes and standards;
- Making energy efficiency improvements through insulation, new windows and doors, and other similar improvements;
- Installing handicapped accessibility aids, such as grab bars and ramps;
- Repairing or replacing hurricane damaged roofs, windows, water systems, septic tanks, air conditioning, wells, windows, electrical and plumbing systems;
- Demolishing and re-building a unit in substantially the same manner; or
- Elevating damaged homes in special flood hazard areas.

Due to the amount of time that has elapsed since Hurricane Ian, Lee County has recognized that homeowners are in varied stages of their rebuilding process and has designed a program that will assist eligible homeowners at different points in their recovery. Lee County will reimburse homeowners for eligible costs for the repair, replacement, or elevation of storm damaged homes subject to all eligibility criteria and availability of funds.

b) Long-Term Resilience

All CDBG-DR funded housing rehabilitation, reconstruction, and elevation activities carried out by Lee County must incorporate hazard mitigation measures and green building standards into design and construction. The use of alternative, more resilient construction materials and methods is also encouraged. These measures aim to reduce impacts of future disasters and increase long-term affordability of the housing units.

c) Competition Overview

Funding for individual housing rehabilitation, reconstruction, and elevations will be awarded to eligible applicants through a phased application process to the extent that funds are available. Lee County will establish deadlines for submitting applications and will notify the public through

a direct mailing/emailing and posting on the Lee County CDBG-DR website. Lee County will use a pre-application package to gather the information necessary to assess each activity, then request an intake application and supporting documentation after an initial eligibility review. To serve the most vulnerable populations in Lee County most effectively, individuals will be prioritized for assistance in alignment with federal guidance. Lee County, through specific targeted outreach events, will attempt to reach vulnerable populations with information and available resources regarding available assistance.

The prioritization of eligible applicants will be based on income, age, and whether any member of the household has a disability. Income level will affect the phase in which a homeowner is invited to complete the intake application. All activity funding will be awarded according to a phased priority system. The phases of awards are as follows:

Application Phases		Phase I	Phase II	Phase III	Phase IV	Phase V
Household Income	Less than 50% AMI	<input checked="" type="checkbox"/>				
	Between 50% and 80% AMI		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	Between 80% and 120% AMI*				<input checked="" type="checkbox"/>	
	Between 120% and 140% AMI*					<input checked="" type="checkbox"/>
Household members under 18, over 62 and/or with a Disability	Yes		<input checked="" type="checkbox"/>			
	No			<input checked="" type="checkbox"/>		

* Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

Applications submitted by Landlords for rental properties will be reviewed in the order which they are received.

Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website. Lee County will use a pre-application and

subsequent intake application process to gather the information necessary to assess income and property eligibility.

Lee County and its implementation vendors will manage and complete the construction process for the rehabilitation or reconstruction of damaged homes on behalf of homeowners. Lee County and its implementation vendors will procure contractors in accordance with the requirements of 2 CFR 200 on behalf of the property owner and ensure the contractors repair or reconstruct damaged properties in a resilient manner. Lee County and its implementation vendors will require contractors to provide property owners with a one-year warranty on construction.

d) Total Budget

The estimated total budget for housing projects is \$175,000,000.

e) Eligible Applicants

Owner-Occupied Housing

- Owned and occupied the damaged property at the time of disaster and still own the damaged home.
- Properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for rehabilitation, reconstruction or elevation assistance.
- Applicants living in a Special Flood Hazard Area (SFHA) who receive federal assistance under these programs must obtain and maintain flood insurance for rehabilitated, reconstructed, or elevated properties.

Rental Housing (less than 5 units)

- Owned the damaged property at the time of disaster and still own the damaged property.
- Applicants living in a Special Flood Hazard Area (SFHA) who receive federal assistance under these programs must obtain and maintain flood insurance for rehabilitated, reconstructed, or elevated properties.

f) Funding Award Guidelines

Minimum Award for an individual housing activity is: \$3,000.

As determined by the scope of work based on standard grade building materials as calculated by the program using national building standard estimating software, less any duplication of benefits (e.g., NFIP, FEMA or SBA) the County has determined a maximum award for rehabilitation of an individual housing unit to be: \$250,000, excluding any project delivery costs.

As determined by the scope of work based on standard grade building materials as calculated by the program using national building standard estimating software, less any duplication of benefits (e.g., NFIP, FEMA or SBA) the County has determined a maximum award for reconstruction and/or elevation of an individual housing unit to be: \$450,000, excluding any project delivery costs.

Lee County may assist with interim housing, including, temporary assistance for rental housing or long-term hotel/efficiency stays during a period when a household is unable to reside in their home during rehabilitation, reconstruction, or elevation. The maximum amount of assistance will be identified in the County's Residential Anti-displacement and Relocation Assistance Plan (RARAP).

Owner-Occupied Housing

Homeowners must agree to occupy the property as their principal residence, maintain a homestead exemption, and maintain required insurance coverage during the 5-year mortgage term.

If the property is occupied as a primary homesteaded residence for the 5-year term, a satisfaction of mortgage will be given, and the mortgage will not have to be repaid. If, during the 5-year term, the property is sold, transferred, leased, or first mortgage is refinanced, or is not owner-occupied and homesteaded, then the prorated balance of the mortgage will be due and payable. Future requests for subordination will be considered on a case-by-case basis. Annual monitoring of properties will take place during the mortgage term including random site checks to ensure that properties are still owner-occupied.

Rental Housing (less than 5 units)

Property owner must agree to lease the property at an affordable rate to an income qualified (80 percent or below AMI) tenant and maintain required insurance coverage during the 5-year mortgage term.

If the property is occupied by an income qualified (80 percent or below AMI) tenant for the 5-year term, a satisfaction of mortgage will be given, and the mortgage will not have to be repaid. If, during the 5-year term, the property is sold, transferred, leased to a non-qualified tenant, or first mortgage is refinanced, then the prorated balance of the mortgage will be due and payable. Future requests for subordination will be considered on a case-by-case basis. Annual monitoring of properties will take place during the mortgage term including random site checks.

Exceptions to Maximum Award Amounts: *The limited instances of providing exceptions to maximum award amounts will be based on criteria specified in the program policy, such as, reasonable accommodation requests under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.*

g) Eligible and Ineligible Activities

Eligible activities must be undertaken in Lee County, Florida.

Housing activities eligible within this project may include the following:

- Rehabilitation of Single-Family Owner-Occupied Housing Units
- Reconstruction of Single-Family Owner-Occupied Housing Units
- Elevation of Single-Family Owner-Occupied Housing Units
- Rehabilitation of Rental Housing Units (less than 5 units)
- Reconstruction of Rental Housing Units (less than 5 units)
- Elevation of Rental Housing Units (less than 5 units)

Only properties damaged by Hurricane Ian are considered for eligibility.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments. For this project, the following are also ineligible activities:

- Forced mortgage payoffs.
- Funding for owner-occupied second homes.
- Assistance for those who previously received federal flood disaster assistance and did not maintain flood insurance where required (other than acquisition programs).
- Compensation payments.

h) Application Period

Applications will be accepted as soon as possible after grant agreement execution and will remain open until funds have been exhausted or the performance period ends, whichever comes first. Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and

posting on the Lee County CDBG-DR website.

i) National Objectives

Low- or Moderate-Income Housing (LMH)

Urgent Need (URG): Hurricane Ian's impacts on housing were widespread, with significant residential damage in areas that typically have household incomes exceeding 80 percent of the AMI. To prevent displacement of persons and property, the urgent need national objective may be used to address the housing rehabilitation, reconstruction, and/or elevation needs for households that exceed 80 percent AMI. Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

j) Citation for eligibility

Regulatory Citations | 24 CFR 570.202

k) Tieback

The program assists to rehabilitate, reconstruct, and/or elevate homes that were damaged or destroyed as a direct result of Hurricane Ian.

5. HOME PURCHASE ASSISTANCE

a) Program Description

Funds allocated for this project will provide for the home purchase assistance for households up to 120 percent of AMI. The project provides homeownership assistance to low- and moderate-income homebuyers by providing soft second mortgages for closing costs, down payment or other eligible assistance needed to acquire homes outside the Special Flood Hazard Area.

b) Long-Term Resilience

CDBG-DR Home Purchase Assistance is designed to aid households seeking housing outside of the special flood hazard areas. Housing located outside of the hazard areas is more resilient to future disaster impacts.

c) Competition Overview

Funding for home purchase assistance will be awarded to eligible applicants through an application process, and to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify all eligible applicants through a direct mailing/emailing and posting on the Lee County CDBG-DR website. Additionally, Lee County, through specific targeted outreach events, will attempt to reach vulnerable populations with information and available resources regarding available assistance.

To serve the most vulnerable populations in Lee County most effectively, individuals will be prioritized for assistance, in alignment with federal guidance. The prioritization of eligible applicants will be based on household income, homeowner age, and whether any member of the household has a disability. Income level will affect the phase in which a homeowner is invited to complete the intake application. All activity funding will be awarded according to a phased priority system. The phases of awards are as follows:

Application Phases		Phase I	Phase II	Phase III	Phase IV	Phase V
Household Income*	Less than 50% AMI	<input checked="" type="checkbox"/>				
	Between 50% and 80% AMI		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	Between 80% and 120% AMI				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Application Phases	Phase I	Phase II	Phase III	Phase IV	Phase V
Household members under 18, over 62 and/or with a Disability	Yes		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	No		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

* Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

d) Total Budget

The estimated total budget for home purchase assistance is \$10,000,000.

e) Eligible Applicants

- Homebuyer must be able to obtain a commitment for a new first mortgage (not an assumption) from a lending institution (30-year, fixed rate; no ARM or balloon mortgage and no prepayment penalties allowed). Property taxes and homeowner's insurance must be escrowed.
- Homebuyer must have been a resident of Lee County at the time of the disaster.
- Homebuyer must be purchasing a residential unit in Lee County, Florida.
- Homebuyer does not need to be a first-time homebuyer but cannot own any other homes at the time of application.
- Homebuyer must have a household income at or below 120 percent of the Area Median Income.

f) Funding Award Guidelines

Minimum Award: Lee County will determine the minimum amount of assistance based on applicant need. The intent of the Homeownership Assistance Program is to provide what is needed and not to provide a standard subsidy amount.

Maximum Award: Lee County will determine the amount of assistance based on applicant need and may provide up to 100 percent of the lender required minimum down payment plus reasonable closing costs. Additional subsidy may be given (if needed) to ensure the projected housing payment will be no more than 35 percent of the household's gross monthly income. In

no case will the assistance given by Lee County's CDBG-DR Homeownership Assistance Program exceed \$75,000.

For the purpose of recapture, a 5-year second mortgage will be placed on the property being purchased. Zero percent interest and no monthly payments will be due. The second mortgage is self-amortizing and will reduce at a rate of 20 percent per year. Homebuyers must agree to occupy the property as their principal residence, maintain a homestead exemption, and maintain required insurance coverage during the 5-year second mortgage term.

If the property is occupied as a primary homesteaded residence for the 5-year term, a satisfaction of mortgage will be given, and the second mortgage will not have to be repaid. If, during the five-year term, the property is sold, transferred, leased, or first mortgage is refinanced, or is not owner-occupied and homesteaded, then the prorated balance of the second mortgage will be due and payable. Future requests for subordination will be considered on a case-by-case basis. Annual monitoring of properties will take place during the second mortgage term including random site checks to ensure that properties are still owner-occupied.

g) Eligible and Ineligible Activities

Eligible activities must be undertaken in Lee County, Florida.

Eligible costs for home purchase assistance may include the following:

- Up to 100 percent of any lender required down payment;
- Reasonable closing costs (normally associated with the purchase of a home);
- acquire guarantees for mortgage financing obtained by homebuyers;
- Subsidized interest rates and mortgage principal amounts.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to:

- Buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments. For this project type the following area also ineligible:
- Non-occupying co-borrowers/co-signers are NOT allowed. Any borrower not on Lee County's mortgage and note cannot be on the deed; and
- The purchase of second homes.

h) Application period

Applications will be accepted as soon as possible after grant agreement execution and will remain open until funds have been exhausted or performance period ends, whichever comes first. Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website.

i) National Objectives

Low- and Moderate-Income Housing (LMH)

Urgent Need (URG): Hurricane Ian's impacts on housing were widespread, with significant residential damage in areas that typically have household incomes exceeding 80 percent of the AMI. To prevent displacement of persons and property, the urgent need national objective may be used to assist households that exceed 80 percent AMI to purchase a home outside of the special flood hazard area in Lee County. Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

j) Citation for eligibility

Regulatory Citations | 24 CFR 570.201(n)

k) Tieback

The program transitions LMI households from rental based housing to affordable home ownership, which is a component of addressing the impact of the disasters on availability of affordable rental housing.

6. VOLUNTARY RESIDENTIAL ACQUISITION

a) Program Description

Funds allocated for this project will be used to acquire repetitive loss properties. A repetitive loss property is defined as an NFIP-insured structure that has had at least two paid flood losses of more than \$1,000 each in any 10-year period since 1978. The sale of residential housing units to the County is completely voluntary and initiated by the property owner. Once a property has been acquired, the land may be used as open “green” space, recreational, or floodplain or wetland management, or for another public benefit with the goal of reducing damage to housing units and impacts to low- and moderate-income households in the event of future hazards. Acquisitions and safe housing incentives will be prioritized to include sites that were damaged by Hurricane Ian and are repetitive loss properties.

b) Long-Term Resilience

Acquisition activities include the purchase of residential housing units for the purpose of reducing risks and repetitive flood losses for low- and moderate-income households. Properties acquired through voluntary acquisition will be maintained for use as open “green” space, recreational, floodplain or wetland management, or other public benefit use.

c) Competition Overview

Funding for Voluntary Residential Acquisitions will be awarded to eligible applicants for eligible activities through an application process, based on the prioritization outlined below, and to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify potentially eligible applicants through mail, email, and posting on the Lee County CDBG-DR website. Lee County will use an application package to gather the information necessary to assess each activity, then request an intake application and supporting documentation after an initial eligibility review.

To serve the most vulnerable populations in Lee County most effectively, individuals will be prioritized for assistance in alignment with federal guidance. Additionally, Lee County, through specific targeted outreach events, will attempt to reach vulnerable populations with information and available resources regarding available assistance.

The prioritization of eligible applicants will be based on household income and the location of the property being voluntarily sold to the county. Income level will affect the phase in which a homeowner is invited to complete the intake application. All activity funding will be awarded according to a phased priority system. The phases of awards are as follows:

Application Phases		Phase I	Phase II	Phase III
Household Income*	Less than 80% AMI	<input checked="" type="checkbox"/>		
	Between 80% and 120% AMI		<input checked="" type="checkbox"/>	
	Between 120% and 140% AMI			<input checked="" type="checkbox"/>
Repetitive Flood Loss Property	Yes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

* Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

Lee County and their implementation vendors will manage and complete the acquisition, demolition, and transition of property to an acceptable use. Lee County and their implementation vendors will procure contractors in accordance with the requirements of 2 CFR 200 to transition the acquired property to an acceptable use. The designated unit of general local government will ensure the management of the property in accordance with land use restrictions. The County and its implementation vendors may provide relocation assistance for citizens in conjunction with the acquisition as appropriate and in accordance with all applicable guidelines and this Action Plan.

d) Total Budget

The estimated total budget for voluntary residential acquisitions is \$56,552,930.

e) Eligible Applicants

To be eligible for assistance under this program, an applicant must have owned and occupied, as their primary residence, a repetitive loss property at the time of disaster and still own the damaged home. *A repetitive loss property is defined as an NFIP-insured structure that has had at least 2 paid flood losses of more than \$1,000 each in any 10-year period since 1978. Owned property must have been damaged by Hurricane Ian.*

f) Funding Award Guidelines

The County has established a maximum award for the acquisition of a property as: \$450,000, excluding any program project delivery costs, including safe housing incentives and the cost to transition the site to a compatible use.

Lee County will determine the amount of safe housing incentive provided to homeowners based on need. Safe housing incentives may be given (if needed) to ensure the projected housing payment at the homeowner's new residence will be no more than 35 percent of the household's gross monthly income. In no case will the safe housing incentive given for this purpose exceed \$75,000.

Exceptions to Maximum Award Amounts: *The limited instances of providing exceptions to maximum award amounts will be based on criteria specified in the program policy, such as, reasonable accommodation requests under Section 504 or measures to address program recognized environmental conditions, which can be addressed through construction measures necessary to mitigate the consequences of those conditions. The County will establish policies and procedures for applicants to apply for an exception. All exceptions to maximum award limitations are subject to grant fund availability.*

g) Eligible and Ineligible Activities

Eligible activities must be undertaken at repetitive loss properties within Lee County, Florida.

Activities eligible within this project may include the following:

- Acquisition of owner-occupied, repetitive loss, residential housing units.
- Assistance paid to a homeowner as a housing incentive for the purpose of incentivizing the homeowner to sell the home to Lee County (e.g., in conjunction with acquisition).
- Interim housing (e.g., temporary assistance for rental housing during a period when a household is unable to reside in its home).
- Costs associated with the transition of an acquired property from a residence to a use that is compatible with open space, recreational, floodplain and wetlands management practices, or other disaster-risk reduction practices.
- Purchase of repetitive loss properties.

The acquisition of a housing unit not owned and occupied as the primary residence of the homeowner at the time of the disaster is ineligible. HUD is instituting an alternative requirement to the rehabilitation provisions at 42 U.S.C. 5305(a)(4) as follows: properties that served as second homes at the time of the disaster, or following the disaster, are not eligible for acquisition through this program. A second home is defined for purposes of the Consolidated Notice as a home that is not the primary residence of the owner, a tenant, or any occupant at the time of the disaster or at the time of application for CDBG–DR assistance.

Lee County will verify a primary residence using a variety of documentation including, but not limited to, voter registration cards, tax returns, homestead exemptions, driver's licenses, and rental agreements.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

h) Application period

Applications will be accepted as soon as possible after grant agreement execution and will remain open until funds have been exhausted or performance period ends, whichever comes first. Lee County will establish deadlines for submitting applications and will notify the public when applications are made available through press release, email newsletters, social media, and posting on the Lee County CDBG-DR website.

i) National Objectives

Low- and Moderate-Income Housing (LMH)

Urgent Need (URG): Hurricane Ian's impacts on housing were widespread, with significant residential damage in areas that typically have household incomes exceeding 80 percent of the AMI. To improve community resiliency, the urgent need national objective may be used to facilitate the voluntary residential acquisition of properties owned by households with incomes that exceed 80 percent AMI. Funding awards to eligible applicants that have a household income greater than 80 percent of AMI will be made only after Lee County has allocated 70 percent of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver.

j) Citation for eligibility

Regulatory Citations | 24 CFR 570.201(a), 24 CFR 570.208(a)(3)

k) Tieback

The program assists to relocate households who were impacted by Hurricane Ian to safer housing and reduces future hazard risk to residential properties designated as repetitive loss properties.

7. PLANNING

a) Program Description

Funds allocated for this project will be provided to eligible applicants to carry out planning activities. Plans created through this program should focus on resilience and recovery whenever possible.

b) Competition Overview

Funding for planning activities will be made available to eligible applicants within Lee County. Applicants will apply through a competitive process, and funds will be awarded based on the criteria below, to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify potentially eligible applicants through email and posting on the Lee County CDBG-DR website. Lee County will use a Notice of Funding Availability (NOFA) package to gather the information necessary to assess each project and potential subrecipient.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to undertake the proposed activity.
- Proposed activity is CDBG-DR eligible.
- Proposed activity is feasible.
- Applicant has been in operation for a minimum of 12 months prior to application deadline.
- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management (www.sam.gov).
- Application is signed by the agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence that the planning effort will be undertaken within the entity's area of jurisdiction.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review and score each application based on technical evaluation criteria. When ranking activities for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The criteria below are subject to change and are not

necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
Project Design/Approach	The extent to which the proposed activity design/approach is reasonable, efficient, durable, and addresses an unmet need or mitigation need.
Sustainability and Resilience Measures	The extent to which the proposed activity integrates mitigation measures and strategies to reduce natural hazard risks, including climate-related risks.
Timeliness and Urgency	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds.
Cost-Effectiveness and Controls	The proposed activity is cost reasonable.
Proposal Presentation	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

Lee County has also identified three planning efforts of community-wide benefit that are specifically included for funding in this Action Plan and are listed below:

- **Long-Term Recovery Task Force – Recovery and Resiliency Plan**
 - \$2,250,000 is being allocated for the work of the task force.
 - The Recovery Task Force is composed of eight branches that bring together public, private, and non-profit sector subject matter experts. These branches will review research, data, and analysis from initial and ongoing community engagement and confirm findings. Branches will identify solutions and engage key partners who may have insight into how to address issues. The work of the Task Force is ongoing but will result in a strategic plan to increase resiliency in the areas of planning and capacity, economic recovery, education and workforce, health and social services, housing, infrastructure, national resources, and cultural resources.
- **Behavioral Health System of Care Plan**
 - \$1,000,000 is being allocated for the development of a strategic plan for behavioral health services in Lee County.
 - The Behavioral Health System of Care Plan will provide the framework necessary to spearhead the development and implementation of a comprehensive system of care for behavioral health services in Lee County. This planning effort will result in a written strategic plan that is actionable to improve access to and availability of comprehensive and high-quality behavioral health services in Lee County.
- **Unmet Needs Assessment for Community Development Block Grant – Disaster Recovery Action Plan**
 - \$200,000 is being allocated for the development of the unmet needs assessment portion of the CDBG-DR Action Plan.
 - The costs associated with data gathering, analysis, and the development of the impact and unmet needs assessment, mitigation needs assessment, and fair housing assessment for the CDBG-DR Action Plan are eligible Planning costs in accordance with 24 CFR 570.205.

c) Total Budget

The estimated total budget for planning activities is \$18,383,811.

d) Eligible Entities/Applicants

Units of general local government, special districts, public utility providers, public housing authorities, and public-school districts.

e) Funding Award Guidelines

Minimum Award: \$100,000 per activity

Maximum Award: \$3,000,000 per activity

f) Eligible and Ineligible Activities

Plans must benefit programs, services, or communities in Lee County, Florida. General planning to assist with recovery and resiliency, determine community needs, or comprehensive plans may be eligible. Planning activities which consist of all costs of data gathering, studies, analyses, and preparation of plans and the identification of actions that will implement such plans, including, but not limited to those listed in 24 CFR 570.205 may also be eligible.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

g) Application period

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

h) National Objectives

None Required

i) Citation for eligibility

Regulatory Citations | 24 CFR 570.483(b)(5)

j) Tieback

CDBG-DR funds expended for eligible planning costs will consider recovery and resiliency, whenever possible.

8. PUBLIC SERVICES

a) Program Description

Funds allocated for this project will support the delivery of essential services to households impacted by Hurricane Ian. The services provided will include behavioral health services, case management, and resource navigation.

b) Long-Term Resilience

CDBG-DR funded public service activities are designed to create more resiliency within individual households. The provision of case management through the Unmet Needs Long Term Recovery group will provide individuals with tools to make them more resilient and better prepared for future disasters. The design and implementation of a behavioral health system of care will ensure long-term resiliency in a critical service field by preventing future service interruptions like those experienced during Hurricane Ian. The implementation of the system will provide greater access to essential behavioral health systems, equipping residents with personal resiliency tools that will assist them to better prepare for and recover from future disasters.

c) Competition Overview

Lee County has identified two public service efforts of community-wide benefit that are specifically identified below:

- **Unmet Needs Long Term Recovery Group**
 - \$5,000,000 is being allocated for the implementation of case management and resource navigation for persons who were impacted by Hurricane Ian.
 - The subrecipient for these funds will be Catholic Charities. This subrecipient was selected through a NOFA process in February 2023.
 - Catholic Charities is lead organization for Lee County's Unmet Needs Long Term Recovery Group. An Unmet Needs Long-term Recovery Group is made up of faith-based, nonprofit, community-based, private sector, and voluntary agencies, who have a shared goal to help affected families access resources for their recovery.
 - Catholic Charities is coordinating public information on housing recovery services, supporting service providers and case managers in assessing the needs of displaced persons and vulnerable populations, identifying available resources, analyzing and providing information to impacted households, identifying gaps in services, and advocating for timely resolutions to evolving issues for those with disaster-caused or disaster-aggravated housing needs.

- The Unmet Needs Long-Term Recovery Group provides services for vulnerable populations, including those who have extremely low income.
- **Behavioral Health Services and System of Care Implementation**
 - \$10,000,000 is being allocated for the implementation of services and a comprehensive system of care for behavioral health in Lee County.
 - Funds will be used to support the implementation of the framework developed in the Behavioral Health System of Care Plan and will result in improved access to and availability of comprehensive and high-quality behavioral health services in Lee County.
 - Subrecipient(s) for implementation of behavioral health services and the system of care will be selected via competitive application process, as detailed below.

Funding for the implementation of services and a comprehensive system for behavioral health care will be made available to providers through a competitive process. Funds will be awarded based on the criteria below, to the extent that the funds are available. Lee County will establish deadlines for submitting applications and will notify potentially eligible applicants through email and posting on the Lee County CDBG-DR website. Lee County will use a Notice of Funding Availability (NOFA) package to gather the information necessary to assess each project and potential subrecipient.

Lee County staff will review each application to ensure the following threshold criteria are met. Applications must meet all criteria to be considered for scoring:

- Proposal is submitted by published deadline.
- Applicant is an eligible entity and has capacity to understand the proposed activity.
- Proposed activity is CDBG-DR eligible and meets a national objective.
- Proposed activity is feasible.
- Applicant has been in operation for a minimum of 12 months prior to application deadline.
- Applicants may not be presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in federal programs, as indicated by System for Award Management (www.sam.gov).
- Application is signed by the agency official designated to execute contracts.
- The applicant is a legally formed entity qualified to do business in the State of Florida.
- The applicant has provided evidence of ownership or other legal contract providing for its use/development of the project site.

Applicants who do not meet one or more of the above threshold requirements will have a maximum of five business days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring.

Lee County staff will then review and score each application based on technical evaluation criteria. When ranking activities for CDBG-DR funding, it is important to consider various criteria to ensure fair and objective evaluation. The scoring criteria below are subject to change and are not necessarily listed in order of priority. Specific point values for each criterion will be defined during the NOFA process.

Technical Evaluation Criteria	Criteria Description
Project Design/Approach	The extent to which the proposed activity design/approach is reasonable, efficient, durable, addresses an unmet need or mitigation need.
Sustainability and Resilience Measures	The extent to which the proposed activity integrates mitigation measures and strategies to reduce natural hazard risks, including climate related risks.
Timeliness and Urgency	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds.
Alignment with Local Plans and Priorities	The extent to which the proposed activity will create new, meaningful, actionable plans, and does not duplicate existing regionally or locally established plans and policies.
Cost-Effectiveness and Controls	The proposed activity is cost reasonable. The applicant has conducted a cost benefit analysis.
Proposal Presentation	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

Application packets that include the results of staff reviews will be submitted to an Evaluation Committee, which will review and rank projects. Committee recommendations will be presented to the BoCC for final evaluation. The BoCC has final authority to award project funding. The entities/agencies awarded projects will become subrecipients under the Lee County CDBG-DR program.

d) Total Budget

The estimated total budget for public service activities is \$15,000,000.

e) Eligible Entities/Applicants

Lee County will oversee the subrecipient agreements for the public services projects identified within this plan. Subrecipients that are not already identified will be non-profit agencies that have provided direct behavioral health services for a least 12 months prior to the date of application.

The applicant must be a legally formed non-profit entity qualified to do business in the state of Florida as of the Application deadline. *Evidence from the Florida Department of State, Division of Corporations that the Applicant satisfies the foregoing requirements will be required as an application attachment.*

Applicant must also meet all the following requirements:

- Independent certified audited financial statement of the most recent or immediate prior fiscal year, including the management letter and written response (exceptions may be considered on an individual basis) or most recent single audit, if the entity is a non-federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in federal awards, in accordance with 24 CFR 200.501.
- Current CPA's Peer Review letter of Monthly Financial Statements (within last 60 days).
- Any applicant on the excluded parties list (www.sam.gov) will be considered ineligible for funding.
- Applicants with previous experience administering projects of a similar size and scope and/or working with federal or state housing grant funds will be provided additional points in the scoring process.

f) Funding Award Guidelines

Minimum Award: \$1,000,000 per activity

Maximum Award: \$10,000,000 per activity

g) Eligible and Ineligible Activities

Eligible activities must be undertaken in Lee County, Florida.

The CDBG-DR regulations allow the use of grant funds for a wide range of public service activities, including, but not limited to:

- Employment services (e.g., job training);
- Crime prevention and public safety;
- Childcare;
- Health services;

- Substance abuse services (e.g., counseling and treatment);
- Fair housing counseling;
- Education programs;
- Energy conservation;
- Services for senior citizens;
- Services for homeless persons;
- Welfare services (excluding income payments);
- Down payment assistance (also refer to Chapter 4); and
- Recreational services.

CDBG-DR funds may be used to pay for labor, supplies, and material as well as to operate and/or maintain the portion of a facility in which the public service is located. This includes the lease of a facility, equipment, and other property needed for the public service.

To utilize CDBG-DR funds for a public service, the service must be either: a new service; or a quantifiable increase in the level of an existing service which has been provided by the local government funds in the 12 months preceding the submission of the Action Plan to HUD.

Ineligible activities are defined in 24 CFR 570.207, and include, but are not limited to, buildings or portions thereof used for conduct of government; general government expenses; political activities; purchase of equipment (except as provided for in 24 CFR 570.201(c)); operating and maintenance expenses; and income payments.

h) Application period

Lee County will establish an application timeframe. Applications will be posted for at least 30 days.

i) National Objectives

Low- and Moderate-Income Clientele – Behavioral Health Services

Urgent Need – Unmet Needs Long Term Recovery Group

j) Citation for eligibility

Regulatory Citations | 24 CFR 570.201(e)

k) Tieback

The **Unmet Needs Long Term Recovery Group**, led by Catholic Charities, is coordinating public information on housing recovery services, supporting service providers and case managers to assess the needs of displaced persons, identifying available resources, analyzing and providing

information to impacted households, identifying gaps in services, and advocating for timely resolutions to evolving issues for those with disaster-caused or disaster-aggravated housing needs.

Behavioral Health Services and System of Care Implementation, Hurricane Ian brought significant loss of life and traumatic tales of survival, taking a significant mental toll on most Lee County residents, and creating an increased demand for behavioral health care. Physical damage was also considerable. The County's only Crisis Stabilization Unit suffered water intrusion and roof damage that rendered the facility non-operational until May 2023. An estimated 2,400 patients were forced to seek care elsewhere, stretching the local healthcare system beyond its capacity. Care paths available to patients after discharge remain scarce. Individuals who have just been stabilized following a mental health crisis like a suicide attempt, often return to their homes, or even the streets, while waiting for a follow up outpatient appointment. With so many homes damaged and lost as a result of Hurricane Ian, and increasing housing costs, many households are facing becoming unhoused for the first time in their lives.

V. APPENDICES

A. FEMA PA PROJECT LIST

The attached list of FEMA Public Assistance projects was used to determine the unmet need for infrastructure within Lee County. This list does not reflect actual projects or activities that will be funded with CDBG-DR funds. Applications for CDBG-DR funded projects will be made available after approval of the initial Action Plan.

https://www.leegov.com/recovery/Documents/Action_Plan_APPENDIX_A.pdf

B. CERTIFICATIONS

- a. The grantee certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan (RARAP) in connection with any activity assisted with CDBG—DR grant funds that fulfills the requirements of Section 104(d), 24 CFR part 42, and 24 CFR part 570, as amended by waivers and alternative requirements.
- b. The grantee certifies its compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by part 87.
- c. 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, and any contractor, subrecipient, or designated public agency carrying out an activity with CDBG-DR funds, possess(es) the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations as modified by waivers and alternative requirements.
- d. The grantee certifies that activities to be undertaken with CDBG-DR funds are consistent with its Action Plan.
- e. 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, as such requirements may be modified by waivers or alternative requirements.
- f. 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 75.
- g. The grantee certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 or 91.105 (except as provided for in waivers and alternative requirements). Also, each local government 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 waivers and alternative requirements).

- h. State grantee certifies that it has consulted with all disaster-affected local governments (including any CDBG entitlement grantees), Indian tribes, and any local public housing authorities in determining the use of funds, including the method of distribution of funding, or activities carried out directly by the state.
- i. 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, economic revitalization, and mitigation in the most impacted and distressed areas for which the President declared a major disaster pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974 (42 U.S.C. 5121 et seq.).
 - 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 70 percent (or another percentage permitted by HUD in a waiver) 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).

- j. State and local government grantees certify that the grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations, and that it will affirmatively further fair housing. An Indian tribe grantee certifies that the grant will be conducted and administered in conformity with the Indian Civil Rights Act.
- k. The grantee certifies that it has adopted and is enforcing the following policies, and, in addition, state grantees must certify that they will require local governments that receive their 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.
- l. The grantee certifies that it (and any subrecipient or administering entity) currently has or will develop and maintain the capacity to carry out disaster recovery activities in a timely manner and that the grantee has reviewed the requirements applicable to the use of grant funds.
- m. The grantee certifies to the accuracy of its Financial Management and Grant Compliance Certification Requirements, or other recent certification submission, if approved by HUD, and related supporting documentation as provided in section III.A.1. of the Consolidated Notice and the grantee's implementation plan and related submissions to HUD as provided in section III.A.2. of the Consolidated Notice.
- n. The grantee certifies that it will not use CDBG-DR funds for any activity in an area identified as flood prone for land use or hazard mitigation planning purposes by the state, local, or tribal government or delineated as a Special Flood Hazard Area (or 100-year floodplain) in FEMA's most current flood advisory maps, 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 state, local, and tribal government land use regulations and hazard mitigation plans and 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.



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- p. The grantee certifies that it will comply with environmental requirements at 24 CFR part 58.
- q. The grantee certifies that it will comply with the provisions of title I of the HCDA and with other applicable laws.

Warning: Any person who knowingly makes a false claim or statement to HUD may be subject to civil or criminal penalties under 18 U.S.C. 287, 1001, and 31 U.S.C. 3729.

Authorized Responsible Entity’s Signature:

DocuSigned by:

Chair, Lee County Board of County Commissioners

9/19/2023 | 12:05 PM EDT
Date

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

DocuSigned by:
BY:
DS

ATTEST CLERK OF THE CIRCUIT COURT:

DocuSigned by:
BY:
DEPUTY CLERK



C. WAIVERS

Upon the initial submission of the CDBG-DR Action Plan, Lee County is not requesting any waivers outside of those waivers and flexibilities that are provided in the applicable federal register (88 FR 32046).

The Appropriations Act(s) authorizes the Secretary of HUD to waive or specify alternative requirements for any provision of any statute or regulation. For each waiver and alternative requirement, the Secretary of HUD has determined that good cause exists, and the waiver or alternative requirement is not inconsistent with the overall purpose of the HCD Act. The waivers and alternative requirement provide flexibility to support full and swift recovery. Waivers cannot conflict with cross-cutting requirements of:

- Equal Opportunity
- Fair Housing
- Environmental Review
- Davis Bacon Labor Standards

Should Lee County request and receive approval for waivers in the future, those will be listed in this section, including a description of the approved waiver, date and federal register notice the waiver was approved in, or if approved by letter, and the applicable Federal Register page citation.

D. DATA SOURCES AND METHODOLOGIES

Owner-Occupied Households:

- Minor-Low:
 - Less than \$3,000 of FEMA inspected real property damage.
- Minor-High:
 - \$3,000 to \$7,999 of FEMA inspected real property damage.
- Major-Low:
 - \$8,000 to \$14,999 of FEMA inspected real property damage.
- Major-High:
 - \$15,000 to \$28,800 of FEMA inspected real property damage.
- Severe:
 - Greater than \$28,800 of FEMA inspected real property damage.

Renter Occupied Households:

- Minor-Low:
 - Less than \$1,000 of FEMA inspected personal property damage.
- Minor-High:
 - \$1,000 to \$1,999 of FEMA inspected personal property damage.
- Major-Low:
 - \$3,500 to \$4,999 of FEMA inspected personal property damage.
- Major-High:
 - \$5,000 to \$8,999 of FEMA inspected personal property damage.
- Severe:
 - Greater than \$9,000 of FEMA inspected personal property damage.

E. IMPORTANT DEFINITIONS AND TERMS

AMI: Area Median Income

CBDO: Community Based Development Organization

CDBG: Community Development Block Grant

CDBG-DR: Community Development Block Grant- Disaster Recovery

CFR: Code of Federal Regulations

CO: Certifying Officer

CPP: Citizen Participation Plan

DOB: Duplication of Benefits

DRGR: Disaster Recovery and Grant Reporting System

FEMA: Federal Emergency Management Agency

HCD Act: Housing and Community Development Act of 1974, as amended.

HMGP: Hazard Mitigation Grant Program

IA: (FEMA) Individual Assistance

LIHTC: Low-Income Housing Tax Credit

LMI: Low and moderate-income

NFIP: National Flood Insurance Program

PA: (FEMA) Public Assistance

RE: Responsible Entity

RFP: Request for Proposals

SBA: U.S. Small Business Administration

SFHA: Special Flood Hazard Area

UGLG: Unit of general local government

URA: Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

USACE: U.S. Army Corps of Engineers

F. SUMMARY AND RESPONSE OF PUBLIC COMMENTS

Original Public Action Plan Summary and Responses for Public Comments

The following section provides a summary of public comments received for the Action Plan in response to Hurricane Ian during the public comment period of August 1, 2023, through August 31, 2023. Lee County catalogued and summarized all comments received in the submission of the Action Plan to HUD.

Comments were received via phone, mail, online form submissions, email, and during public hearings. Responses to public comment below are organized by comment subject.

1. General

a) Summary of Comments:

Written public comments were received in support of making a waiver request to HUD to reduce the total LMI benefit of CDBG-DR funds from 70% to 50%. Additional comments were received requesting that certain geographic areas receive direct allocation or prioritization for funding awards.

b) County Response:

The County has received clear direction from HUD that such a waiver request will not be considered until the County has made reasonable efforts to assist income qualified households. As explained by HUD's grant manager, Lee County's CDBG-DR allocation is primarily based on the identified unmet needs of the County's LMI population. The County will regularly evaluate program outcomes and consult with HUD personnel and CDBG-DR experts to determine when a LMI waiver may profitably be requested. The County fully intends to submit such a request after reasonable efforts have been made to meet the 70% low- and moderate-income threshold.

While specific geographies are not being prioritized because significant impacts were distributed throughout HUD's designated Most Impacted and Distressed Area, the Public Action Plan prioritizes projects that have a tie-back to the impacts of Hurricane Ian. Moreover, project urgency will be considered as part of the technical evaluation criteria. Applicants will be responsible for demonstrating the urgency and need for specific projects during the NOFA process.

2. Housing

a) Summary of Comments:

Forty-five written public comments received; housing was discussed during all public meetings. Many comments reflected a continued need for individual housing repairs, specifically for homeowners. Others demonstrated need for permanent housing solutions, specifically for those residing in temporary living situations since Hurricane Ian. Specific comments were received regarding creating affordable housing, repairing mobile homes, and preserving affordable housing for the elderly, persons with a disability, and the County's workforce. Input regarding increasing the maximum purchase price for voluntary residential buyouts was also received.

b) County Response:

Lee County intends to support individual households to make necessary repairs, reconstruct, or elevate their homes, as outlined in the Action Plan. The County has developed priority phasing for individual housing assistance programs to ensure that those who are elderly, disabled, or have the lowest incomes will be prioritized for assistance. While specific solutions for mobile homeowners have not yet been identified, Lee County anticipates that individual housing programs will include provisions for the replacement and/or elevation of mobile home units. Lee County is also committed to the development of new affordable housing using CDBG-DR funds and has imposed a 20-year affordability period on any new or rehabilitated multi-family affordable units. After evaluation, Lee County has determined that increasing the maximum purchase price allowable under the voluntary residential buyout program is necessary to align with current market conditions.

3. Public Facilities and Infrastructure

a) Summary of Comments:

Thirty-one written public comments were received regarding infrastructure. Public facilities and infrastructure were also discussed during many public meetings. Specific interest was expressed regarding the repair of roadways, park facilities, water systems, electrical infrastructure, and drainage systems that were damaged during Hurricane Ian. Additional comments were received regarding the need for sewer systems to replace septic tanks.

b) County Response:

Lee County intends to support the repair and improvement of infrastructure and public facilities throughout the County, as outlined in the Action Plan. Municipalities and the County are identified as eligible applicants for infrastructure and public facilities funding. These applicants may partner with utility providers, non-profits, or other community partners to submit applications, once available, for CDBG-DR funding. Funded projects may include the repair, replacement or improvement of roadways, utility systems, flood plain management, drainage, park facilities and other publicly owned infrastructure. Most projects funded with CDBG-DR funds must have a tie-back to Hurricane Ian. For this reason, the conversion of septic to sewer systems

may not be eligible for CDBG-DR funds. The mitigation portion of CDBG-DR funds may be used to support projects that do not have a Hurricane Ian tie-back but improve the resiliency of the community. This portion of funds is anticipated to be used to support local match requirements for HMGP projects. The list of HMGP projects that may be supported is attached to the Action Plan. All HMGP match projects must meet CDBG-DR eligibility.

4. Economic Revitalization

a) Summary of Comments:

Seven written public comments were received regarding economic revitalization. Comments from the City of Fort Myers, Town of Fort Myers Beach and the City of Sanibel also expressed interest in the inclusion of economic revitalization programs within the Action Plan. Comments focused on providing assistance to businesses and the workforce and creating opportunities for diversification of the economy in Lee County.

b) County Response:

Lee County stated in the draft Action Plan that housing and infrastructure programs were anticipated to be the most impactful means by which to support businesses. Based on feedback from residents and officials Lee County will continue to evaluate information related to the unmet needs of the business community and collaborate with stakeholders to identify the most impactful programs to support economic revitalization. Consequently, an economic revitalization program may be incorporated into the Action Plan through a substantial amendment.

5. Planning

a) Summary of Comments:

Fifteen written public comments were received regarding planning, in addition to a few comments received during public meetings. Comments included interest in planning for healthcare facilities, community areas, sheltering, and water quality. One comment was received regarding the inclusion of public housing authorities as an eligible applicant for planning funds.

b) County Response:

Lee County intends to support planning efforts, as outlined in the Action Plan. Municipalities, the County, special districts, and the school district were identified as eligible applicants for planning funds in the draft Action Plan. In response to public comment the County has also added public housing authorities as eligible applicants for planning funds. These applicants may partner with utility providers, non-profits, or other community partners to submit applications, once available, for CDBG-DR funding. Planning for resiliency and recovery will be prioritized for CDBG-DR funds.

6. Public Services

a) Summary of Comments:

Seven written public comments were received regarding public services, in addition to a few comments received during public meetings. Comments included interest supporting the provision of behavioral health services and services for persons with disabilities. One comment requested an increase in the amount of public service funds allocated within the Action Plan.

b) County Response:

Lee County intends to support behavioral health services through both planning and public service allocations. The County will continue to evaluate public service needs that were exacerbated due to Hurricane Ian, and will make amendments to the Action Plan if additional need is identified.

Substantial Amendment 1 Summary of Public Comments

The following section provides a summary of public comments received for the Action Plan in response to Hurricane Ian during the public comment period of August 1, 2023, through August 31, 2023. Lee County catalogued and summarized all comments received in the submission of the Action Plan to HUD.

Comments were received via phone, mail, online form submissions, email, and during public hearings. Responses to public comment below are organized by comment subject.

1. Affordable Housing Development and Preservation**a) Summary of Comments:**

The maximum per unit subsidy for affordable housing development and preservation should be increased from \$200,000 to \$250,000 for Affordable Housing Development and Preservation. During the solicitation process, it may be beneficial to the County to maximize assisted units, and not over subsidize, to provide a per unit sliding scale, for example \$250,000 maximum for low income units (80% AMI or below), reducing the per unit subsidy for moderate income, as long as moderate income is at least 10% below market rate (aligned with SB 102 tax exemption requirement), and then further reduced per unit for market-rate units.

Increase the Affordability Period for New Construction of multifamily housing developments from 20 years to a minimum of 30 years.

Provide a preference or additional points for applications/developments with longer proposed affordability periods.

Provide preference for developments constructed 100% with concrete, rather than wood.

b) County Response:

The maximum per unit subsidy for affordable housing development has been increased from \$200,000 to \$250,000. The minimum affordability period for new affordable housing development has been increased from 20 to 30 years. The NOFA will be structured to provide additional priority to

developments that have a higher percentage of units set aside for low-income households (80% AMI or below) and have longer affordability periods.

COMMENT SUMMARY: How will Lee County ensure that housing units remain affordable and are not converted to market rate rental units?

RESPONSE: Newly constructed affordable housing units will be required to be rented at an affordable rate (Fair Market Rent or Home Rents) to income qualified households for a minimum of 30 years after the CDBG-DR assistance is provided. The affordability period is secured through a restrictive covenant that runs with the property. In addition, a mortgage will be placed on the property to secure the CDBG-DR funds provided for the project. These funds will be recaptured, in addition to a percentage penalty, in the event of the sale of the property or default on the terms of affordability.

Rehabilitated affordable housing units (5 or more units) will be required to be rented at an affordable rate (Fair Market Rent or Home Rents) to income qualified households for a minimum of 20 years after the CDBG-DR assistance is provided. The same affordability mechanisms will be used for both newly constructed and rehabilitated units.

2. Individual Housing Programs

COMMENT SUMMARY: When will individual homeowners be able to apply for assistance repairing, reconstructing or elevating their homes?

RESPONSE: Applications for individual housing rehabilitation, reconstruction, and elevation programs will open around February 1, 2024.

COMMENT SUMMARY: Will funds be available to assist individual households with elevation of their homes?

RESPONSE: Yes, income qualified households (80% AMI or below) may be eligible for assistance rehabilitating, reconstruction and/or elevating their primary residence. Applications for individual housing programs will open around February 1, 2024.

COMMENT SUMMARY: In the event there are remaining funds in the housing section of CDBG-DR after lower level AMIs have been served, can Lee County prioritize homeowners with primary residences that were designated as substantially damaged.

RESPONSE: Funding awards to eligible applicants that have a household income greater than 80% of AMI will be made only after Lee County has allocated 70% of all CDBG-DR funds for projects benefiting low- and moderate-income households, or in the case of a HUD-approved waiver. If higher income households can be served, program guidelines will be evaluated to determine the need for additional prioritization and eligibility criteria.

COMMENT SUMMARY: Are individual housing programs being provided on a “first come, first served” basis?

RESPONSE: Applications for individual housing programs will be prioritized by households with the lowest income, then by households who have disabled, elderly, or minor (under 18 years old) household members.

Applications from landlords who are seeking assistance to make Hurricane Ian related repairs to their rental properties (less than 5 units) are being accepted on a first come first served basis. *Landlords who receive assistance must commit to renting to low-income households (80% AMI or less) at an affordable rental rate (as specified in the CDBG-DR Action Plan) for 5-years after the provision of assistance.*

COMMENT SUMMARY: Why is the buyout program being converted to acquisition and how will it benefit low-and moderate-income households?

RESPONSE: Buyout programs are typically intended for and most beneficial in areas where a large number of parcels can be aggregated to create greenspace. The focus of Lee County's program is to move low- and moderate-income households to non-flood prone areas within the County and is therefore more closely aligned with an acquisition program. Acquired parcels will be retained by the County or applicable municipality for a future use determined to be of public benefit. The estimated number of households to be served include all costs associated with providing the activity, including, but not limited to clearing the acquired parcel, assistance to relocate the household, etc. Households served within this program will have a household income at or below 80% of the area median income.

COMMENT SUMMARY: What are the eligible types of assistance within the Home Purchase Assistance Program?

RESPONSE: CDBG-DR funds may provide assistance for income qualified homebuyers through:

- subsidized interest rates and mortgage principal amounts;
- guarantees for mortgage financing;
- providing up to 100 percent of any down payment; or
- paying reasonable closing costs.

Program eligibility and other guidelines will be made available within the program specific policies and procedures.

3. Planning, Resiliency and Mitigation

COMMENT SUMMARY: There is a significant need to help mitigate future storm-related damage to existing and future homeowners and residents, especially low- and moderate-income people. Planning efforts should focus on conservation, lessening the impacts of flooding and wind damage, improving water supply and sewage treatment systems, and evaluating the need for funding future infrastructure improvements. Failures of these treatment systems are a threat to the health and welfare of our communities. Planning should ensure all Lee County residents have a decent home and a suitable living environment.

RESPONSE: CDBG-DR funds require the use of green and resilient building practices to help mitigate risk from future storm-related damage. The details of these requirements will be identified in program specific policies and procedures. The Planning NOFA is currently available for Lee County, Municipalities, and other eligible applicants to apply for funds to assist with recovery and resiliency planning efforts. The NOFA can be reviewed here: <https://cdbg-dr-leegis.hub.arcgis.com/pages/nofas-procurement-contracts>

COMMENT SUMMARY: Why are funds being moved from Housing to Infrastructure? Will these funds continue to benefit low- and moderate-income households?

RESPONSE: The \$18,477,077 reduction in budget from the Voluntary Residential Buyout program to Critical Infrastructure will be used for necessary infrastructure and mitigation projects. This reallocation allows Lee County to leverage an additional \$95,551,136 in Hazard Mitigation Grant Program funds to mitigate against future disaster impacts. Seventy percent of all CDBG-DR funds will benefit households who have a household income at or below 80% of the area median income.

COMMENT SUMMARY: Where can planning activities be undertaken? What are eligible planning activities?

RESPONSE: Planning activities which consist of all costs of data gathering, studies, analyses, and preparation of plans and the identification of actions that will implement such plans, including, but not limited to those listed in 24 CFR 570.205. Plans must primarily benefit programs, services, or communities in Lee County.

Mitigation and resilience planning measures include, but are not limited to plans and studies whose purpose is to reduce:

- Risks to people and property
- Public service interruption for members who are most vulnerable to natural and climate related risks.
- Disproportionate impacts of economic, social, and climate shocks to vulnerable populations, including those with disabilities, the elderly, LMI households and neighborhoods, and non-native English speakers
- Impacts and interruptions to FEMA Community Lifelines - Activity delivery costs, up to 5% of the total plan costs Planning activities must be broad in nature and/or area-based. An engineering or similar study related to a specific project with a specific address is not considered a planning activity for this program.

Additional details can be found in the Planning NOFA: <https://www.leegov.com/recovery/cdbg-dr/NOFA/Final%20Planning%20NOFA%2012.5.23.pdf>

4. Public Participation

COMMENT SUMMARY: Additional communications are needed to LMI households.

RESPONSE: Public participation efforts undertaken for the initial Action Plan are detailed in Section III. A. within the Action Plan. Amendments to the CDBG-DR Action Plan are made available for public comment for a 30-day period and presented during at least one Board of County Commissioners meeting. Outreach efforts for individual housing programs are currently being planned, and public participation requirements for each program will be detailed in the program policies and procedures.

Amendment 23 - Substantial: This Substantial Amendment was not accepted.

**CDBG-DR Action Plan
Public Comment Summary and Responses
Substantial Amendment 2**

1. Housing

COMMENT SUMMARY: Extend affordability periods, evaluate the effectiveness of recapture provisions, and retain residential acquisition properties as green space.

RESPONSE: Substantial Amendment 2 does not propose any changes to housing programs outlined in the CDBG-DR Action Plan. Current provisions will remain, unless changed through future amendments.

2. Public Facilities and Infrastructure

COMMENT SUMMARY: Have funds been spent to repair or harden Hertz Arena previously and why are funds needed now?

RESPONSE: Previous repairs were made by Lee County to the Hertz Arena in 2018 following Hurricane Irma. These emergency repairs, primarily to the domed roof over the ice rink and arena seating totaled approximately \$3 million, were paid using County General Funds, and allowed the arena to be safely used during Hurricane Ian. This initial round of repairs did not however, encompass the full scope due to limited funding availability. The items not repaired or hardened in 2018 are still needed to ensure continued long-term use of the facility as a shelter.

Remaining damage from Hurricane Irma was exacerbated by Hurricane Ian. Lee County has proposed this substantial amendment to the CDBG-DR Action Plan to allocate CDBG-DR funds to finish the remaining repairs and hardening and ensure long-term sustainability of the structure as shelter space.

COMMENT SUMMARY: What types of hardening and repairs will be made, and how will the project be managed?

RESPONSE: The detailed specifications for repairs and hardening are currently being finalized. Generally, the scope will include replacement of several sections of the roof, strengthening the roof structure, replacing storefront windows and entry systems, and installation of a shutter system. Upon finalization of the scope Lee County will competitively procure construction services in accordance with federal requirements and oversee all work completed.

COMMENT SUMMARY: Will this activity benefit low- and moderate-income households?

RESPONSE: This activity will qualify under the urgent need national objective in accordance with 24 CFR 570.208(c).

COMMENT SUMMARY: Does this activity create more shelter space, adjust the plan for emergency sheltering or have other impacts on how residences are alerted regarding shelter availability?

RESPONSE: This activity ensures the preservation of a safe location for approximately 5,000 residents during future disasters. While it does not add to current emergency shelter capacity

within the County, without the completion of necessary repairs, the availability and safety of this space may not be guaranteed for the entire lease term, 50 years. No changes or impacts to emergency sheltering efforts are anticipated to result from this activity. Additional information regarding emergency public shelters can be viewed at <https://www.leegov.com/publicsafety/emergencymanagement/shelters>.

COMMENT SUMMARY: What ongoing maintenance or repairs will be made, if any?

RESPONSE: Lee County executed a lease with the owner of Hertz Arena in June of 2018. The lease is currently set to expire in June 2048. The lease was made in consideration of the County funds spent to repair the facility in 2018 and allows Lee County use of the structure for emergency public sheltering and/or staging for emergency response equipment during emergencies.

Per the lease agreement, the owner agrees to maintain and operate the premises in accordance with building codes. CDBG-DR funds are prohibited to be used for ongoing maintenance or operations and are only being used to make Hurricane related repairs and hardening.

As a condition of investment of CDBG-DR funds to finish the necessary repairs, Lee County has drafted an amendment to the lease, extending the expiration date to June 2074. When executed this amendment will ensure use of the facility as a shelter for Lee County residents for the next 50 years.

G. ENVIRONMENTAL AND NATURAL HAZARDS MAPS

Lee County EPA Sites National Percentiles for People of Color

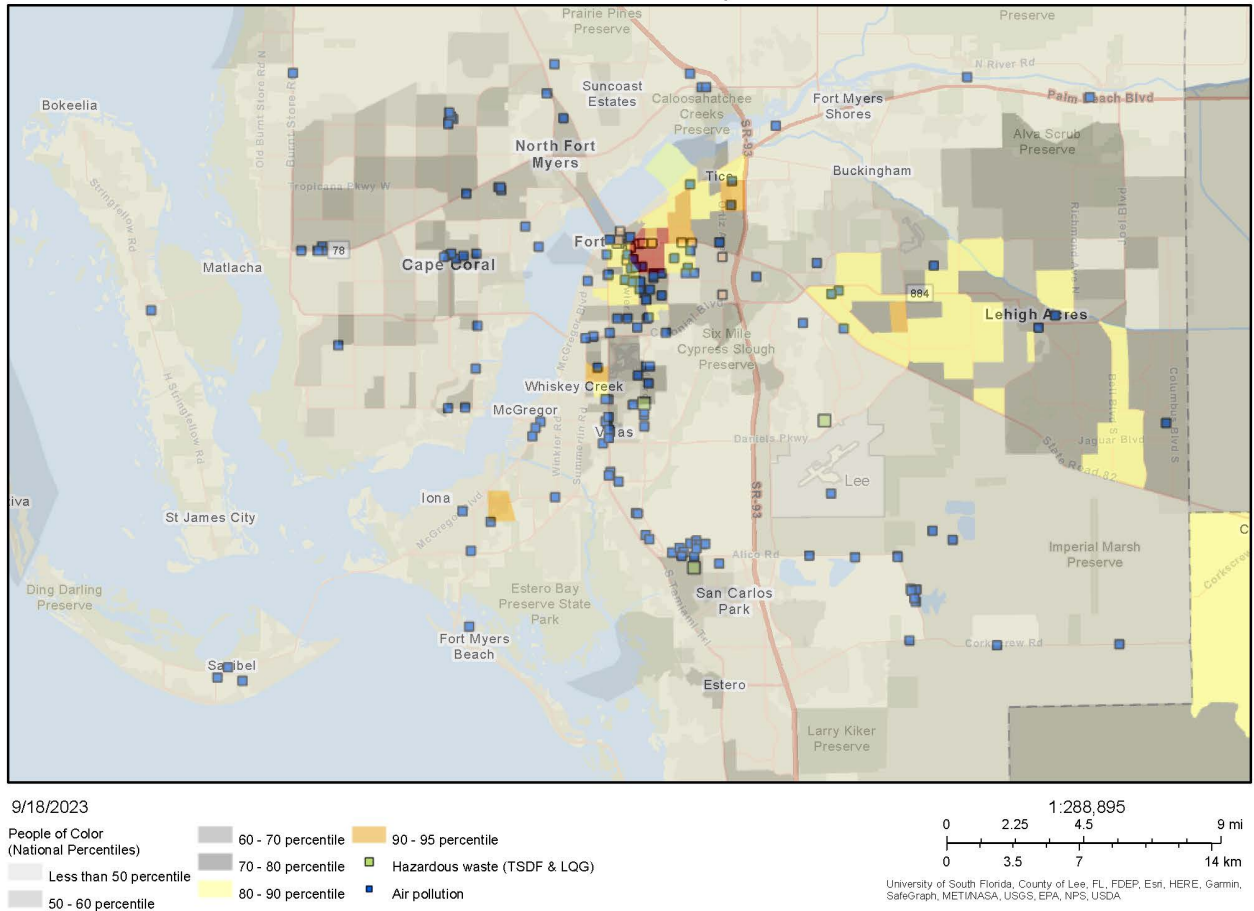


Figure 34. Lee County EPA Sites National Percentiles for People of Color

Lee County EPA Sites State Percentiles of Low Income Households

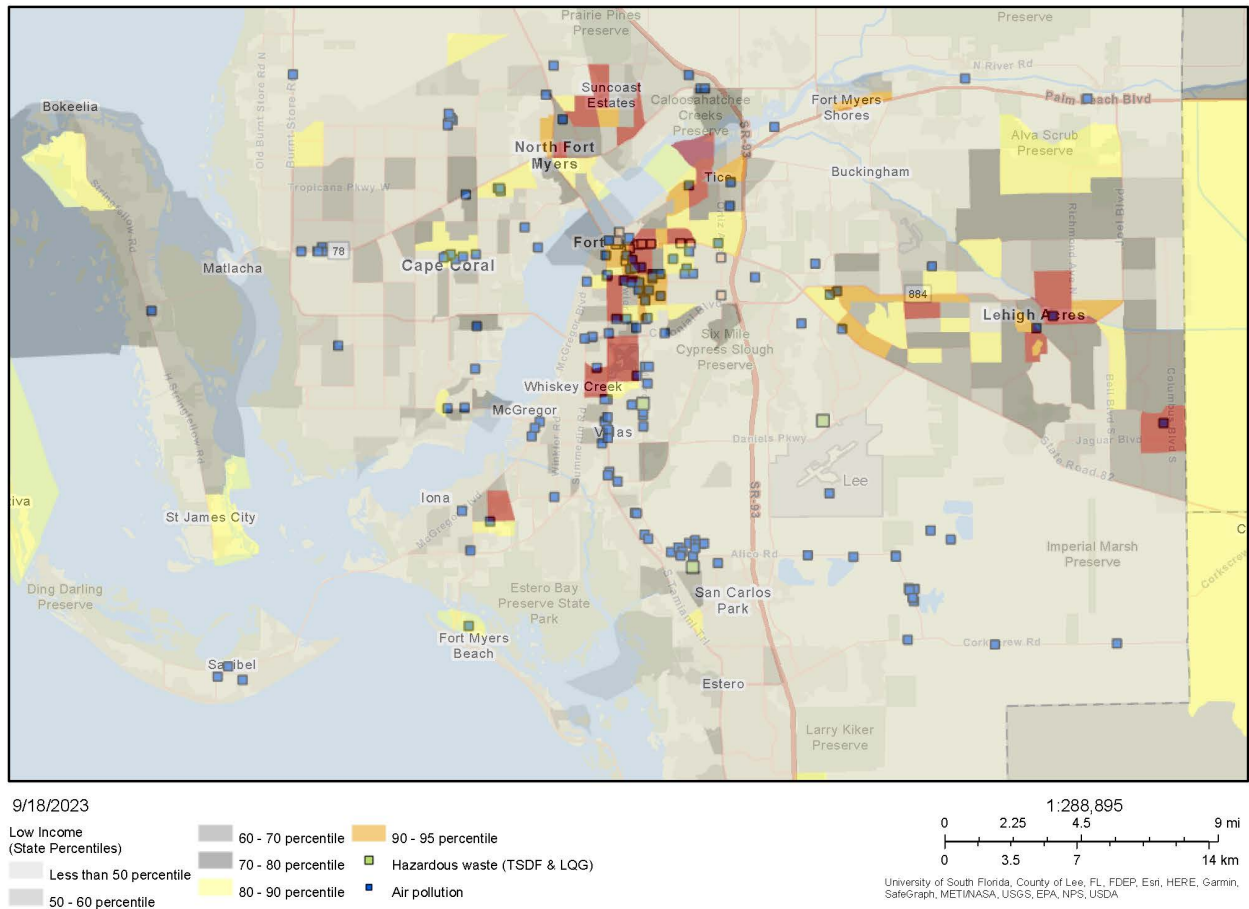


Figure 35. Lee County EPA Sites State Percentiles of Low Income Households

Lee County Water Bodies National Percentiles for People of Color

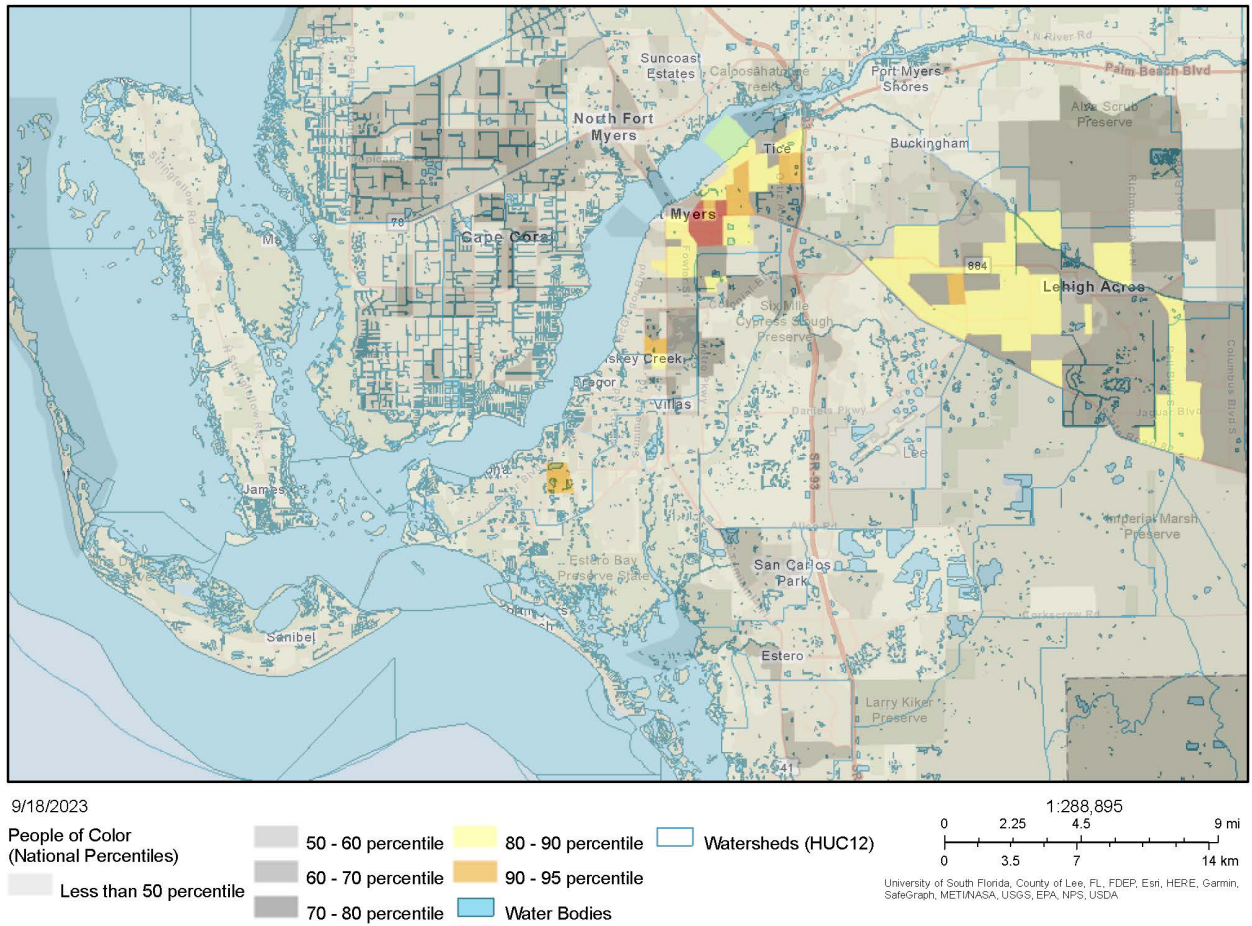


Figure 36 – Lee County Water Bodies National Percentiles for People of Color

Lee County Water Bodies State Percentiles of Low Income Households

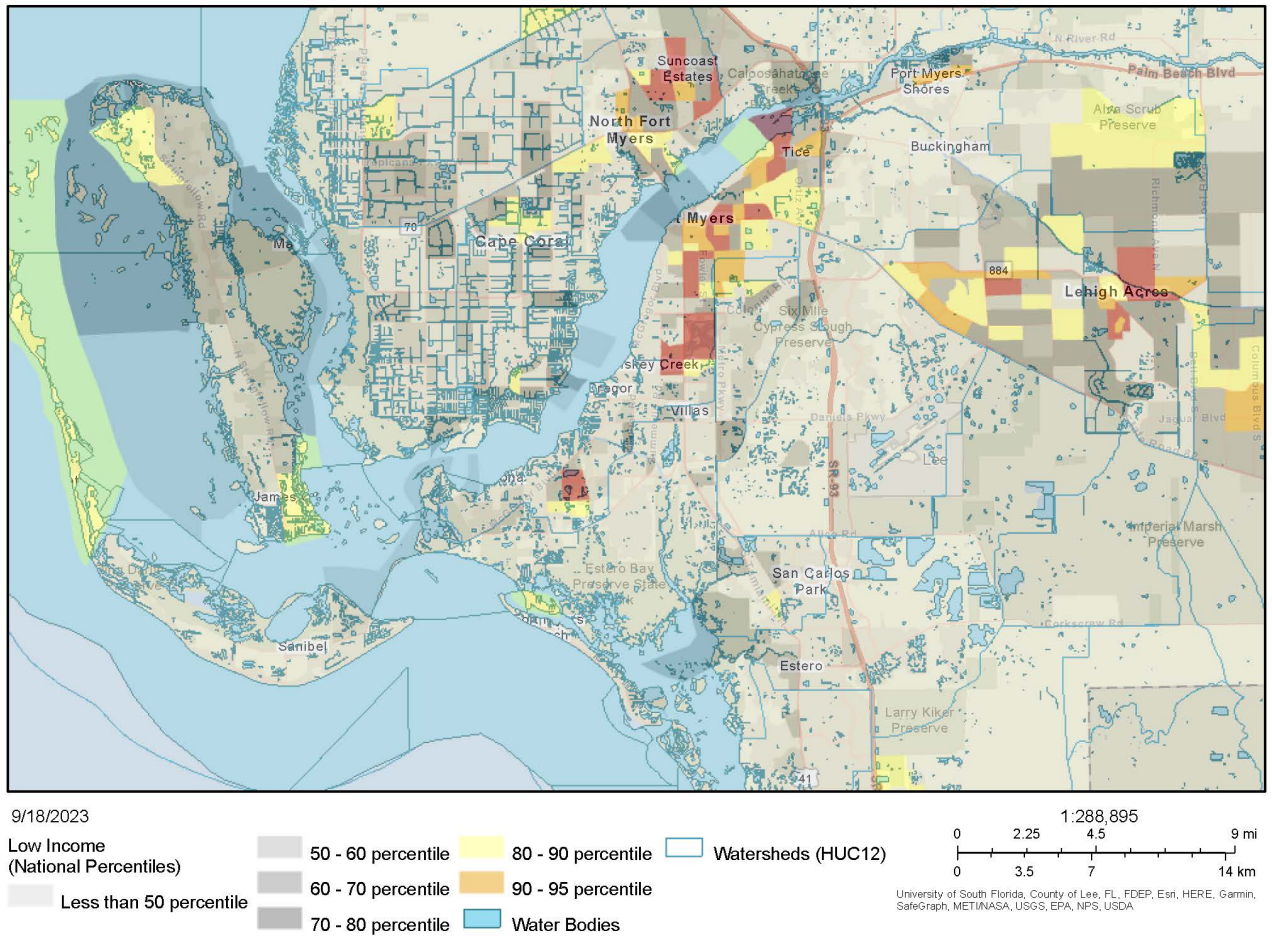


Figure 37 – Lee County Water Bodies State Percentiles of Low Income Households

H. STANDARD FORM 424

Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

05/18/2023

4. Applicant Identifier:

5a. Federal Entity Identifier:

B-23-UN-12-0002

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

Lee County

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

59-6000702

* c. UEI:

SS8JCN35XH77

d. Address:

* Street1:

2115 Second Street

Street2:

* City:

Fort Myers

County/Parish:

* State:

FL: Florida

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

33901-3102

e. Organizational Unit:

Department Name:

Strategic Resources

Division Name:

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

Prefix:

* First Name:

Glen

Middle Name:

* Last Name:

Salyer

Suffix:

Title:

Assistant County Manager

Organizational Affiliation:

* Telephone Number:

239-533-2221

Fax Number:

* Email:

gsalyer@leegov.com

Application for Federal Assistance SF-424*** 9. Type of Applicant 1: Select Applicant Type:**

B: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

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

U.S. Department of Housing and Urban Development

11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

Community Development Block Grants/Entitlement Grants

*** 12. Funding Opportunity Number:**

N/A

* Title:

This is not a federal competition. Lee County received a direct allocation of CDBG-DR Funding through Federal Register 88 FR 32046.

13. Competition Identification Number:

Title:

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

Add Attachment

Delete Attachment

View Attachment

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

Lee County CDBG-DR Action Plan

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424

16. Congressional Districts Of:

* a. Applicant

19

* b. Program/Project

19

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

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date:

11/01/2023

* b. End Date:

10/31/2029

18. Estimated Funding (\$):

* a. Federal

1,107,881,000.00

* b. Applicant

* c. State

* d. Local

* e. Other

* f. Program Income

* g. TOTAL

1,107,881,000.00

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

☐ a. This application was made available to the State under the Executive Order 12372 Process for review on☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.

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

☐ Yes☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

☒ ** I AGREE

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

Authorized Representative:

Prefix:

Mr.

* First Name:

Brian

Middle Name:

* Last Name:

Hamman

Suffix:

* Title:

Chair, Board of County Commissioners

* Telephone Number:

239-533-2226

Fax Number:

* Email:

dist4@leegov.com

* Signature of Authorized Representative:

DocuSigned by:

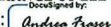


* Date Signed: 9/19/2023

12:05 PM

DS

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY: 

0780A432435E448



ATTEST: CLERK OF THE CIRCUIT COURT

BY:

DocuSigned by:

Melissa Butler

DEPUTY CLERK

Applicant and Recipient Assurances and Certifications

U.S. Department of Housing
and Urban Development

OMB Number: 2501-0017
Expiration Date: 01/31/2026

Instructions for the HUD-424-B Assurances and Certifications

As part of your application for HUD funding, you, as the official authorized to sign on behalf of your organization or as an individual, must provide the following assurances and certifications, which replace any requirement to submit an SF-424-B or SF-424-D. The Responsible Civil Rights Official has specified this form for use for purposes of general compliance with 24 CFR §§ 1.5, 3.115, 8.50, and 146.25, as applicable. The Responsible Civil Rights Official may require specific civil rights assurances to be furnished consistent with those authorities and will specify the form on which such assurances must be made. A failure to furnish or comply with the civil rights assurances contained in this form may result in the procedures to effect compliance at 24 CFR §§ 1.8, 3.115, 8.57, or 146.39.

By submitting this form, you are stating that all assertions made in this form are true, accurate, and correct.

As the duly representative of the applicant, I certify that the applicant:

*Authorized Representative Name:

Prefix: Mr. *First Name: Brian
Middle Name:
*Last Name: Hamman
Suffix:

*Title: Chair, Board of County Commissioners

*Applicant Organization: Lee County

1. Has the legal authority to apply for Federal assistance, has the institutional, managerial and financial capability (including funds to pay the non-Federal share of program costs) to plan, manage and complete the program as described in the application and the governing body has duly authorized the submission of the application, including these assurances and certifications, and authorized me as the official representative of the application to act in connection with the application and to provide any additional information as may be required.

2. Will administer the grant in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d)) and implementing regulations (24 CFR part 1), which provide that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity that receives Federal financial assistance OR if the applicant is a Federally recognized Indian tribe or its tribally designated housing entity, is subject to the Indian Civil Rights Act (25 U.S.C. 1301-1303).

3. Will administer the grant in compliance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, and implementing regulations at 24 CFR part 8, the American Disabilities Act (42 U.S.C. §§ 12101 et seq.), and implementing regulations at 28 CFR part 35 or 36, as applicable, and the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) as amended, and implementing regulations at 24 CFR part 146 which together provide that no person in the United States shall, on the grounds of disability or age, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance; except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

4. Will comply with the Fair Housing Act (42 U.S.C. 3601-19), as amended, and the implementing regulations at 24 CFR part 100, which prohibit discrimination in housing on the basis of race, color, religion sex (including gender identity and sexual orientation), disability, familial status, or national origin and will affirmatively further fair housing; except an applicant which is an Indian tribe or its instrumentality which

is excluded by statute from coverage does not make this certification; and further except if the grant program authorizes or limits participation to designated populations, then the applicant will comply with the nondiscrimination requirements within the designated population.

5. Will comply with all applicable Federal nondiscrimination requirements, including those listed at 24 CFR §§ 5.105(a) and 5.106 as applicable.

6. Will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601) and implementing regulations at 49 CFR part 24 and, as applicable, Section 104(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(d)) and implementing regulations at 24 CFR part 42, subpart A.

7. Will comply with the environmental requirements of the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and related Federal authorities prior to the commitment or expenditure of funds for property.

8. That no Federal appropriated funds have been paid, or will be paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of this Federal grant or its extension, renewal, amendment or modification. If funds other than Federal appropriated funds have or will be paid for influencing or attempting to influence the persons listed above, I shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying. I certify that I shall require all subawards at all tiers (including sub-grants and contracts) to similarly certify and disclose accordingly. Federally recognized Indian Tribes and tribally designated housing entities (TDHEs) established by Federally-recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage by the Byrd Amendment, but State-recognized Indian tribes and TDHs established under State law are not excluded from the statute's coverage.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

*Signature:

DocuSigned by:

C95488F9BF0F428...

*Date:

9/19/2023 | 12:05 PM EDT DS

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

DocuSigned by:
BY: 
D780A43243DE448...

ATTEST: CLERK OF THE CIRCUIT COURT

DocuSigned by:
BY: 
DEPUTY CLERK



ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.


PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

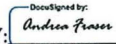
1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Chair, Board of County Commissioners
APPLICANT ORGANIZATION Lee County	DATE SUBMITTED 9/19/2023 12:05 PM EDT

Standard Form 424B (Rev. 7-97) Back

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY:  _____
UT00AK22420C448

ATTEST: CLERK OF THE CIRCUIT COURT

BY:  _____
8700143004100481
 DEPUTY CLERK



ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009
Expiration Date: 02/28/2025

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.


As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of

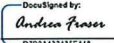
Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  <small>DocuSigned by: [Signature]</small> <small>095468F9BDF0F420...</small>	TITLE Chair, Board of County Commissioners
APPLICANT ORGANIZATION Lee County	DATE SUBMITTED 9/19/2023 12:05 PM EDT

SF-424D (Rev. 7-97) Back

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY: 
0780A432430E448

ATTEST: CLERK OF THE CIRCUIT COURT

BY: 
873C1E7D3130C4A4
 DEPUTY CLERK



CDBG-DR

Draft Action Plan Public Comments by Category

Office of Strategic Resources &
Government Affairs

1500 Monroe St, 4th Floor

(239) 533-2315

recovery@leegov.com

[https://www.leegov.com/recovery/
cdbg-dr](https://www.leegov.com/recovery/cdbg-dr)

Economic Revitalization Comments

Planning Comments

Public Service Comments

Voluntary Residential Buyout Comments

Public Facilities & Infrastructure Comments

Housing Comments

General Comments

From Municipalities

Economic Revitalization Comments

Zip Code	Household Size	Economic Revitalization Comments
		<p>So, it might be to late to bring this up, but looks like Sarasota County has a component in their grant for workforce development. I looked at power point presented to commissioners and didn't see that element. Thought I'd see what you thought or maybe it is already a component and I missed it.</p> <p>Have a great weekend,"</p>
33966		3 Assistance to businesses and their employees many are still displaced. the needs of the people are not being met.
33901		Need some allocation for economic revitalization to diversify economy and make less reliant on tourism which is highly affected by disaster
33908		2 The draft action plan NEEDS to include allocation for economic revitalization. It's understood that the process is complicated but please exercise best practices and allocate now rather than wait.
33901		5 Need to include funds for economic revitalization to help small businesses, particularly black and minority owned businesses. County must make actual efforts to reach and support such business owners.
33957		We need to help mom & pop hotels, motels, resorts to reopen. Once we get tourists staying on the island, the jobs will return in stores & restaurants. Low interest loans? Grants? Other incentives?

Planning Comments

Zip Code	Household Size	Planning Comments
33966		3 Create overlay districts, used transect zones and formed based codes to regulate and create communities that are not car dependant. Transportation and places where people live, work and play should not be separated by land uses or by developments that cater to parking lots as the facade of the projects. There need to be a sense of place.
33993		7 Assistance with utilities and rent, as well as other opportunities, are crucial for our community in the aftermath of Hurricane Ian. While many have returned to work, some are still facing financial hardship without support. In addition, more parks for children could be beneficial.
		2 How did Iona/McGregor (which was on the initially proposed "community plan") get cross off the list :(This is devastating for so many residents living in housing (dense) that was affordanle. Albeit not "affordable housing". The climte disaster is resulting in "climate injustice" as residents (estpecially seniors) cannot afford to rebuild where they own property.
33901		1 Project Overview: Community Haven We propose the development of a dynamic public facility that encompasses a state-of-the-art residential-commercial building. This versatile structure will serve as a focal point for community interaction, innovation, and growth. The building's design integrates a range of functionalities, including a telehealth hub, affordable housing, incubator, and flexible professional workspaces.
33908		1 See my comments below. There are many elderly people that lost their homes in manufactured home parks that do not have the means and did not know of Ian Debris removal prior to the expiration of that program. Them need housing assissitanc help to remove their homes from there lots.
33991		3 We need a REAL hospital in Cape Coral!!!! Any resident will tell you LeeHealth does not meet the needs of the community in this city. In fact they continue to move resources to Ft Myers making residents in the cape travel, pay tolls, pay for EMS transportation services, wait months to see providers in the Cape and/or spending hours in car in traffic. This is unacceptable. How can a city with a greater population than fort Myers be so ignored and have no little to no healthcare options. Healthy competition with LeeHealth would fix this issue
33993		We need shelters near every neighborhood. People always wait until the last second, they don't want to sit in bumper to bumper traffic wondering where they'll get gas, and they won't leave without their pets. All schools should be built or upgraded to be shelters. Charley and Ian were both "supposed" to hit somewhere else, but they didn't. We have to expect that will happen again.
33910		I support multiple local partners with their resilience efforts. As part of that, I keep an eye on resources that may be available to support those efforts. In that vein, I noticed some phrasing in the County's draft plan on page 198: "A total of \$25,000,000 is being allocated for planning activities; \$21,550,000 will be available via competitive application processes for units of local government to fund studies, analyses, and additional planning efforts that may result in the establishment of additional recovery and resiliency priorities and activities or support the design and implementation of the currently described CDBG DR programs. The funding allocated across these activity line items will include reimbursement for otherwise allowable recovery costs incurred on or after the incident date of the covered disaster." Although I do realize this plan has not been finalized yet, I just wanted to see if there were any additional preliminary details about the expected application process. (For example, Is there a particular County department that would be likely to oversee the application process? How could I keep an eye on future announcements about this funding and application process?). Or, is there someone in the County I might ask more directly about this?
33901		Need more planning allocation up to cap
33916		5 Planning for future water quality and long term environmental impacts of flooding
33904		4 Living shorelines and wetlands are critical to our resilience. Please stop paving and hardening them.
33916		2 Rededicate funds earmarked for planning to housing implementation. Planners are already paid to do this work. It's double-dipping.

33905

1 Please fund a review of the Lee MPO.

For examples: Staff should include a transportation engineer. The Director should live in the County and they should not practice engineering on a regular basis as defined by F.A.C. The MPO attorney should be elected and sanctioned for lying to the MPO Board by purporting Mr. Majka bypassed the Access Management Review Committee when it was FDOT that bypassed the AMRC.

32505

2 As a Governing Board Member of the Lee County Unmet Needs Long Term Recovery Group, and officer of the National Voluntary Organizations Active in Disaster, Long Term Recovery Group Committee, I encourage that CDBG-DR planning for Lee County consider ways the community can leverage the disaster case management, volunteer management, construction management, and other services of the Lee County Unmet Needs Long Term Recovery Group along with those of its member and partner organizations.

Best practice examples from other communities indicate that doing so will help ensure an optimal outcome for Hurricane Ian survivors, funding and other resources will be utilized efficiently and effectively, and the readiness of the community will be enhanced to respond to and recover from future disasters of all kinds.

33901

5 Not enough funding has been allocated for planning and administration.

Public Service Comments

Zip Code	Household Size	Public Service Comments
33908		1 There are many elderly people that lost their homes in manufactured home parks that do not have the means and did not know of lan Debris removal prior to the expiration of that program. Them need housing assissitanc help to remove their homes from there lots.
33914		3 More EMS stations and personnel
33991		5 Mental Health services especially for the homeless and our seniors.
33901		Need more public service allocation up to cap
33901		Behavioral Health, Grief and Trauma is rampant as a result of Ina. Please make sure grant applications are available to those behavioral health organizations like Valeries House that are on the front lines of this ongoing mental health crisis.
33966		4 Need to incorporate employment training for disabled individuals over the age of 25, 30, 40 and 50s. The disabled, special needs people would also enjoy having a career with benefits and not get taking advantage!
33901		5 Not enough has been allocated for nonprofits. Need to include process to get funds into smaller organizations doing work in low and moderate income communities, not just do bulk allocations to larger existing organizations with strong ties to the BOCC like Salvation Army.

Voluntary Residential Buyout Comments

Voluntary Residential Buyout

Zip Code	Household Size	Comments
		<p>All of these places are in desperate need to have condemned structures taken down. The people cannot move on without this. The buildings still in the water must be dealt with swiftly.</p> <p>I think some of Matlacha (where there is limited land) should not be rebuilt because it will be destroyed again. Maybe small parks for fishing can be established.</p>
33919		Great idea!
33904	4	It's inevitable and important. Let's get started.

Public Facilities & Infrastructure Comments

Zip Code	Household Size	Public Facilities and Infrastructure Comments
UNKN		Underground utilities. Yes it will cost more but the recovery on future storms will be faster and easier. History has taught us that these storms are only getting worse. If we have less power issues, we have less emergency issues in a state where so many rely on home health care. I can go on but I believe I have made a decent argument for this idea to at least get mention. This also helps with day to day issues of accidents.
UNKN		The children are suffering enough,,,put some time and effort into getting all the Lee County Parks and Rec, restored and running full speed again. Ridiculous this has taken 10 months!
UNKN		Please also consider public piers as a place for people from out of state like to go to. These areas should be rebuilt for the tourism trade. They almost always are the last thing to get repaired, thanks.
UNKN		Please use the 1.3 billion to remove the 8% increase for water and sewer each of the next 5 years that Lee County just approved. The justification was for Ian recovery. Seems like a no-brainer to me. Did the County not think about this money coming in before passing this huge increase?
33966		3 We need more parks, more separated bicycle lanes, traffic calming and red and speed ticket cameras. We need to protect mangroves and ecological sensitive areas
33991		2 Dear Lee County Commissioners, I would like to see 30% of the grants go to fixing any park or beach in the county that still needs repairs. I believe having places for residents and tourists are of utmost importance to our economy. Obviously the rest, 70% would be for housing. Thank you for your time.
34135		2 I've spent this morning reading the report and plan for the CBDR grant from HUD. I've been an actively involved citizen with this block grant, attending two town halls for Resilient Lee and multiple Bonita Springs city council meetings. One area the feedback at town halls included and were not mentioned in this summary is around mobility for low to moderate income that is not automobile dependent. There are opportunities to purchase land near low to moderate income homes and building out multi-use trails so people can safely commute/get to school, etc.. as pedestrians or on bikes. Our discussions included the poor safety statistics for Lee County and how this disproportionately impacts low income and how this could be improved with multi trails that connect Lee County from Cape Coral to Fort Myers to Bonita Springs and provide a safe way to commute, away from the hazards of distracted drivers. This would also provide a boost to the economy along the multi trails.

33908	Our Community Roads (Sunshine Mobile Village) were destroyed by the FEMA and demolition trucks and equipment. How are we going to pay to replace these wrecked roads and our infrastructure. We need funds and help for our roads. We are a casualty of FEMA!
33931	We really need our public facilities back. We need to drive people here to frequent the businesses to revitalize the area. We need the pier and the parks! Public transportation.
33914	3 Underground utilities and sideways street lights.
33991	5 This money should certainly go to the barrier islands that took the brunt of hit to modernize and rebuild infrastructure. There is a lot of blank canvases that the county can take advantage of to make the islands more prepared and stronger which will only benefit everyone that is a resident and visitor of Lee County. Roads and storm water should be a priority especially Pine Island, Sanibel, and Ft Myers Beach.
33991	3 There are still streets without signs and/or destroyed signs. Storm water drainage is a terrible problem (that my taxes pay for) especially around Trafalgar Middle School always
33993	Three boardwalks in Cape Coral were wrecked by the hurricane. Four Mile Cove, the kayak portage at Four Mile Cove, and the Glover Bight boardwalk at Rotary Park, Please help fund the repair of those boardwalks or they may never get repaired. There boardwalks are directly related to tourism and the Cape has little else in that regard.
33904	4 Sewer systems and roadways need to be updated ! Our city is growing and the infrastructure is outdated. We live in south cape and our home was flooded during Ian with nasty storm water.
33956	3 I live on pine island in st James city, it is several miles of only one way in and out. Before and after hurricane Ian it was horrible trying to get on and off including today for workers. We need another way to and from pine island from the south end to mainland. Also the length of STRINGFELLOW is a horticultural mess with dead trees and no proper landscaping- we need a local commission and allocated funds to straighten out this huge eyesore.
33966	4 How long will members of the communities will have to wait for the city to put in sidewalks for streets, roads and boulevards that do not have sidewalks? It is detrimental walking along those streets that do not have sidewalks, for example Plantation Rd north of Daniels Parkway towards Crystal Drive.
33922	Will the infrastructure list be public or be able to vote on projects? Why do communities get infrastructure projects when they weren't affected by Hurricane Ian.

1. Having hurricane proof buildings to house critical infrastructure equipment such as fire trucks, front loaders, track hoes, etc. so they can survive the hurricane and be ready for use after the storm passes. Hurricane proof storage buildings would also reduce burden on insurance companies.
 2. Outfit churches or businesses with a generator and temporary cell phone connection to allow residents of BOKEELIA on Pine Island to communicate to the outside world, get air conditioning, water, food, and news.
 3. Outfit a church or business with a generator and temporary cell phone connection to allow residents of SAINT JAMES CITY on Pine Island to communicate to the outside world, get air conditioning, water, food, and news.
 4. Outfit churches or businesses with a generator and temporary cell phone connection to allow residents of CENTER on Pine Island to communicate to the outside world, get air conditioning, water, food, and news.
 5. Outfit churches or businesses with a generator and temporary cell phone connection to allow residents of MATLACHA to communicate with the outside world, and get air conditioning, water, food, and news.
 6. Design and construct a Greater Pine Island Recovery Center. The facility will be set above flood elevations and include storage space for equipment to be used after the disaster, a safe room, generators, communications equipment, and other hardening efforts to allow the island to accommodate Army Corp, FDEM, FEMA, Sheriff's Dept, Fire Dept., and not for profits assisting in recovery after future disasters. Throughout the year when not used directly for disaster recovery, it can house not-for-profits located on the island dedicated to long-term recovery or humanitarian concerns. It can also be used for town hall meetings and community collaboration workshops.
 7. Construct a TEMPORARY Greater Pine Island Recovery Center while the permanent Recovery Center is in design and construction. Design and construction of the permanent Recovery Center will likely take 4-5 years. A TEMPORARY Recovery Center could be constructed out of retrofitted land/sea containers, in less than a year. The temporary facility will be set above flood elevations and include storage space for equipment to be used after the disaster, generators, communications equipment, and other hardening efforts to allow the island to accommodate Army Corp, FDEM, FEMA, Sheriff's Dept, Fire Dept., and not for profits assisting in recovery after future disasters. Throughout the year when not used directly for disaster recovery, it can house not-for-profits located on the island dedicated to long-term recovery or humanitarian concerns. It can also be used for town hall meetings and community collaboration workshops.
 8. Provide three Starlink units to GPIA for communications after disasters.
 9. Establish or reuse an old radio station antenna for emergency communications after a disaster. Tower can broadcast news reports on the hour to the local residents to help in the dissemination of news. Tower could also serve as a repeater to allow the use of walkie-talkies at longer distances, in the general area.
 10. Provide a generator at Pine Island health clinic (located at CENTER) so it can operate after a disaster.
 11. Install more natural gas storage capacity and distribution facilities on the island to allow generators refueling.
 12. Install diesel storage capacity on the island to allow for generator and vehicle refueling.
 13. Provide two FDOT rated generators, with cable sets, to be moved to locations as necessary to facilitate electrical power as necessary in support of critical infrastructure on Pine Island and Matlacha.
 14. For locations that are only accessible by a single road/causeway (Sanibel, Captive, Pine Island, Matlacha, and Boca Grand) should have multiple dedicated ports for marine access to transport people, supplies, equipment, etc. Post-storm debris needs to be removed from predetermined ports and waterways and regular boat
-

33922

10+

1. Install a fixed generator at GPIWA Production Well-7 to provide critical redundancy to the Water Treatment Plant water supply.
2. Install a fixed generator at GPIWA Production Well-8 to provide critical redundancy to the Water Treatment Plant water supply.
3. Install a fixed generator at GPIWA Water Treatment Plant (WTP) to provide critical redundancy to the emergency power necessary to allow the WTP to produce potable water after a disaster.
4. Install more diesel storage capacity at GPIWA WTP to increase run time of generators for WTP.
5. Install a fixed generator at GPIWA Water Treatment Plant (WTP) Deep Injection Well (DIW) used by Lee County WRF. Redundancy to the emergency power necessary to allow the WTP to dispose of concentrate and WRF to dispose of reuse water.
6. Raising GPIWA well electrical/control panels higher and above the new recommended flood elevations.
7. Adding flood doors to GPIWA buildings to flood proof them.
8. Replace in ground copper communication lines with fiber optic lines at GPIWA facilities.
9. Building electrical racks for GPIWA well electrical/control panels to withstand hurricane force winds.
10. Retrofitting old GPIWA doors and windows to hurricane rated doors and windows. Same thing for roll up doors.
11. Add a second story to the GPIWA Water Treatment Plant for a dormitory to allow staff to work 24 hours (two 12hour shifts) in support of disaster recovery .
12. Construct a gray water holding tank to serve as critical redundancy to GPIWA Water Treatment Plant (WTP) septic systems post storm event when the ground is saturated and septic system cannot function.
13. Additional source water wells to increase source water supply to the GPIWA Water Treatment Plant.
14. Repair existing potable water interconnect between Island Water Utility (Sanibel) and GPIWA (Pine Island). Project would improve the redundancy of water supply on Sanibel, Captive, Pine Island, Matlacha, and Cape Coral. GPIWA has an existing interconnect with Cape Coral so these three water utilities could be tied together.

33956

- 2 Saint James City needs sewers. The water quality depends on this and we all know that's why people come to SWFL.

33922

- I represent the Greater Pine Island Water Association I have submitted two project lists to deputy County Manager. I would like them considered for this grant funding under critical infrastructure.

33916

- 5 Safer roads, repair damaged signage, hire more traffic police, safer road design

- 1). Tornado siren upgrades
- 2). Storm surge monitor upgrades
- 3). More shelters for storm safety which include cots, pet options and kitchens with food storage
- 4). Enhanced water engineering oversight of CDD districts to make sure system works and is sustainable

33913

- 2 Rebuild the Sanibel Causeway Islands to the original proposed plan for recreational facilities and parking that was underway prior to Ian.

Property owner at Lighthouse Point in Sanibel 33957.

33956	<p>3 Matlacha desperately needs an additional lane to better facilitate traffic during evacuation processes and winter season. A turn lane to enable traffic flow-thru would be an amazing addition to Matlacha.</p>
33919	<p>WE should be using these funds to redo Times square ,replace the damaged bathroom house and the Ft. Myers pier thus allowing business to reopen in times square area to help attract tourism,</p> <p>This will generate much needed tax monies from tourism and help fund other needed projects.</p> <p>The beach is one of the greatest attractions in FT Myers yet it lies there as a forgotten dream.</p>
33913	<p>This is what I feel the money should be spent on:</p> <ol style="list-style-type: none"> 1) reducing traffic on Daniels Parkway 2) updating all of the water infrastructure to the Treeline communities 3) creating more new roads and roundabouts 4) Supporting lower income housing for low income earners who are police, fire fighters, teacher, healthcare workers and so on. 5) build a library on the East side of I-75 near Treeline (Daniels or Colonial) 6) build a green space park near to RSW airport so that it is close to Treeline and Daniels. The propose small park near the water tower on treeline is much too little space.
33904	<p>4 The Sanibel causeway spoil islands should be removed in favor of an elevated bridge the whole way. Otherwise they will keep getting impacted by storms and sea level rise. Quit throwing good money at bad ideas. Removing the islands will also help the water quality in Pine Island Sound, Matlacha Pass and Caloosahatchee River.</p>
33905	<p>1 Please fund a study to define impacts to stakeholders and the environment by blatantly violating the National Environmental Policy Act caused by illegally letting and constructing federal aid projects fpn 429823 and fpn 435341 in Fort Myers Shores AKA Caloosahatchee Shores prior to conducting a PD&E study.</p> <p>For examples: Drainage swales were filled and pervious areas were paved causing unprecedented flooding to stakeholders. This also contributes to water quality issues downstream.</p>
	<p>In the event it should come up tonight during the presentation and public comment regarding Lee County's Draft Action Plan for Community Development Block Grant – Disaster Recovery (CDBG-DR) funding, be advised that BSU staff has been in on going communication with the County Infrastructure Task Force, has attended meetings, appeared as a utility subject matter expert, and submitted a list of projects we believe may qualify for funding under the Public Facilities & Infrastructure Funding Allocation. We are currently reviewing the 2023 Action Plan issued by the County following yesterday's Commission meeting. While the criteria to determine and/or rank projects has not been very clear in this process, we will continue to advocate for funding to benefit our utility members within the City and the balance of our service area. Should you have any questions regarding this matter please feel free to contact us. Thanks.</p>

Housing Comments

Zip Code	Household Size	Housing Comments
33908		<p>I am writing in regards to the Lee County Community Development Block Grant. I know it is early in the process of this grant, but I am hoping that some of these funds can help my neighbors and myself. It is my understanding that 70% of the grant funds must go to projects that benefit low to moderate income housing. I am hoping that you will advocate for some of those funds to go to residences that are in flood zones and that are being mitigated to prevent future flood damage.</p> <p>My home is located in Ft Myers off Gladiolus Drive. We received 4 feet of flood water in our home and are now going through the process of bringing our home up to flood code. This is a lengthy and expensive process that I am not sure we will be able to afford. I know several of our neighbors have received 5-6 feet of water in their homes and they are still not sure what to do with their homes as they do not have the funds to bring their homes up to flood code. They are scared to rebuild their home back to its pre-hurricane state as another flood could happen in the future.</p> <p>Please keep my neighbors and I in your thoughts when planning for the CDBG funds for Lee County as so many of us would greatly appreciate the opportunity to take advantage of any help to bring our homes up to flood code.</p>
33908		<p>Elevation of Mobile Homes</p> <p>In terms of housing fund prioritization, I understand it's initially exclusively focused on AMI qualifications so this question would be only in the event the low income needs are first met and then subsequent income levels can be considered. Will homes receive prioritization if they have been designated as 'substantially damaged' by Lee County and therefore are mandated to mitigate for future flood damage? I didn't hear that mentioned in the discussion and was hoping those of us with the scarlet letter 'U' for 'up' might receive prioritization since the cost to mitigate adds another \$250-300k over just repairing hurricane damage. It's not a duplication of benefits since insurance doesn't cover, nor does the state (I've asked through every department including the newly formed Unite Florida), and the federal programs don't help unless you fall short of meeting your \$250k flood max to qualify for ICC (not us, our repairs far exceed \$250k) or want to wait years for approval through the non-reimbursable programs offered through HMGP and FMA (we can't wait that long since FEMA rent assistance ends March 29, 2024).</p> <p>I met with the leaders at Northshore Alliance Church in North Ft Myers this morning; they have six acres of land, they believe zoned residential, maybe even multi-residential they would like to develop some homeless transitional housing on. I thought if they put up the land and county contributed housing development \$\$ out of the \$1.1B it could make a nice fit and opportunities for folks wanting to leave the streets.</p> <p>Addition of a 300 bed shelter</p> <p>500 household vouchers supporting that household for a maximum of 2 years totaling \$2000 per month per household. Approximately \$25 million including case management and housing specialist supports.</p> <p>Increased rapid rehousing with no jurisdictional boarders - rehouse folks where it's affordable in the country.</p> <p>Subsidized childcare for 1000 households for 2 years.</p> <p>Education subsidies for those wanting to advance their education in college or trade school.</p> <p>Motel stays targeting seniors and single parent households for up to 6 while being case managed for housing.</p> <p>Increase in salaries for case managers and housing specialists; including hot team members. Because they deserve to know someone knows about their daily plight.</p> <p>I'm sure I have not hit \$100 million yet which is only 9% of the total \$1.1 billion.</p> <p>Have an immediate effect-show the people on the streets this county is moving rapidly to care for them.</p>
33908	2	<p>PLEASE allocate financial assistance to homeowners to help us rebuild</p> <p>As I have observed by the thousands of blue and white colored tarps upon houses throughout our county, it is very easy to see the greatest need for that grant money, is to target those funds to repair of resident homes.</p> <p>In my opinion and "buisness", people and their personal safety should always take priority and antecedent over businesses, roads or other projects.</p> <p>Please fund the repair or replacement of roof damage among our fellow Lee County residents due to Hurricane Ian.</p>
33908	2	<p>We lost our primary residence to Hurricane Ian leaving us homeless and in temporary housing 200 miles away. Our home was condemned and deemed not fixable.</p> <p>My husband and I are disabled, elderly and living on a fixed income.</p> <p>We would like you to consider creating new, affordable houses for people like us. We lost everything to the hurricane and would welcome the chance to get a new, up to building code, safe home to live out the rest of our lives.</p> <p>We ask that you would use the grant funds to build new, low cost homes. Thank you for your time.</p>

33008	2	Repair my existing home
33908	2	We would like a grant for permanent housing. We are currently in temporary housing situation. We would love to be in Fort Myers in a manufactured home like we had before. This may be a duplicate because I hit done not submit.
33908	2	Our neighborhood in Island Park Village, Ft Myers, had flooding in the surge. Single family and attached villa community for 55+. HOA for Section 3 using Emergency Powers hired contractors for remediation and rebuild. Signed contracts. Overpricing by RediNation and ServePro for remediation as well as poor quality, incomplete, and overcharged work by Fred Griffin Builders dba Epic Construction and Andrews Land Mgt have used up the flood insurance monies. Over 70 homes left uninhabitable at this time.
33908	2	The contractors working in the 55 and older community I reside (not currently it is uninhabitable) has collected over 4 million dollars of insurance money and has left the majority of the homes uninhabitable. Currently they claim to be 1 million dollars in debt and have stopped working on the majority of the homes. This community is basically retirees and do not have access to the additional funds needed to restore their homes. And they can't live without functioning plumbing, flooring and air conditioning. The county refuses to get involved, the state is willing to accept complaints as is the attorney general, but compensation or assistance to residents is not within their authority. The community absolutely needs some assistance or it is unlikely to survive the devastating impact of hurricane Ian.
33917		<p>So glad to see some communication about the funds available from Disaster Recovery for our area.</p> <p>I am a senior, low-income level and my husband is being treated for cancer all happening on top of damage to our mobile home in Buccaneer Estates during Hurricane Ian.</p> <p>Now our park is pressuring those of us with damage (and no insurance) to fix the damage or give them our deeds and get out more or less.</p> <p>I do have plans drawn up to work on the damage but it will take time until my husband can be in shape to help with the work. Meanwhile, I will let the park know about my circumstances, as well as our plans, and hope they will give us some time.</p> <p>They raise the rent but those of us living on social security are not getting enough to cover the rising cost or living and by adding mandates to come up with thousands of dollars in a short time to do repairs is a real challenge.</p> <p>I will attend the meeting, thank you, in North Fort Myers on Aug. 10 and look forward to hearing more about the Action Plans.</p>
33966	3	Housing needs to be resilient. Developers coming to the county or cities for money to develop should have past performance housing projects, which is a State requirement and should be a local requirement, or they should partner with a developer who has had past performance.
33908	2	Repair of owner occupied, or renter occupied housing units impacted by Hurricane Ian. Island Park Village Section III (over 55 community).
33901	3	Hello, I am a lee county resident for my entire life I was born here in 2001. Since being here my entire life I am struggling extremely bad with the housing . I am in a 2 bed 1 bath that I can not afford to pay my full extent of rent. To have help would be amazing I have no government assistance at all and never have. Thank you!
33993	4	Need assistance in repairing damage from hurricane Ian
33914	3	Can something be done for people who lost housing due to the storm? We were Renters and have been doubled up with family since we lost most of our belongings to storm surge. We would love to buy a home but we keep getting priced out by cash buyers who are purchasing just for investments. Is there a way to give priority to people who are trying to purchase a home to actually live in it?
33908		We need help! Sunshine mobile village Iona. I am an owner of a demolished doublewide. We own our land. In order to rebuild our demoished (180+) homes, we are now required to go up to AE 11 Elevations. New code requirements, and since we are a 55+ community many of us will require lifts and elevators. The beautiful home I loved was purchased a few years ago for \$152,000. Quotes to rebuild are now approaching \$400,000! Who's going to help us??? Why was Iona/McGregor not identified as a special neighborhood on the neighborhood plan list. Why was out neighborhood initially identified, but dropped?
33917		We own our mobile home and pay rent \$1100 a month to MHC Buccaneer Estates LLC. So we "own" our home yet "rent the land" it sits on. My personal problem is "losing my entire carport", and some damage to lanai and house roof. At least \$10-\$15k damage. My husband and I are 78 and 75, he has cancer and together only make \$17,000 a year (social security). He cannot do the work and yet our park office is demanding fix it up or hand them our keys. We'd never find another place for \$1100 and want to live where we are, but need help fixing it up.
33904		The city of Cape Coral has submitted an action plan to include the purchase, mitigation, and to Provide a development footprint for development of compact (LEED or FGBC rated) (mid-rise) affordable housing on the Old Golf Course. The city should use surplus land that it already owns for this intended use. The majority of citizens in Cape Coral would like to see the Old Golf Course remain a greenspace in the form of a park. During hurricane Ian, the 175 acres acted as a drainage system to the storm surge and protected many of the residential properties in and around the course. No development whatsoever should be considered on this extremely VALUABLE green space. Thank you.
33936	1	Many elder resident in Lehigh need funding to repair housing impacted by Hurricane Ian before the next Hurricane come. I was effected by two hurricane back to back.

33908	1	<p>I live in Island Park Village which was devastated by the surge from Hurricane Ian. Our condo association and board used insurance monies to hire a contractor who used the monies unwisely and after 10 months none of us can live in our units. Please help our complex get back to a livable state.</p> <p>The cost to rent an apartment in the interim is unaffordable and I have lived in 6 different places with friends or family all these months. What has happened to the insurance monies, and what to do now is so very stressful.</p>
33914	2	Money needs to go to moderate income people for housing rebuilds and restoration.
33917	2	i need housing low income iam 60yrs old my apartments was hit hard bt hurricane lan iam still in my apartment i want to move to something i can afford i work for lee health system an in need of a place iam tryiny to get a habitat home i need assitance please help me
33917	2	Hey iam still in my damaged unit from hurricane lan an would love to be in this program cto help me also to purchase a new home with Cbcdg assistance
33917	5	<p>Repair of owner occupied</p> <p>I read this Federal Disaster Recovery Fund at my work website in Lee Health, I have a question to how I can apply for this fund to help me fixed our house we had applied for FEMA but it only covers the fixing for our roof. Our bedroom was damaged from the Hurricane lan our pool cage was blown away. At the moment we (me and my kids are sleeping in the garage room because our bedroom is damage) I still need help fixing the bedroom. I need to know to where can I go and applied for it.</p> <p>P.S.</p> <p>I am homeless at the moment I am only living in my parents house. The house that is damages is in my mother's name so you can speak to her if you need more information. I am seeking help for her house.</p> <p>1) for the Multifamily housing development and the single family housing development it says that the applicants are qualified developers. Is this a program where the developer finds the land for development and submits the proposed development to the county for approval for a Tax credit/subsidized project on an individual project basis or is this an application process where the developer/contractor applies to become an approved vendor with the county for this purpose and the county directs the developer/contractor as to what work to complete for which the developer/contractor is assigned to complete by the county?</p> <p>In the above program the developer will submit an application to carry out a specific project. The developer will be required to have a contract or ownership for the land. The developer will be responsible for assembling the capital stack for the development, which could include tax credits, private financing, other grants funds, etc. Applications for 4% and 9% Tax credits are handled through Florida Housing Finance Corporation: https://www.floridahousing.org/, Bonds can be applied for through the Lee County Housing Finance Authority: https://hfaaleco.org/</p> <p>If this is an application process please provide the details where contractor/developers can apply. The applications will be made available in early 2024, and will be published here: www.leegov.com/recovery/cdbg-dr.</p> <p>We are very familiar with these types of tax credit programs as we have done several after hurricane katrina in new orleans.</p> <p>2) for the Individual Rehabilitation, Reconstruction & Elevation owner/renter occupied programs in which the home owner is the applicant is there an application process currently available for contractors who will be performing the work for these applicants ? For the CDBG-DR DEO program which our company has worked for the last 4 years for Hurricane's Irma and Michael we were contracted with the state run department of economic opportunity on the disaster recovery related jobs for those hurricanes.</p> <p>Contractors for this program will be selected through a competitive bid process. Bid specs will be made available on our website after the program begins: www.leegov.com/recovery/cdbg-dr.</p>
33904	4	We need affordable housing in south cape or Cape Coral in general.
33931		My home was substantially damaged during Hurricane Ian. I have applied for the Hazard Mitigation Grant Program (HMGP) and I am wondering if I am eligible for any benefits under the Lee County CDBG-DR plan. I'm looking at Section IV, Grantee Proposed Use of Funds; Section 4 - INDIVIDUAL HOUSING REHABILITATION, RECONSTRUCTION, AND ELEVATION and trying to understand if I would have any eligibility. My home had to be demo'd and I will be reconstructing after the HMGP is approved.
33908		My condo down Island Park Road was damaged from Ian. Island Park Village Section 3 gave the insurance money to a shady contractor and we are left after 10 months, still homeless. What can we do? It is a 55 and over community with 45 units suffering. Many living on social security only.
33908		Like many local companies, we are in the process of surveying our team members to better understand the pressures they are under to find & keep affordable housing. My question is, does Lee County, through the Community Development Block Grant, have the ability to work with local organizations who are interested in building affordable workforce housing on land the organization owns to better meet the needs of their workforce & potentially others? Another question, is there any way to expand AMI limits so that more working individuals can qualify for affordable housing?
33916		<p>Please consider allowing public housing authorities to apply for planning dollars that could expand on completed revitalization plans</p> <p>What are the plan to reuire housing developers to maintain affordable housing? What protection is there for homeowners from predatory general contractors?</p>
33966		Housing appliations availabilities for those that are special needs and disable individual that want their own place.

33966	4	When will the creations of affordable housing for disabled individuals and families? There are individuals and families waiting for affordable housing?
33916	5	More affordable housing units or rent controlled areas
33908	4	<p>Thank you for your dedication in helping our community recover. We have high hopes CDBG-DR funds might be applicable to our family in the event the lower income needs are addressed with remaining housing funds to consider additional income brackets. As our home was designated substantially damaged by Lee County, we are mandated to mitigate for future flood and the most economical method for us to do so is through elevation. As the expense to elevate is high and easily exceeds our insurance funds, we are hoping CDBG-DR funds could support this mitigation endeavor should we become eligible.</p> <p>I watched the presentation to the county commission, have read the plan, and intend to attend the Sanibel meeting. I am so pleased the plan includes the reimbursable piece for home construction as if we do achieve eligibility, we would only be able to benefit from the funding if it were to be reimbursable. We are currently renting and receive FEMA rent assistance but as that will end March 29, 2024 with the 18 month post-disaster mark, we need to move forward with construction in hopes we'd be able to move home ahead of paying double living expenses with rent and a mortgage. For that same reason, we did not apply for the federally funded FMA or HMGP as we could not afford to wait for those non-reimbursable programs to launch as the expected application approval was not until December 2024 with construction to follow in 2025. We'd be paying double rent/mortgage for years in waiting for those programs, rendering them nonsensical for those with a mortgage.</p> <p>Thank you for considering our needs, we appreciate your help!</p>
33916	2	<p>The focus on housing is admirable and smart.</p> <p>Be more specific about quantifying efforts to reach very low income residents and prioritize them over 80 percenters.</p> <p>Forego using funds for administration. Put as much money to work for implementing housing and recognize that administrators are already paid to do this job.</p> <p>Likewise with housing authorities and owners of subsidized housing. Do not use funds for administration or repairs that they are already paid to accomplish (and often fail to do). Let HAS apply to HUD for new projects as they normally do. If they can't get to repairs because of delayed insurance reimbursements, let them seek assistance from HUD. If you must, require them to return the funds as soon as they're reimbursed.</p>
33917		During Hurricane Ian, my roof to my lanai and carport were destroyed! I live on very limited income and my park is saying that my property needs to be repaired by Sept 1, 2023, which is not possible for me on my income! I need to see if I qualify for this program.
33626	4	<ul style="list-style-type: none"> • Does Lee County have the ability to include servicing and/or monitor fees, which can be used to offset admin overhead, 3rd party compliance monitoring and/or contributed to the housing trust fund for future use? Similar to what Florida Housing does with their CDBG-DR funds and other funding sources? • To maximize affordable units, 4% tax credits are the best leveraging source however they need to be used with tax-exempt bonds (At least 50% of the depreciable project cost, basically project budget minus land divided by 2). There is bond volume cap concerns/issues now in Florida which will limit the availability of bonds, and therefore new affordable developments not utilizing the FHFC competitive process. Due to the current pipeline, in speaking with Raymond James, they anticipate Q1 2025 to be the earliest potential date for new bond allocations through Lee County HFA. Demand is evident by the amount of local bond applications included in the 9/5 BoCC agenda. <p>Maybe there can be a tiered system that allows for a higher CDBG-DR request when incorporating lower AMI set asides? I don't know the solution, as my concern is that you may have a lot of developers seeking a large amount of funding for units set aside at 120% AMI. In my opinion, 120% AMI is around current market rent and/or will naturally cure itself once the market stabilizes. 100% AMI and below is the largest long-term need in my opinion.</p> <p>Possibly a phased system similar to some of the other outlined programs that provides preference to lower AMI developments</p> <p>Due to the comment above, the \$200,000 per unit limitation, may restrict some developments targeting lower AMI levels and may be too high for higher AMI proposals. Depending on site work, we're currently experiencing construction costs +/- \$200,000 per unit, which doesn't include land cost or soft costs</p> <ul style="list-style-type: none"> • Tax credit developments use the same maximum rental limit chart as other rent restricted options, however they either pay for unit utilities and/or provide a utility allowance for the tenants, further reducing the NOI and debt in comparison to a non-tax credit development <p>"Workforce" developments (80-100% AMI) often are operated similar to market-rate where the base rent is based upon the restricted rent but then include several add on fees to maximize the return for the owner, such as parking fees, valet waste, premium view/unit location, etc. "True affordable" developments do not.</p> <ul style="list-style-type: none"> • Through the competitive application process administered by Florida Housing, the funding competitions that favor leveraging, such as SAIL, we're seeing developers propose developments to back into higher scoring projects rather than the "best" project. For example, the maximum SAIL request and per unit request is the same regarding of construction type or unit type. This has resulted in more wood frame construction proposals over concrete, as well as a heavy concentration of smaller units such as shrinking units sizes, 2-bed/1-bath rather than 2-bath units, high percentage of 1-bed/studio units to show a higher unit count utilizing the same amount of SAIL funds. Quality of living, sustainability, and overall project impact should be considered. • Permanent or long-term (50+ years) affordability requirements should be included in all developments utilizing CDBG-DR • Selection preferences: <p>Prior, successful experience developing in Lee County;</p> <p>Lee County based developers – There may be a lot of out of area developers seeking to utilize the funding, without the intent of a long-term community relationship. This often results in less impactful developments, similar to what is mentioned above</p> <p>Also tend to have a better understanding of local building codes, construction costs and operating expenses to ensure financial feasibility of proposed development</p> <p>MBE/WBE developers</p> <p>Partnerships between for-profits and non-profits/PHA's; allows non-profits to compete with some of the for-profit developers who may have</p>

33957	1	repair of owner occupied housing impacted by Ian.
33908	5	Our home flooded during Hurricane Ian. We were given a substantially damaged designation letter from Lee County. We are in the process of rebuilding our home to flood code to prevent future flooding. My husband and I (and 3 children) are requesting that homes with the substantially damaged designation be allowed to apply for funding from the CDBG-DR. Our insurance does not cover the costs to mitigate our home. We are not considered low income, but more moderate income and are in need of assistance to help cover the costs of rebuilding our home. We would greatly appreciate any consideration.
33901	5	Must ensure process is actually accessible without undue barriers and burdens to access funding. Must ensure profiteering developers do not turn around and sell properties for high profits and undercut affordability.
33908		Please prioritize those who have been designated substantially damaged as flood (future) mitigation is mandatory.
33957		We have land ready to go to be developed for affordable housing through CHR.
33908		Dear Chairman Hamman, Vice Chairman Greenwell, Commissioner Ruane, Commissioner Sandelli, and Commissioner Pendergrass,

Thank you for your dedicated service to community recover following Hurricane Ian. I write to ask for your consideration when reviewing the CDBG-DR plan of a specific prioritization parameter related to housing for the individual rehabilitation, reconstruction, and elevation project.

As a homeowner in the Heritage Farms neighborhood within District 3, we flooded four feet during Ian and received the substantially damaged designation from Lee County. In order for us to be able to rebuild our primary residence with this substantially damaged designation, we must mitigate for future flood. This designation prevents us from eligibility with other federal programs such as FMA and HMGP unless we wait until 2025. These two programs are not reimbursable and with the substantially damaged designation we cannot repair our home ahead of elevating it. Clearly not a viable time scale as we pay rent along with our mortgage. This leaves CDBG-DR our shining hope in terms of a reimbursable funding source to help alleviate the significant cost to elevate our home. We applaud our county for including the reimbursable housing component in their proposed plan.

I learned at tonight's CDBG-DR meeting on Sanibel that there is not yet a prioritization consideration for those with a substantially damaged designated home. I would like to ask for your consideration for its inclusion. Those of us with the designation, we are mandated to mitigate for future flood before we repair and return home whereas others who are not designated as such have had the option (from a county permit perspective) to repair their homes and return. It seems a clear and logical parameter to prioritize those who are mandated by the county to elevate as it's required to achieve county compliance ahead of those where mitigation is optional.

Commissioner Ruane, it was a pleasure meeting you this evening. Thank you for advocating for increased funding from HUD, what a gift to our county that would be.

My husband and I appreciate all of your leadership and hard work, especially during such a challenging year.

I am the secretary of Sunshine Village, a 55 and over, HUD approved, resident-owned and managed, community of 197 residences off of Davis Road in Fort Myers (we live in unincorporated Lee County, in the shadow of Shell Point Retirement Community). Our community, which had withstood a half-century of time, was completely wiped out by Hurricane Ian. Since the hurricane, our volunteer Board and residents have been working tirelessly to rebuild our lives, homes, and community. We now have most of the homes demolished, a few completing repairs, and six new homes already approved to be built.

Despite this progress, our seniors have urgent and unmet needs. Our community has been harmed over the past few decades by development all around us, which has resulted in our neighborhood becoming a "retention pond" for our larger community (we incurred nearly 6 feet of water inside our home). Going forward, we must elevate our homes, and vital Community Center, to meet the new AE 10 FEMA height requirement. This will require costly piers, lifts, and elevators, among other serious hurdles.

Sunshine Village has taken on the burden of Lee County development, and we are going to need help from the community to recover. Like most seniors, our residents live with the constraints of fixed retirement, and social security, income. We are thankful for all that you are doing to keep these important issues, as well as that of affordable senior housing, at the forefront as you and the Task Force officials work to help our community recover.

In particular, we hope that you will advocate for the residents of Sunshine Village, and take us under your wing as a special project for recovery and resiliency. Our residents are determined to stave off the developers that are anxious to drive us from our properties in order to continue living vibrant and independent lives. Given the magnitude of destruction, and the many hurdles senior communities such as ours are facing, we believe that we may be the only community of our kind in south Iona to survive Hurricane Ian. I understand, through conversations with Joan L Guardia who has been very responsive to the plight of our community, that Sunshine has been recognized as a special community within the fabric of Lee County. I hope that Sunshine remains a priority in the eyes of the Task Force as the process moves forward. Perhaps you can provide advice to guide us in our efforts. My husband is our community president and he likes to say that "Sunshine seniors need a hand up, not a hand out!" I am doing everything I can to reach out and grab those hands!

I invite you to visit Sunshine Village to see our progress, meet our residents, and assess our unmet needs. Please join Sunshine in and become our partner in progress.

Please click on the link below, created by one of our Sunshine seniors, to visit Sunshine virtually:

<https://www.youtube.com/watch?v=IT67imcAOSE>

And please contact me by email or phone to schedule a convenient time to schedule an in-person visit at Sunshine.

I want to end by thanking you, again, Ms Sutton, for all you do to help others in need, especially vulnerable populations, and our veterans. My husband served our nation for for 29 years in the Coast Guard (and I was by his side for all of it as we raised our family and moved all over the country). Bill and I are used to the mission of saving lives...but now we are getting an education from the opposite side, as victims for the first time. At 63 and 65, we are the "youngsters" in our community. We feel a special responsibility to help our elderly residents return to their quiet, independent, and worthwhile lives in Sunshine. Please help us to help our residents and community.

Comments on Draft Lee County Action Plan for Community Development Block Grant – Disaster Recovery (CDBG-DR) Funds

August 29, 2023

1. Multifamily Development Experience Requirement is an Unreasonable Restraint on Competition

On p. 222, the first paragraph in section (e) (Eligible Applicants) requires that applicants must “developed housing through new construction or acquisition/rehabilitation within the last 36 months prior to the date of application.” I suggest that this 36-month experience requirement be removed because it is arbitrary and an unreasonable restriction on competition, in violation of 2 CFR 200.319(b)(2).

While experience is an important indicator for future success, it should be treated as a technical evaluation criterion that should be evaluated in context with an applicant’s other qualifications. Under the draft, an otherwise qualified applicant with a compelling proposal would be excluded if they could only show 35 months of experience.

These funds present a once-in-a-generation opportunity to make innovative investments in Lee County. Placing arbitrary experience requirements without a compelling basis will limit the likelihood of receiving innovative proposals and would undermine full and open competition requirements at 2 CFR 200.319.

2. Other Ambiguous of other Multifamily Applicant Requirements

In section (e) on p. 222, the third paragraph is an ambiguous vertical list. The lead-in, “Applicant must also meet all the following requirements:” indicates a list of required attributes of the applicant.

First, the first two items are actually application submission requirements. The better approach for these items would be to remove them from the Action Plan and including the requirements to submit the documentation as part of the future NOFO.

Second, the third item regarding exclusion should be rewritten as follows:

Applicants may not be debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs and activities, as indicated by System for Award Management Exclusions (SAM Exclusions) (www.sam.gov).

This phrasing better aligns with the lead-in paragraph and removes the unnecessary concept that SAM-excluded parties must separately be considered ineligible for funding. The language also better aligns with 2 CFR Part 180.

Third, the fourth item conflicts with the lead-in paragraph, which uses the word “must” to indicate a requirement. However, the fourth item that that “Applicants should have previous

experience...” The use of “should” indicates a recommendation, rather than a requirement. The County should clarify whether this item is mandatory or merely suggested. If intended to be a requirement, I reiterate my previous comment that experience requirements should be considered as part of the technical review process, rather than making it a strict eligibility requirement.

3. Incorporation of Activities Which Aid in the Prevention or Elimination of Slums or Blight

The draft action plan fails to incorporate activities for the prevention or elimination of slums or blight, which is an eligible national objective under 24 CFR 570.483(c).

In particular, I am concerned that neighborhoods, such as Sunshine Mobile Village, will have numerous empty, abandoned lots for the foreseeable future without assistance. Overtime, these abandoned lots will attract dumping, vagrancy, crime, pests, and other nuisances that will affect communities’ quality of life and prevent their recovery. Similarly, a community’s inability to finance repairs for community centers and other basic community shared spaces could lead to abandonment of such communities.

While some communities may not qualify under the LMI national objective, moderate investments to reduce the harms caused by undeveloped lots and the loss of shared spaces and to encourage faster redevelopment of these spaces should be considered in alignment with the national objective to prevent and address blight.

4. Additional Flexibility for Higher-Cost, but High-Value, Voluntary Residential Buyout Projects

The draft Action Plan caps the maximum award for the acquisition of a property as \$323,000. While tying the maximum award to “FEMA’s Cost Effectiveness Determinations for Acquisitions and Elevations in Special Flood Hazard Areas Using Pre Calculated Benefits” provides clear administrative benefits, Lee County should not abandon the prospect of higher-cost projects that provide a compelling value.

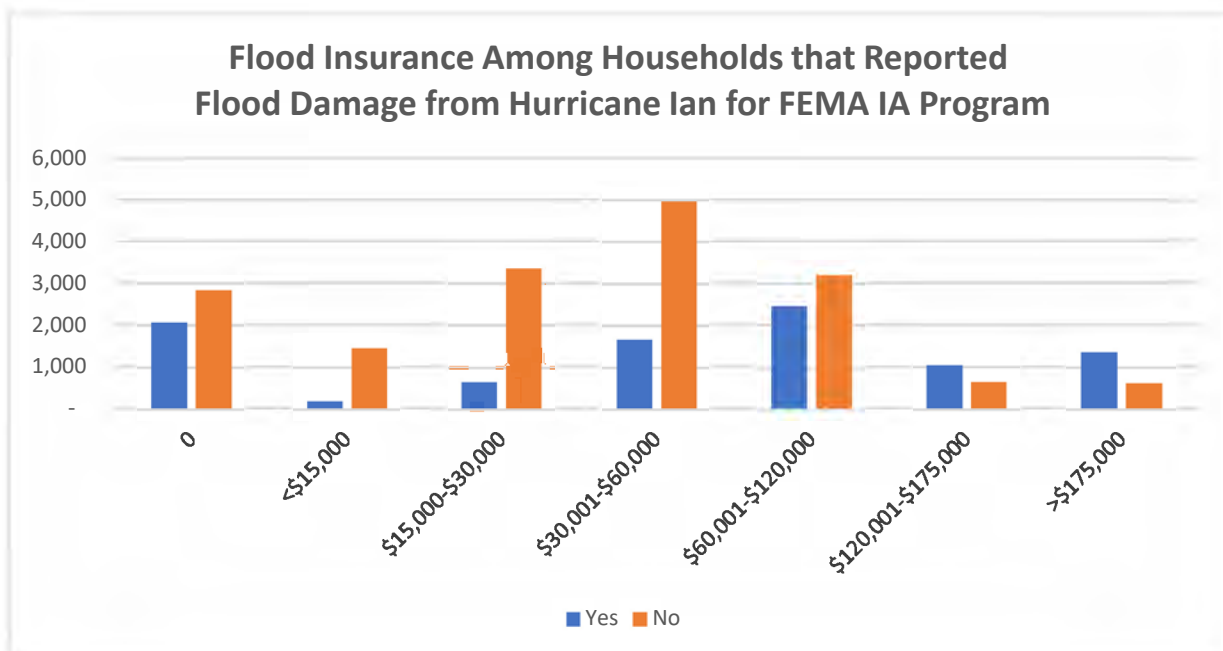
This issue is partially addressed in the following “Exceptions to Maximum Award Amounts” paragraph. However, there should be a clear exception for projects where the calculated benefits far outweigh the anticipated costs. Lee County could still prioritize these projects lower than those that can use the streamlined BCA process.

5. Funds Should be Allocated for the Purchase of Flood Insurance

According to data obtained from FEMA’s OpenFEMA system, there were 26,419 households in Lee County that applied for Individual Assistance from FEMA following Hurricane Ian after experiencing flood damage. Of those, only 9,400 (34.17%) had flood insurance. Unfortunately, those with flood insurance tended to have a high income, as indicated in the following table and chart:

**Flood Insurance Among Households that Reported
Flood Damage from Hurricane Ian for FEMA IA Program**

Household Income	Flood Insurance?				Total Applications	
	Yes		No		Count	%
	Count	%	Count	%	Count	%
0	2,058	42.1%	2,831	57.9%	4,889	18.5%
<\$15,000	195	11.9%	1,446	88.1%	1,641	6.2%
\$15,000-\$30,000	642	16.1%	3,345	83.9%	3,987	15.1%
\$30,001-\$60,000	1,666	25.2%	4,957	74.8%	6,623	25.1%
\$60,001-\$120,000	2,462	43.6%	3,191	56.4%	5,653	21.4%
\$120,001-\$175,000	1,029	62.1%	627	37.9%	1,656	6.3%
>\$175,000	1,348	68.4%	622	31.6%	1,970	7.5%
Total	9,400	35.6%	17,019	64.4%	26,419	



Flood insurance is a household's best chance at a fast and full recovery after the inevitable next catastrophic flood event. Low-income households are the most vulnerable to flood risk, but the least able to afford flood insurance.

Lee County should consider allocating funds to buy every low- and moderate-income household in Lee County, whether a renter or homeowner, with a flood insurance policy for three years. This would give Lee County a buffer against another catastrophic flood event that could disrupt long-term recovery from Ian. This would also help households that are required to obtain and maintain flood insurance as a condition of receiving other grant funds.

This program would align with the Lee County's requirement to allocate a portion of CDBG-DR funds to mitigation activities. See <https://www.federalregister.gov/d/2023-10598/p-108>.

Working with FEMA directly using advanced underwriting technologies made available under FEMA's Risk Rating 2.0 program, Lee County could procure these policies with minimal administrative effort. This approach could follow FEMA's success in procuring flood insurance for every household affected by the Hermit's Peak/Calf Canyon in New Mexico.¹

6. The Action Plan Should Prioritize Support for Age-Restricted Communities

Age-restricted communities are an important part of Lee County and should be prioritized for CDBG-DR allocations. They provide seniors with better social opportunities and targeted community support than those living isolated in all-age communities. HUD also emphasizes the service of senior community members by presuming that services in support of elderly persons qualify as serving low- and moderate-income households. See 24 CFR 570.208(a)(2)(i)(A).

Prioritization of age-restricted communities could come in many forms:

- Lee County could add focus to age-restricted communities and communities that focus on serving presumed LMI limited clientele communities to the Affordable Housing Development and Preservation program's technical evaluation criteria on p. 221.
- Lee County could provide higher priority for projects located in age-restricted communities, in addition to prioritizing projects with a household member aged 62 or older or who has a disability for the Individual Housing Rehabilitation, Reconstruction, And Elevation Program.

These changes would better align these housing programs with the needs and interests of Lee County's senior community.

¹ <https://www.fema.gov/press-release/20230713/hermits-peakcalf-canyon-claims-office-announces-flood-insurance-coverage>.

General Comments

Zip Code	Household Size	General Comments
		<p>Addition of a 300 bed shelter</p> <p>500 household vouchers supporting that household for a maximum of 2 years totaling \$2000 per month per household. Approximately \$25 million including case management and housing specialist supports.</p> <p>Increased rapid rehousing with no jurisdictional boarders - rehouse folks where it's affordable in the country.</p> <p>Subsidized childcare for 1000 households for 2 years.</p> <p>Education subsidies for those wanting to advance their education in college or trade school.</p> <p>Motel stays targeting seniors and single parent households for up to 6 while being case managed for housing.</p> <p>Increase in salaries for case managers and housing specialists; including hot team members. Because they deserve to know someone knows about their daily plight.</p> <p>I'm sure I have not hit \$100 million yet which is only 9% of the total \$1.1 billion.</p> <p>Have an immediate effect-show the people on the streets this county is moving rapidly to care for them.</p>
33966		3 Hagerty has their hands on everything and they can't do everything, this plan, going after cities and then pursuing RFPs. That is an inside job and an intentional advantage and too much of the same equals mediocre results.
34135		2 The data, maps, plans in this report are excellent. The maps are especially well done and understandable. The block grant would go primarily to low to moderate income and those with unmet needs, as it should be. I am hopeful the myriad input from Resilient Lee is considered in this project plan, or used for future planning.
33901		3 I my household I live with my son and the father of our child. He works every single day to make ends meet, and I work everyday to make ends meet as well as pay for out extreme bills, we cannot afford to pay our rent because of daycare, groceries, water and electric bill. Thank you .
33908		4 We lost a lot when the hurricane happened we flooded slightly. Our apartment complex refused to fix our apartment. We had moved out. We were homeless with three small kids. We had no car. We lost both cars during the hurricane.
33901	1	<p>Project Overview: Community Haven</p> <p>We propose the development of a dynamic public facility that encompasses a state-of-the-art residential-commercial building. This versatile structure will serve as a focal point for community interaction, innovation, and growth. The building's design integrates a range of functionalities, including a telehealth hub, technology startup incubator, and flexible professional workspaces.</p> <p>Key Objectives:</p> <ol style="list-style-type: none"> 1. Telehealth Hub: Central to our project is the incorporation of a cutting-edge telehealth hub within the building. This telehealth center will provide residents with convenient access to medical consultations, virtual care, and health education, contributing to improved community health outcomes. 2. Behavioral Healthcare Accessibility: Partnering with Lee Health enables us to offer comprehensive behavioral healthcare services directly within the community. This ensures that residents have easy access to critical medical support, preventive care, and wellness programs, all within close proximity to their homes. 3. Community Workspace: Our public facility will also offer flexible workspaces for professionals, entrepreneurs, and creatives. This communal workspace promotes collaboration, networking, and shared resources, further enhancing the city's entrepreneurial ecosystem. 4. Affordable Housing Creation: Our project focuses on the creation of affordable housing units through new construction and careful rehabilitation. We understand the urgency of providing safe and accessible housing options for individuals and families impacted by the disaster. <p>Part-time resident called in with questions about program and if the information had been relayed to the residents of Fort Myers Beach. Discussed website and programs proposed and how the funds may be used on the beach.</p>
60523		1 Fort Myers Beach - Estero Island suffered catastrophic damage.

33914

4 I think you should allow people to apply for assistance and base it upon those who serve our community. I am an outpatient mental health nurse in Lee County. I work tirelessly to help our most vulnerable population day in and day out. I worked all through Ian, doing everything I could to help those with mental illness who were in crisis. I had a 24 hour on call phone that I was on almost the entire time due to the emergency. I was scared to death for my own family and home, not knowing if I would have one to go back to. I safely evacuated my senior mom and 2 young kids along with all of our pets to a hotel on the east coast. As soon as the storm moved through, I came back to the west coast and immediately got to work in the community getting my patients their medications, food and water while sacrificing my own needs. I worked hard for days on end to help those in need. I work hard yet live penny to penny here - my home suffered about \$40k in damages, yet insurance wouldn't cover it and I didn't qualify for help from FEMA. I would love to be able to apply for a grant to help me at least put up a fence for my dogs, because life is very difficult without one. I lost mine in Ian and can't afford the \$18k I've been quoted to replace it. If I could get a grant for the rest of my damages that would be great too, but the fence would make my day. I know there are other community helpers like myself still suffering through the wrath of Ian. Let's take care of those who take care of everyone else for once! Please?

33909

3 The simple answer is help people rebuild their houses since insurance doesn't want to help it's country's own citizens. Insurance doesn't want to help pay, so use the grant money.

60523

1 The Fort Myers Beach - Estero Island had catastrophic damage (property/persons) after IAN and seems especially prone to damage by proximity to coast/bay area. Some insurance companies are declining coverage because of this risk. If legislative intent is to address Lee County's affected areas, considering income levels, or legally protected classes, what about the enormous cost borne by this island's residents, owners, renters, and others who will hopefully want to return to Fort Myers Beach - Estero Island when it becomes economically viable and safe again?

I could see household income not meeting low-moderate criteria now, but with the effect of increased assessments, special assessments, increased taxes, rebuilding/repairs, cost transfers for businesses from increased rents and expenses, a significant financial burden and risk on people here becomes apparent.

If included in legislative intent is post Hurricane Ian recovery, Fort Myers Beach - Estero Island certainly should share in the funding. I have rented condos here in the past. I would like to know if the island is appealing for funding as well.

Thank you Lee County and HUD personnel for all you do to promote a strong functioning harmonious environment for the many persons who live or travel to your county.

To whom it may concern

We have been a contractor with the state run CDBG-DR grant program for rehabilitations, renovations and new construction for Hurricanes Irma and Michael. In addition, we currently are a contractor working with the CBDG-DR program for Hurricane Ian in Sarasota County. We are interested in getting onboard with Lee County for the same.

Please let me know who I will need to contact regarding this work. We can do development of new construction homes and renovations.

33991

4 Landscaping of medians and general road care to remove debris and litter. When the city looks beautiful our community will do their part to take care of the natural environment as well. This benefits all

33901

need 100% transparent process, all conflicts of interest in procurement need to be made public and publicized

Can the historic district get any assistance?

33919

Spend the money on Human Health & Safety.
Invest in existing neighborhoods. More infill.
More pedestrian trails in neighborhoods.
Ensure that all existing pedestrian connections are working. Post Ian, on the sidewalk, along Summerlin Road (between Maple and Park Meadows Drives) was completely blocked by debris for months. Any pedestrian trying to get to a job, to a grocery store, etc., had to step off the curb, into the road. Good grief!
Lakes Park was used for debris storage. The park was closed to the public.
Instead, close a road. Take over a lane somewhere and put in place all the necessary traffic control devices including emergency access.
Eminent Domain some private lots along the Caloosahatchee and re-establish a minimum 100 ft. mangrove buffer.
Close vehicular access on one of the bridges between Cape Coral and Fort Myers, every Sunday. Open it to pedestrians. Since we don't have trails that run along the Caloosahatchee, because it's mostly private, the public should have a safe tail with water views. No break from the sun, but it would give the public a chance to take in breezes, look out over the water, exercise and be social.
Implement a ferry between Cape Coral and Fort Myers. Have points of connection via bicycle and pedestrian trails and public transportation. Use eminent domain for landing points.
Slow down drivers on roads, especially local.
We have one of the highest numbers of pedestrian deaths in the country.
Redesign and rebuild existing streets to slow down drivers. Take the rights-of-way into the design. The local road right-of-way of 50 feet provides a lot of area to have great design. Incorporate ways to sink stormwater.
Implement driver awareness campaign.
Implement technology to fine anyone going over the speed limit. The technology is there.
Hire a team of volunteers to monitor and call out anyone "bending" their license plates.
A pedestrian struck by an automobile travelling between 20 to 30 miles per hour will result in the pedestrian being seriously injured. Any speed over 30 m.p.h. is death. Lower the speed limit to between 20 and 25 miles per hour on all local roads.
Market public transportation.

Do not increase height or density regulations,

33916

2 The cries of Lee County homeless for shelter have fallen on deaf ears for years. Don't put this money into the hands of the Lee Homeless Coalition, Lee County Human and Veterans Services or any of their allied support organizations unless it is entirely focused on shelters with. no religious strings attached. These orgs already get HUD funds and fritter it away on permanent housing programs that cost hugely and serve the very, very few. They also take salaries, so nothing they receive should go to administration.

Do you have an accountability plan to show where monies go and results? A diverse, unpaid citizen advisory group might be helpful to assist with that.

Please be sure recipients with construction projects go above and beyond to hire minority laborers and contractors.

33905

1 I will follow up with additional comments if not having my office wrongfully raided again by the weaponized LCSO.

33901

5 Need to have a fully transparent funding allocation process. Need many fully trained staffers to support allocation process to allow full access to low and moderate income people. Reduce as many barriers as possible to access funding.

Substantive Comments: **ACTION PLAN: Community Development Block Grant Disaster Recovery Funds**

August 29, 2023

After reviewing and analyzing 2023 Action Plan: Community Development Block Grant Disaster Recovery Funds, participating in citizen engagement, attending, and giving public comment at Task Force, Branch Meetings and Town Halls, substantive comments are submitted detailing concerns for public interests, as currently proposed in the Action Plan, include but are not limited to:

1) Overlay maps present inaccuracies and misrepresentations

- A. Unmet anticipated Phase 1 qualifying housing need grossly underserved
- B. Data not separated for children and elders
- C. Outdated and inconsistent qualifiers to find geographic areas with low to moderate income
- D. Failure to disclose population numbers in geographical areas

2) Allotment percentages

- A. Infrastructure benefits require a longer time frame to implement, more appropriate for other opportunities and funding streams
- B. Homelessness and behavioral health services inadequate for immediate, urgent need
- C. Planning percentage allotments excessive, not timely one-year post hurricane

3) Proposed sub-division of housing funds

- A. Only 2,800 households projected to be served
- B. Process and timeline (from NOFA release) of household selection unclear
- C. Fails to assess role of housing monopoly in multi-residential and luxury home builders dictating local affordability
- D. Sets up HUD funds as “investment” funding stream for multi-residential developers
- E. Current rationale fails to protect public interest
- F. Increases hazard for public and decreases citizen input through deregulation, land use changes and diminished environmental protections

4) Criteria for selection

- A. Competition
- B. NOFA

5) Public input and process

- A. Survey design, town halls
- B. Communication
- C. Reflecting public input, equity and ethics
- D. Conflict of interest

1) **Overlay maps present inaccuracies and misrepresentations**

A. Unmet anticipated Phase 1 qualifying housing need grossly underserved

The methodology used to calculate unmet needs on page 5 of the Executive Summary does not differentiate between types of insurance coverage to determine the insurance gap. The action plan (p.5) asserts 49.08 percent of Lee homeowners are uninsured without a break down of either the type of insurance lapse (homeowners with, without flood insurance or vice versa) or geographic mapping of where, with either certainty or likelihood, the uninsured live to tailor and target response. Homeowner policies excluding floods were inapplicable for catastrophic damage to structures inundated by surge and storm related flooding. Again, types of insurance are not properly aggregated to accurately represent the unmet need on pg. 5 of the Executive Summary. Further, the location of households (especially those below the \$60,000 income threshold) lacking flood insurance is not visualized by mapping and needs to be geolocated for unmet needs assessment, targeted outreach, and resiliency planning.

In fact, according to pg. 35 of the Unmet Needs Assessment, county-wide 157,164 households lack flood insurance, a staggering 80.82%. There are 119,222 uninsured households earning less than \$60,000. 88% of households earning less than \$60,000 are uninsured for floods.

Table 12 – The number of households without flood insurance.

Income Category	County	Number without Flood Insurance	Percentage without Flood Insurance
No Stated Income	Lee County	35,708	82.19%
<\$15,000	Lee County	12,445	94.32%
\$15,000-\$30,000	Lee County	27,371	91.22%
\$30,001-\$60,000	Lee County	43,688	85.56%
\$60,001-\$120,000	Lee County	28,577	73.12%
\$120,001-\$175,000	Lee County	5,598	57.95%
>\$175,000	Lee County	3,777	47.14%
Total	Lee County	157,164	80.82%

*Source: Open FEMA Individual Assistance Valid Registrant Dataset as of 5/9/2023.*³⁷

Due to policy increases based on refined risk assessment, some homeowners dropped flood insurance when RiskMap 2.0 was released prior to Hurricane Ian. Costs to vulnerable residents for recovery--combined with increasing costs of insurance for long-standing residents, have not been adequately captured. Note that increased cost for construction and materials for infrastructure has been calculated at 30%---however, there is no provision for insurance increases for homeowners, a bottom-line dollar amount for Lee County households that keeps residents from being able to afford flood insurance. Not accurately representing the uninsured data through aggregation and failing to address the increase and projected costs of insurance, results in both an underestimation of current unmet need for flood affected and flood prone households and an underestimation of future vulnerability to guide resilience planning.

The unmet analysis on pg. 5 of the Executive Summary asserts that 11,351 households have unmet needs and applies an overall low to moderate income rate of 41.78% to determine that 4,742 may be income qualified for CDBG-funds, presumably Phase 1 in general, without the issuance of a waiver. In

truth, uninsured or underinsured severely impacted properties are in large part though not exclusively, most certainly geographically clustered, and these areas should be targeted with a consolidated, public outreach and urgent response prioritizing these identifiable households. At a minimum, determination of the unmet need should be more precise and funding greater than 70% of \$1.1 billion to address this urgent, unmet need anticipated to be served in Phase 1. At 70% of \$1.1 billion, each income qualified household (identified as 4,472 on p.5) would receive on average \$162,379.

As proposed, \$660,000,000 would be provided to 2,800 households. This would be an average of \$235,714 per household if simply divided. \$400,000,000 is budgeted for affordable housing development and preservation, including a proposal to incentivize development when 51% units are reserved for qualified low to moderate income tenants. This approach does not prioritize a targeted urgent, unmet housing need in the community for households directly impacted by Hurricane Ian that can be determined thru due diligence, informed by the right data. Distributing housing funds as proposed dilutes the intent and directive of CDBG-DR by failing to prioritize unmet needs of the most impacted Lee County households through initial, targeted action.

1) Overlay maps present inaccuracies and misrepresentations
 B. Data not separated for children and elders

Original Version: July 24, 2023

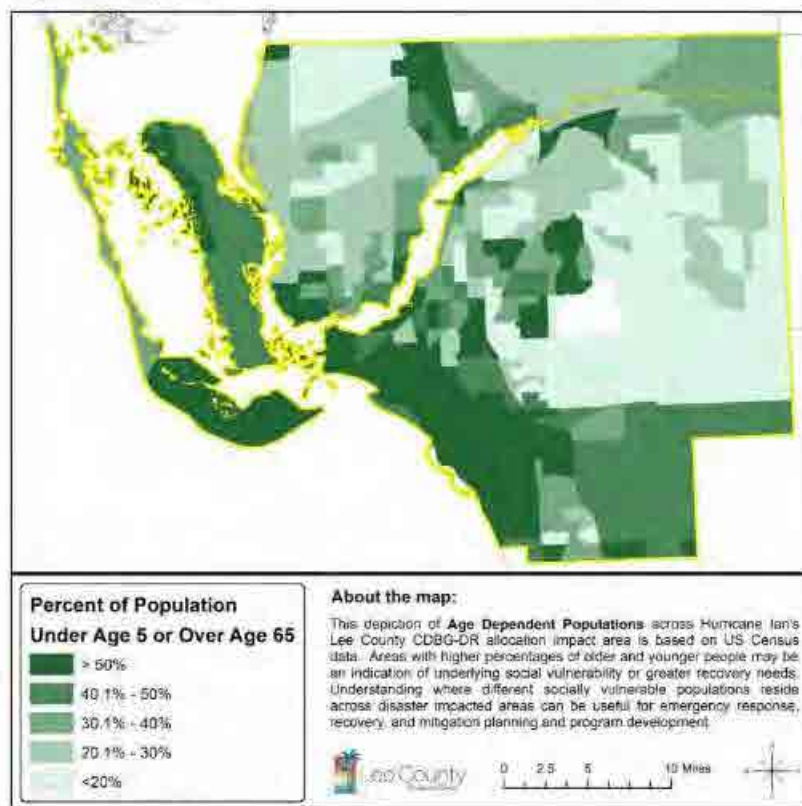


Figure 19 – A map of age dependent populations.²⁸

Data is not aggregated into separate age groups and does not reflect areas of vulnerability well known in the community. Relevant, up to data is available. In the **Public Facilities Level of Service and Concurrency Report Inventory and Projections** (2022) the obvious trend for households with children is in the east zone of the county. This vulnerability is not represented in the Unmet Needs visualization, pg. 69, included above as Figure 19. Further on pg. 8 of the **Concurrency** report (2022), east zone shows an increasing number of elementary age student enrollees compared to other parts of the county.

Table 1: Public School Student Enrollment and Capacity

School Type	January 2022 40-Day Zone Enrollment			Projected 2022-2023 Zone Capacity		
	East	South	West	East	South	West
Elementary	14,626	11,692	11,347	14,255	12,330	13,813
Middle	7,024	5,603	6,385	6,330	5,940	6,897
High	9,435	8,237	8,811	9,987	8,584	8,957

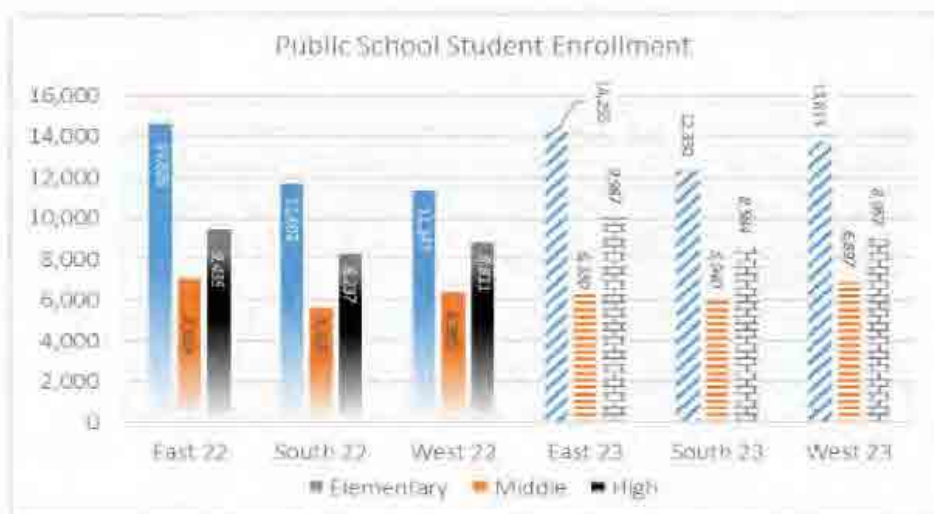
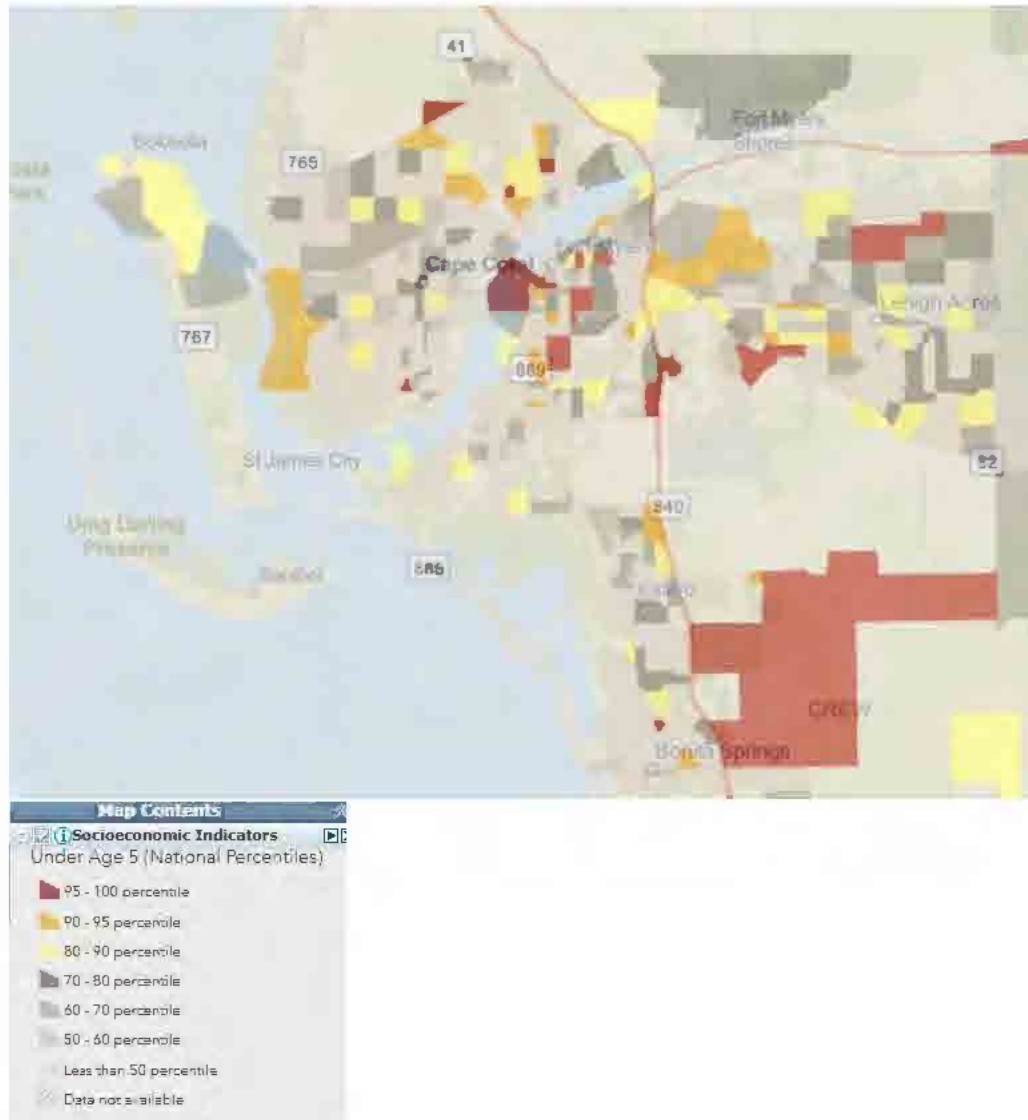
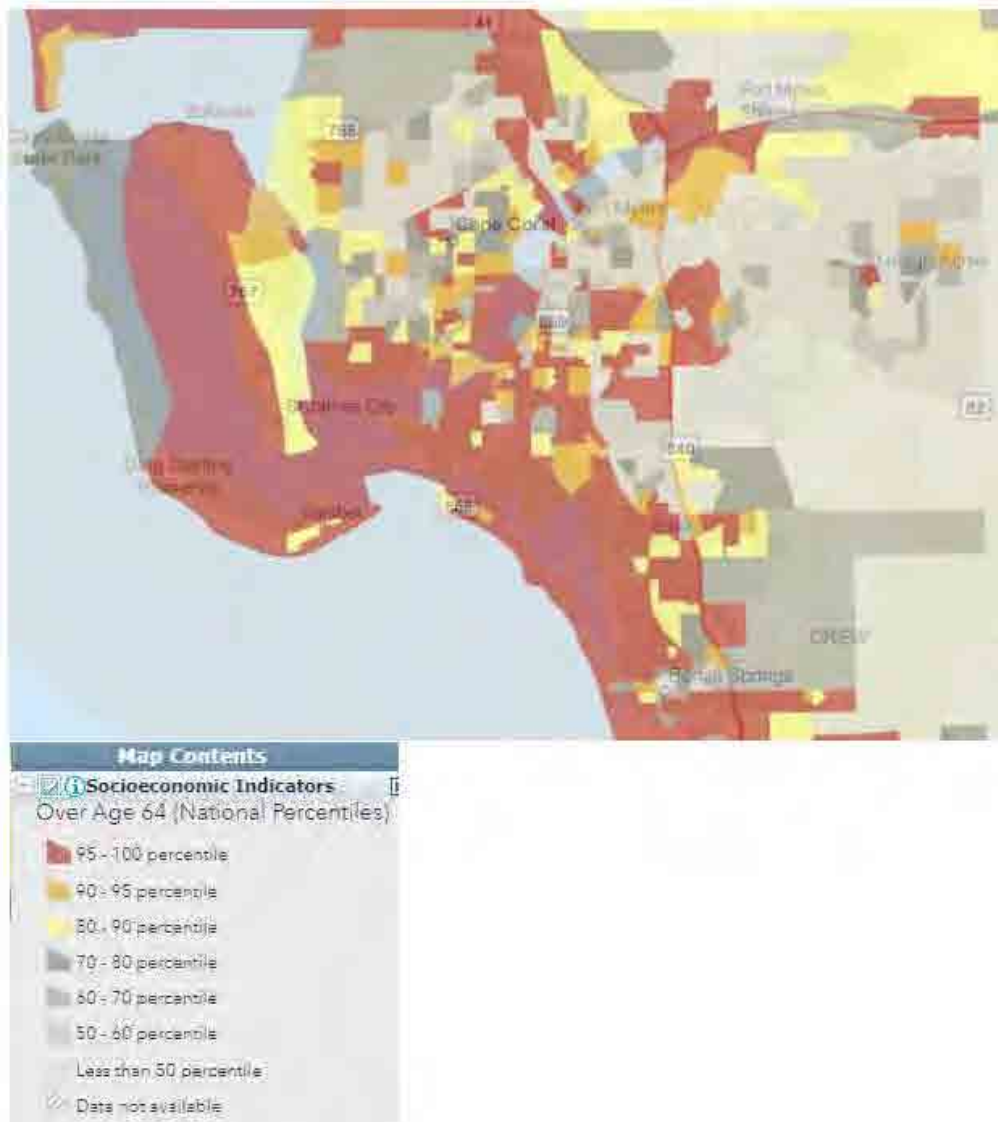


Figure 1: Public School Student Enrollment and Capacity

Additionally, the EPA Environmental Justice Mapper (<https://ejscreen.epa.gov/mapper/>), selected for population UNDER THE AGE OF 5, aggregates the Under 5 subset and indicates geographical areas to the east. Further, this same mapping tool aggregates the Over 64 subset, indicating geographical concentration to the west. This demographic information is helpful in anticipating targeted phasing of applications selected by income qualifications for Phase 1 by determining concentrations of low to moderate income qualifying populations adjusted for household size. The mapper is also useful for when phasing opens for those 65 and over to prioritize urgent unmet needs and guide resiliency

planning. This data also cross-checks other visualizations and reveals social vulnerability mapping is incorrect and does not accurately reflect areas of age-related risk factors.





1) Overlay maps present inaccuracies and misrepresentations

C. Outdated and inconsistent qualifiers to find geographic areas with low to moderate income

On pg. 26 of the Unmet Needs Assessment, the source for data to determine rent burden is cited as reference 23) https://www.huduser.gov/portal/datasets/cp.html#query_2006-2019. Cost burdens for renters and homeowners are much greater today than in the 2006–2019-time frame. Using this data underestimates the problem of housing cost burden today. Projections were not calculated using growth models to more accurately reflect current conditions or numbers of people at risk.

Maps generated on pg. 27 show that some areas identified as “socially vulnerable” in fact have relatively low numbers of Housing Cost Burdened and Rent Burdened Populations with low Percent Renter Households. Nor do these areas have age dependent vulnerabilities. The area of Lee County north of Corkscrew Road, east of Interstate 75, north to the airport up to State Road 82 is historically part of the DRGR (Density Reduction Groundwater Resource Area), has low density restricted through growth management, protecting natural resources. Development in greater DRGR (Density Reduction Groundwater Resource) area has been limited to 1du/10 acres except for Environmentally Enhanced Preservation Communities, large-scale affluent communities with home prices upward of \$800,000, many as second homes. The composition of this area, as visualized by cost share burden maps for owners, renters, and percentage of renters-- clearly demonstrates that this area is NOT an area of comparable social vulnerability. Further, these maps do not have high percentages of either children or elders (Environmental Justice maps provided in earlier section). This area has inaccurately been identified as socially vulnerable. This area is identified on the map below with diagonal lines.

Original Version: July 24, 2023

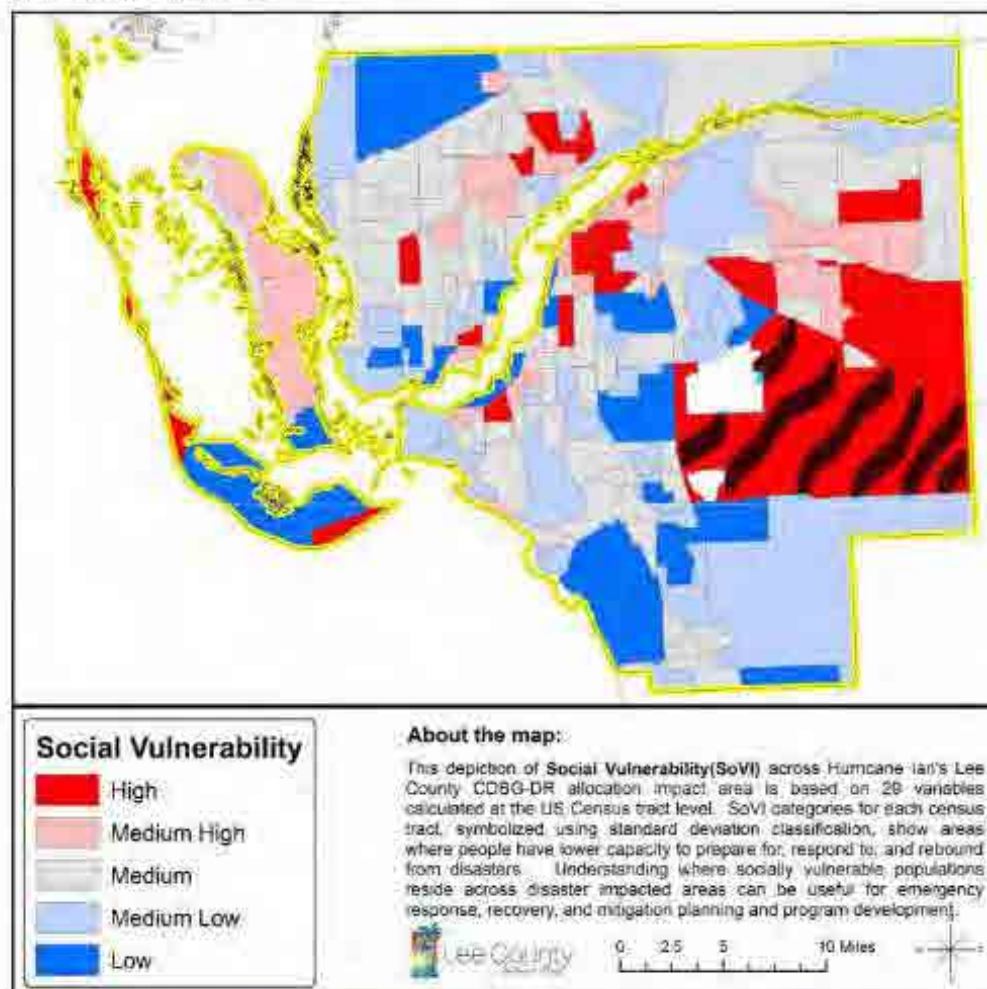


Figure 13 - The 5-Class Social Vulnerability Index (SoVI) by Census Tract for Lee County. ⁸¹

Unmet Needs Assessment pg. 60 (above)

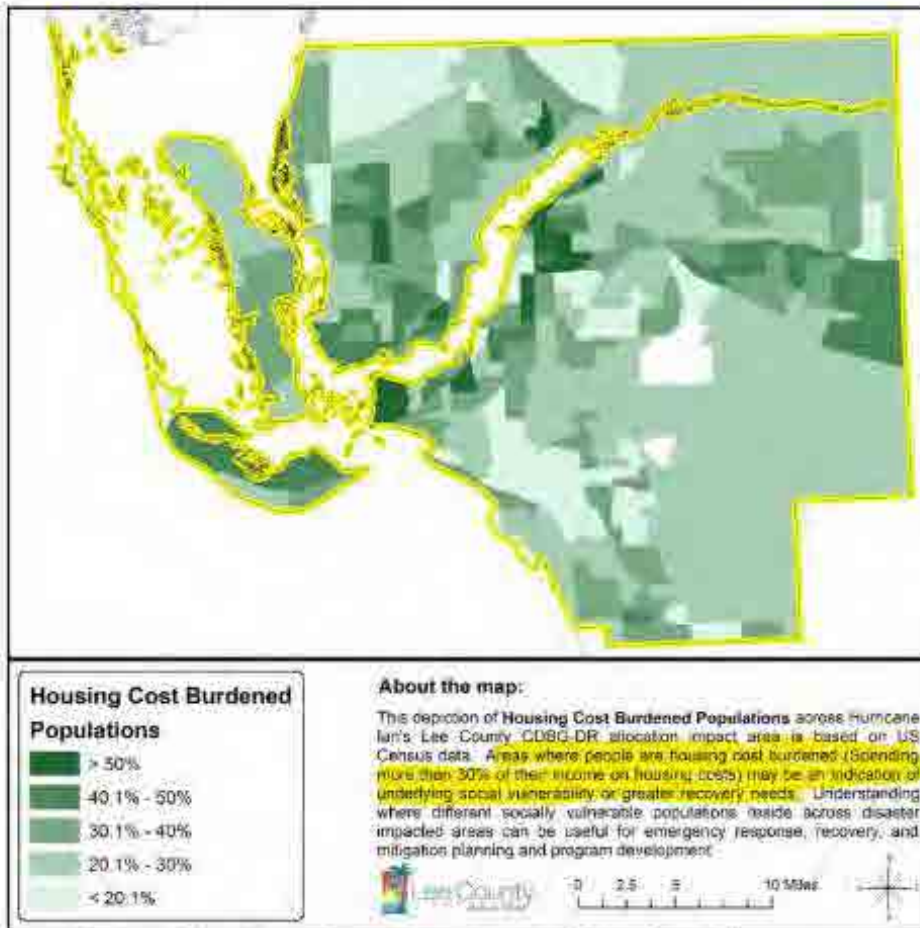


Figure 8 - A map of housing cost burdened populations within Lee County.²⁴

²⁴ Map generated from Census ACS 2016-2020 table: [B25106 TENURE BY HOUSING COSTS AS](#) - Census Bureau Tables tract level data for Lee County

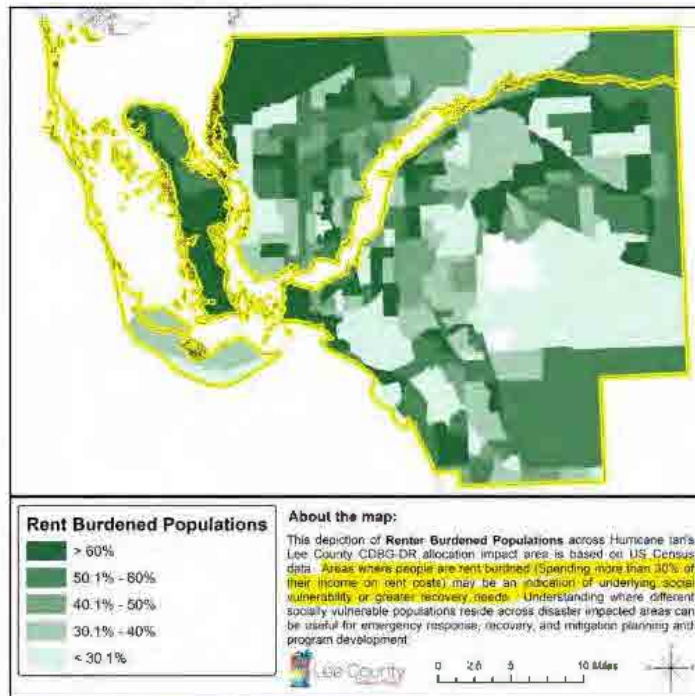


Figure 9 - A map of renter burdened populations within Lee County. ²⁸

Unmet Needs Assessment (pg. 28)

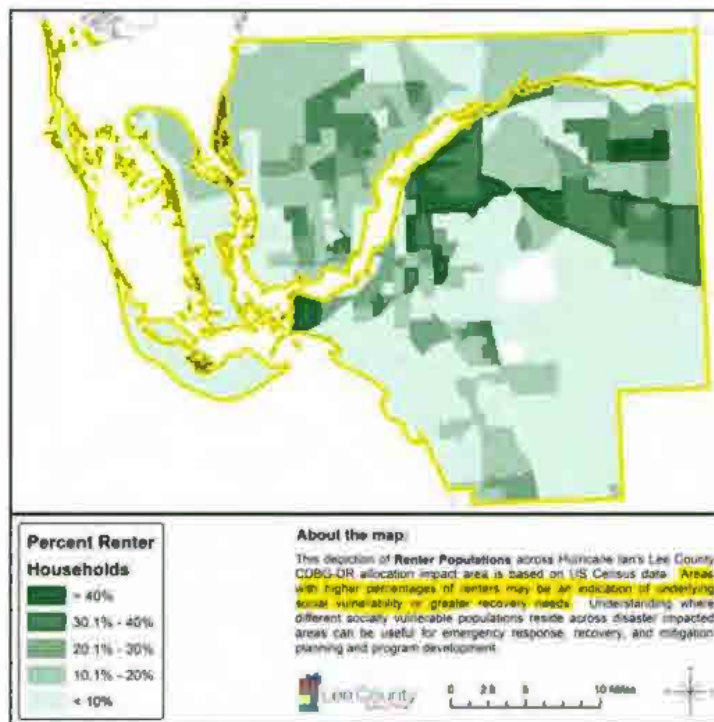


Figure 10 - The percent of renter households. ²⁹

Unmet Needs Assessment (pg.30)

Further, in creation of the Percent of Population Low-Mod (<80%AMI) Income Map pg. 87 (see below), outdated data skews results-- as it is “derived from Census American Community Survey 5-YEAR ACS 2011-2015” ---outdated by decade. This data is not indicative of current distribution of low to moderate income households north of Corkscrew Road or existing conditions. Development patterns have increased affluence in this area. As visualized on maps from pages 27, 28 and 31, there is not an “indication of underlying social vulnerability or greater recovery needs”. This map misrepresents Low-Moderate Income Populations.

Original Version: July 24, 2023

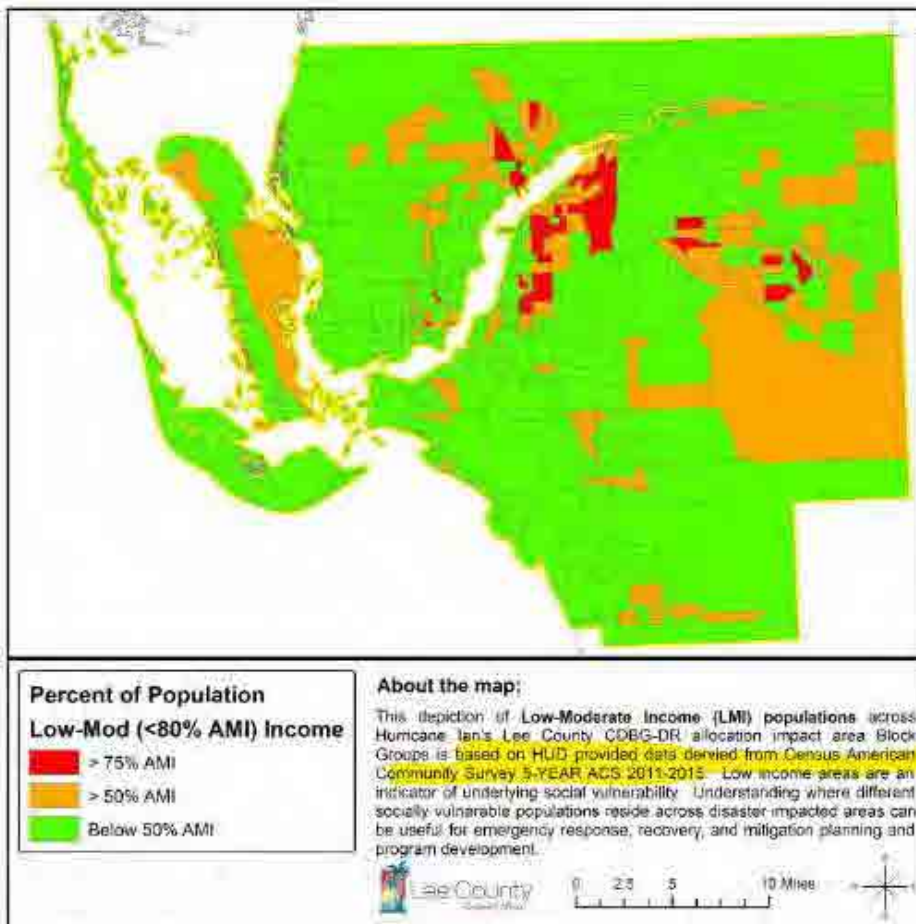


Figure 28 - The percent of LMI populations by census block group for Lee County, 1P.

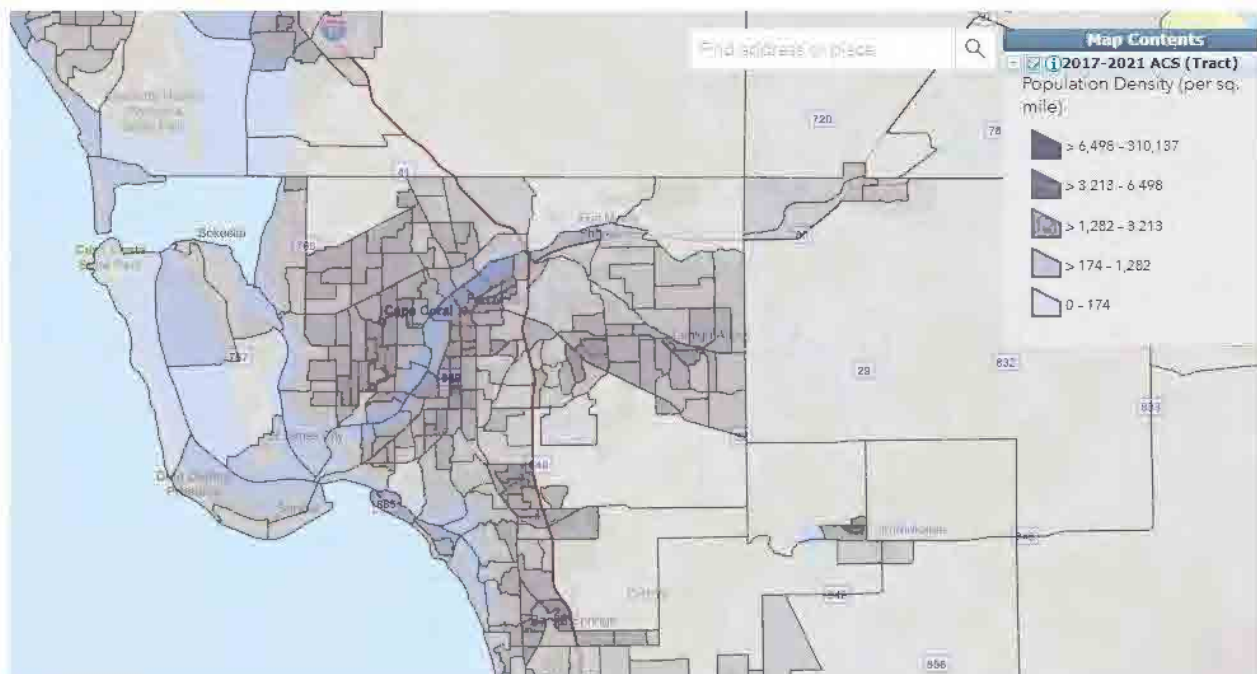
1) Overlay maps present inaccuracies and misrepresentations

D. Failure to disclose population numbers in geographical areas

At no point in the report is there a visualization of population centers or density concentration. In fact, omitting population data is both misleading and obscures targeted efforts to direct allocation. Inland areas erroneously identified as being “socially vulnerable” are in fact historically sparsely populated with existing conservation areas, mining operations and agricultural lands. Recently constructed affluent

large-scale developments have created urban sprawl, straining infrastructure to accommodate affluent newcomers and redirecting resources needed for hurricane repairs and reconstruction away from low-mod areas. Further, the low density of the DRGR (Density Reduction Groundwater Resource) provides public water supply, open space for aquifer recharge, endangered species habitat, improves water quality and provides flood protection for existing residents.

The Environmental Justice Mapper (<https://ejscreen.epa.gov/mapper/>) visualizes density and population, though it does not fully capture the affluent developments east of Estero. The population density for the area portrayed in the proposed Action Plan as socially vulnerable, and challenged through these substantive comments, is reported at 52 persons per square mile.



2) Allotment percentages

A. Infrastructure requires a longer time frame to implement, some projects may be more appropriate for other opportunities and funding streams

By allotting disproportionately high percentages for infrastructure rather than housing in the proposed Action Plan, the threshold of 70% of funds benefiting low to moderate income households can be met more quickly. This allocation would result in redirecting funds to households and projects in areas that do not serve those who meet the income qualification and expanding applicant pools prematurely. Households and areas historically underserved will be forced to compete for funds, in what should be a restricted, protected pool that prioritizes unmet need of low mod---by speeding up phasing. Ultimately

low to moderate income households will continue to be underserved if funds are prematurely allocated for infrastructure or commandeered to meet matching requirements. Hastening the pace of phasing will limit the numbers of households served, decrease equitable distribution in the community and not build resilience capacity as needed. The City of Ft. Myers currently has a Community Rating System (voluntary participation earning community level insurance reductions) score of 9 with a diminished capacity for resilience, compared to Unincorporated Lee and the municipalities all at 5, except for the government-light Village of Estero at 6. Households experiencing unmet need with income qualification will not be served, as only 2,800 households will be served by the current allotment of funds.

Presently, the lack of quality drinking water and low water pressure in Ft. Myers, sewage back-ups and the need for comprehensive redevelopment-- deserves proper attention and prioritization. These needs are absolutely qualifying, represent real social vulnerability in high population centers and are as urgent as the infrastructure needs of island communities to return those services to pre-Ian levels. Yet, infrastructure needs may be met through many funding sources which do not have income restrictive qualifications. As stated in Recovery Task Force meetings, CDBG-GR funds are "generational" in nature and as such, provide funds to first serve low to moderate income households and areas as appropriate to reduce vulnerability.

2. Allotment percentages

C. Homelessness and behavioral health services inadequate for immediate, urgent need

Unmet Needs Long Term Recovery as awarded to Catholic Charities for \$5 million and as represented on the Lee County Needs Assessment Dashboard, does not fully account for or capture the public service and housing needs of the most vulnerable in the county. On pg. 110 of the Unmet Needs Assessment, "After Hurricane Ian, the role of the line (Coordinated Entry Line) was expanded to conduct unmet needs assessment and assist with service navigation for persons impacted by Hurricane Ian. To date, the Coordinated Entry Line has completed 2,417 unmet needs assessments and continues to receive calls daily."

The public is unaware of this resource to capture unmet needs and that unmet needs should be recorded here. According to the action plan, data on this dashboard is updated weekly. Catholic Charities, who received the contract in February 2023, "coordinates a group of non-profit organizations that provide individual case management, funding and housing repairs for disaster victims who are unable to recover without assistance." Representatives of the Lee County Strategic Resources and Government Affairs Office did not with clarity, directly refer residents attending the Lee County Draft Action Plan Public Meeting held August 26 in Ft. Myers to this outreach, provide them with the phone number or other contact information. No Catholic Charities representative was present at the town hall.

Additionally, on the Lee County Needs Assessment Dashboard, the data shows 255 individuals recorded Lee County Board of County Commissioners as their occupation. This is the largest group represented followed by Lee District Schools (228), Not Shared (199), Retired (188), Unemployed (155) and Disabled (105). <https://www.arcgis.com/apps/dashboards/ce60d6f7cab04f708200551a22082f76>

Recovery Task Force members and Branch Meeting members selected to lead recovery and resilience have had clear directives to bring forth projects already developed and submit those plans for consideration. Confusion about “deadlines” for project submission, who can submit plans, evaluating and organizing projects has been ongoing in meetings. Nonetheless, a cache of pre-planned projects has been identified and submitted. Directing this amount of money for planning will consume funds that can be made available to households with unmet needs. Planning allocations appear to be duplicative.

On page 4 of the Executive Summary, the Action Plan clarifies that the statutory cap for Planning is 15%. Only 2,800 of the 4,742 low to moderate income households directly impacted by Hurricane Ian identified on pg. 5 are anticipated to have their immediate, urgent unmet needs addressed through CDBG-DR funds as currently proposed. Setting aside \$25 million for planning in total is excessive given a yearlong effort to have accomplished planning underpinnings. CDBG-DR programs are intended to prioritize low to moderate income households. The structures of the CDBG-DR clearly guide this intent. Such a disproportionate allocation puts money in the hands of those that “plan”, at the expense of low to mod households identified in the unmet needs analysis.

Additionally, failing to direct economic development investment to benefit low to moderate income qualifying individuals, households and areas in the community is troubling. Directing funds in Phase 1 for economic development activities in low to moderate income areas would benefit the historically underserved and areas of greatest need. These areas in the community have dense populations, limited opportunity, need wealth building and enterprise initiatives. Funding directed to these areas would immediately benefit communities of concentrated need where qualifying low to moderate households live. These efforts could ensure areas of need, including coastal areas, do not undergo gentrification and existing residents benefit from CDBG-DR investment. After the 70% minimum CDBG-DR funds to benefit low to moderate income threshold is reached-- increasing the pool of applicants for economic development funds may reinforce disadvantage. Waiting to award these funds would make it harder for Phase 1 qualifying individuals and historic areas of underinvestment to compete, implement redevelopment and enterprise.

3) Proposed sub-division of housing funds

A. Only 2,800 households projected to be served

The Action Plan as proposed does not fully capture unmet need and proposes to address only 2,800 of the 4,742 highest priority households identified on pg. 5 of the Executive Summary. Funds that have been awarded for Unmet Needs Long Term Recovery, \$5 million awarded to Catholic Charities have a Coordinated Entry Line that is not known to the public and over represents Lee County government. As proposed the Action Plan lacks urgency to implement action and allocate funds to benefit directly impacted low to moderate income households. Allocation for planning is redundant one-year post storm. Housing funds that should entirely and exclusively benefit low to moderate income property owners and individuals in Phase 1, are proposed for qualified developers--- with only a 51% requirement to subsidize low to moderate income households. Addressing the needs of the most vulnerable and

unmet needs of low to moderate income households, especially those experiencing direct Hurricane Ian impacts, does not appear to be the priority of the proposed CDBG-DR Action Plan as proposed and funds for housing in total are inadequate at less than 70% as previously advertised to the public.

3) Proposed sub-division of housing funds

B. Process and timeline (from NOFA release) to when applications are submitted is unclear

Timelines for when NOFA guidelines are released to when the application windows open for the public, are not disclosed in the Action Plan. Pre-application is referred to but lacks specificity. No requirement for outreach or description for pre-application to support for qualifying households has been communicated. There has been a lack of communication with the public about what specific documentation, income verification, disaster incurred expenses and receipts for repairs, etc. will be needed to qualify. Communications about the process have included references to “first come, first serve”, “keep your receipts for possible reimbursement”, and discussions of waivers removing low to moderate income qualifications. Lack of clarity is a barrier, and a “competitive” and secretive process has emerged. Those with insider knowledge, associated with Lee County government, are most likely to benefit through prioritizing planning allocation, prioritizing development allocation, prioritizing infrastructure allocation and confusion---while the unmet needs of the vulnerable and low to moderate income households directly impacted by Hurricane Ian (4,742 identified on pg. 5) exceed what is proposed (2,800) and remain unfilled.

3) Proposed sub-division of housing funds

C. Fails to assess role of housing monopoly in multi-residential and luxury home builders dictating local affordability

Co-mingling the unmet housing needs with development incentives is wholly unethical when urgency is pressing, and immediate solutions are achievable through prioritization of need, precise identification of those impacted by area and disclosed criteria. One option is to prioritize conversion of existing housing in hard hit areas by providing subsidy to those directly impacted by Hurricane Ian, expediting, and/or increasing the number of households served by the \$1.1 billion. The goal of CDBG-DR funds is to serve low-moderate income households first with unmet needs (currently <25% of proposed CDBG-DR housing funds will be open to individual applicants), not disproportionately overaccommodate investors and developers (>35% allotment of proposed CDBG-DR housing funds would be eligible for qualified housing developers only). The urgency of need for Lee County households in the near term will suffer with the current proposal.

Locally, thousands of units in multi-residential housing have recently or are currently being built, even the most average unit advertised as luxury. These apartment complexes are in fact an investment tool for the wealthy and subject to acquisition by investment firms. Multi-residential housing with manipulated market rate rents monopolizes entry level, low- and moderate-income brackets---and has become by default the landing pad for displaced households. Current prices, and escalating rents, over

burden and exploit low to moderate income Lee County residents by taking more than 30%, often 50% of their income for housing alone. Due to single family and small-scale rental options being impacted by Hurricane Ian and the subsequent shortage of workers available for repair, insurance delays and “unpredictable” nature of damages not immediately known in single-family rentals---households have increasingly been left with no choice but to sign leases at multi-residential complexes, paying as much as \$10,000 to secure housing. Yet, rents continue to rise through the course of lease agreements as complexes recently sold for profit, newly acquired--- raise them, increase costs for amenities and face no recourse for their monopoly and exploitative practices.

Conversion of existing or under construction units can expedite the immediate unmet need for affordable housing. Voluntary participation by the multi-residential market to fill urgent, immediate need could be a consideration in future awards of affordable housing funds through demonstrated responsiveness and “good faith”.

3) Proposed sub-division of housing funds

D. Sets up HUD funds as “investment” funding stream for multi-residential developers

Given the explosion of multi-residential housing, the profiteering, market manipulation, acquisitions and increases of rents for Lee County residents, additional protections are needed to prevent the CDBG-DR from becoming in essence a lender. The current provisions in place to protect the public interest and investment in Multi-Family and Single-Family Housing Development by Qualified Developers do not go far enough to protect the public interests.

Absolutely, under no uncertain terms should CDBG-DR funds become a funding stream available for predatory market-rate multi-residential developers whose practices have preyed upon low to moderate income households in Lee County. CDBG-DR funds should be protected with increased provisions to prohibit multi-residential profiteering. Safeguards must prevent housing built with CDGB-DR funds from being used as an investment tool for pensions, equity firms or otherwise through resale.

Provisions should discourage, penalize, or prohibit sale of multi-residential apartment units developed with CDBG-DR funds through means stronger than the current “recapture” allowance. Multi-residential development, resale and acquisition have been so profitable that CDBG-DR funds, intended for low to moderate households, can be easily “recaptured” upon sale of the complex. Profits of up to 1,353.33% over 28 months have occurred locally. The acquisition of local multi-residential complexes built with CDBG-DR funds to provide passive income for the wealthy at the expense of Lee County residents must be banned. Locally, as in the acquisition of Las Palmas Apartments in my immediate neighborhood by Passiveinvesting.com---the acquisition provided an investment opportunity restricted to accredited investors (income more than \$200,000 with net worth exceeding \$1 million excluding their primary residence). Immediately upon acquisition rents were raised \$500 per unit for Lee County residents and the complex was rebranded “luxury”.

<https://www.businessobserverfl.com/news/2022/mar/15/two-fort-myers-apartment-communities-break-dollar100-million-mark/>

Accredited, Passive Investors Welcome

This offering is a SEC Reg D 506(c) and is open to accredited investors only. An accredited investor has either a net worth of \$1 million, not including their primary residence, OR an annual income of \$200,000 (or \$300,000 if married) for the last two years and you have a reasonable expectation that it will continue.

With knowledge of these predatory practices, the potential and likelihood of resale of CDBG-DR funded properties require stronger mechanisms for permanent affordability. “Recapture” funds at sale as proposed enables profiteering through acquisition. CDBG-DR participation terms must explicitly forbid conversion of affordable housing to market rate and forbid premature severance. Out-of-control market rate rents and rent burden impacting Lee County residents could be mitigated with wise use of CDBG-DR funds for subsidy immediately and in the future, development—WITH adequate protection of public funds in the public interest.

3) Proposed sub-division of housing funds

E. Current rationale fails to protect the public interest

Any review of developer application must include a careful analysis of their business practices, relationship with investment and investors, history of sales, acquisitions, raising rents, management of the complexes, renter satisfaction and how they treat their employees, including what percentages are locally hired, cooperation and support of programs such as YouthBuild. This applicant information must be disclosed for public consideration so that we do not further enable the predatory market-rate practices to continue to monopolize the local market.

Further, on pg. 210 of the Action Plan, Grantee Proposed Use of Funds--- Affordability Period is set at 20 years. This period of affordability is below local standards. Recently, at the adoption of the Barrett Park Comprehensive Plan Amendment Hearing, 6.21.23, CPA 2022-00016, through formal public comment as a participant in the hearing, I inquired about the mechanism for permanent affordability. Lee County Housing Authority replied that the period for affordability was 30 years and would likely be extended to 50 years.

As such, the 20-year affordability period does not protect public interest. “Upon resale the seller may sell to any willing buyer at any price. Once the CDBG-DR funds are repaid to the County, the property is no longer subject to any CDBG-DR restrictions.”, pg. 210 Grantee Proposed Use of Funds. Mechanisms for permanent affordability are inadequate as proposed and lay our community bare for further exploitation and misappropriate housing dollars.

The terms of the Affordability Period, and “recapture” as the primary method of ensuring affordability does NOT protect the public interest and would be a misuse of CDBG-DR public funds. The rent burdened and mortgage burdened Lee County residents who are increasingly insurance burdened--- would not be served by the terms of the Action Plan.

As proposed CDBG-DR funds would additionally be diluted by allowing 49% of multi-residential units constructed to be market-rate (requiring 51% units to be affordable). Households that have no choice but to spend more than 30% - 50% or more of their income for housing cannot afford insurance, build wealth or be resilient. The Action Plan as proposed perpetuates this cycle.

3) Proposed sub-division of housing funds

F. Increases hazard for public and decreases citizen input through deregulation, land use changes, permitting and diminished environmental protections

Throughout the CDBG-DR process and Recovery Task Force process, Housing Objectives---even when challenged have been directed toward incentivizing development, deregulation, and diminishment of local land use, permitting and environmental protections. As proposed, the Action Plan may be misconstrued as a “green light” for development and fuel urban sprawl---rather than a focused, targeted effort to benefit those directly impacted with priority, low to moderate income households and those historically underserved.

There is a danger of recovery and resiliency becoming “buzz words” to stymie local citizen input in community development. Now, more than ever concerned residents want to protect their interests, preserve conservation lands, open space, wetlands, and mangroves to mitigate climate change and flooding. In addition to increased climate risks, local citizens may experience effects attributable to urbanization, with poorly placed and designed, multi-residential units being of particular concern. Building without green space increases flooding risks, decreases water quality---increased populations strains drinking water resources, increases waste---and these impacts for existing residents are adverse. Residents in new housing and existing residents both benefit from thoughtful, well-planned development.

Requiring Smart Growth principles protects the public interest. Lessening regulation requirements for multi-residential building under the guise of affordability may result in the duplication of irresponsible practices seen in highly urbanized areas with higher insurance costs due to increased risk and lack of resiliency. Locally, many “luxury” multi-residential units are being built right up on the roads without buffering, increasing risks and diminishing quality of life for those who live there. CDBG-DR funds should not permit or embolden such poor planning practices. Safeguards such as regulations work in the public interests--- local land use regulations protect the interests of the existing residents and provide opportunity for partnering through public input and protection of the “commons” ---our environmental resources.

This Action Plan should not be a funding stream to hasten ill-conceived, irresponsible development. There are many local market-rate multi-residential examples under construction that clearly illustrate what should not be done. CDBG-DR funds should play a role in creating an air of acceptability for poor planning practices, diminishing local input or lessening of environmental protections.

4. Criteria for selection

A. Competition

In the Grantee Proposed Use of Funds portion of the Action Plan, Competition Overview (c), the language creates an air of unpredictability and additional stress and confusion for the public. This is especially true given that the CDBG-DR funds are admittedly INADEQUATE to address the known needs of even the 4,472 households directly impacted and qualifying for Phase 1 distribution (pg. 5). Instead of being clear and giving assurances to qualifying

households, the process is confusing, future funding uncertain and appears to benefit those with insider knowledge, administrators, developers, agencies or otherwise. Meanwhile---higher income, less vulnerable households and communities may stand to reap greater benefit if not enough low to moderate income people know they are qualifying or participate.

The tone of Resilience Task Force meetings has markedly shifted as stakeholders anticipate competing. Ultimately, public interests will not be served if competition replaces cooperation, and the intent of the CDBG-DR is circumvented.

4. Criteria for selection

B. NOFA, Notice of Funds Available

Efforts should be made to fully disclose NOFA (Notice of Funds Available) with ample time for public review, comments, and targeted outreach. An example of NOFA, most relevant from previous CDBG-DR awards, should be made publicly available with relevant editing based on the proposed plan---to provide some clarity to the public, as well as stakeholders, about what can be anticipated. A disclosure of timelines from past awards that show time-elapsed from when NOFA is published to when the applicant pool is opened--- is needed. This is needed due to competition for funds admittedly inadequate, and to prevent redirection of funds prematurely through hasty phasing or waivers.

As such, reconsider FULLY funding allocations to directly impacted individual households qualifying as low to moderate income as priority with urgency BEFORE all other allocation-- as is intended by CDBG-DR guidance. Identification and outreach one-year post-event should be at a precision level, with NOFA language in draft form and nearly complete to prepare residents.

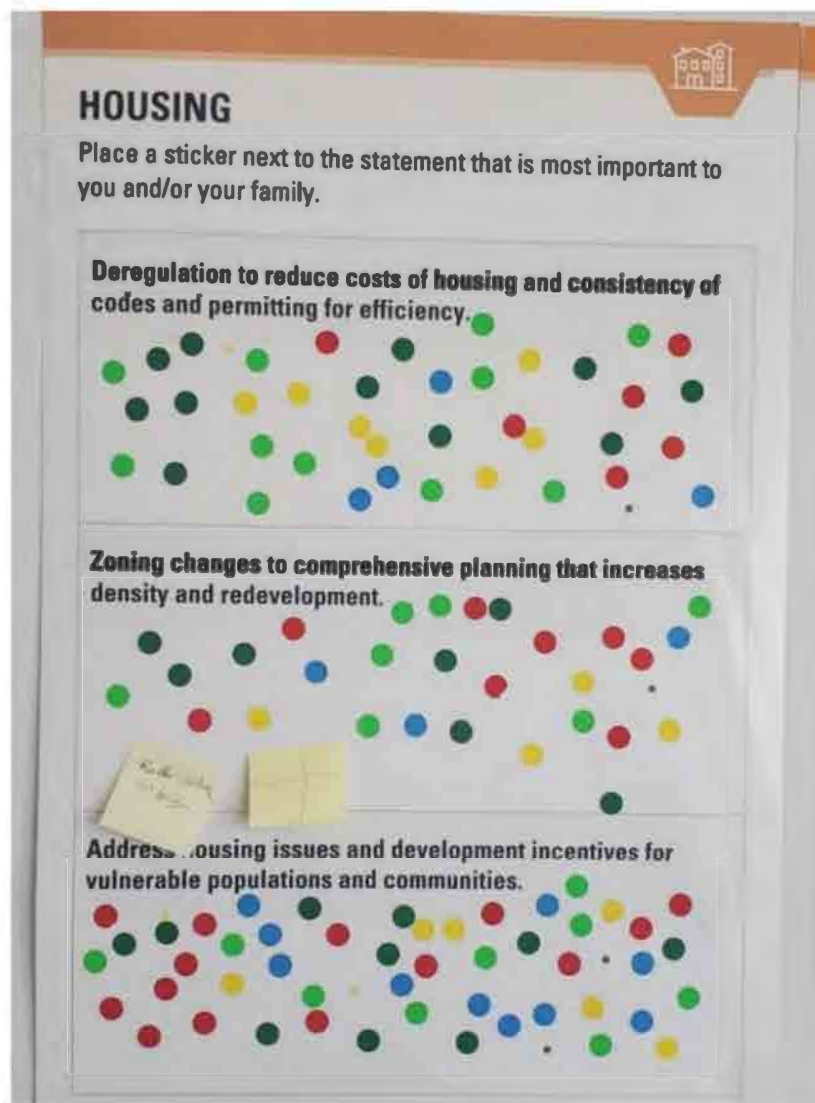
5) Public input process

A. Survey design, town halls

The online survey made available to the public presented “forced choices” and did not illicit meaningful public input. It was only after “clicking” other that participants could add a narrative response. As such, survey results are of very limited, superficial value. This was a missed opportunity to garner meaningful input. Though concerns have been openly raised through public comment at the Task Force meeting, this survey---without an acknowledgement of the obvious limitations---continues to be the basis of ongoing discussions by decision makers and facilitators regarding public input.

In soliciting public input at the first round of town halls regarding housing--- a poster was presented. The public was asked to vote for a “forced choice” with a sticker. The choices presented to the public on the poster at the town hall directly and primarily are of benefit to developers through incentives, deregulation, and diminishing community processes and land use protections. This tactic misleads the public that turned out in “good faith” to participate--creating an air of acceptability by ONLY presenting housing initiatives that favor developer interests.

The town halls could have been an opportunity to solicit meaningful input from residents about what their needs are for housing, or even at the bare minimum provide information for Unmet Needs through the Coordinated Entry Line for those in desperate circumstances. Instead, the housing information and narrative presented to the public at the first series of town halls, continues to be repeated.



Housing Poster, 1st round of town halls, May 26, 2023

As recently as the August 25th Recovery Task Force meeting as presented by PowerPoint in the photograph below, Attainable and Affordable Housing direction remains unchanged and oddly specific. The “vision” and “technical plan elements” for housing are obviously, and clearly developer-centered and driven: Financial Incentives, Land

Use Policy, Permitting. As such, developer interests have remained over-represented by the current “direction”, even when addressed by the public. Authentic public engagement and outreach continues to be needed to address acute, current unmet housing needs to serve and protect public interests and should be community driven.



PowerPoint, 8.25.23, Recovery Task Force Meeting

Again, the current Action Plan proposes 36% of the TOTAL \$1.1 billion CDBG-DR funding allocation be for Multi-family and Single-family Housing Development, Acquisition and Rehabilitation; however, applicants can ONLY be Qualified Housing Developers. This represents 60%, or \$400 million of \$660 million housing total.

Comparatively <25% of the \$1.1 billion, \$250 million, will be made available to property owners. This is 40% of the \$660 million housing allotment.

Page 5 of the Action Plan Executive Summary states, “The housing programs together will receive \$660,000,000 of the allocated CDBG-DR funds from HUD. This represents approximately 60 percent of the CDBG-DR funds allocated to Lee County. Approximately 2,800 households will be provided assistance through the projects listed above.” (Affordable Multifamily Housing Development and Preservation, Affordable Single Family Housing Development, Individual Housing Rehabilitation, Reconstruction & Elevation - Owner and Renter Occupied, Home Purchase Assistance, Voluntary Residential Buyout)

Again, as proposed, \$660,000,000 of assistance would be provided to 2,800 households. This would be an average of \$235,714 per household. As such, this allocation does not reflect the urgent unmet need of low to moderate income residents identified through needs assessment who were directly impacted by Hurricane Ian, nor does the proposed dispersal appear to be of good value.

5) Public input and process

B. Communication

Communication with the public has been confusing, even after attending multiple public meetings of the various Branches and Resilience Task Force meetings. The public does not know where to look for information, on the Leegov.com site, ResilientLee site or CDBG-DR page. Information has not been consistently posted in the same place. Ineffective and inconsistent communication creates additional barriers for the public, especially those whom CDBG-DR funds are targeting in Phase 1.

5) Public input and process

C. Reflecting public input, equity, and ethics

On pages 157-164 of the General Requirements of the Action Plan, Citizen Engagement activities are detailed. In this recounting, the Dunbar Town Hall held in the heart of the African American community of Fort Myers--- was not acknowledged as being the most well attended of all town halls. Hundreds of community members turned out. This omission does not honor CDGB-DR intent--- to prioritize underserved communities in recovery and resilience building due to minority communities being historically underserved.

Failing to acknowledge the level of interest in Dunbar begs the question, will the CDBG-DR be administered with fidelity?

At no point in the Action Plan is there an acknowledgement of the community interest shown by underserved communities or commitment by Lee County to prioritize underserved communities throughout the recovery process. Instead, there appears to be thinly veiled acknowledgement of how to proceed through the CDBG-DR process with haste-- to additional phases or waivers, resulting in decreased opportunities to address inequity. The history of federal grants administration in Lee County has a sullied past. This past directly involves Strategic Resources and Government Affairs lead and Assistant County Manager Glen Salyer. Previously, Lee County employees that cooperated in the audit of federal grant funds were targeted, lost their jobs, and ultimately prevailed in lawsuits.

<https://caselaw.findlaw.com/court/us-11th-circuit/1776350.html>

<https://www.courthousenews.com/shocking-corruption-alleged-in-federal-grants/>

On page 208, Grantee Proposed Use of Funds, (1) Pre-Agreement Costs, the proposed Action Plan states, "Pre-agreement costs could include the costs for salaries, benefits, and direct operating expenses of Lee County's Strategic Resources and Government Affairs team and the vendors providing technical support for the planning of the CDBG-DR programs." Further, "These costs may include environmental review, damage assessment, and other costs necessary for determining eligibility of housing related projects."

Undeniably, the Office of Strategic Resources and Government Affairs has played a key role behind the scenes shaping the CDBG-DG Action Plan, including how the funds are to be divided. As such, it is worrisome that the same internal Lee County Government employees charged with a decision-making role in the disbursement of CDBG-DR funds, also direct monies to themselves and seeks reimbursement, for themselves---as well as other undisclosed vendors or others, who may or may not also be serving multiple roles for self-enrichment.

6) Public input and process

D. Conflict of interest

Multiple appointees to the ResilientLee Task Force Branches, reflect insider influence in Lee County dealings. These appointees may have developed an unfair advantage through knowledge and participation in the CDBG-DR process. Undoubtedly, appointees—some with contracts--have had a hand in shaping the proposed Action Plan. In the Action Plan as proposed, provisions are not robust enough to protect the public interests, address equity with real specificity or prioritize fulfilling the unmet need of ALL low to moderate income qualifying households experiencing Hurricane Ian direct impacts.

The tactics most concerning have been in targeting housing. As such, housing initiatives proposed in the CDBG-DR process include---diminishing opportunities for local input and safeguards, deregulation, erosion of land use protections that may adversely impact existing residents and incentives for developers. Further, there has been an effort on the part of Lee County to advance business interests through insider influence by using resiliency, recovery and affordable housing initiatives and language as a foil.

Ongoing conflicts of interests, if not scrutinized, discussed, and evaluated by the county attorneys as required by ethics guidance, should be--to protect not only the public interest, but also to prohibit unfair insider benefit and preserve the CDBG-DR intent.



August 31, 2023

Commissioners, County Manager and Assistant County Manager for SRGA—

Attached are League of Women Voters of Lee County's questions and comments about the [DRAFT Action Plan for CDBG-DR](#). These were developed with input from League members who have observed the process, attended public meetings, and have reviewed the draft plan.

The League's principles and policy positions support responsible government that is transparent, effective, and efficient. The League supports governing that provides leadership and coordination to solve economic and social issues and assures needed services to all citizens. This includes funding for programs that prevent or reduce poverty, promote self-sufficiency, and enhance the quality of life and the wellbeing of individuals. It is the League's belief that every family deserves a decent home and a suitable living environment.

Affordable housing has been an ongoing concern in Lee County, for a number of years; this unmet need was documented in the 2020 Lee County Gap Analysis. With only \$1.1 billion from HUD to meet the \$8.5 billion of estimated unmet needs; it is critical for Lee County to prioritize and use the CDGB-DR funds to serve the most vulnerable populations; those without resources to recover.

The League believes the CDBG-DR funds provide another opportunity for Lee County to develop and implement a comprehensive and strategic human services plan that includes sustainable affordable housing and other services for the most vulnerable such as transportation, behavioral health care, workforce training, prevention and intervention.

The League looks forward to your responses, and to an ongoing dialogue to address these critical issues.

Sandy Frank, President
Jacquelyn McMiller, Director-Social Policy
League of Women Voters of Lee County Florida

The League of Women Voters of Lee County, Inc. is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy. Information on the programs and issues of the League of Women Voters is available on the web at www.lwv.org, www.lwvfl.org, and www.lwvlee.org.

ATTACHMENT August 31, 2023, LWVLee comments/questions draft Action Plan for CDBG-DR

1. Why has Lee County elected the *recapture* approach as opposed to the *retention* model that would retain affordable housing properties? How will the use of CDBG-DR funds increase and safeguard the continuous supply of affordable housing for those with incomes 30-50% of AMI. The plan, as written, does not guarantee the housing rehabilitated and constructed will remain available for low-income housing. Developers can obtain CDBG-DR funds, build, sell, repay the funds without penalty; with no low-income requirement for new owners.
2. What are the plans to make all of the public aware and to reach out to those most in need so their issues are identified, recorded, and addressed? Will there be assistance for individuals to coordinate their funding needs? What are the timelines for the applications and approvals?
3. What are the affordability requirements mentioned on p. 31, that will guarantee rental and new owner housing remains affordable?
4. What mechanisms will require developers to prioritize and meet the needs of the lowest income (30-50% AMI)? Are there requirements for acceptance of subsidies and vouchers for housing?
5. What are the priorities for rebuilding and expanding public housing? What are the plans to reassess and revise Housing Authority policies to resolve voucher/lack of public housing availability?
6. What are the goals and specific criteria for the Lee County NOFA? When will this information be available to the public to facilitate their preparation for applications? What resources and models for creation of low-income housing and disaster assistance were used to develop this plan and implementation? What NOFA models were used? What were their outcomes? Is Lee County addressing any identified NOFA issues from other models? How will the cities' needs and developers' proposals be balanced? Are there incentives or equalizers for development in cities? How will this plan address the development of low and moderate income housing within the cities? What are the criteria for housing locations? Targeted to areas of needs or developers' preferences? Access to public transportation?
7. What safeguards will be put in place to assure the funds are used appropriately? E.g. What processes are in place to prevent or ensure property owners with significant passive income, do not divert funds in order to qualify for assistance.
8. Resiliency/Strengthening structures: page 39 "build to higher standards". What is the justification for using \$450,000 per individual property of public money for reconstruction and elevation?
9. What "meaningful actions" are planned to ensure the furtherance of fair housing?
10. What are the plans to require housing developers and landlords to keep housing livable, safe, affordable? Stronger penalties to prevent bad acts from developers and landlords?
11. Does Phase 1 address the most vulnerable, marginalized communities, elderly and disabled (those meeting the 30% AMI) first?
12. How will the Live Local Act, regarding rent controls, impact this plan?
13. What is the schedule for public input on plan changes going forward?

General Comments from Municipalities



City of Cape Coral Office of the Mayor

August 28, 2023

The Honorable Commissioner Greenwell, Hamman, Pendergrass, Ruane & Sandelli
Lee County Board of Commissioners
2120 Main St
Fort Myers, FL 33901

Re: City of Cape Coral Comments on the Lee County CDBG-DR Action Plan

Dear Lee County Board of Commissioners:

On September 28, 2022, Hurricane Ian made landfall in Southwest Florida and forever changed the landscape of our community. This category-five hurricane made a direct hit to Cape Coral, devastating our community with heavy rains, storm surge, and extreme winds. The Cape Coral Community is resilient and began the long process of recovery in the immediate aftermath of the storm. The City of Cape Coral, Lee County, the State of Florida, and the federal government have contributed to the recovery endeavor.

The funding allocation of \$1.1 billion to Lee County by the U.S. Department of Housing and Urban Development through the Community Development Block Grant – Disaster Recovery (CDBG-DR) is a major investment in this recovery process for our community. I have a vested interest in seeing a strong recovery not just for the City of Cape Coral but our entire region.

The City of Cape Coral submits this letter with the following comments on the Lee County CDBG-DR Action Plan:

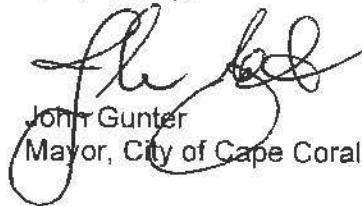
1. Funding allocation: The minimum project amount for infrastructure projects is \$5 million (p. 215). There are many worthy infrastructure projects under this amount, and a lower minimum will enable many additional projects to be completed.
 - a. Recommend a \$1 million project minimum.
2. Funding allocation: Tier 2 Hazard Mitigation Grant Program (HMGP) is limited to only critical infrastructure projects (p. 217).
 - a. Recommend including language that Tier 2 HMGP funding for all project types be made available depending on fund availability.
3. Funding allocation: The plan for Tier 3 HMGP projects is not addressed (p. 217).
 - a. Recommend including language that Tier 3 HMGP funding may be made available depending on fund availability.
4. Funding allocation: Will administration funds be shared amongst sub-applicants (p.199)?
 - a. Recommend administration funds be shared proportionately with sub-recipients.

5. Application scoring: "Applicants who do not meet one or more of the above threshold requirements will have a maximum of five calendar days to cure any deficiency. Any applications with noncured deficiencies will not be considered for scoring." (p.212)
 - a. Recommend a minimum time to correct applications of five business days.
6. Application scoring: Criteria for scoring is worded ambiguously and allows for the Committee to change the parameters of the scoring thresholds.
 - a. Recommend a scoring rubric be developed and promulgated to all stakeholders in advance.
7. Representation on the evaluation committees: What is the makeup of the Lee County staff assigned to score the projects?
 - a. Recommend that the scope of this initial review be limited to the applicability of the proposed projects to CDBG-DR.
8. Representation on the evaluation committees: What is the makeup of the Evaluation Committee?
 - a. Recommend that subject matter experts from the City of Cape Coral be able to participate in the evaluation committees.

The recovery process is long and has revealed many unmet needs. Assistance from the federal, state, and county governments continues to be essential to the recovery of our community. While there are always challenges for many stakeholders working together, cooperation and collaboration of all partners will lead to the best outcome for our region. The City looks forward to maintaining and enhancing open lines of communication with Lee County. It is my hope that the Lee County Action Plan will be a vital tool in the recovery and resilience of our community.

Thank you for your continued leadership and support through this extraordinarily difficult situation.

Respectfully,



John Gunter
Mayor, City of Cape Coral



City of Fort Myers
Kevin B. Anderson
Mayor

August 28, 2023

Lee County Government
C/O Office of Strategic Resources and Governmental Affairs
2201 Second Street,
Fort Myers, Florida 33901

RE: *City of Fort Myers Public Comment on the Lee County CDBG-DR Draft Action Plan.*

ATTN: Commissioner Ruane; Commissioner Pendergrass; Commissioner Sandelli; Commissioner Hamman; Commissioner Greenwell; Mr. Dave Harner, County Manager; Mr. Glen Salyer, Assistant County Manager; Office of Strategic Resources and Governmental Affairs

Dear Lee County Government,

Please allow this letter to serve as the City of Fort Myers Government's public comment on the 2023 Draft Action Plan for the Community Development Block Grant for Disaster Recovery (CDBG-DR) as a result of the \$1,107,881,000 allocation from the Department of Housing and Urban Development (HUD) to Lee County after the devastating impact of Hurricane Ian. The City of Fort Myers recognizes both the incredible impact these funds stand to make on our community and the magnitude of responsibility required to steward these funds. The City stands ready to partner with both Lee County Government and HUD throughout this process. After complete and thorough review of the Draft Action Plan published August 1st, 2023, the City of Fort Myers notes the following thoughts on the document and asks Lee County to maintain these items for consideration during the Plan's finalization and approval.

Through the utilization of Federal Emergency Management Agency (FEMA) Individual Assistance (IA) data and proven HUD methodology, the City of Fort Myers has projected the unmet housing need of the City to be \$998,474,001. This amount is constrained to the Individual Assistance applicants who reside within city limits and encompasses both homeowners and those who rent. Approximately 62,000 residents applied for individual assistance, 13,700 of whom experienced FEMA's outlined Major Damage Threshold with more than 12 inches of water devastation. Of these Major Damages, The City estimates that of these 13,700 households, 9,575 units are Low-to-Moderate Income (LMI) totaling an estimated \$565,993,100 in unmet need for LMI residents who experienced damage resultant of Hurricane Ian.

Due to this analysis, the City of Fort Myers is grateful for Lee County's allocation of \$175,000,000 for individual housing rehabilitation and renovation as a result of Hurricane Ian. Knowing that the allocated amount in no way encompasses the total need for Lee County or City residents, we urge for any additional funding that is not expended through the development process to be funneled back into the individual rehabilitation and renovation program. These dollars have opportunity to make significant impact on the affected residents of Fort Myers, who remain the City's highest priority.

2200 Second Street • Fort Myers, Florida 33901 • (239) 321-7020
Mailing Address: P.O. Box 2217 • Fort Myers, Florida 33902
e-mail: mayoranderson@cityftmyers.com

We also urge the County to outline a clear path for reimbursement in the finalized Action Plan or an imminent amendment. Reimbursement is only briefly mentioned as a possibility on page 224 of the Draft Action Plan. Due to the severity of the storm many have been forced to begin or complete repairs or implement temporary measure to ensure their home are habitable, regardless of financial situation. This impacts 20.967% of FEMA IA applicants who experienced major damage. The City of Fort Myers considers implementation of an accessible and immediate reimbursement program a necessity. We urge Lee County to incorporate and advertise reimbursement with equal weight and fervor as the elevation, rehabilitation, and renovation programs.

With regard to infrastructure, The City anticipates an estimated unmet need of \$158,000,000. This includes mitigation of essential potable water, wastewater, stormwater equipment, as well as redundancy considerations for our utilities system. These efforts also include infrastructure concerns for which FEMA has not provided funds for but were of exigent need for the city to complete as well as the 12.5% Public Assistance match that is required as a result of the accrued damages. Over the past few years, the City of Fort Myers has made significant outlay into infrastructure to meet the increased demand for services. This investment remains priority for the City, with significant projects slated for completion between fiscal year 2024-2029. Hurricane Ian demonstrated the need for redundancy, resiliency, and remediation of infrastructure.

Due to the essential nature of this mitigation, there are critical projects that our City has begun in absence of available funding. For infrastructure projects that meet eligible CDBG-DR criteria, the City requests a reimbursement opportunity to be made available within the infrastructure Notice of Funding Availability (NOFA). This opportunity would not only remediate damages and loss of service, but through the continued need to ensure our City is a constant innovator of resilience efforts. This protects the City's goal to remain a safe, vibrant, and livable city. It is also noted that infrastructure minimum project cost threshold is set at \$5,000,000 minimum per project. Given the varying amounts that comprise critical infrastructure, the City recommends the threshold for infrastructure be lowered significantly, to encompass all opportunities to impact our community.

It is also essential to note that 51.99% of the City's population is considered LMI, which requires acute attention for equitable and accessible planning for the residents who have been identified as a vulnerable population. In compliance with HUD and federal mandates, environmental considerations are already incorporated into the City's resilience and mitigation planning efforts to address the disproportionate impact of legacy housing environmental hazards to marginalized, historically underserved, and overburdened residents. In accordance with these guidelines, broadband should be considered critical infrastructure for LMI. We urge the County to remain committed to these essential tenets and classify as the infrastructure allocation is expended.

Recognizing that 10.2% of the CDBG-DR allocation is assigned to Hazard Mitigation Grant Program (HMGP) as matching funds from the mitigation set aside, the City requests that any excess mitigation dollars not expended as a HMGP match become available for application through competitive Notice of Funding Availability (NOFA). Given the \$144,000,000 mitigation set aside maintains different parameters than the rest of the CDBG-DR allocation, the request process should remain separate. These funds are crucial to the protection of our community. In the finalization of this document or an imminently submitted amendment, the City requests a clear outline for the expenditure of these funds.

Additionally, the Draft Action Plan states that input was derived from the Lee County Recovery Task Force Town Halls, hosted at multiple locations county wide (pg.157). The Task Force hosted two meetings within city limits: one at Fort Myers City Hall, the other hosted at Dunbar High School on June

24th. Upon review the feedback captured at Dunbar High School is not captured nor outlined in draft plan. The City wanted to bring this oversight to the attention of both Lee County and HUD and urge the inclusion of this input before the Action Plan is finalized.

Finally, the City notes the omission of economic development funding from the Draft Action Plan as a significant loss for our community. With the loss of tourism and revenue caused by Ian, the influx of economic development funds would be an incredible opportunity to support this area of our community. This is recognized in Page 22 of the Draft Action Plan which states that 40% of the County's hotel/motel unit inventory was affected by Ian—yet there is no economic recovery funding provided. These units become critical short-term housing during a disaster. Funding to assist these commercial sources and other critical services like broadband, may be addressed through the infrastructure category of CDBG-DR funding; however, its emphasis should be made in the economic development funding. Additionally, influx into this sector allows for the continued financial resilience of our communities. Understanding that businesses (including, but not limited to: arts and culture institutions, golf courses, hotels, and golf courses) are vital for the restoration of our community, we must ensure they are included and recognized in this endeavor. The City of Fort Myers holds great respect and responsibility for the essential community business partners of our community that continue to establish this community as a beacon for tourism, job development, and fiscal resiliency.

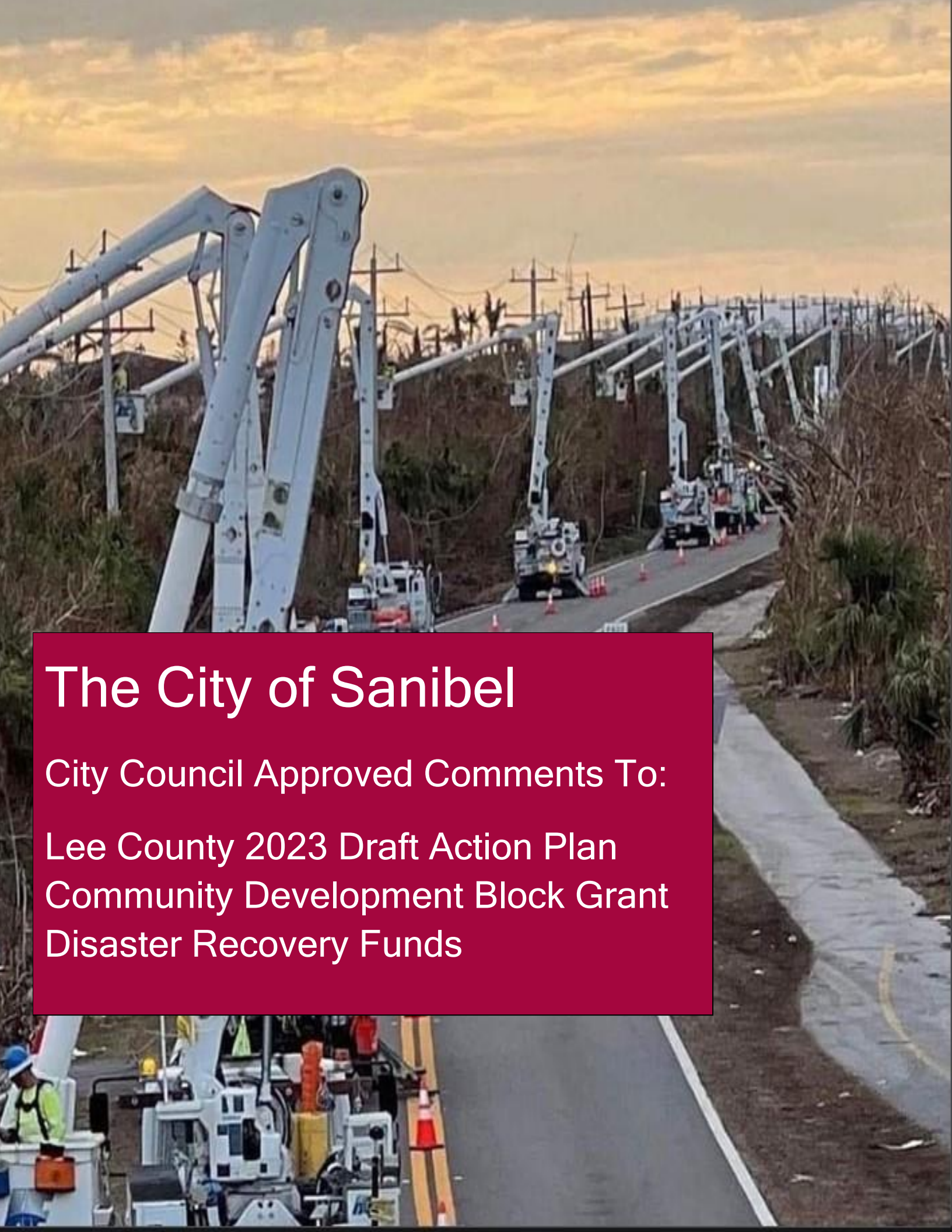
CDBG-DR funds provide Lee County and its municipalities with an incredible opportunity to enact change for years to come. The City of Fort Myers welcomes this opportunity with collaboration with Lee County Government, HUD, and fellow Lee County municipalities to implement this initiative. The City stands ready to assist and support in any way possible, in this effort or others in support of our community. We thank you for your consideration of these comments and your commitment to advancement, recovery, and resiliency in our community.

Respectfully submitted,



Kevin B. Anderson

Mayor, City of Fort Myers



The City of Sanibel

City Council Approved Comments To:

Lee County 2023 Draft Action Plan

Community Development Block Grant

Disaster Recovery Funds

Hurricane Ian and Catastrophic Damage to Sanibel

Hurricane Ian made landfall on Sanibel on September 28, 2022. The barrier island of Sanibel faced fierce conditions with winds of 150 mph and a documented storm surge ranging from 6 feet to 13 feet. This entire island community was inundated and every structure on the island was damaged; many destroyed. Gulf front condominiums and resorts remain uninhabitable nearly one-year after the storm, resulting in a 34% loss in property value citywide. Damaged commercial properties are still awaiting repairs causing approximately 80% of Sanibel's businesses to remain closed.

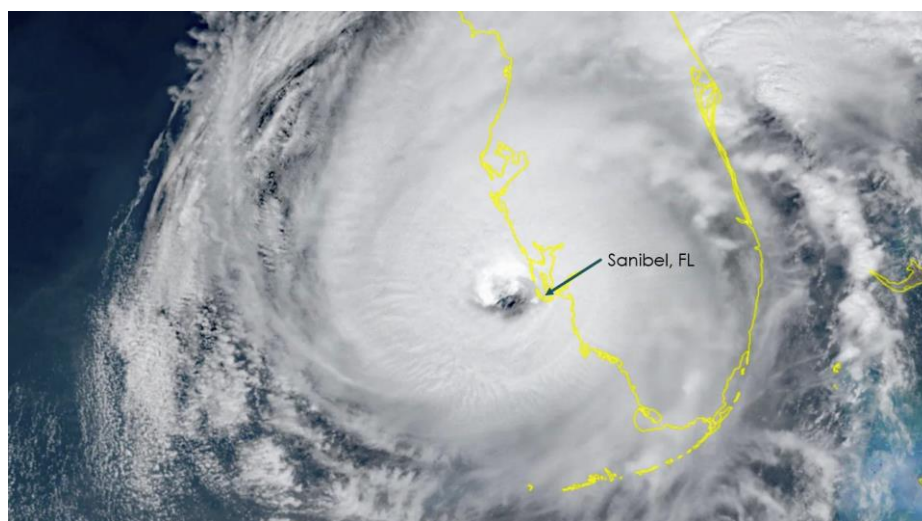
The hurricane breached the Sanibel Causeway, the only roadway that connects Sanibel to the mainland, in 5 different locations. Immediate access to the island following the storm was restricted to helicopters and a few boats that had escaped damage. The process to locate, assist and evacuate storm survivors posed significant challenges.



Once the first responders and City staff were able to initiate the damage assessment in earnest, it became clear that every aspect of the community's identity had suffered catastrophic damage. This includes the island's single family residential structures, condominiums, multi-family affordable housing, infrastructure, commercial properties, resorts, short-term vacation rentals, and the island's historic and cultural resources. The island's pristine beaches were eroded and heavily scoured, and the acres of conservation lands and freshwater

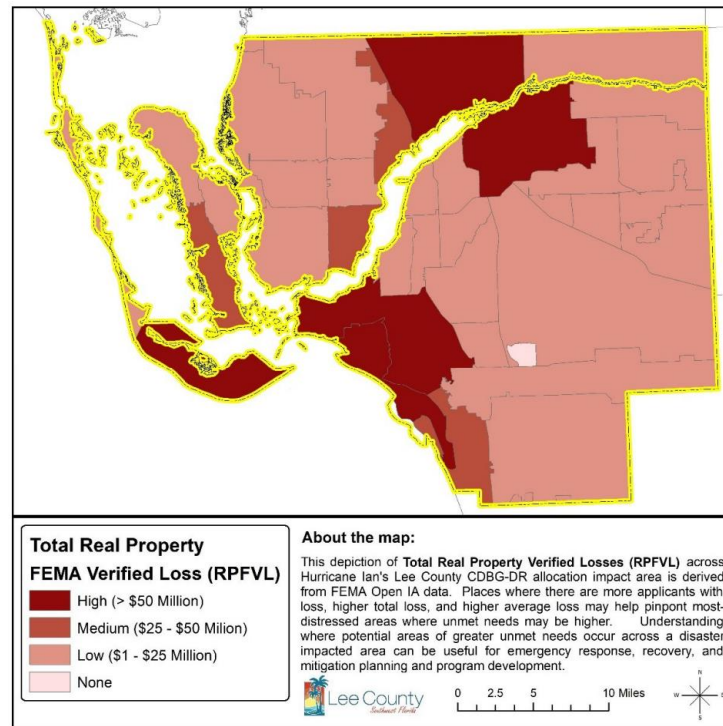
systems that serve to define Sanibel as a sanctuary barrier island were inundated with salt water.

Sanibel island, and the City of Sanibel faced new and significant challenges that would strain resources, people's patience, resolve, and finances. Clearly, Sanibel would not be able to manage this expansive and expensive recovery on its own. The State of Florida provided immediate and significant assistance by completing emergency repairs to the Sanibel Causeway in record time, rebuilding the collapsed approaches to the East Periwinkle Way bridge, funding debris removal and providing short- and long-term funding in the way of direct assistance, grants, and loans.



The Federal Government also assisted by providing Search and Rescue personnel who located and evacuated survivors, FEMA staffing to help residents and business owners apply for assistance, and by providing a \$1.1 billion Community Development Block Grant Disaster Relief (CDBG-DR) funding to Lee County for *“disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed (MID) areas”* by Hurricane Ian. (Source - Federal Register 5/18/23)

While all of Lee County was identified by the U.S. Housing and Urban Development (HUD) as a MID area, the “absorbed the brunt of Hurricane Ian’s impact” within Lee County, as shown in the “Total Real Property FEMA Verified Loss illustration (pg. 70 - Figure 14) were the City of Sanibel, the Town of Fort Myers, coastal Lee County, and North Fort Myers.



CDBG-DR Funding - \$1.1 Billion



Thomas James / WGCU

On March 15, 2023, Adrienne Todman, Deputy Secretary of the U.S. Department of Housing and Urban Development (HUD) visited Fort Myers Beach to announce a \$1.1. billion CDBG-DR grant that can be used to fund “a variety of activities including housing redevelopment, infrastructure repair, economic revitalization, and long-term planning”. (Source - Lee County News Release) [Click here](#) to watch the March 15, 2023 press conference.

According to the [CDBG-DR Overview](#) provided on the HUD Exchange webpage, the purpose of CDBG-DR funds, provided by the United State Congress, is for response to extraordinary impacts from disaster. Funding is specifically appropriated for those geographic areas that have been negatively affected by a disaster.

“CDBG-DR funds can only be spent to meet the recovery needs caused by the disaster(s) specifically stated in the appropriation. Typically, appropriations further limit use of funds to the “most impacted and distressed” areas resulting from a major disaster. HUD uses damage estimates and other data from FEMA and SBA to determine the eligible grantees, geographical areas to be served or prioritized, and allocation amounts. Based on this data, HUD may attach additional restrictions, e.g., units of general local government (UGLG) in receipt of a direct award may only spend funds within that local government’s jurisdiction (not within the county at large). Eligible disasters and any geographic restrictions are identified in the Federal Register Notice that governs the use of funds.”

HUD published the [“Allocations for Community Development Block Grant Disaster Recovery and Implementation of the CDBG-DR Consolidated Waivers and Alternative Requirements Notice”](#) for the Lee County funding on May 18, 2023 in the Federal Register.

To manage the CDBG-DR grant, Lee County has appropriately created the Department of Strategic Resources and Government Affairs (SRGA). One of the first tasks for the department is to create a Public Action Plan to “serve as the blueprint for the successful implementation of CDBG-DR funded programs.” ([Source - Lee County Action Plan](#))

As the grantee, Lee County is required to develop an action plan that can:

“demonstrate a reasonably proportionate allocation of resources relative to areas and categories (i.e., housing, economic revitalization, and infrastructure) of greatest needs identified in the grantee’s impact and unmet needs assessment or provide an acceptable justification for a disproportional allocation.” Additionally, paragraph III.C.1.g of the Consolidated Notice requires grantees to “provide a budget for the full amount of the allocation that is reasonably proportionate to its unmet needs (or provide an acceptable justification for disproportional allocation) and is consistent with the requirements to integrate hazard mitigation measures into all its programs and projects.”

Lee County has worked closely with Sanibel during the response and recovery phases of work following Hurricane Ian’s landfall and Sanibel looks forward to continuing this strong relationship with the County as the CDBG-DR Action Plan is finalized. Sanibel’s hope is that the final CDBG-DR Action Plan will recognize that within Lee County’s designation as “the most impacted and distressed area”, the communities of Sanibel, Fort Myers Beach, Coastal Lee County, and North Fort Myers received the most damage and should therefore, be the recipients of a proportionate share of CDBG-DR funding.

Lee County Draft CDBG-DR Action Plan

Lee County has published the Draft Action Plan for the CDBG-DR funding, which will “serve as the blueprint for the successful implementation of CDBG-DR funded programs.” ([Source - Lee County Action Plan](#)) Lee County is currently seeking public input on the draft plan and has scheduled a series of public meetings for this purpose.

Lee County planned to hold a public meeting in Sanibel, at Big Arts, at 5:30 pm on August 29, 2023, however, Hurricane Idalia caused the postponement of the meeting until August 31, 2023. The full schedule for public meeting is shown below.

Public meeting are:

- **5:30 p.m. Wednesday, Aug. 2,** Bonita Springs City Council, 9101 Bonita Beach Road Bonita Springs, FL 34135
- **6 p.m. Thursday, Aug. 3,** Cape Coral City Council, 1015 Cultural Park Blvd., Cape Coral, FL 33990
- **5:30 p.m. Thursday, Aug. 10,** North Fort Myers Recreation Center, 2000 N. Recreation Park Way, North Fort Myers, FL 33903
- **5:30 p.m. Tuesday, Aug. 15,** Town of Fort Myers Beach / DiamondHead Beach Resort, 2000 Estero Blvd., Fort Myers Beach, FL 33931
- **5:30 p.m. Wednesday, Aug. 16,** Veterans Park, 55 Homestead Road, Lehigh Acres, FL 33936
-
- **5:30 p.m. Tuesday, Aug. 22,** The Heights Center, 15570 Hagie Drive, Fort Myers, FL 33908
- **6 p.m. Wednesday, Aug. 23,** City of Fort Myers / Stars Complex, 2980 Edison Ave., Fort Myers, FL 33916
- **5:30 p.m. Thursday, Aug. 24,** Pine Island Elementary School, 5360 Ridgewood Drive, Bokeelia, FL 33922
- **5:30 p.m. Tuesday, August 29,** City of Sanibel / Big Arts Sanibel, 900 Dunlop Rd, Sanibel, FL 33957

Public comment on the draft plan is critical if funding is to be directed to the areas most negatively affected by Hurricane Ian. Sanibel has prepared this document to:

1. Provide forma comment on the draft Action Plan.
2. Provide recommendations for changes in the Action Plan that would ensure funds are allocated to the most heavily impacted areas of Sanibel, Fort Myers Beach, coastal Lee County, and North Fort Myers.
3. Provide a recommendation and justification for including an allocation for Economic Revitalization needs that the draft Action Plan does not provide for.

Sanibel Comments

General

Lee County has expressed how the Action Plan is a document that will likely be amended several times over the course of approximately the 6-years needed to plan, program, allocate, administer, implement, and audit the use of CDBG-DR funding. The amendment process is discussed on page 170 of the draft plan which states:

“Over time, recovery needs will change. Thus, Lee County will amend the disaster recovery Action Plan as often as necessary to best address its long-term recovery needs and goals. This plan describes proposed programs and activities. As programs and activities develop over time, an amendment may not be triggered if the program or activity is consistent with the descriptions provided in this plan.

Amendments will clearly identify the changes including what content is being added, deleted, or changed, and will include a chart or table that clearly illustrates where funds are coming from and to where they are being moved. Further, any changes resulting in a budget amendment will include a revised budget allocation table that reflects the entirety of all funds.”

Sanibel agrees with the County’s planned approach to managing amendments to the Action Plan. The public engagement process that Lee County has developed will hopefully minimize any immediate amendments to the plan and Sanibel applauds the County’s approach to developing this Action Plan.

Substantial Amendments, Waivers and Clarifications

While HUD requires Lee County to follow statutory guidelines for funding, CDBG-DR funding has liberal opportunities for Lee County to request waivers from guidelines and requirements. The Federal Register, Section IV Applicable Rules, Statutes, Waivers and Alternative Requirements, states:

“The Appropriations Acts authorize the Secretary to waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary, or use by the recipient, of these funds, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment. This section of the notice and the Consolidated Notice describe rules, statutes, waivers, and alternative requirements that apply to allocations under this notice. For each waiver and alternative requirement in this notice and incorporated through the Consolidated Notice, the Secretary has determined that good cause exists, and the waiver or alternative requirement is not inconsistent with the overall purpose of title I of the HCDA. The waivers and alternative requirements provide flexibility in program design and implementation to support full and swift recovery following eligible disasters, while ensuring that statutory requirements are met.”

One of the challenges this Action Plan must solve, through the combination of the initial Action Plan and Amended Action Plan(s), is to find a way fulfill the statutory funding requirement that a significant portion of the funding (70%) must be used to fund programs and activities that benefit low-and moderate-income (LMI) populations, while also meeting the statutory requirement that CDBG-DR funds can only be spent to meet the recovery needs caused by the disaster.

Figure 28 (page 87) illustrates where LMI populations reside in Lee County. When cross referencing the LMI population illustration with the Total Real Property FEMA Verified Loss illustration, funding should be directed to areas where both significant property loss occurred and where LMI populations reside. It is less clear how funding can effectively be utilized to assist areas that have significant property loss but have a population with less than 50% LMI.

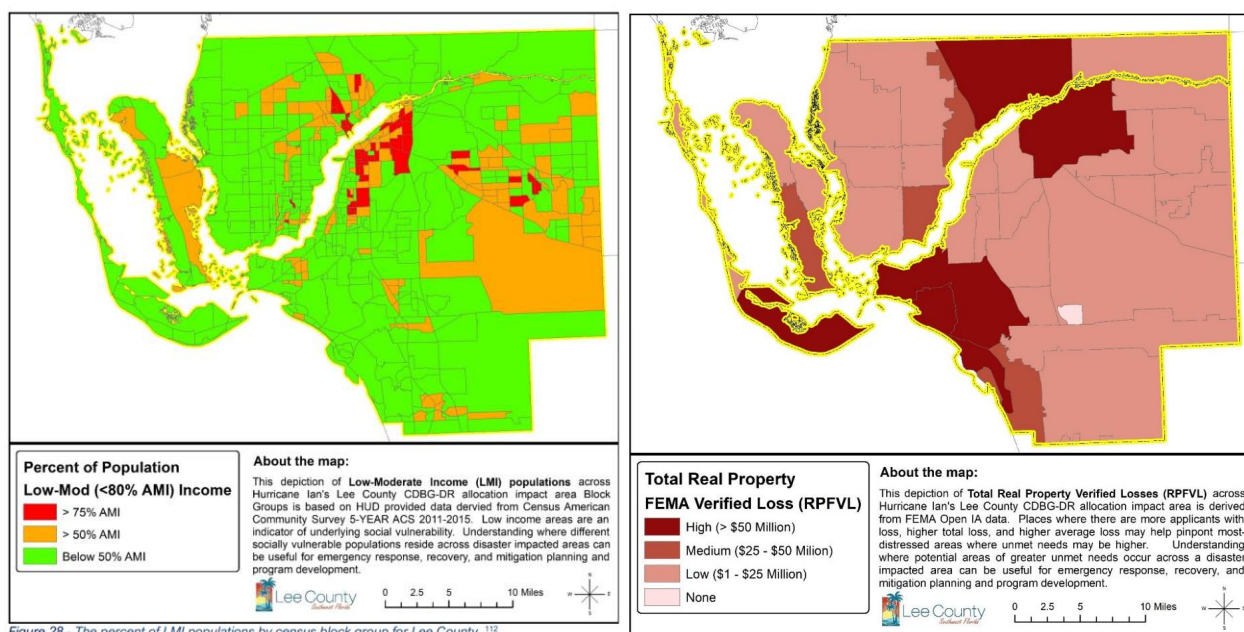


Figure 28 - The percent of LMI populations by census block group for Lee County. ¹¹²

Section III.F.2 of the Allocation Announcement in Federal Register, states that a grantee of CDBG-DR funds “may seek to reduce the overall benefit requirement below 70 percent of the total grant but must submit a substantial amendment” to the Action Plan. Considering the coastal areas received catastrophic damage that require external funding to fully recover, the County should consider requesting that 50% of the total grant (\$550 million) must benefit LMI populations or seek a clarification from HUD that spending funds in the heavily damaged coastal areas that will help create jobs traditionally filled by LMI populations is a qualified expenditure of funds.

Sanibel Recommendations - Substantial Amendment, Waivers and Clarifications

1. Sanibel supports providing funding to LMI populations and neighborhoods that have been significantly impacted by Hurricane Ian to expedite recovery. Sanibel also supports providing funding to the most significantly impacted areas of Lee County, particularly the barrier islands, to expedite recovery. Lee County should, therefore, consider submitting a substantial amendment to the Draft Action Plan that reduces the required amount of funding to be spent on programs and activities that benefit LMI populations from 70% to 50% of the total grant (\$550 million) at the earliest possible time.
2. Seek clarification from HUD that funds expended on programs and projects that create employment opportunities for LMI populations are in the heavily damaged coastal communities with populations less than 50% LMI populations are eligible expenses.
3. The County should seek waivers from the Secretary, where necessary, to fund Sanibel's affordable housing, economic revitalization, infrastructure, public services, and planning needs to recover from Hurricane Ian.

Draft Action Plan Allocations – Amend to include Economic Revitalization

programs and activities that benefit low-and moderate-income (LMI)

Lee County's Draft Action Plan illustrates funding allocations in accordance with the chart below.

DRAFT ACTION PLAN ALLOCATIONS				
Housing	Public Facilities & Infrastructure	Public Services	Planning	Administration
\$660,000,000	\$352,486,950	\$15,000,000	\$25,000,000	\$55,394,050
<ul style="list-style-type: none"> Owner & Renter Occupied Housing Rehabilitation, Reconstruction & Elevation Multifamily & Single-Family Affordable Housing Development Homebuyer Purchasing Assistance Voluntary Residential Buyouts 	<ul style="list-style-type: none"> Hazard Mitigation Grant Program (HMGP) Matching Program Critical Public Facilities & Infrastructure 	<ul style="list-style-type: none"> Long-term Recovery Group Unmet Needs – Individual/Family Case Management Behavioral Health Services & System Of Care 	<ul style="list-style-type: none"> Resiliency / Recovery Focused Planning Studies Behavioral Health System of Care Plan Task Force Long-Term Recovery Plan CDBG-DR Action Plan 	<ul style="list-style-type: none"> Program Administration

Sanibel believes that Economic Revitalization should be added as an allocation, and it should be accomplished by reducing funding in the Housing Allocation. As the Town of Fort Myers pointed out in their comments to the Draft Action Plan, as shown below.

According to the Draft Action Plan, 56.92% of Lee County's unmet needs are related to housing, but 59.57% of CDBG-DR funding has been allocated to housing programs. The percentage of funding allocated to housing exceeds the relative percentage of unmet housing needs by 2.65% or approximately \$29.4 million of the total program allocation.

In Sanibel, the need for Economic Revitalization funding is clearly evident. Most businesses remain closed with only 104 businesses open (20%) on Sanibel and Captiva compared to 561 active businesses pre-hurricane.

Table 1 – Lee County's Unmet Needs and Proposed Allocation

Category	Remaining Unmet Need	% of Unmet Need
Housing	\$4,598,352,445	56.92%
Infrastructure	\$3,040,625,610	37.63%
Economic Revitalization	\$440,320,907	5.45%
Total Unmet Needs	\$8,079,298,962	100%

Category	Program Allocation Amount	% of Program Allocation
Housing	\$660,000,000	59.57%
Economic Revitalization	\$0	0%
Infrastructure	\$207,980,950	18.77%
Mitigation	\$144,506,000	13.04%
Planning	\$25,000,000	2.26%
Public Services	\$15,000,000	1.35%
Admin	\$55,394,050	5.00%
Total Allocation	\$1,107,881,000	100%

Fort Myers Beach requests that this allocation ratio be reconsidered to include Economic Revitalization, which is of critical importance to Lee County's Ground Zero area. As currently written, these opportunities have been excluded from funding allocations in the Draft Action Plan.

In Sanibel, Hurricane Ian has devastated local businesses, short-term rental market, and resorts that contribute greatly to the economy of Sanibel and Lee County. These businesses and resorts employ many people who may qualify as LMI populations. Funding Economic Revitalization projects on Sanibel and Fort Myers Beach will recreate jobs that were lost due to Hurricane Ian impacts on businesses, rebuild the tourist-based economy, and hasten the regional economic recovery.

Page 110 of the Draft Action Plan states that the goal of achieving economic revitalization is accomplished through housing and infrastructure programs. Sanibel believes this approach is wrong and the Economic Revitalization must receive a direct allocation of funding if the defined unmet needs are to be mitigated.

Through the unmet needs assessment and consultation with stakeholders, Lee County has determined that the most impactful programs to support **economic revitalization** are included in housing and infrastructure programs. Housing programs will support the development and preservation of affordable housing units to support the workforce in the County. Infrastructure projects will provide required improvements to ensure businesses have access to essential services.

The Allocation Announcement states that the Action Plan must demonstrate a reasonably proportionate allocation of resources relative to areas and categories (i.e., housing, economic revitalization, and infrastructure) of greatest needs identified in the grantee's impact and unmet needs assessment or provide an acceptable justification for a disproportional allocation.”

The table below shows there is an unmet Economic Revitalization need \$440.3 million yet no funds are allocated for this purpose which suggests that the Draft Allocation Plan, also shown on page 9 (above), is not a “reasonably proportionate allocation of resources”.

Table 1 – Lee County's Unmet Needs and Proposed Allocation

Category	Remaining Unmet Need	% of Unmet Need
Housing	\$4,598,352,445	56.92%
Infrastructure	\$3,040,625,610	37.63%
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Total Unmet Needs	\$8,079,298,962	100%

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Planning	\$25,000,000	2.26%
Public Services	\$15,000,000	1.35%
Admin	\$55,394,050	5.00%
Total Allocation	\$1,107,881,000	100%

The Allocation Announcement in the Federal Register states that CDBG-DR funds can be used for a variety of Economic Revitalization programs. Specifically, the Federal Register advertisement related to the Lee County funding states:

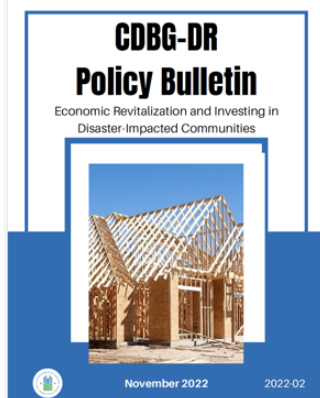
Many grantees carry out economic revitalization programs that provide working capital assistance to businesses.

CDBG-DR funds can be used for CDBG-DR eligible activities related to economic revitalization. The attraction, retention, and return of businesses and jobs to a disaster-impacted area is critical to long-term recovery. Accordingly, for CDBG-DR purposes, economic revitalization may include any CDBG-DR eligible activity that demonstrably restores and improves the local economy through job creation and retention or by expanding access to goods and services. The most common CDBG-DR eligible activities to support economic revitalization are outlined in 24 CFR 570.203 and 570.204 and sections 105(a)(14), (15), and (17) of the HCDA.

As County staff stated at the Sanibel Public Meeting on August 31, 2023, the County and communities affected by the storm need to meet and discuss some specific Economic Revitalization programs and activities that will help the area recovery. Sanibel agrees with this statement but also believes some funding should be allocated for Economic Recovery with broad objectives that can be quickly refined through collaboration between Lee County, Sanibel, Fort Myers Beach, and coastal business leaders.

Two examples of Economic Revitalization Lee County may review and consider are shown below.

The CDBG-DR Policy Bulletin on [Economic Revitalization and Investing in Disaster Impacted Communities](#) provides some important examples of how tourist-dependent businesses can benefit greatly from CDBG-DR funding without the need for a waiver.



Eligible Activities Related to Tourism:

A CDBG-DR grantee has the option, without a waiver or alternative requirement, to provide direct assistance to tourism-dependent businesses and other eligible entities through CDBG-DR eligible activities, including special economic development activities. The table below lists some examples of activities that could provide direct assistance to eligible tourism-dependent entities.

Table 1: Examples of Eligible Activities

Eligible Activity	Examples
1. Direct assistance to: <ul style="list-style-type: none"> • A private, for-profit business • Non-profit entity • Community Based Development Organization 	Direct assistance to an entity can be awarded as a grant, loan, or loan guarantee. For example: <ul style="list-style-type: none"> • Awarding a grant to fund a tourism-dependent nonprofit entity (or private, for-profit) to implement a program that promotes tourism by motivating travel, increasing hotel occupancy, and creating or retaining hospitality-related jobs. • Launching a website to relay information on a disaster-impacted community and its recovery activities. This could

Following Superstorm Sandy, the State of New Jersey utilized CDBG-DR to provide direct grants and loans to businesses and non-profits for working capital and business recovery. [Click here](#) to read about the Stronger NJ Business Loan Program.

Sanibel Recommendations - Allocations

The City of Sanibel requests:

1. Allocate funding to Economic Revitalization by a minimum of \$29.4 million. Reduce Housing Allocation to fund Economic Revitalization.
2. Provide direct funding to Sanibel for Economic Revitalization, without a requirement to apply for funding through a Notice of Funding Availability (NOFA).
3. Collaboration with Lee County, Fort Myers Beach, and business leaders to develop more specific programs and activities that will assist businesses recover quickly.

Housing

Lee County's Draft Action Plan allocates \$660 million to housing for the purposes shown in the graphic below.

The Action Plan should prioritize funding to ensure that needed funds go to communities, like Sanibel, that lost affordable housing units to Hurricane Ian. Sanibel affordable housing partner is Community Housing Resources (CHR). Hurricane Ian destroyed and heavily damaged CHR housing. Priority funding should be directed to CHR to redevelop lost and damaged units directly and outside of any NOFA issued for housing project proposals. The same should apply to any other community that lost housing directly from the impacts of Hurricane Ian.

Likewise, priority funding should be granted to Sanibel as one of the most impacted communities to acquire land and develop new affordable housing on the island that will better serve low-income and moderate-income employees of Sanibel businesses. Consideration should also be given to providing funding to develop near island affordable housing units that could benefit workers who travel to Sanibel and Fort Myers Beach daily for work. Lastly, Sanibel believes that housing funds should be directed for intern housing to support non-profit low-income employees.

Sanibel Recommendations - Housing

1. Priority funding should be directed to Sanibel/CHR to redevelop lost and damaged units directly and outside of any NOFA issued for housing project proposals. The same should apply to any other community that lost housing directly from the impacts of Hurricane Ian.
2. Likewise, priority funding should be granted to Sanibel/CHR as one of the most impacted communities to acquire land and develop new affordable housing on the island that will better serve low-income and moderate-income employees of Sanibel businesses.
3. Funding should be provided to develop near island affordable housing units that could benefit workers who travel to Sanibel and Fort Myers Beach daily for work. Affordable housing units are needed near coastal communities.
4. Provide individual assistance to qualified residents - assistance to include:
 - a. Home renovations
 - b. Home elevations
 - c. Home reconstruction

Infrastructure

Lee County's Draft Action Plan allocates \$352.4 million to infrastructure for the purposes shown in the graphic below.

Sanibel believes a portion of the \$352 million allocated for infrastructure should be allocated to the geographic areas that experienced the most significant property loss without having to apply for a NOFA. experienced significant damage to its transportation network, sewer system, stormwater system, bicycle facilities, and beach facilities. While other Lee County communities have unmet needs, funds should go first to repair and rebuild infrastructure damaged and destroyed by Hurricane Ian.

Sanibel Recommendations - Infrastructure

1. Allocate funds directly and without having to apply for a NOFA, to Sanibel for significant infrastructure repairs and reconstruction. The same should apply to the other areas that received significant damager including North Fort Myers, and Fort Myers Beach.
2. Sanibel agrees that the local match for HMGP projects should be funded from CDB-DR funds.

Public Services

Lee County's Draft Action Plan allocates \$15 million to public services for the purposes shown in the graphic below.

Sanibel Recommendations - Public Services

1. Partner with FISH to deliver services on Sanibel.
2. Assist FISH with their renovating and expanding their building to better service LMI clients.

Planning

Lee County's Draft Action Plan allocates \$25 million for planning purposes as shown in the graphic below.

Sanibel Recommendations - Planning

1. Plan for barge landing facilities on Sanibel and Lee County mainland to plan for any future natural disasters that may make the causeway inaccessible.
2. Plan for highspeed broadband fiber network on Sanibel for resiliency and reliability
3. Provide funding to Sanibel to develop a long-term recovery plan.



Summary City of Sanibel Comments and Recommendations

Sanibel Recommendations - Substantial Amendment, Waivers and Clarifications

1. Sanibel supports providing funding to LMI populations and neighborhoods that have been significantly impacted by Hurricane Ian to expedite recovery. Sanibel also supports providing funding to the most significantly impacted areas of Lee County, particularly the barrier islands, to expedite recovery. Lee County should, therefore, consider submitting a substantial amendment to the Draft Action Plan that reduces the required amount of funding to be spent on programs and activities that benefit LMI populations from 70% to 50% of the total grant (\$550 million) at the earliest possible time.
2. Seek clarification from HUD that funds expended on programs and projects that create employment opportunities for LMI populations are in the heavily damaged coastal communities with populations less than 50% LMI populations are eligible expenses.
3. The County should seek waivers from the Secretary, where necessary, to fund Sanibel's affordable housing, economic revitalization, infrastructure, public services, and planning needs to recover from Hurricane Ian.

Sanibel Recommendations - Allocations

The City of Sanibel requests:

1. Allocate funding to Economic Revitalization by a minimum of \$29.4 million. Reduce Housing Allocation to fund Economic Revitalization.
2. Provide direct funding to Sanibel for Economic Revitalization, without a requirement to apply for funding through a Notice of Funding Availability (NOFA).
3. Collaboration with Lee County, Fort Myers Beach, and business leaders to develop more specific programs and activities that will assist businesses recover quickly.

Sanibel Recommendations - Housing

1. Priority funding should be directed to Sanibel/CHR to redevelop lost and damaged units directly and outside of any NOFA issued for housing project proposals. The same should apply to any other community that lost housing directly from the impacts of Hurricane Ian.
2. Likewise, priority funding should be granted to Sanibel/CHR as one of the most impacted communities to acquire land and develop new affordable housing on the island that will better serve low-income and moderate-income employees of Sanibel businesses.
3. Funding should be provided to develop near island affordable housing units that could benefit workers who travel to Sanibel and Fort Myers Beach daily for work. Affordable housing units are needed near coastal communities.
4. Provide individual assistance to qualified residents - assistance to include:
 - a. Home renovations
 - b. Home elevations
 - c. Home reconstruction

Sanibel Recommendations - Infrastructure

1. Allocate funds directly and without having to apply for a NOFA, to Sanibel for significant infrastructure repairs and reconstruction. The same should apply to the other areas that received significant damage including North Fort Myers, and Fort Myers Beach.
2. Sanibel agrees that the local match for HMGP projects should be funded from CDB-DR funds.

Sanibel Recommendations - Public Services

1. Partner with FISH to deliver services on Sanibel.
2. Assist FISH with their renovating and expanding their building to better service LMI clients.

Sanibel Recommendations - Planning

1. Plan for barge landing facilities on Sanibel and Lee County mainland to plan for any future natural disasters that may make the causeway inaccessible.
2. Plan for highspeed broadband fiber network on Sanibel for resiliency and reliability
3. Provide funding to Sanibel to develop a long-term recovery plan.

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Introduction

Deputy Secretary of the United States Department of Housing and Urban Development Adrienne Todman visited Fort Myers Beach on a warm spring Wednesday morning in March 2023 to announce the Community Development Block Grant-Disaster Recovery allocation Lee County would soon receive to aid its recovery from Hurricane Ian. She chose Fort Myers Beach as the location for the announcement because it is the “Ground Zero” – the epicenter of destruction – for Hurricane Ian’s most devastating impacts. Deputy Secretary Todman told those assembled amongst the devastation in Fort Myers Beach that she was here to “provide some hope”.

Local leaders said they welcomed the hope, and the help, telling the Deputy Secretary the CDBG allocation she was announcing that day was badly needed to help the hardest-hit communities recover. There was much discussion that day about the devastation in the town. In fact, local leaders noted to Todman that every single one of the approximately 4,000 structures in Fort Myers Beach received some form of damage from Hurricane Ian. Many of those, the majority perhaps, will have to be demolished and rebuilt.

Fort Myers Beach Mayor Dan Allers told Deputy Secretary Todman that day that bringing back Fort Myers Beach’s residents and workforce are the town’s top priorities. “Every person that comes back has one more shovel, one more pair of gloves that helps that next neighbor and helps the next neighbor, and the more of them you get back in, the quicker we’ll be able to recover,” Allers told local station WGCU during the event.

Deputy Secretary Todman announced that day that the United States Department of Housing and Urban Development was allocating \$1,107,881,000 in CDBG-DR funds to Lee County in response to Hurricane Ian. She said those CDBG-DR grants could be used to address local disaster recovery needs that are not met by other sources of Federal disaster assistance.

Fort Myers Beach understands that:

- CDBG-DR appropriations generally make funds available 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.
- CDBG-DR makes funds available for all activities that are eligible under Title I of the Housing and Community Development Act of 1974. Generally, all CDBG-DR activities must:
 - Be CDBG-eligible (or eligible under a waiver or alternative requirement);
 - Meet a national objective; and,
 - Meet an unmet recovery need that addresses a direct or indirect impact from an eligible disaster.

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- CDBG-DR appropriations are made to address unmet needs in the “most impacted and distressed” (MID) areas in the aftermath of a disaster, and that the entirety of Lee County has been identified as the MID area related to this allocation. While all of Lee County suffered the devastating impacts of Hurricane Ian, varying degrees of destruction exist across the County. These comments pertain to the most heavily impacted, “Ground Zero” areas of Lee County, which were disproportionately affected and will continue to experience disproportionate levels of recovery.
- To meet disaster recovery needs, the statutes controlling CDBG-DR funds authorize HUD to modify the rules that apply to the annual CDBG program. To provide this flexibility, CDBG-DR appropriation statutes grant the Secretary the authority to waive statutes or regulations administered by the Secretary, except for requirements related to fair housing, nondiscrimination, labor standards, and the environment. Furthermore, 88 FR 32046, Section IV, indicates that “Grantees may request additional waivers and alternatives from the Department as needed to address specific needs related to their recovery and mitigation activities.” When a waiver request is referenced herein, it is the position of Fort Myers Beach that the need for such a waiver request exists related to the town’s specific recovery and mitigation activity needs.
- Before receiving CDBG-DR funds, grantees are required to develop and submit to HUD Action Plans for Disaster Recovery. The CDBG-DR Action Plan must describe how the grantee will use the CDBG-DR funds. Lee County publicly released its Draft Action Plan on August 1, 2023, and will accept public comments on the draft plan until August 31, 2023.
- Lee County’s Draft Action Plan primarily contemplates using the CDBG-DR funds on housing-related assistance programs and infrastructure (including cost share on FEMA Hazard Mitigation Grant Program projects).

Fort Myers Beach extends its sincere appreciation to Lee County for its commitment to holding a public meeting in the town to discuss and gather local insights on the Draft Action Plan. During this meeting, the feedback from local business leaders, community members, and elected officials was explicit and unified in expressing concern that the Draft Action Plan does not sufficiently take into account the severe economic impacts caused by Hurricane Ian, especially in the Ground Zero areas. The uncertainty among local citizens regarding the current form of the Draft Action Plan and its ability to fund a comprehensive recovery strategy for Ground Zero was palpable. This concern is compounded by Lee County's reluctance to request waivers and other statutory and regulatory flexibility, leading to apprehensions that most of the Community Development Block Grant (CDBG) spending may occur outside Fort Myers Beach, exacerbating the ongoing difficulties with resourcing recovery planning, decisions, and projects.

Our approach in the formal comments to follow is aimed at garnering a partnership with Lee County and the U.S. Department of Housing and Urban Development (HUD) to lead efforts in ensuring more funding is invested in Fort Myers Beach and the Ground Zero area, so that the comprehensive recovery from Hurricane Ian can be more fully achieved. Our decision to

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provide constructive feedback on the Draft Action Plan in this comprehensive fashion underscores the urgent need for a collaborative and adequately funded recovery strategy.

With these considerations in mind, Fort Myers Beach offers the following response to Lee County's Draft Action Plan.

Analysis of Lee County Draft Action Plan for CDBG-DR Funds

The Lee County Draft Action Plan provides the following information related to Hurricane Ian impacts suffered by Fort Myers Beach, clearly demonstrating that it was Ground Zero for the storm's greatest impacts:

- Data included in the Draft Action Plan demonstrates that the Town of Fort Myers Beach is one of the most impacted areas of Lee County. Fort Myers Beach suffered catastrophic flooding and storm surge, resulting in widespread destruction of vertical construction and infrastructure. While many areas of Lee County were able to reopen and begin rebuilding in the days and weeks following Ian, Fort Myers Beach is still devastated in many critical respects, including the continued closure of multiple beachfront resorts, both large parks and trails, and the important commercial center to the east side of the island.
- The Draft Action Plan correctly notes that peak storm surge inundation levels of 10 to 15 feet above ground level (AGL) occurred in Fort Myers Beach and Estero Island (Page 11).
- The Draft Action Plan notes that a United States Geological Survey (USGS) water level sensor measured a wave-filtered water level of 12.70 ft above the mean higher high water (MHHW) level at Fort Myers Beach Pier, which was the highest water level measurement from this network (Page 11).
- The only photographs of actual impacts from Hurricane Ian are found on Page 13 of the Draft Action Plan, showcasing the storm surge inundation in Fort Myers Beach.
- An assessment of total damage indicates that Sanibel Island, much of Fort Myers Beach, as well as North Fort Myers absorbed the brunt of Hurricane Ian's impact. Four zip codes in Lee County each sustained greater than \$50,000,000 in Real Property FEMA Verified Losses (RPFVL), which constitutes the highest Verified Loss bracket (Page 61).
- In addition to RPFVL, two additional perspectives were considered to geographically define the measure of intensity and magnitude of Ian's impacts across Lee County - Average Loss and Counts of FEMA Applicants with Real Property Damages. (Pages 61–65).
- Fort Myers Beach fell in the highest possible bracket for each damage perspective considered:
 - Fort Myers Beach had greater than \$50,000,000 in RPFVL;

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- Fort Myers Beach had greater than \$8,000 in average RPFVL; and,
- Fort Myers Beach had more than 800 FEMA Applicants with Real Property Damages.
- In conjunction with actual losses, the Draft Action Plan also considers Social Vulnerability. Figure 18 in the Draft Action Plan indicates that Fort Myers Beach ranks High/Medium or High/High in both RPFVL and Social Impact Considerations, respectively (Page 66 – Figure Below).

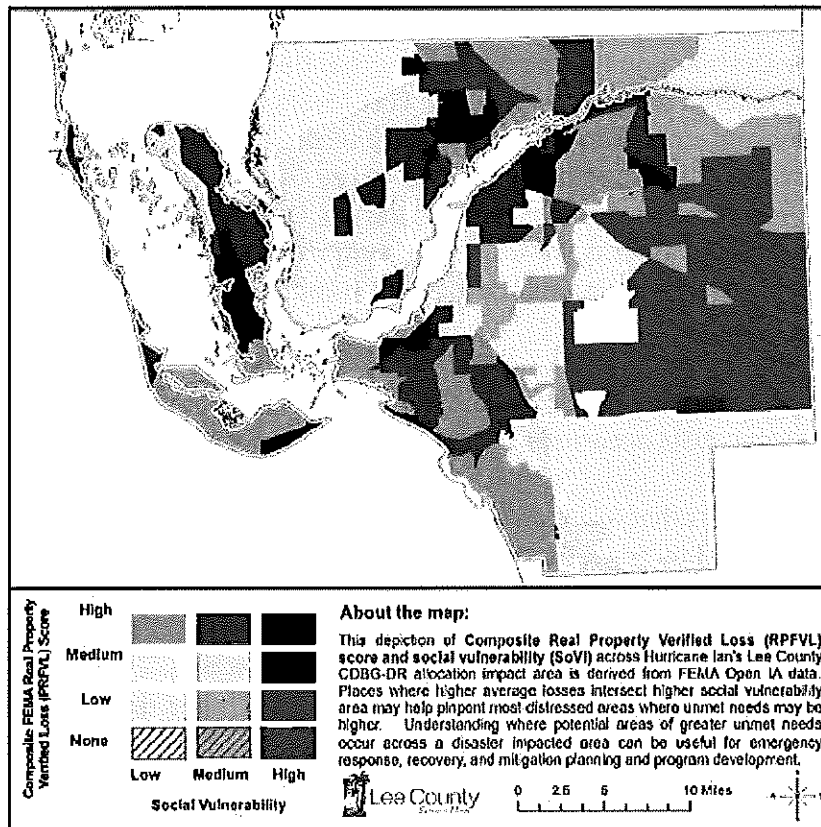


Figure 18 - The bivariate map displaying average real property loss and social vulnerability. ⁶⁸

Analysis of National Objectives

Fort Myers Beach offers the following comments specific to the National Objectives addressed by the Draft Action Plan:

- The Draft Action Plan states that “The recovery activities described herein will make use of the HUD national objectives under 24 CFR 570.483 which include benefitting low- and moderate-income persons, preventing or eliminating slums or blight, and meeting urgent needs.” (Page 207)

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- A review of the Draft Action Plan reflects that the Programs included for funding allocations only contemplate the “Benefitting Low- and Moderate-Income Persons” and “Meeting Urgent Needs” national objectives. The “Prevention or Elimination of Slums or Blight”, which is an important consideration in the aftermath of natural disasters, is not included in the Lee County Draft Action Plan.
- The “Benefitting Low- and Moderate-Income Persons” national objective is satisfied when 51% of the residents in a project area are considered low- to moderate-income. **Only one of the seven entities eligible for funding meets the 51% threshold** - see table below. Should this be the sole consideration in the distribution of recovery funds throughout Lee County, only select pockets throughout Lee County (identified by census tracts/block groups or survey data) will receive critical aid. This excludes most of the Ground Zero area with the most devastating impacts from Hurricane Ian.

Entity	% of LMI Persons
Lee County	41.77%
City of Cape Coral	41.77%
City of Bonita Springs	41.60%
City of Fort Myers	51.99%
City of Sanibel	19.97%
Town of Fort Myers Beach	30.81%
Village of Estero	25.57%

- Fort Myers Beach fully supports the prioritization of socially vulnerable citizens with regard to recovery efforts, such as those classified as low- and moderate-income, as those citizens are more likely to experience significant and lengthier impacts from disasters such as Hurricane Ian.
- Given the high degree of devastation and destruction that still exists in Lee County’s Ground Zero region, the Town of Fort Myers Beach encourages Lee County to also incorporate the “Prevention or Elimination of Slums or Blight” national objective in program considerations.
- By excluding the “Prevention or Elimination of Slums or Blight” national objective, the unmet needs of the County’s most impacted and distressed areas are not fully represented and are precluded from consideration.

Analysis of Housing Unmet Needs

Fort Myers Beach offers the following comments specific to Housing Unmet Needs that are addressed in the Draft Action Plan:

- Fort Myers Beach wholly agrees that unmet housing needs are a critical aspect of Lee County’s recovery from Hurricane Ian, as housing needs constitute more than half of the County’s identified unmet needs. Furthermore, Fort Myers Beach supports Lee County’s

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prioritization of Low- and Moderate-Income persons in the County's housing recovery projects to help to mitigate the disproportionate effects that a natural disaster can have on socially vulnerable populations.

- That said, the Lee County Draft Action Plan should be designed to aid in the effective and efficient deployment of funds to support a comprehensive disaster recovery framework. Annually, Lee County has opportunities to leverage other funding streams, including CDBG funds, state funds, and other federal funds, to deploy toward housing goals. However, CDBG-disaster recovery funds are a one-time allocation that can also be used to address the other unmet needs created by Hurricane Ian, in addition to housing. The Draft Action Plan, as currently written, does not give Fort Myers Beach confidence that the other unmet needs, outside of housing, will be adequately addressed.
- According to the Draft Action Plan, **56.92%** of Lee County's unmet needs are related to housing, but **59.57%** of CDBG-DR funding has been allocated to housing programs. The percentage of funding allocated to housing exceeds the relative percentage of unmet housing needs by 2.65% or approximately **\$29.4 million** of the total program allocation.

Table 1 – Lee County's Unmet Needs and Proposed Allocation

Category	Remaining Unmet Need	% of Unmet Need
Housing	\$4,338,352,448	56.92%
Infrastructure	\$3,040,625,610	37.60%
Economic Revitalization	\$481,800,957	6.14%
Total Unmet Needs	\$7,860,779,015	100%

Category	Program Allocation Amount	% of Program Allocation
Housing	\$660,000,000	59.57%
Economic Revitalization	\$0	0%
Infrastructure	\$207,980,950	18.77%
Mitigation	\$144,506,000	13.04%
Planning	\$25,000,000	2.26%
Public Services	\$15,000,000	1.35%
Admin	\$55,394,050	5.00%
Total Allocation	\$1,107,881,000	100%

- Fort Myers Beach requests that this allocation ratio be reconsidered to include Economic Revitalization, which is of critical importance to Lee County's Ground Zero area. As currently written, these opportunities have been excluded from funding allocations in the Draft Action Plan.

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Analysis of Economic Revitalization Unmet Needs

Fort Myers Beach offers the following comments specific to Economic Revitalization Unmet Needs that are addressed in the Draft Action Plan:

- The Draft Action Plan specifically addresses Economic Revitalization Unmet Needs considerations, indicating that Economic Revitalization has a remaining unmet need of \$440M, or 5.45% of total unmet needs in Lee County (Page 6, Page 8).
- Fort Myers Beach disagrees with the Draft Action Plan's assertion that "the most impactful means by which to support economic revitalization are included in housing and infrastructure programs" (Page 6). This assertion contradicts other data and information presented throughout the Draft Action Plan, as further described below, and is inconsistent with the urgent unmet economic revitalization needs in Fort Myers Beach – one of the most impacted areas in Lee County.
- Fort Myers Beach is a vital center of tourism and economic activity in Lee County. LMI residents who don't live in Fort Myers Beach travel to the town daily to work in the local businesses, many of them small businesses, that support the region's tourism economy. The continued closure of beachfront hotels alone has resulted in devastating tax revenue losses. Economic Revitalization is critical to the town's long-term recovery, as the town is heavily dependent upon a tourism-based economy.
- Despite the highest levels of damage and destruction occurring in Fort Myers Beach, the Draft Action Plan indicates that no CDBG-DR funds will be allocated for economic revitalization, contending that housing programs alone will be sufficient to support workforce needs (via development and preservation of affordable housing units) and infrastructure projects will ensure that businesses have access to essential services (Page 6).
- **Fort Myers Beach believes that the exclusion of Economic Revitalization funding is misaligned with both identified unmet needs and the purpose and intent of CDBG-DR funding in the most impacted areas.** The following comments specific to Economic Revitalization Unmet Needs should be considered:
 - Recovery Task Force Town Hall Meetings (Pages 157-158) identified Economic Revitalization as a top priority, along with Infrastructure, Housing, and Planning/Capacity. Both Fort Myers Beach and Sanibel specifically identified the need for Economic Revitalization. Despite this, Economic Revitalization is the only identified priority that was not funded in the Draft Action Plan. Consistent with the public's identification of Economic Revitalization as a top recovery priority, the Draft Action Plan states that the "vast majority of hotels along the tourist-driven beaches remain closed [such as those in Fort Myers Beach]. These rooms command the highest room rate and generate the most Tourist Development Tax (TDT) revenue." Data is provided to show the loss in TDT revenues and the loss of visitor streams. The Draft Action Plan continues by

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stating “As displayed in the data above, Lee County tourism suffered at minimum a 31 percent reduction in the number of visitors, expenditures by visitors, and the number of room nights sold during the first two calendar quarters following Hurricane Ian’s landfall, leading to a reduction in TDT collections of at least 42 percent.” (Pages 106 – 107). This is due in large part to the devastation and destruction that still exists at Ground Zero, as Fort Myers Beach generates a large share of Lee County’s TDT revenue.

- Despite these findings, the Draft Action Plan draws the following conclusion:

“Through the unmet needs assessment and consultation with stakeholders, Lee County has determined that the most impactful programs to support economic revitalization are included in housing and infrastructure programs. Housing programs will support the development and preservation of affordable housing units to support the workforce in the County. Infrastructure projects will provide required improvements to ensure businesses have access to essential services.” (Page 110)

Fort Myers Beach agrees that housing and infrastructure allocations are vital to the long-term recovery of Lee County; however, the town emphatically disagrees with the exclusion of economic revitalization allocations from the Draft Action Plan. Allocation of funding to each of the three identified unmet need categories (i.e., Housing, Infrastructure, and Economic Revitalization) is essential for a comprehensive long-term recovery strategy. The determination made by Lee County to exclude specific economic revitalization funding from the Draft Action Plan dismisses the unmet needs of Fort Myers Beach – one of the County’s most impacted and distressed areas.

- **To justify the exclusion of Economic Revitalization allocations, Section II.D. of the Draft Action Plan relies heavily on temporary employment opportunities, such as large single-project construction jobs, rather than jobs with long-term sustainability, to conclude that job growth in Lee County is now better than it was before Hurricane Ian.**
- The Draft Action Plan cites the following: “in the six months after Hurricane Ian, the County has seen 18,000 jobs added, which reflects a positive trend compared to an average of 10,000 to 15,000 new jobs a year from 2010 to 2020.”

The cited source for this data is a news interview (<https://news.wgcu.org/section/business/2023-04-24/lee-county-economic-development-director-john-talmage-talks-about-recovery-after-hurricane-ian-moore-about-business>), which implies that the jobs created are largely related to a major road construction project. Construction jobs such as this are not typically consistent with long-term, sustained job creation and retention. Fort Myers

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Beach contends that, with limited access to a much-needed Economic Revitalization allocation, the town's opportunities for growth and prosperity are severely restricted.

- It is the position of Fort Myers Beach that the employment statistics cited in this section and the related conclusions were drawn from a news interview providing a positive take on economic resiliency since Ian. While focusing on a positive perspective is certainly appropriate at times, **Fort Myers Beach contends that a critical analysis of the County's unmet needs related to economic revitalization is more relevant to this Draft Action Plan, which will deploy more than \$1B in funds to promote long-term recovery in the aftermath of Hurricane Ian.**
- It should also be noted that, according to the Draft Action Plan, the consulted stakeholders are limited to Lee County's internal departments (Page 105). Fort Myers Beach questions if other entities were consulted, aside from internal Lee County departments?
- Other references related to the exclusion of Economic Revitalization allocations could not be fully reviewed for accuracy, due to an inaccurate footnote. The Draft Action Plan also references the "County's Economic Developments Post Ian Economic Health Analysis", cited as Footnote #84 (Page 105); however, Footnote #84 provides a link to ACS 2021 Census tables for White Alone Households (Page 70). Fort Myers Beach respectfully requests that the Draft Action Plan incorporate a correct link to the referenced document, such that its contents can be reviewed and considered by the public.
- Fort Myers Beach contends that Economic Revitalization is a critical component of a comprehensive, long-term, sustained disaster recovery strategy. By incorporating an Economic Revitalization allocation, Lee County can facilitate a broader scope of recovery and restore and improve employment opportunities for LMI individuals throughout Lee County. As such, Fort Myers Beach respectfully requests a revision of the Draft Action Plan to include:
 - The allocation of CDBG-DR funding for Economic Revitalization projects to support recovery in the Ground Zero region of the most impacted areas of Lee County, consistent with the public's identification of Economic Revitalization as a top recovery priority.
 - The equal prioritization of both the "Benefitting Low- and Moderate-Income Persons" and the "Prevention or Elimination of Slums or Blight" national objectives for Economic Revitalization projects.

Analysis of the Critical Infrastructure Program

Fort Myers Beach offers the following comments specific to the Critical Infrastructure Program included in the Draft Action Plan:

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- The Critical Infrastructure Program will provide CDBG-DR funds to carry out improvements or repairs to publicly owned physical assets designed to provide or support services to the public (Page 211).
- Fort Myers Beach fully supports the purpose of the Critical Infrastructure Program, as infrastructure repairs are foundational to recovery efforts in the most heavily impacted areas of Lee County.
- Critical Infrastructure grants will be awarded via a competitive application process, to the extent that funds are available (Page 211). In an effort to prioritize infrastructure projects, Lee County has established three phases of the Critical Infrastructure Program as depicted below (Page 212):

Award Phases		Phase I	Phase II	Phase III
Low Income Benefit**	Yes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
	No			<input checked="" type="checkbox"/>
Hurricane Ian Tie-Back	Yes	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	No		<input checked="" type="checkbox"/>	
	No			

- As currently written, projects with no tie-back to Hurricane Ian will be considered in Phase II, with some Ian-impacted projects not considered until Phase III.
- Fort Myers Beach contends that the absence of a “Prevention or Elimination of Slums or Blight” national objective consideration will result in significant delays to critical infrastructure repairs in Lee County’s most impacted areas, during which time urgent needs will remain unaddressed and blighted areas will continue to deteriorate.
- Fort Myers Beach requests the following modification to Phase III of the Critical Infrastructure Repair Program:
 - Current Phases:
 - Phase I: Requires LMI Benefit and Hurricane Ian Tie-Back
 - Phase II: Requires LMI Benefit, but does not require Ian Tie-Back
 - Phase III: Does not require LMI Benefit, but does require Ian Tie-Back
 - Recommended Phases:
 - Phase I: Requires LMI Benefit and Hurricane Ian Tie-Back (No Change)
 - Phase II: Requires LMI Benefit, but no Ian Tie-Back (No Change)
 - Phase III: Does not require LMI Benefit but does allow for either Slum / Blight or Urgent Need objectives; also requires tie-back to Hurricane Ian.

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Analysis of Planning Projects

Fort Myers Beach offers the following comments specific to the Planning Projects included in the Draft Action Plan:

- Unlike the Critical Infrastructure and Housing Programs, the Draft Action Plan does not provide the framework to consider a community's need for planning funds when selecting projects.
- Planning projects will be awarded through a competitive process, with funds awarded to the extent they are available (Page 238).
- The Technical Evaluation Criteria used to select projects for funding include:

Technical Evaluation Criteria	Criteria Description
Project Design/Approach	The extent to which the proposed activity design/approach is reasonable, efficient, durable, and addresses an unmet need or mitigation need.
Sustainability and Resilience Measures	The extent to which the proposed activity integrates mitigation measures and strategies to reduce natural hazard risks, including climate-related risks.
Timeliness and Urgency	The proposed activity will be completed within the grant performance period and indicates a reasonable timeline for completion and drawdown of funds.
Cost-Effectiveness and Controls	The proposed activity is cost reasonable. The applicant has conducted a cost benefit analysis.
Proposal Presentation	The proposal is complete, has required attachments, and provides a clear demonstration of organizational capacity, activity details, and budget requirements.

- Planning activities are a critical component of a comprehensive, long-term recovery strategy. As such, Fort Myers Beach proposes two considerations for the Technical Evaluation Criteria Framework that may allow more targeted distribution of these limited funds to the communities most in need:
 - Given that some areas of Lee County were more severely impacted by Hurricane Ian than others, Lee County should consider "Phasing" the planning allocation to allow priority funding for the most heavily impacted areas of Lee County.
 - It is conceivable that governmental entities within Lee County have varying degrees of planning efforts already completed; for example, one entity may have completed comprehensive planning within the last five years, while another may have comprehensive planning completed more than a decade ago. Lee County may consider the addition of Technical Evaluation Criteria that prioritize planning

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efforts for entities demonstrating greater need (i.e., lack of existing planning or obsolete planning).

- Planning activities will be critical for Fort Myers Beach's long-term recovery and will be used to directly support the development of projects eligible for CDBG-DR funding. Fort Myers Beach requests improvements to the Draft Action Plan to ensure necessary planning funds will be made available to the Ground Zero area of the most impacted County, in sufficient amounts to facilitate the speedy launch of these critical planning processes.

HUD Checklist Criteria for Acceptance of CDBG-DR Public Action Plans

HUD has made publicly available its checklist for review and acceptance of CDBG-DR Public Action Plans under the Department of Housing and Urban Development Appropriations Act, 2023 (Pub. L. 117-328). (<https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR/CDBG-DR-Public-Action-Plan-HUD-Review-Checklist-117-180-117-328.pdf>)

As currently written, Fort Myers Beach does not believe the Draft Action Plan satisfies the checklist criteria identified below; however, we respectfully submit recommended modifications and requests for Lee County's consideration in the section immediately following.

- *Q4. "ACTION PLAN - Does the grantee's action plan identify the use of all funds – including criteria for eligibility and how the uses address long-term recovery needs, restoration of infrastructure and housing, economic revitalization, and the incorporation of mitigation measures in the MID areas?"*

Fort Myers Beach agrees that the Draft Action Plan adequately identifies the uses of funding allocations to address Housing and Infrastructure unmet needs; however, the Draft Action Plan, as currently written, dismisses the need for funding for the long-term Economic Revitalization recovery needs of the Ground Zero area in Lee County, including Fort Myers Beach.

- *Q7. "IMPACT AND UNMET NEEDS ASSESSMENT – Does the assessment evaluate all aspects of recovery including housing (interim and permanent, owner and rental, single-family and multifamily, affordable and market rate, and housing to meet the needs of persons who were experiencing homelessness pre-disaster), infrastructure, and economic revitalization needs, while also incorporating mitigation needs into activities that support recovery."*

Fort Myers Beach agrees that the Unmet Needs Assessment adequately evaluates housing and infrastructure needs, while also incorporating mitigation needs into the Draft Action Plan; however, the Unmet Needs Assessment fails to accurately evaluate the long-term Economic Revitalization recovery needs of the Ground Zero area in Lee County, including Fort Myers Beach.

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- *Q10. "IMPACT AND UNMET NEEDS ASSESSMENT – Does the grantee describe the extent to which expenditures for planning activities will benefit the HUD-identified MID areas, as described in section II.A.3 of the Consolidated Notice?"*

Fort Myers Beach contends that the extent to which expenditures for planning activities will benefit the HUD-identified MID areas could more effectively target areas of Lee County with the most demonstrable need by (a) incorporating criteria to prioritize Lee County's Ground Zero area, and/or (b) including technical evaluation criteria the promotes areas with obsolete or insufficient planning currently in place.

- *Q13. "CONNECTION OF PROGRAMS AND PROJECTS TO UNMET NEEDS – Does the plan provide a clear connection between a grantee's impact and unmet needs assessment and its proposed programs and projects in the MID areas (or outside in connection to the MID areas as described in section II.A.3 of the Consolidated Notice)?"*

Fort Myers Beach contends that the Draft Action Plan, as written, does not provide a clear connection between the Unmet Needs Assessment for Economic Revitalization and its proposed programs and projects, as the Draft Action Plan indicates that unmet economic revitalization needs will be met through funding of housing and infrastructure projects to the exclusion of economic revitalization projects.

- *Q14. "CONNECTION OF PROGRAMS AND PROJECTS TO UNMET NEEDS – Does the plan demonstrate a reasonably proportionate allocation of resources relative to areas and categories (i.e., housing, economic revitalization, infrastructure) of greatest needs identified in the grantee's impact and unmet needs assessment or provide an acceptable justification for a disproportional allocation, while also incorporating hazard mitigation measures to reduce the impacts of recurring natural disasters and the long-term impacts of climate change?"*

Fort Myers Beach contends that the plan does not demonstrate a proportionate allocation of resources for economic revitalization relative to areas and categories of greatest needs identified in the unmet needs assessment, given that economic revitalization unmet needs constitute 5.45% of identified unmet needs and this category has been expressly excluded from a funding allocation.

- *Q92. "CONSIDERATION OF PUBLIC COMMENTS – If the grantee received comments, did the grantee demonstrate that it considered all oral and written comments on the Action Plan, and did the grantee identify updates or changes made to the Action Plan in response to public comments? NOTE: Grantee responses shall address the substance of the comment rather than merely acknowledge that the comment was received."*

Fort Myers Beach respectfully requests that the contents of this comment document be submitted to HUD in full, rather than in summary form.

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Summary of Requests for Modification of the Lee County Draft Action Plan

Fort Myers Beach respectfully submits the following modification requests for the Lee County Draft Action Plan.

General Draft Action Plan Modification Requests

- For competitive grant projects and programs, Fort Myers Beach requests that, when possible and appropriate, Lee County gives priority to applications from the most impacted and destroyed areas in its selection criteria and technical evaluation factors.
- Fort Myers Beach respectfully requests that Lee County consider dedicated funding to address the unique recovery needs of the Ground Zero area, such as geographically designated funding for areas with the highest Real Property FEMA Verified Losses with prioritization of the “Prevention or Elimination of Slums or Blight” national objective.
- Fort Myers Beach respectfully requests that Lee County consider a Waiver Request to reduce the “Benefitting Low- and Moderate-Income Persons” national objective threshold from 70% (which is a requirement of normal CDBG programs) to 50% (which has been previously approved by HUD for comparable CDBG-DR programs). This will not reduce or restrict the amount of aid that can be provided to low- and moderate-income residents, but it will allow the flexibility to more fully address recovery needs that may not have other available funding opportunities.
- Fort Myers Beach respectfully requests that Lee County consider a waiver to remove the Prohibition on the General Conduct of Government Clause for the following reasons:
 - To ensure that HMGP match funding can be awarded to the highest priority projects, without being hindered by the General Conduct of Government Clause, which has been identified by other governmental entities as an issue in the delivery of previous HUD-funded programs.
 - This will allow funding eligibility for buildings in which the general conduct of government occurs, which often double as town halls, emergency shelters, or distribution centers.
- *Related to National Objectives:* The Town of Fort Myers Beach respectfully requests that Lee County incorporate and prioritize the “Prevention or Elimination of Slums or Blight” national objective in program considerations, given the high degree of devastation and destruction that still exists in Lee County’s most impacted areas. By excluding the “Prevention or Elimination of Slums or Blight” national objective, the unmet needs of the County’s Ground Zero area is not fully represented and are not as efficiently addressed.

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- *Related to Housing Unmet Needs:* According to the Draft Action Plan, while 56.92% of Lee County's unmet needs are related to housing, 59.57% of CDBG-DR funding has been allocated to housing programs. The percentage of funding allocated to housing exceeds the percentage of unmet housing needs by 2.65%, or approximately \$29.4 million of the total program allocation. Fort Myers Beach respectfully requests that funds be allocated within the Draft Action Plan to Economic Revitalization, which is of critical importance to Lee County's Ground Zero area and is excluded from funding allocations in the Draft Action Plan
- *Related to Economic Revitalization Unmet Needs:* Fort Myers Beach contends that Economic Revitalization is a critical component of a comprehensive, long-term, sustained disaster recovery strategy. As such, Fort Myers Beach respectfully requests that the Draft Action Plan be revised to include:
 - The allocation of CDBG-DR funding for Economic Revitalization projects to support recovery in the Ground Zero area of Lee County, consistent with the public's identification of Economic Revitalization as a top recovery priority.
 - Equal prioritization of the "Benefitting Low- and Moderate-Income Persons" and "Prevention or Elimination of Slums or Blight" national objective for Economic Revitalization projects.

Economic Revitalization will be an especially important consideration for Fort Myers Beach and other heavily impacted areas in Lee County, because eligible activities can include any economic revitalization activity that demonstrably restores and improves the local economy (such as addressing job losses and providing employment opportunities to LMI individuals). This can include making improvements to commercial/retail districts and financing other efforts that attract/retain workers in disaster-impacted communities. By incorporating an Economic Revitalization allocation, Lee County can improve the scope of recovery and restoration, while also improving employment opportunities for LMI individuals throughout Lee County.

- *Related to the Critical Infrastructure Program – Item #1:* As currently written, Fort Myers Beach contends that the absence of a "Prevention or Elimination of Slums or Blight" national objective consideration will result in significant delays to critical infrastructure repairs in Lee County's Ground Zero area, during which time urgent needs will remain unaddressed and blighted areas will continue to deteriorate. Fort Myers Beach proposes the inclusion of "Prevention or Elimination of Slums or Blight" as a national objective as follows:
 - Current Phases:
 - Phase I: Requires LMI Benefit and Hurricane Ian Tie-Back
 - Phase II: Requires LMI Benefit, but does not require Ian Tie-Back
 - Phase III: Does not require LMI Benefit, but does require Ian Tie-Back

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- Recommended Phases:
 - Phase I: Requires LMI Benefit and Hurricane Ian Tie-Back (No Change)
 - Phase II: Requires LMI Benefit, but no Ian Tie-Back (No Change)
 - Phase III: Does not require LMI Benefit but does allow for either Slum / Blight or Urgent Need objectives; also requires tie-back to Hurricane Ian.
- *Related to the Critical Infrastructure Program – Item #2:* As currently written, the Draft Action Plan indicates that LMI Benefit is required for an eligible entity to qualify for Phase I Critical Infrastructure Funding. The Draft Action Plan defines LMI Benefit to mean that at least 51% of the service area of the proposed project must have an income at or below 80% of AMI. Fort Myers Beach respectfully requests that the definition of LMI Benefit be expanded to include other low- to moderate-income considerations. An example of this might include satisfaction of the Phase I LMI Benefit criteria by proposing critical infrastructure improvements with a service area that primarily employs a LMI workforce, in furtherance of the goal of LMI workforce retention.
- *Related to Planning Projects:* Planning activities are a critical component of a comprehensive, long-term recovery strategy. As such, Fort Myers Beach respectfully proposes two considerations for the Technical Evaluation Criteria Framework that may allow more targeted distribution of these limited funds to the communities most in need:
 - Given that some areas of Lee County were more severely impacted by Hurricane Ian than others, Lee County may consider “Phasing” or Technical Evaluation Criteria that prioritizes planning efforts for eligible applicants in the Ground Zero area of Lee County.
 - It is conceivable that governmental entities within Lee County have varying degrees of planning efforts already completed; for example, one entity may have completed comprehensive planning within the last five years, while another may have comprehensive planning completed more than a decade ago. Lee County may consider the addition of “Phasing” or Technical Evaluation Criteria that prioritizes planning efforts for entities demonstrating greater need (i.e., lack of existing planning or obsolete planning).

Conclusion

Fort Myers Beach's detailed requests for modifications to the Lee County Draft Action Plan reflect a comprehensive and thoughtful approach to localized disaster recovery. These requests emphasize the prioritization of geographic areas most affected by Ian's destruction, and a pragmatic definition recognizing the epicenter of that destruction, the flexibility to address unique recovery needs, the adjustment of specific objectives to align with real-world demands, and the strategic allocation of funding for economic revitalization and critical infrastructure in Ground Zero areas. By considering these essential modifications, Lee County can create a more effective and responsive plan that will facilitate long-term recovery, particularly in the Ground

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Zero area, while also promoting economic growth and the well-being of low- and moderate-income residents and workers.

The modifications proposed by Fort Myers Beach indicate a pragmatic understanding of the complex local needs and priorities that have emerged following Hurricane Ian's impact on the town. This awareness extends beyond immediate relief, addressing long-term strategies for a prosperous community that can be resilient against future climate impacts.

- *Emphasis on the Most Impacted Areas:* By advocating for priority in competitive grant projects for the most devastated regions, Fort Myers Beach calls for a targeted response that recognizes varying degrees of destruction experienced in Lee County. This is an imperative step to ensure that help reaches the Ground Zero areas where it's most needed, enhancing the equitable distribution of resources.
- *Flexible Funding for Unique Needs:* The requests for waivers and dedicated funding reveal the need for a tailored approach. These actions would not only accelerate recovery but also mitigate the risk of future devastation, building physical and economic resiliency for Fort Myers Beach.
- *Economic Revitalization:* The focus on economic rejuvenation, with specific attention to low- and moderate-income workers, represents a forward-looking strategy. By allocating funds to support commercial districts and job creation, Lee County can catalyze economic growth and provide new opportunities for residents most affected by the disaster while also ensuring sustainability for Fort Myers Beach's local economy.
- *Critical Infrastructure Repairs:* Fort Myers Beach's proposition to include "Prevention or Elimination of Slums or Blight" as a national objective illustrates a commitment to infrastructure that's resilient to future challenges. This, along with the expansion of the definition of LMI Benefit, can expedite critical repairs and prevent deterioration.
- *Adaptive Planning Projects:* The emphasis on up-to-date and adaptable planning recognizes that recovery is a dynamic process. By prioritizing planning efforts in severely impacted Ground Zero areas and considering the existing planning status, Lee County can create a framework that is responsive to changing needs and circumstances caused by Hurricane Ian.

In sum, these modification requests by Fort Myers Beach not only present an acute assessment of the pressing needs locally, but also outline a multifaceted approach to sustainable recovery. It envisions a balanced response that combines immediate relief with long-term planning, considering economic, social, and infrastructural dimensions. By adopting these modifications, Lee County would not only be addressing the immediate aftermath of Hurricane Ian but also laying down the foundations for a resilient, equitable, and thriving community for years to come.

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In the spirit of the partnership and collaboration that we aim to foster with Lee County, we appreciate your consideration of and attention to these important comments.

Name: Dan Allers
Dan Allers (Aug 29, 2023 08:53 EDT)
Title: Mayor

Name: James Atterholt
James Atterholt (Aug 29, 2023 12:24 EDT)
Title: Vice Mayor

Name: Karen Woodson
Karen Woodson (Aug 29, 2023 09:48 EDT)
Title: Town Councilor

Name: John R. King
John R. King (Aug 29, 2023 09:13 EDT)
Title: Town Councilor

Name: Bill Veach
Bill Veach (Aug 29, 2023 09:18 EDT)
Title: Town councilor

Name: Andy Hyatt
Andy Hyatt (Aug 29, 2023 09:30 EDT)
Title: Town Manager

Name: _____

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8. Lee County CDBG-DR Item and Public Participation

A. Presentation and public comment regarding Lee County's Draft Action Plan for Community Development Block Grant – Disaster Recovery (CDBG-DR) funding (Green Sheet No. 23-08-162)

Assistant County Manager Glen Salyer, along with Jeannie Sutton, Deputy Director of Strategic Resources and Government Affairs, presented an overview of the draft Action Plan (on file in the City Clerk's office). Mr. Salyer stated that the public comment period will last until Aug. 31, after which the Board of County Commissioners will consider adoption of the Action Plan on September 19. Following adoption by the Board of County Commissioners, the Action Plan will be submitted to HUD for review and approval.

Mayor Steinmeyer called for public comments. The following speakers came forth:

Ann Grandell – Stated that there is a lack of clarity on how members of the public can propose projects and utilize the portal. (Mr. Salyer responded that there is no application intake process yet. HUD must first approve the draft Action Plan).

Brandon Miller – Asked whether project funding will be allocated directly to contractors or through the municipality. (Mr. Salyer responded that it depends if it is a municipality sponsored project or a private applicant project.)

9. Zoning and Land Use Items:

A. (SECOND READING AND PUBLIC HEARING) A ZONING ORDINANCE FOR A VARIANCE FROM LDC SECTION 4-2399(C)(2), WHICH REQUIRES A SETBACK OF 5 FEET, TO ALLOW A SETBACK OF 3.1 FEET ALONG THE NORTHERN SIDE PROPERTY LINE FOR A CANTILIEVERED STRUCTURE ON A RESIDENTIAL PROPERTY IN BONITA SPRINGS; AND PROVIDING FOR AN EFFECTIVE DATE. (Green Sheet No. 23-08-155)

The Clerk read the Ordinance title into the record. City Attorney Rooney administered the oath to those intending to give testimony. Mary Zizzo, Planner with Community Development, provided the staff presentation. Director John Dulmer and Building Inspector Ayita Lonergan were present to respond to questions. Amy Thibaut, attorney with Pavese Law Firm, presented for the applicant. Property owners James & Jennifer Foley were present to respond to questions.

Council Member Corrie motioned to approve; seconded by Council Member Purdon. Mayor Steinmeyer called for public comment and, seeing none, asked the Clerk to record the vote by roll call. The motion carried by a vote of 6-1, with Mayor Steinmeyer opposed.

Ordinance 2023 – 09 adopted.



CDBG-DR

Action Plan Public Comments Amendment 1

Office of Strategic Resources & Government Affairs
1500 Monroe St, 4th Floor
(239) 533-2315
recovery@leegov.com
<https://cdbgdr.leegov.com>

Zip Code	Household Size	General Comments
33626		<p>4 As a developer of affordable and workforce housing with a primary focus in Lee County, I am in agreement with the adjusted maximum per unit subsidy to increase from \$200,000 to \$250,000 for Affordable Housing Development and Preservation.</p> <p>During the solicitation process, it may be beneficial to the County to maximize assisted units, and not over subsidize, to provide a per unit sliding scale, for example \$250,000 maximum for low income units (80% AMI or below), reducing the per unit subsidy for moderate income, as long as moderate income is at least 10% below market rate (aligned with SB 102 tax exemption requirement), and then further reduced per unit for market-rate units.</p>
33905		1 When will I be able to fill out an application for CDBG-DR ACTION PLAN for help with my rebuild/rehab? Thank you.
33901		<p>I wanted to give my input regarding money for lan recovery. I think that we need to use the money towards actual replacement of lost property ie ft myers pier, times square, sanabel causeway and any properties lost. Not use for school, cultural or non direct affected entities.</p> <p>Thank you, Cynthia Roush Ft Myers</p>
33905		<p>1 Unless I missed it somewhere, for residence who do not now meet the BFE due to the continued building of new homes in the immediate area of a community that has been in existence for well over 50 years. Are funds going to be made available to those of us to help offset the cost to now elevate our homes? To meet current code code we all have to now elevate our homes at least 4-6 feet to be just at BFE. Where does it end. You are going to have very few homes in these older neighborhoods that meet the minimum BFE and very few people have \$100,00.00 available to raise the elevation. Based on my research it cost \$100 a square foot to raise a home just 4 feet but as the county allows developers to continue to build 4 feet is not going to be enough. My hope is that I might qualify for some help to elevate my home as I had 10" of flood water but the folks at the end of the street had 4-6 feet. Please let me know where I may be able to get some assistance.</p>

33626

4 Thank you for the opportunity to provide comments to the CDBG-DR Action Plan, and thank you for Lee County's dedication and hard work through the Hurricane Ian recovery process.

As a developer of affordable and workforce house with a primary focus in Lee County, as well as an advocate for long-term housing affordability, ReVital Development Group respectfully requests Lee County to consider the following revisions to the Action Plan and/or associated NOFA for the Multifamily Housing Development funding allocation.

1) Increase the Affordability Period for New Construction of multifamily housing developments from 20 years to a minimum of 30 years.

- As a reference, through the three requests for applications ("RFA") issued by Florida Housing Finance Corporation ("FHFC") in 2019 associated with CDBG-DR funding for areas impacted by Hurricane Irma, FHFC implemented a minimum set-aside period of 50 years. (FHFC RFA's: 2019-101, 2019-102, 2019-103)

- Language from FHFC CDBG-DR RFA's: "The HUD affordability period requires units to be set aside for 20 years. The Corporation is adding 30 years of an extended affordability period to the HUD affordability period for a total Set Aside Commitment of 50 years. Applicant will be responsible for compliance monitoring fees for 50 years."

2) Provide a preference or additional points for applications/developments with longer proposed affordability periods.

- As a reference, FHFC RFA 2019-102 (CDBG-DR used in conjunction with tax-exempt bonds and low-income housing tax credits), FHFC provided a preference for applicants that exceeded the minimum 50 year Affordability Period and committed to an Affordability Period in perpetuity; perpetuity is defined within the RFA as 99 years.

3) Provide preference for developments constructed 100% with concrete, rather than wood.

- To again reference the FHFC CDBG-DR RFA's, FHFC provided a "Resiliency Preference" for developments with building structural elements consisting 100% of poured concrete/masonry, 100% steel, or a combination of 100% of concrete/masonry and steel. We believe that due to the natural elements in Lee County, i.e. humidity and rain, simply having the structural elements consisting of concrete/masonry and/or steel is not enough and 100% of the buildings should consist of concrete/masonry and/or steel.

- For FHFC, the Resiliency Preference was so important that it was the second item within their application sorting order, essentially meaning that due to the volume of applications an applicant/development that did not meet this preference would not be ranked high enough to receive funding. (As a note for additional consideration: The next preference was for developers who have experience with past projects utilizing federal funding, another threshold item due to the difficulties and added requirements compared to non-federal funding program, as lack of experience may cause noncompliance.)

Thank you again for considering our comments, and continued dedication to the Hurricane Ian recovery.

33931

What is taking so long? This was supposed to be submitted to HUD months ago. There are a lot of homeless and displaced people waiting to apply for these grants to rebuild our homes! This money should be getting out into the hard hit communities for rebuilding and repairs for qualified homeowners. While the members of this committee are comfortable in their homes, a lot of us are still in RV's that we are being told we have to leave by July if we are not in contract with a builder or if we don't have a building permit for a new home. We haven't even been able to apply for a grant yet because of this delay to "redo" what the county wants to ask for. 70% is supposed to be for lower income families to rebuild or purchase a home in the areas decimated by the hurricane. I feel the county is more interested in trying to spend the money on affordable housing out in other places in Lee county not to the victims of the hurricane. We did the right thing by getting as much insurance as the insurance companies would give us based on our home being older and not in compliance but it's not nearly enough to rebuild to today's regulations. Now we need you to do the right thing and get these applications going to the people who need it the most. Take care of the people and small business owners who lost everything before you start worrying about building affordable housing out by the airport for people who are not homeless from the hurricane or people who are just moving here. The housing crisis will not be solved even if you used all of this money. Use these funds for what and whom they are intended for, not for the county's personal agenda! We are counting on you to do the right and responsible thing. And please give us a date to apply.
Thank you

- 33908 4 Thank you for your continued diligence in rebuilding our community, this grant holds a great deal of promise. In the event there are remaining funds in the housing section of CDBG-DR after lower level AMIs have been served, I would like to ask if in the category for mitigation and repairs, Lee County homeowners with primary homes designated as substantially damaged by Lee County receive priority. Thank you!
- 33914 2 I would like to emphasize the dire need for additional focus and funding for projects that will help mitigate future storm-related damage to existing and future homeowners and residents, especially low and moderate income people.
- This can be achieved through proper long-term land use planning that addresses the need to protect and conserve important environmental ecosystems that function to absorb and lessen the impacts of flooding and wind damage.
- These areas need to be identified and incorporated into municipal plans as the GREEN INFRASTRUCTURE that should be protected from future development. Many of these areas are readily apparent but have been inappropriately targeted for future housing and economic development. Even when these lands are identified in land use plans as "protected" areas, often the City planning documents are amended under pressure to allow for the development of these lands, typically for residential and commercial purposes, regardless of the impact on the people in and around them.
- This is an issue we are now potentially facing in Cape Coral with the proposed sale and development of 350+ acres of coastal mangrove wetlands known as Redfish Pointe (formerly Piney Pointe). These wetlands provide a variety of critical functions including the attenuation of storm surges (flood protection), trapping and filtering of sediment and debris, reduction in wind velocity, and critical wildlife habitat and biodiversity. These amenities help ensure a "suitable living environment" and "viable communities" for all people, regardless of income.
- IN SHORT, THE SOLUTION IS TO BE PROACTIVE AND PROVIDE AND ALLOCATE FUNDING TO PERMANENTLY PROTECT THESE CRITICAL AREAS, NOW, THROUGH SUCH OPTIONS AS CONSERVATOIN EASEMENTS and/or OUT-RIGHT LAND PURCHASES.
- The CDBG-DR Action Plan should allocate significant funding for these options, especially since there are so few of these critical lands left in Lee County.
- Another area of concern that is also related to housing and promoting viable communities is dealing with water and water quality issues. Providing long-term funding for upgrades in drinking water supplies and sewage treatment systems is critical as Lee County's population increases. This cannot be understated, especially when threatened with the constant fear of hurricanes and flooding.
- Planning for future land uses MUST take into consideration the status of our water supply and sewage treatment systems and the need for funding future infrastructure improvements. Failures of these treatment systems are a threat to the health and welfare of our communities. Public utilities need to properly service all of our people, regardless of color or income.
- There is a significant housing population that relies on on-site sewage disposal systems as opposed to City sewers. In areas where these on-site systems are not working, there needs to be dedicated funding to clean up these areas and plan for and implement treatment options. This

2 I thought that the primary purpose for the CDBG-DR funding was for low to moderate income families to provide affordable housing and to aid in rehab of lan-damaged properties and yet affordable housing funds have been reduced from 60% to 56%. This reduction does not reflect a commitment to Lee County's LMI families and one wonders if the current affordable housing crisis will in anyway be helped with the \$1.1 Billion in funds.

The former buyout program has been changed to an acquisition program to allow flexibility in what can be done with the property that has been bought. The new flexibility allows for development rather than requiring the property to remain open green space - this does not seem to reflect the goal of promoting a "suitable living environment". Eighty-five families will be helped with the acquisition's \$56,552,930 in funds which works out to \$665,328.59 per family. Does Lee County consider these families LMI?

Why is Lee County continuing to use "recapture" for developments to ensure long term affordability? Retention is a much better choice. Recapture results in the loss of affordable units when properties are sold and converted to market rates - this has happened over the years contributing to the lack of sufficient affordable units in the county.

Communications via the website or newspapers is insufficient. What targeted efforts to communicate to LMI families are you pursuing - there is silence on this matter in the Action Plan?

In general, the Action Plan's tone reflects a lack of commitment to addressing the needs of LMI families. You cannot wait to get a waiver so you can repurpose CDBG-DR funds for your contributors and supporters.

The League of Women Voters of Lee County believes the CDBG-DR provides an opportunity for Lee County to increase availability and access to sustainable affordable housing for the most vulnerable populations; those without resources to recover and to improve resiliency. These are the League's primary concerns about the Amendments to the Action Plan for CDBG-DR and its implementation:

TRANSPARENCY and CITIZEN PARTICIPATION. Website and electronic communications are not reaching those most in need, many of whom do not have adequate access to the internet. The Citizen Participation Plan (CPP) and its implementation should include outreach and communication strategies that reach individuals and families effectively through points of contact e.g. libraries, community centers, schools, religious institutions, retail establishment, residences, etc. Information about the Recovery Task Force (RTF), and other advisory committees to the BOCC should be easily accessible through www.leegov.com and publicized.

AFFORDABLE HOUSING FOR THOSE MOST IN NEED. Lee County should utilize the CDBG-DR funds to increase and safeguard the supply of affordable housing for those most in need. Lee County should reach and serve those most in need and with effective outreach, elimination of barriers, assistance in the application process, and selection that is based on criteria other than a "first come, first served" approach. Affordable housing developed with these funds should be livable, safe, affordable, and sustained for longer than five years. Efforts should be measured by determining needs (units required) and units that meet those needs. Lee County should work to meet the 70% low-and moderate-income threshold, rather than seek a waiver. Funding and numbers served by these programs should not be reduced.

RESILIENCY. The plan should strategically fulfill HUD objectives to protect and serve low-income and minority communities that struggle to recover and lack resilience capacity. Lee County should take advantage of this opportunity to build resilience, protect the environment, and to reduce risks for community benefit. Lessening the amount available for Buyout/Acquisition and reducing the households served are missed opportunities.

COMPREHENSIVE PLAN. Lee County should develop and implement a Comprehensive Plan to assure all Lee County residents have a decent home and a suitable living environment. Planning should involve citizens and incorporate recommendations from Lee County studies such as the 2018 Attainable Housing Report, Analysis of Impediments to Fair Housing Choice (leegov.com), the 2020 Lee County Human Services Gap Analysis, the recently approved community needs assessment and the Recovery Task Force.

The League looks forward to discussing these critical issues and an ongoing dialogue.

The League of Women Voters of Lee County, Inc. is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy. Information on the programs and issues of the League of Women Voters is available on the web at www.lwv.org, www.lwvfl.org, and www.lwvlee.org.

this was submitted about 2:30pm today, however no copy of response received, so resubmitting.

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The League looks forward to discussing these critical issues and an ongoing dialogue.

Sandy Frank, President
Jacquelyn McMiller, Director-Social Policy, Co-Chair Affordable Housing Committee
Lana Cowell, Co-Chair Affordable Housing Committee

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Public Comment CDBG-DR Revisions

In addition to change of language from Voluntary Residential Buyout to “Acquisition” on p. 5 of the Executive Summary portion of the Action Plan, the amount of housing program in totality is reduced by \$18,447,077. Yet, the reduction of approximately \$18 million referenced on p. 5 is different than the calculation of the reduction of Voluntary Residential Buyout by \$30,529,268 published in the Proposed Amendment Summary (separate accompanying document), Funding or Performance Column Match of the Public Notice Substantial Amendment (p. 2 of 2) in the HMGP Infrastructure Match Funding line item. It is assumed that the \$12,082,191 discrepancy is attributable to the increased per unit subsidy amount, though this is hardly made clear in the revision and should be clarified, most logically in the Funding or Performance Impact Column of the Affordable Multi-Family Housing Development and Preservation line item and/or elsewhere. Overall, information in the Summary in the Funding or Performance Impact column lacks needed information and is disorganized.

This overall Housing allocation is decreased in the revision from 60% of the total funds initially, to 57% in the proposed amendment. Decreasing the Housing allowance is objectionable given housing and insurance costs for households in Lee County are escalating, current and future insurability is questionable, and the numbers of burdened households is increasing unchecked.

On p. 6 of the Executive Summary are edits increasing the allocation for Infrastructure, reassigning the \$18,447,077 taken from housing. The Unmet Needs (Table 1.) details an increase from \$352,486,950 to \$370,934,020, a change from 18.77% to 20.44% total of the Program Funds. The redirection of Housing funds for infrastructure is objectionable as 60% total for Housing was promoted to the public at meetings and is now reduced. The original allocation was anticipated to serve fewer than 2,800 households in Lee County and that number is decreasing to 2,300. The declining number of households served by reassigning funds “reserved” for housing is a concerning trend. This concern is heightened given a substantial increase in Infrastructure funds Lee County received from FDEM as seen in the Amendment/Description Column of the Proposed Amendment Summary, p. 2 of 2: *On October 23, 2023, an additional \$95,551,136.58 in funds were allocated to Lee County for HMGP Infrastructure Match Funding.*

On p. 7 of the Executive Summary, language detailing planning allocation of \$25 million to create resiliency and recovery plans eligibility is changed from “municipalities” within Lee County to “units of general local government”. It is unclear what “units of general government” includes, such as Community Development Districts or Stewardship Districts and clarification is required to evaluate impacts.

Page 204 of the General Requirements (2.) second bullet point, identifies as mitigation measures addressing projected risks, that *properties acquired in the Special Flood Hazard area will be demolished and may be used for surface water management of open space, including passive recreation*. From the original text, “only” is struck as well as “limited allowable uses”. This edited language raises concerns that “acquisition” property buy-outs could be redeveloped, conceivably for affordable or other housing, and through the proposed revision be allowable through the weakened language. Upon questioning Glenn Salyer, director of Strategic Resources and Government Affairs, at the Board of County Commissioners public hearing announcing CDBG-DR changes, he did in fact state that any future development on buyouts would be up to improved standards and did not assure that these properties would remain in a mitigation role as open-space to manage flooding, lower risks for existing residents and provide protective ecological functions.

(2.) Not Suitable for Rehabilitation on pg. 207, changes the definition of housing units for rehabilitation or elevation. Concerns for language changes are for moving away from quantitative parameters (75% estimated new build replacement, exceeding 100% assessed value for habitability) to language with less defined numeric criteria. Further in the proposed revision, “on slab grade construction requiring elevation” is fully excluded from rehabilitation, regardless of damage percentages or type of damages (wind, water) without quantitative references or clear explanation, including location in or outside of high hazard areas. It is unclear how “elevation requirements” are excluding rehabilitation in slab construction and how that intersect may impact homeowners with damage totals less than amounts necessitating total rebuild if it makes sense to rehabilitate.

Additionally, most concerning is the exclusion of mobile home unit rehabilitation amounts exceeding \$25,000 proposed in the revision. This is a significant change from the original qualifying criteria of 75% estimated new build replacement. Repairs in excess of \$25,000 are common for almost any kind of housing damage, mobile home or otherwise.

For example, as an authentic case study, in North Fort Myers an elderly resident known to me purchased her manufactured home for \$43,000 in 1986. Actual replacement cost for a new mobile home in her neighborhood for a resident post Hurricane Ian was \$150,000. In the previous Action Plan mobile home damages were not specifically called out as eligibility limited. The applicable eligibility for mobile homes and other homes was the same determined by, *if the amount needed to bring the unit to housing habitability standards is equal to or greater than 75 percent of the estimated cost of new construction of a comparable unit*.

In this case study, the initial exclusionary cap would be \$110,000 in the original Action Plan, 75% of the \$150,000 replacement cost. The actual costs of repairs on her mobile home in North Fort Myers, 14 miles from the Gulf and not in a flood zone totaled \$38,700 including a roof, repair of carport, storage room, front porch, siding on 2 sides, and ceilings. She paid for mold mitigation out of pocket and did not replace awnings. In the proposed Action Plan revision, countless qualifying low to moderate households would now be excluded from rehabilitation consideration---by housing type living in mobile homes.

As such, the \$25,000 cap as proposed in the revision will discriminate against the many retirees and low/mod income individuals and families living in mobile homes by excluding them from qualification for rehabilitation. Further, this \$25,000 damage cap exclusion could set precedent for future storms and limit the use of manufactured homes meeting HUD certification as an affordable housing solution in our acute housing crisis.

Mobile homes are the most affordable path to homeownership for many. With build costs per unit for affordable housing in North Ft. Myers well over \$200,000 currently, expected to go up to the mid \$300,000, and proposed in this revision to be raised to \$250,000 per unit—manufactured housing is a viable housing solution attainable for low to moderate income households. Manufactured housing is much faster to respond to acute need and should not be unfairly targeted for exclusion through a newly proposed damage cap.

CDBG-DR funds are intended through phasing to prioritize the needs of low to moderate income households that struggle to recover from disasters. This revision in fact does the opposite, punishing homeowners who live in mobile homes and limiting affordable home ownership and housing options going forward, including timely response to disaster and the acute housing crisis.

Revisions proposed on p. 212, (2.) Voluntary Residential Buyouts changed to Acquisitions, erodes the community benefits of acquiring destroyed residential and repetitive flood properties with CDBG-DR funds. In the original Action Plan, allowable uses on these acquired properties was appropriately limited to “green space” in the documented areas of storm surge and surface water v. human habitation, conflict and heightened risks. Initially, the CDBG-DR Action Plan prohibited use of buyouts for uses other than surface water management, open space and restoration. In the proposed revision, the edits completely strike the language that created alignment with the guidance of the Community Rating System, NFIP (National Flood Insurance Program) directive. CRS and NFIP directives direct and quantify open space acreage to lower risks by adding additional open space in special flood and repetitive flood areas. The proposed revisions deny community benefits of sound resilience building principles, individual monetary benefit of nearby property owners through risk reduction, as well as community level insurance costs reprieve.

As mentioned previously, when asked about this proposed change to the Action Plan and in reference to the Board of County Commissioners agenda item explanation prepared by staff requesting “flexible use” of buyouts, Assistant County Manager Glen Salyer stated any “rebuild” on buyouts would be to improved standards. Clarification of the intent of this proposed change, in clear language should be added to the body of the document to disclose fully what is being implied as this revision is a policy departure from sound resilience planning and federal guidance.

This amendment change as proposed would deny existing residents the benefits of enhanced flood mitigation in their neighborhoods and community level reductions of insurance costs through Community Rating System reductions. Allowing redevelopment of buyouts diminishes or eliminates benefits of nutrient reduction, wildlife-hydrologic corridors, surge protection including mangrove and wetland restorations, parks, water body access and other compatible passive recreation uses wanted by the community as a tool to respond and adapt to increasing climate risks. Buyouts present an opportunity to physically mitigate flooding risks through natural solutions for community benefit.

Public comment and survey results have demonstrated a community desire for natural solutions, increased green space and time and time again recounted how wetlands and mangroves protected their lives and properties. Redevelopment of these properties should remain restricted as originally proposed to enhance resilience capacity and restore areas with the greatest protective potential for the benefit of the community. Please see the snip below illustrating the complete disregard of fundamental sound resilience planning and the CRS federal directive, proposed by this revision. What is shown is a full

retraction of the original allowable use restrictions and the many benefits attributable to CRS/resilience principles alignment.

~~The optimal outcome of the buyout program is to return the property to a natural or favorably engineered state that delivers community benefits including:~~

- ~~• Restoration of mangroves, dunes, and sea grass to enhance protections against coastal surge;~~
- ~~• Restoration of natural flow ways or engineering of new flow ways for improved surface water management during storm events;~~
- ~~• Enhancements to improve water quality, particularly in compliance with Florida Department of Environmental Protection requirements for Basin Management Action Plans (BMAPS) and recommended total maximum daily loads (TMDLs) for nutrients and other pollutants; and~~

~~Creation of permanent open space, passive recreation, and beach access areas that allow NFIP Communities to claim Community Rating System points toward flood insurance discounts for NFIP policy holders.~~

~~Preferred buyout activities would also deliver the following outcomes:~~

- ~~• Aggregation of multiple, adjacent parcels to avoid disadvantages of acquiring isolated parcels that present long-term maintenance expense, insurance liability, and loss of ad valorem tax revenue for local governments;~~
- ~~• Acquisition of sites that are useful for planned surge protection, surface water management, and water quality initiatives; and~~
- ~~• Acquisition of sites that can be merged with existing federal, state, and non-profit preservation and passive recreation parks and other programs.~~

Additionally, bullet point 3 on the same page eliminates pre-disaster assessment value from consideration in directing buy-out efforts. Pre-disaster assessed value and associated information supplies important data to analyze appraisal results and inform acquisition, including neighborhood characteristics, age of homes and length of ownership, potential for adjoining buyouts, trends, etc. to strategically fulfill HUD objectives to protect and serve low-income and minority communities that struggle to recover and lack resilience capacity.

Lessening the amount available to purchase the most at risk properties is a missed opportunity to take tangible, concrete steps to benefit the community, build resilience and reduce insurance costs (p. 218 reduction of Voluntary Residential Buyout, "Acquisition" from \$75,000,000 to \$56,552,930 a reduction of over \$30 million according to the Amendment Summary, p. 2 of 2). Similarly, the number of households anticipated to be served through buyout is reduced in the revision from 129 to 85.

Period of affordability for “Affordable Multi-Family Housing Development and Preservation” was increased from 20 years to 30 years, an improvement in the long-term and positively added negotiable amortization terms. Affordable Single-Family Housing Development continued with an affordability period of 20 years as originally proposed, with the addition of a 6.667% amortization rate, also a benefit over no amortization as originally proposed.

On pg. 239, revision directs *Maximum Award: Determined by Lee County on a case-by-case basis. Lee County may provide project funding above the required 25 percent match to ensure global match requirements have met.* The impacts of this cannot be evaluated given the uncertainty of what is intended by the change of language on pg. 7 from municipalities as originally proposed, to “units of general local government”, which is undefined and without concrete examples.

Similarly, on pg. 243 regarding developer Housing applicants, the revision cannot be evaluated due to lack of explanation about the change of the same language from municipalities to “units of general local government”. Subsidy maximums are adjusted up from \$200,000 to \$250,000 per unit for multi-family housing which is reflective of current costs, but in essence lessens the number of residents served by not increasing the total allocation for Housing and directing the cut funds toward Infrastructure.

On pg. 246, language is added stating that *applications submitted by landlords for rental properties will be reviewed in the order they are received*, and it is unclear if submission order, rather than ranking criteria, will be the means used to award funds. Revision on pg. 248 changes Renter Occupied Housing to Rent Housing and opens up the possibility for property owners who had not at the time of Hurricane Ian been renting, to use CDBG-DR funds for rehabilitation, with only a 5-year occupancy by a tenant at 80 percent below AMI required to satisfy the mortgage. This expands the “pool” of applicants but does not commit additional funds and does not protect CDBG-DR investment of funds for a meaningful period of affordability beyond the 5-year occupancy.

On p. 251 edits to Home Purchase Assistance are expanded from closing costs, down payment to also include “other eligible” assistance without an explanation of what that is or example(s); therefore, impacts cannot be determined. Edits on p. 252 do clarify eligibility appropriately clarifying the applicant must have been Lee County residents at the time of disaster. However, there is concern that “phased” is eliminated in (c), Competition Overview impacting households Less than 50% AMI and from 50%-80% AMI.

It is also an exclusionary burden for low and low-moderate applicants to be expected to engage in pre-application coordination to meet additional criteria added on in the revision on p. 253 to “acquire guarantees for mortgage financing obtained by homebuyers” to happen without supports, prior to funds being exhausted.

Changes on p. 255 restate Voluntary Buyout, “Acquisition” objectives, eliminating “reducing risks of property damage” to (edited) *reducing risks and repetitive flood losses for low- and moderate-income households*; yet phasing allows incomes up to 140% AMI and funds have been reduced for this category. Also, awards are dependent upon availability and pre-application has been edited to now read as “application”, creating a burden for lower income individuals who may need more support in completing paperwork in a timely, competitive manner for limited funds.

Continuing, it is inferred and should be clarified, there may be intention or possibility to build affordable housing in these repetitive flood areas rather than fully committing to federal CRS directives for green

space and physical, tangible surface water management through scientific, sound planning principles to build resiliency. These revisions are counter to resilience principles and undermine federal guidance, raising questions of judgement and suitability. Again on p. 256 “risk reducing” is eliminated and “unit of general local government” substituted for municipality.

An improvement in the revision is seen in (e.) Eligible Applicants clarifying qualification for “owner occupation as their primary residence”, is agreeable. Paragraph 1 revisions on p. 257 eliminates specific language detailing *compatible use as open space, recreational., flood plan and wetland management practices, or other disaster risk reduction practices*, substituting “compatible”, opening the door for development in repetitive flood, environmentally critical areas needed for handling extreme precipitation events and surge with the greatest mitigation potential.

The revision on p. 257 eliminates interim and temporary housing assistance. This elimination may be a roadblock for lower income households in bridging the gap in household relocation locally in a constrained market. This assistance for qualifying households is a tool for improved community resilience to expand capacity to manage surface water and yield related insurance reductions. On p. 258 clarity regarding second home ineligibility is given and is an improvement over the original Action Plan language.

Revisions in Planning on p. 260 eliminate ownership of project site as a planning requirement stating instead, *applicant has provided evidence that planning effort will be undertaken within the entity's area of jurisdiction*. This language is not clear and would benefit from further explanation of what is meant by “entities” and “area of jurisdiction” specifically, with examples.

In conclusion, please address the clarifications as requested in this document and restated below in order to fully determine impacts, resolve discrepancies and better present the impacts thoroughly, organized and in more detail in the accompanying Summary document. The requested clarifications are followed by a bulleted summary of some key concerns.

Clarifications Sought:

- Clarify discrepancy in housing funds reduction stated on p. 5 Action Plan and other places in the body of the document as \$18,477,077, then represented as \$30,529,268 in the HGMP Infrastructure Match line item of the Proposed Amendment Summary (p. 2 of 2). Account for \$12 million.
- Clarify the substitution of “units of general local government” for “municipalities” and give all examples of “units of local government” qualifying for eligibility.
- Clarify what is meant by “planning effort” to be undertaken with “entities” “area of jurisdiction”. (p. 260) Give all examples of qualifying “area(s) of jurisdiction”, define “entities” and “planning effort” activities and restrictions.

- Clarify “other eligible” assistance regarding Home Purchase Assistance (p. 251) by giving all examples.
- Clarify change of language on p. 246 striking “Household Member with a Disability” and substituting with a “Disability” and provide an analysis of the impacts of this change, including the exclusion households with disabled members, when that disabled person is unable to apply due to disability severity, increased uncertainty and administrative burden on households.

Some Key Concerns:

- Reduction of total Housing allocation from 60% to 57% of funds
- Reduction of funds for surge hazard, repetitive flood buyouts
- Diversion of housing funds to infrastructure, despite additional infrastructure fund awards, and communications to public
- reversal surge hazard, repetitive flood restrictions of allowable use
- striking of language aligning to CRS (Community Rating System) guidance for surge hazard, repetitive flood buyouts
- removal of restrictions on allowable use restricting use of buyout properties to hazard mitigation, protective and restorative functions through green-space, parks, water access, etc.
- denial through softening of buyout restrictions benefit to individual property owners and community members through flood risk reductions and CRS insurance reductions
- denying community public benefit of enhanced ecological functions protecting water quality, creating habitat and potential for passive recreation by removing buyout allowable use restrictions
- creating “uncertainty” regarding Lee County’s commitment to preserving lands for conservation that provide critical ecological function and reduce risks by removing buyout allowable use restrictions
- making it harder to model future risks by removing buyout allowable use restrictions and calling into question commitments to maintaining existing conservation lands for public benefit per CRS guidance, resilience principles
- discriminating against people living in mobile homes by setting \$25,000 as the damage cap to exclude eligibility for rehabilitation, affecting low-mod households through singling out housing type
- mobile home eligibility changes may further constrain limited low-mod rent/ownership options and dissuade use of HUD certified manufactured housing solutions in an acute crisis requiring timely response
- concern for “first come, first served” approach (p.246) creating disadvantage for most vulnerable and advantage for those with “insider knowledge”
- concern for reduction of pre-application opportunities, removal of gap-interim housing for buyouts, addition of pre-approval requirement for down payment assistance

- “lumping” low-mod groups with vulnerabilities (over 62, households with children <18, disabled) and change in eligibility phasing to “disabled”, rather those with the more expansive language of “disabled in household”, p.246
- “lumping” vulnerabilities speeds phasing and complicates targeted outreach and support service
- Amendment Summary inadequacies, disorganization, omissions and incomplete information
- NOT ADDRESSED, allowance of penalty-free “recapture” enabling use of recovery dollars (public money) as a funding stream for multi-residential, rental housing development with no guarantee “period of affordability” will continue after resale (local multi-res resales yield profits >1000% incentivizing resale, luxury rebranding, rent increases and ending affordable unit carve outs, continuing predatory housing practices and development climate)
- additional concerns brought forth in initial Action Plan as submitted in the formal public comment period, concerns communicated through public comment at meetings for CDBG-DR, RTF and Board of County Commissioner regular meetings, and in emails

Provide, include my comments in full, not in summary, as part of the official record and ensure my full comments are available publicly for review, available to the Commissioners in their consideration of revision and are forwarded in full to federal partners for oversight.

Amendment 2-3 - Substantial: This Substantial Amendment was not accepted.



CDBG-DR

Action Plan Public Comments

Amendment 2

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City	Zip Code	General Comments
Fort Myers	33913	<p>Dear CDBG-DR Action Plan Administrator(s) & Reviewer(s),</p> <p>I continue to have concerns regarding varying periods of affordability and recapture policies. These concerns are that short periods of affordability and inadequate penalties for recapture enable abuses and will not maximize durable lessening of the housing burden for Lee County residents.</p> <p>As such, 5 year affordability periods and lessening of requirements for qualifying potential properties to include those not "rented" at the time of Hurricane Ian, invite abuses. Especially when coupled with lax recapture enabling sale of properties at profit, including obscene profits, such as seen with multi-residential units, funded by public monies, waivers, credits and otherwise incentivized. The value of these entitlements absolutely need to be accounted for and reimbursed.</p> <p>Transparency is key including full disclosure of historical sales of multi-residential properties locally that have utilized recapture. These sales have allowed developers to reap profits that make investment in ethical practices such as mixed income and affordable housing less attractive in the local market and perpetuate harmful narrative s and cycles. What is needed is a truthful, careful analysis of the "incentive" package for the development of these properties that have prematurely ended affordability periods by recapture to determine the implications of this abuse. Developers that engage in these practices should be known to the public and community and preference be given to those with experience and knowledge in affordable housing, mixed income and ethical practices--- working in the public interests.</p> <p>Prohibiting redevelopment of properties acquired by "buy out" acquisition should be upheld across the board. These properties represent the greatest restorative and protective potential against future storms for the community and proximate property owners. Currently FDEP permits in Lee County top the state at 548, followed by Collier at 535 and Miami Dade at a distant 3rd, 356. The impacts on the environment from this type of development escalation can not be overlooked as each of these permits are required due to impacts on the environment. Recovery funds should not be the means to plunge the community into an ecological "death roll", but instead seek to make the exisitng community "whole" and fill "unmet need" and improve capacity for resilience.</p> <p>The number of wastewater spills, emissions exceeded at the incinerator, increases in trash and toxic fly ash in our landfills must be considered from an "equity" lens to prevent CONTINUED disproportionate burdening of communities, erosion to the quality of life and assault on the environment and critically endangered and imperiled wildlife. Simply speaking, the infrastructure and carrying capacity of our environment and community are being exceeded and rather than addressing this with wise governance the current trajectory is accelerating the damage and creating MORE vulnerability.</p> <p>As such, please maintain the intent of the funds to address "unmet need", meet obligations to low, moderate income and vulnerable populations and demonstrate wise stewardship of our natural resources to prevent additional suffereing and further loss of life due to poor judgement and mismanagement.</p>

Fort
Myers

33966

This is in response to your request for comments on the \$10 million Infrastructure project for the Hertz Arena due by 2/15/2024. Amendment 2 to the CDBG-DR Action Plan contained (pp230-232) this announcement: "Lee County has identified one critical infrastructure and public facility effort of community-wide benefit that is specifically identified below: Repair and Hardening of Hertz Arena". Further, the Action Plan claims that the use of the CDBG-DR funds for hardening the Hertz Arena "ensures the Hertz Arena's long lasting capacity to provide 5,000 shelter spaces"

The Hertz Arena has been a shelter for Lee County since a lease agreement was signed in June, 2018 (a 30-year lease). As an interested citizen, I tried to find out the amount of money Lee County taxpayers have spent to date on hardening the Arena. It has been impossible to get a detailed, dated description of such expenditures in the county. It appears that millions have been spent on the arena and at least twice the monies have been spent on hardening the roof, windows and doors.

Why is an additional \$10 million needed now for the Arena?

What specific projects will the \$10 million pay for?

Will any of the monies be used to retroactively reimburse the Arena for expenditures already made?

Are there detailed specifications for the expenditures?

Is Lee County managing the hardening projects at the Arena?

If not, who is?

Will Lee County announce a NOFA and solicit competitive bids for the work to be done?

Lee County lacks adequate shelters for its residents. What are the plans to add additional shelters? The \$10 million will not result in any additional shelter spaces.

How does hardening the Arena specifically benefit low to moderate Lee County residents

Unfortunately, it was easy to have missed this \$10million project which speaks to a lack of transparency on the county's part. I really hope to see a more transparent approach to spending CDBG-DR funds going forward – there are a lot of monies to be spent very quickly.

33919 The League of Women Voters of Lee County continues to believe the CDBG-DR provides an opportunity for Lee County to develop and implement services for those most in need and the most vulnerable, i.e. those without resources to protect themselves from devastating emergency situations.

We have the following questions about the proposed amendment to Lee County's Action Plan for CDBG-DR to establish a Public Facilities and Infrastructure activity for the repair and hardening of the Hertz Arena for use as a hurricane/emergency shelter and allocates \$10 million in CDBG-DR funds for this activity.

1. What is the overall Lee County plan for sheltering residents during an emergency?
2. What are the estimates of low to moderate income residents who may need emergency services and will be able to access shelter services at the Hertz Arena?
3. What are the outreach and communication strategies that will reach individuals and families effectively and in a timely manner prior to an emergency? How will these residents be assisted to access the services?
4. What is the status of the prior Lee County investments to harden the Hertz Arena? Shelter projects, including:
 - \$4,560,000 to harden the Hertz Arena for its continued use as a general population shelter to replace unhardened sections of the roof, glass entry doors, fixed windows, ticket windows, doors and to install roll-down shutters. Is this the project estimated at \$3,835,523 for onetime investment of \$767.10 per shelter space for 5,000 shelter spaces for the next 20 years?
 - \$3,229,751 worth of hardening improvements, including reinforcing the roof structure in the main arena, hardening/replacing the main arena roof system, reinforcing wall to roof connections and hardening exterior walls as required.
5. What long-term maintenance, improvements, and changes has the Hertz Arena Owner made to maintain and improve the premises under the terms of their 2019-2048 lease?
6. How will the proposed \$10million in additional funding be used? What are the projected costs for future work? What work has been completed and will be reimbursed?
7. What are the project specifications and plan for bid solicitation for the \$10million project?

The LWVLee looks forward to your responses to these questions. We would like the questions and responses to be included in the official record, as appropriate.

Sandy Frank, President, president@lwvlee.org, 239-560-7654
Jacquelyn McMiller, Co-Chair Affordable Housing Committee
Lana Cowell, Co-Chair Affordable Housing Committee
League of Women Voters of Lee County, Inc. (LWVLee)

The League of Women Voters of Lee County, Inc. is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy. Information on the programs and issues of the League of Women Voters is available on the web at www.lwv.org, www.lwvfl.org, and www.lwvlee.org.