

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.

- 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:

Chair, Lee County Board of County Commissioners

Date

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.

CDBG-DR Action Plan

Public Comment Summary and Responses

Substantial Amendment 2

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.

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



CDBG-DR Action Plan

Public Comment Summary and Responses

Substantial Amendment 2

February 19, 2024

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

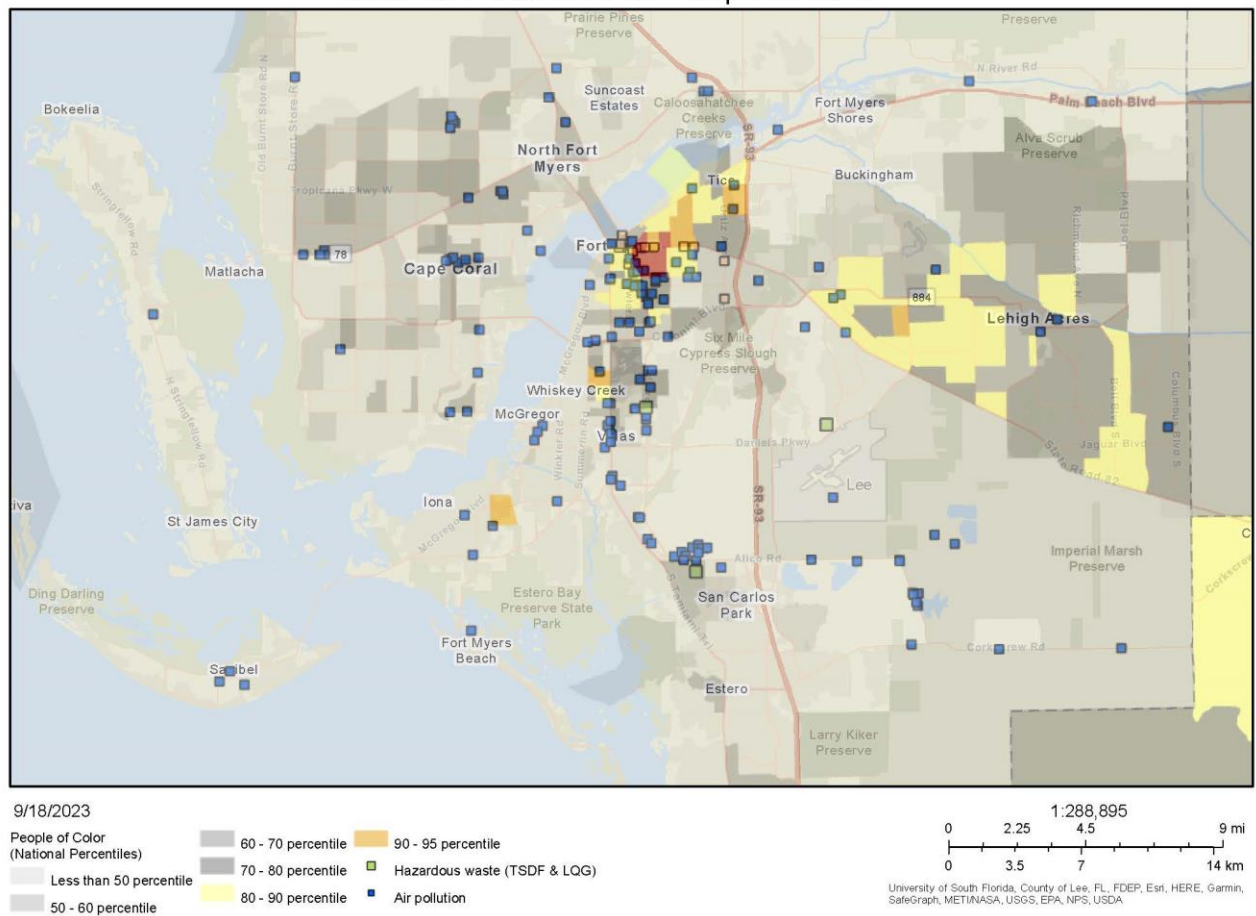


Figure 34. Lee County EPA Sites National Percentiles for People of Color

Lee County EPA Sites State Percentiles of Low Income Households

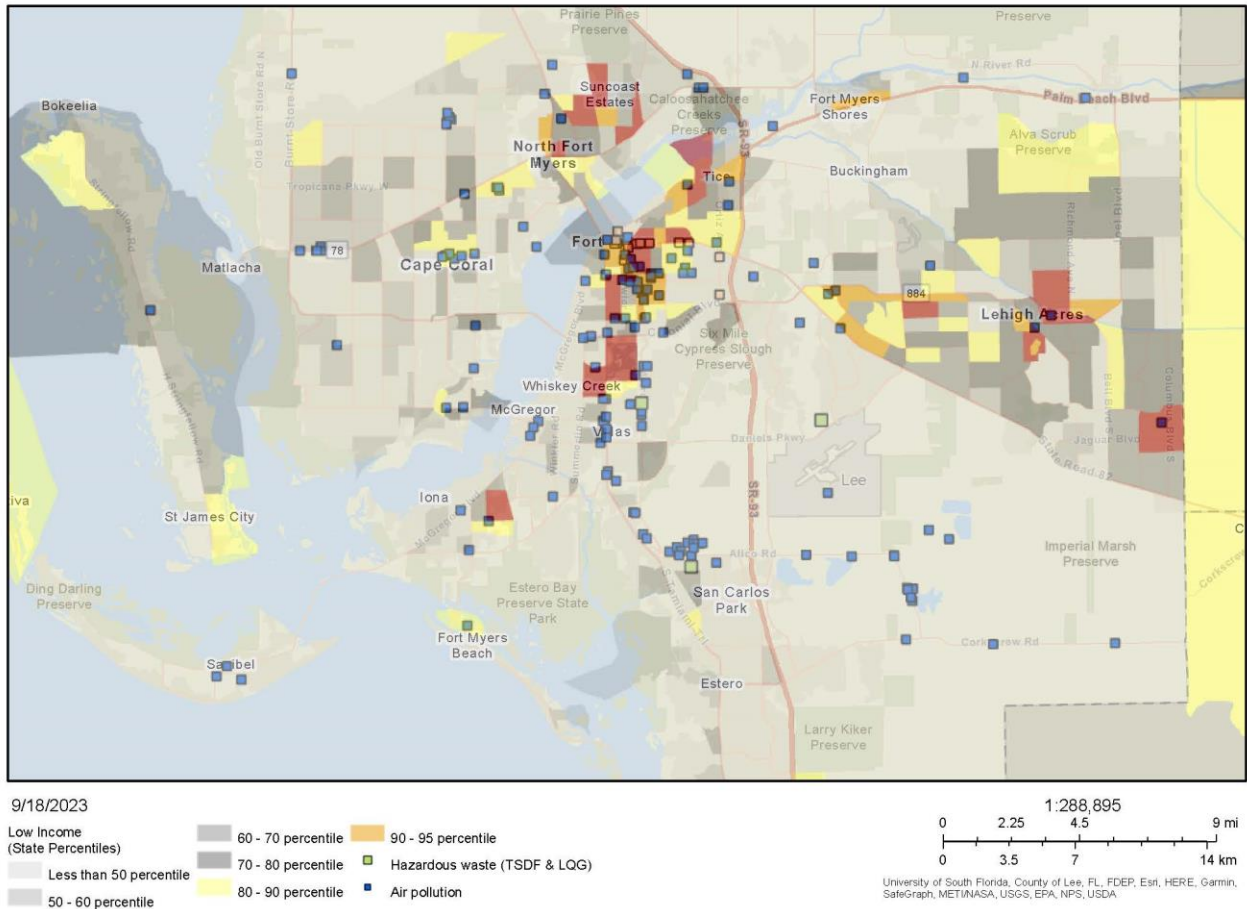


Figure 35. Lee County EPA Sites State Percentiles of Low Income Households

Lee County Water Bodies National Percentiles for People of Color

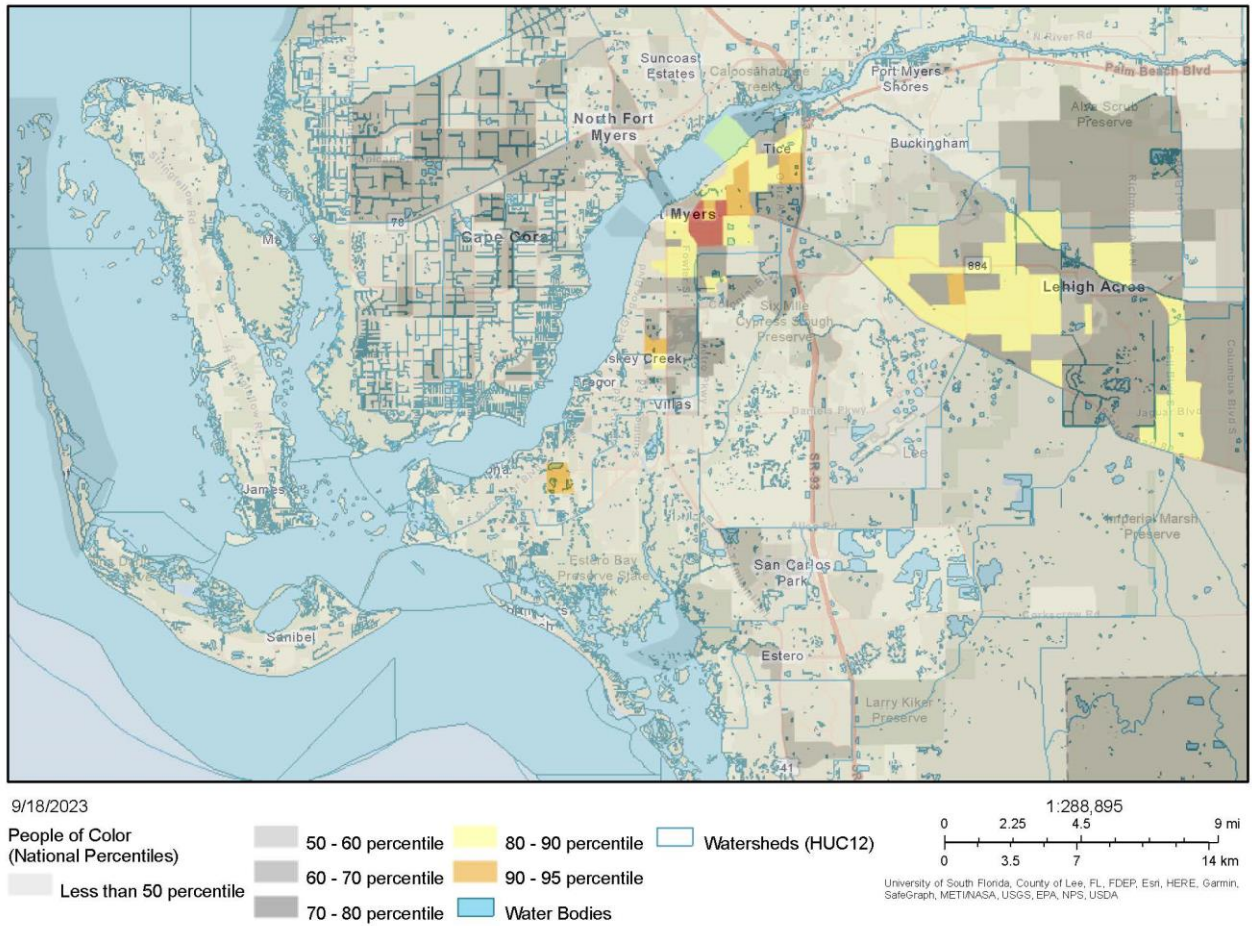


Figure 36 – Lee County Water Bodies National Percentiles for People of Color

Lee County Water Bodies State Percentiles of Low Income Households

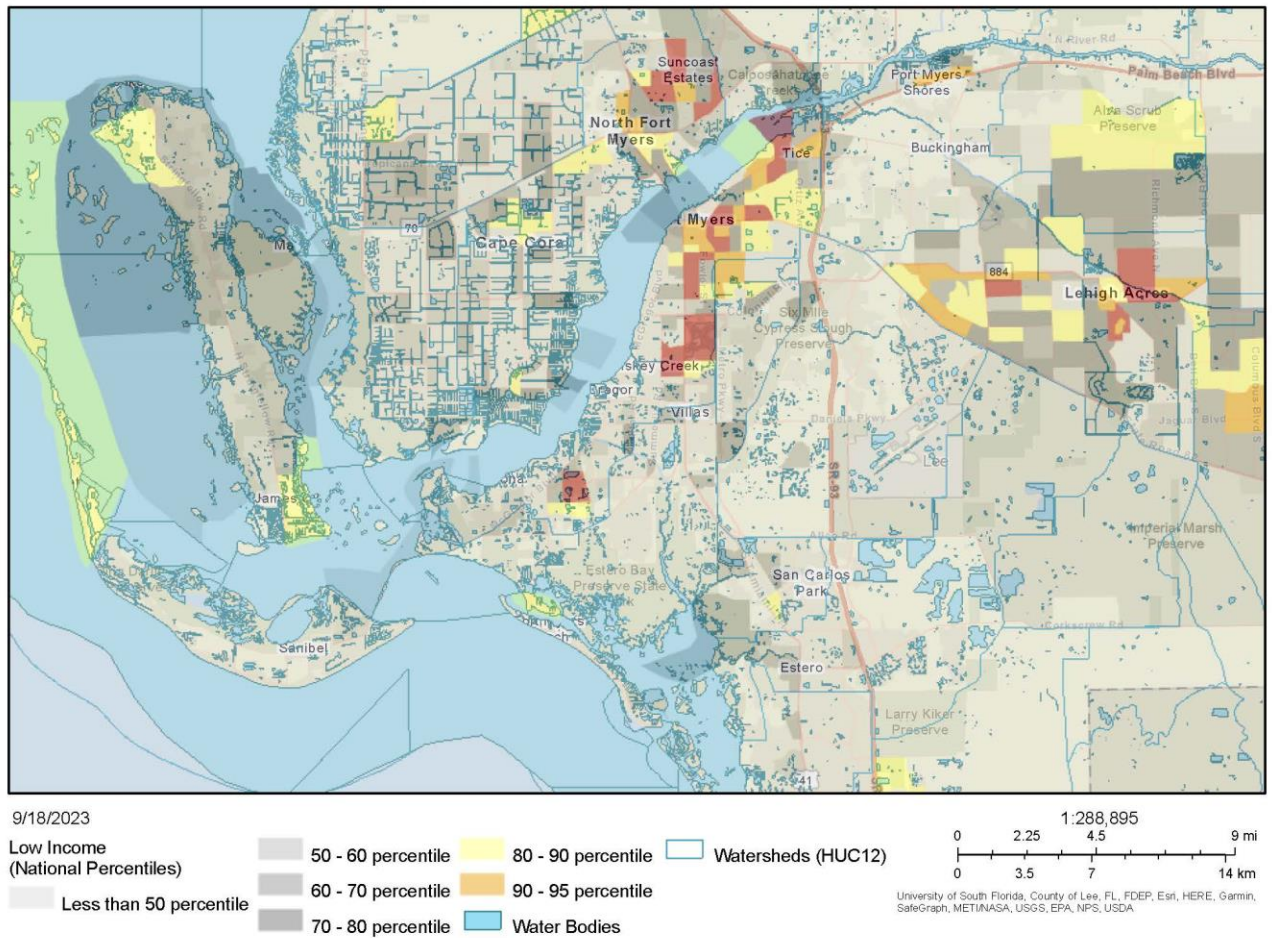


Figure 37 – Lee County Water Bodies State Percentiles of Low Income Households

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:

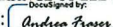


* Date Signed: 9/19/2023

12:05 PM

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APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY: 

0760A432435E448



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:

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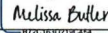
*Date:

9/19/2023 | 12:05 PM EDT DS

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

DocuSigned by:
BY: 
D7B0A43243DE448...

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.

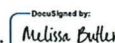
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Chair, Board of County Commissioners
APPLICANT ORGANIZATION Lee County	DATE SUBMITTED 9/19/2023 12:05 PM EDT

Standard Form 424B (Rev. 7-97) Back

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY:  _____
UT00AK22420C443

ATTEST: CLERK OF THE CIRCUIT COURT

BY:  _____
87001630040C441
 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.

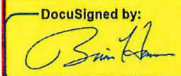
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NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. 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.
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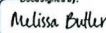
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL  DocuSigned by: 095488F8BF0F420...	TITLE Chair, Board of County Commissioners
APPLICANT ORGANIZATION Lee County	DATE SUBMITTED 9/19/2023 12:05 PM EDT

SF-424D (Rev. 7-97) Back

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

BY: 
DocuSigned by:
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ATTEST: CLERK OF THE CIRCUIT COURT

BY: 
DocuSigned by:
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 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
		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. Have a great weekend,"
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
		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.
		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.
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-use 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-use 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
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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	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.
33919	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, This will generate much needed tax monies from tourism and help fund other needed projects. The beach is one of the greatest attractions in FT Myers yet it lies there as a forgotten dream.
33913	This is what I feel the money should be spent on: 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	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.
33905	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. For examples: Drainage swales were filled and pervious areas were paved causing unprecedented flooding to stakeholders. This also contributes to water quality issues downstream.
	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.

Housing Comments

Zip Code	Household Size	Housing Comments
33908		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. 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. 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.
33908		Elevation of Mobile Homes 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). 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. Addition of a 300 bed shelter 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. Increased rapid rehousing with no jurisdictional boarders - rehouse folks where it's affordable in the country. Subsidized childcare for 1000 households for 2 years. Education subsidies for those wanting to advance their education in college or trade school. Motel stays targeting seniors and single parent households for up to 6 while being case managed for housing. Increase in salaries for case managers and housing specialists; including hot team members. Because they deserve to know someone knows about their daily plight. I'm sure I have not hit \$100 million yet which is only 9% of the total \$1.1 billion. Have an immediate effect-show the people on the streets this county is moving rapidly to care for them.
33908	2	PLEASE allocate financial assistance to homeowners to help us rebuild 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. In my opinion and "buisness", people and their personal safety should always take priority and antecedent over businesses, roads or other projects. Please fund the repair or replacement of roof damage among our fellow Lee County residents due to Hurricane Ian.
33908	2	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. My husband and I are disabled, elderly and living on a fixed income. 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. We ask that you would use the grant funds to build new, low cost homes. Thank you for your time.

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		So glad to see some communication about the funds available from Disaster Recovery for our area. 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. 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. 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. 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. I will attend the meeting, thank you, in North Fort Myers on Aug. 10 and look forward to hearing more about the Action Plans.
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	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. 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.
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	Repair of owner occupied 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.S. 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. 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? 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/ 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. We are very familiar with these types of tax credit programs as we have done several after hurricane katrina in new orleans. 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. 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.
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		Please consider allowing public housing authorities to apply for planning dollars that could expand on completed revitalization plans What are the plan to reuire housing developers to maintain affordable housing? What protection is there for homeowners from predatory general contractors?
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	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. 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. Thank you for considering our needs, we appreciate your help!
33916	2	The focus on housing is admirable and smart. Be more specific about quantifying efforts to reach very low income residents and prioritize them over 80 percenters. 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. 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 .
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	- 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. 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. Possibly a phased system similar to some of the other outlined programs that provides preference to lower AMI developments 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 - 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 "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. - 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: Prior, successful experience developing in Lee County; 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 Also tend to have a better understanding of local building codes, construction costs and operating expenses to ensure financial feasibility of proposed development MBE/WBE developers Partnerships between for-profits and non-profits/PHA's; allows non-profits to compete with some of the for-profit developers who may have

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.

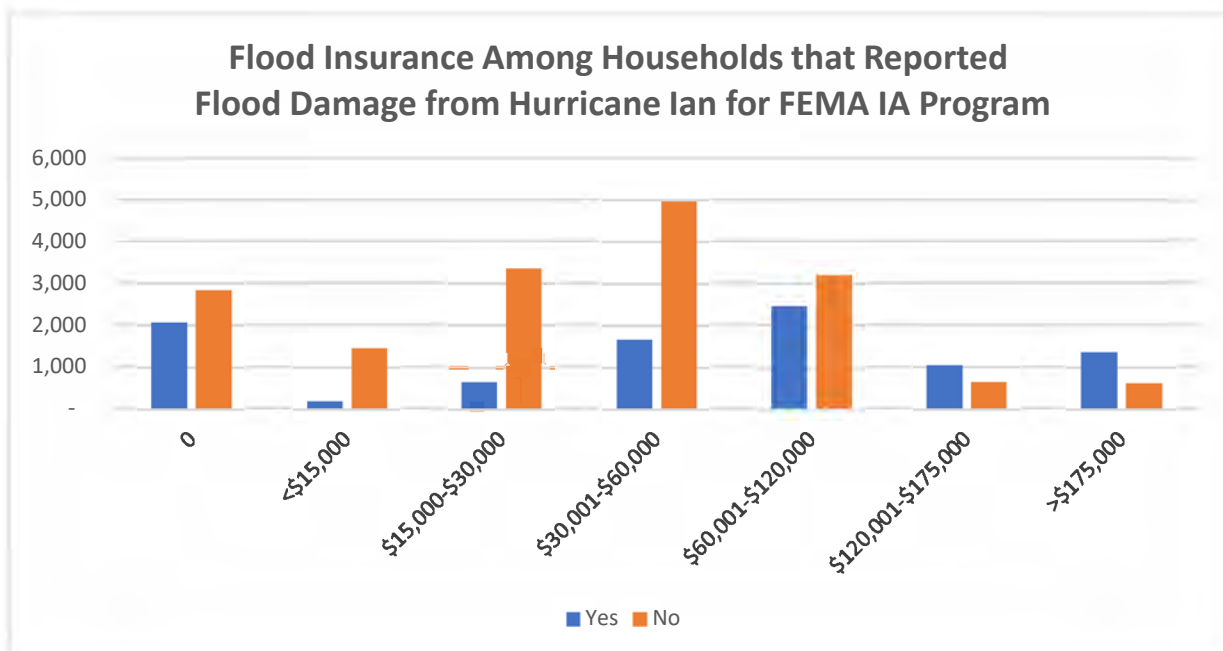
This issue is partially addressed in the following “Exceptions to Maximum Award Amounts” paragraph. However, there should be a clear exception for projects where the calculated benefits far outweigh the anticipated costs. Lee County could still prioritize these projects lower than those that can use 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
		Addition of a 300 bed shelter 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. Increased rapid rehousing with no jurisdictional boarders - rehouse folks where it's affordable in the country. Subsidized childcare for 1000 households for 2 years. Education subsidies for those wanting to advance their education in college or trade school. Motel stays targeting seniors and single parent households for up to 6 while being case managed for housing. Increase in salaries for case managers and housing specialists; including hot team members. Because they deserve to know someone knows about their daily plight. I'm sure I have not hit \$100 million yet which is only 9% of the total \$1.1 billion. Have an immediate effect-show the people on the streets this county is moving rapidly to care for them.
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	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, technology startup incubator, and flexible professional workspaces. Key Objectives: 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. 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.
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

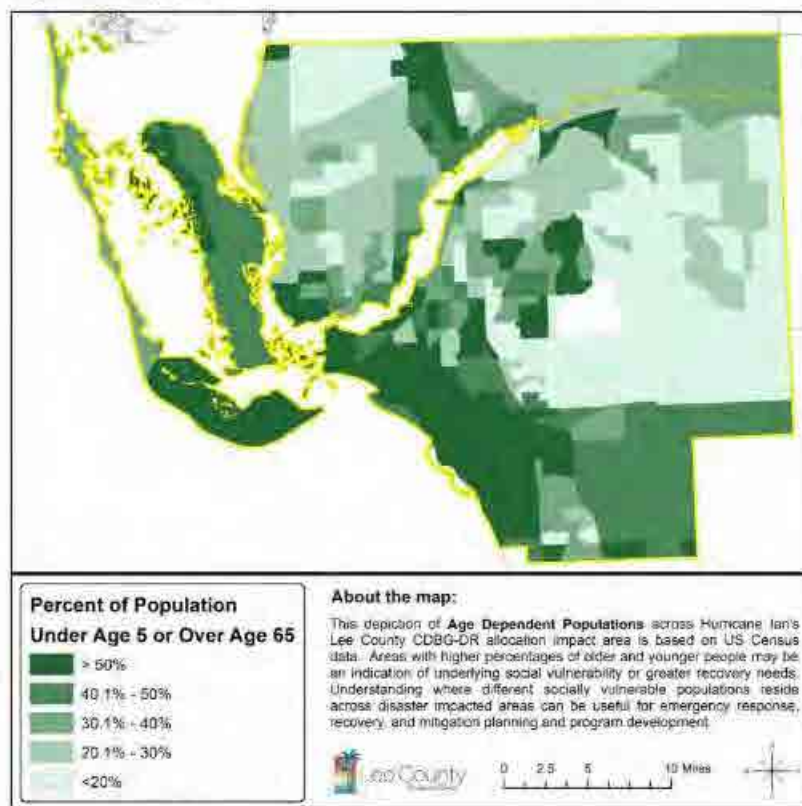


Figure 19 – A map of age dependent populations.²⁸

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

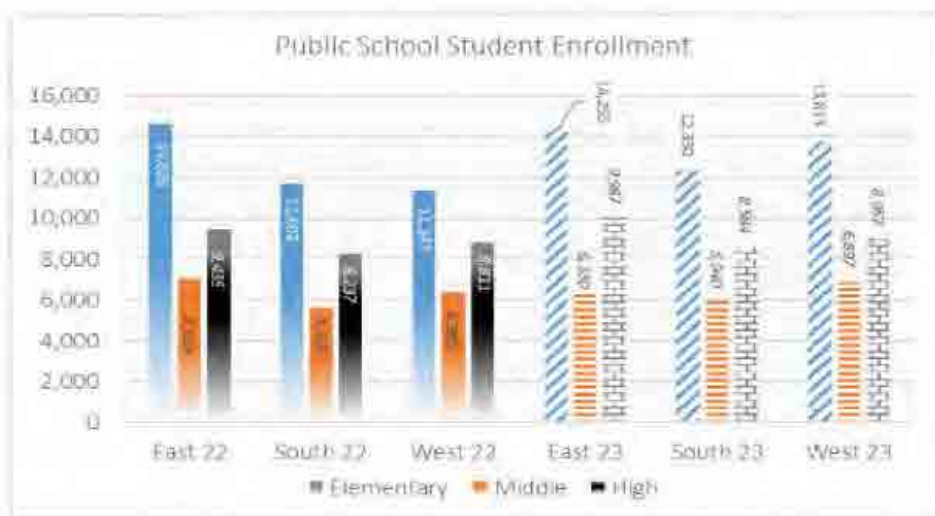
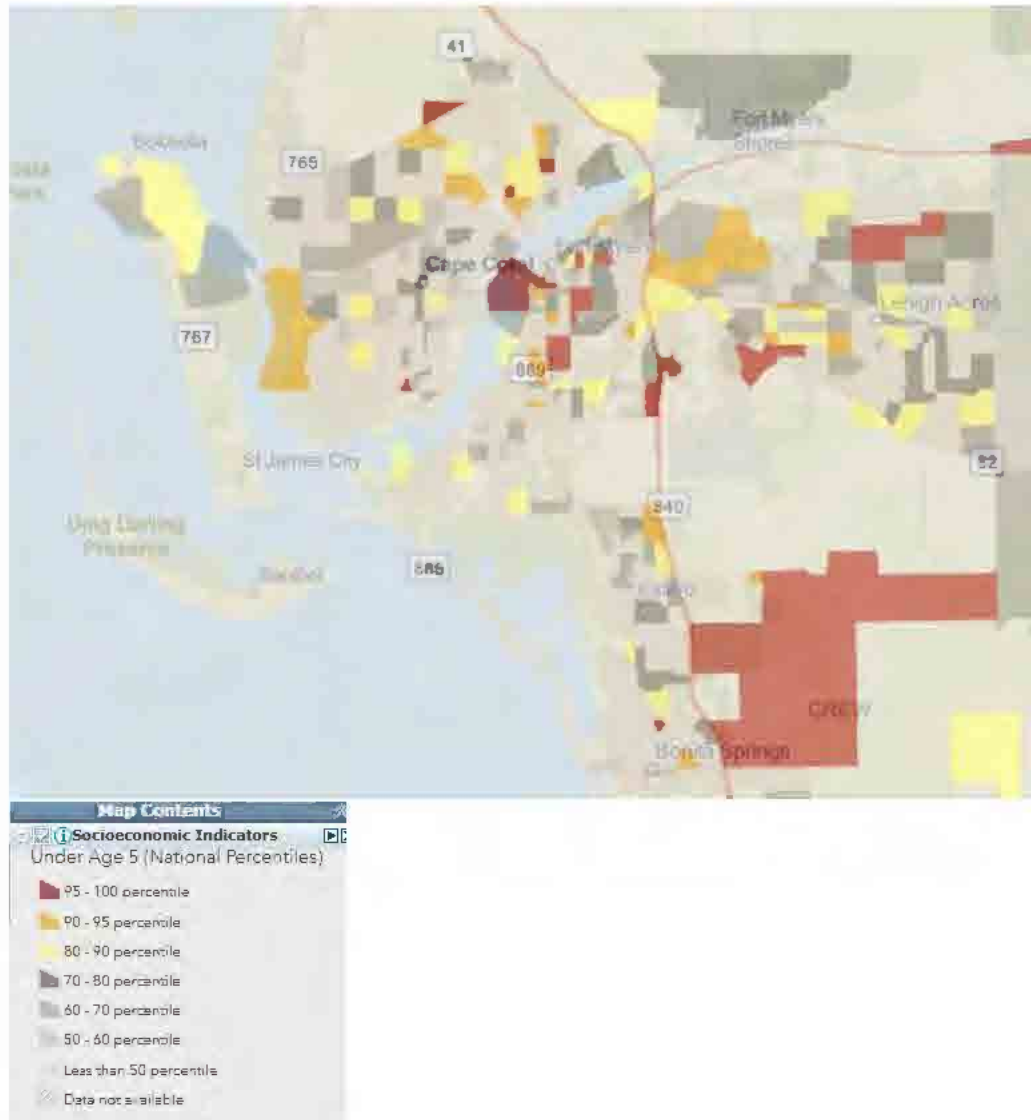
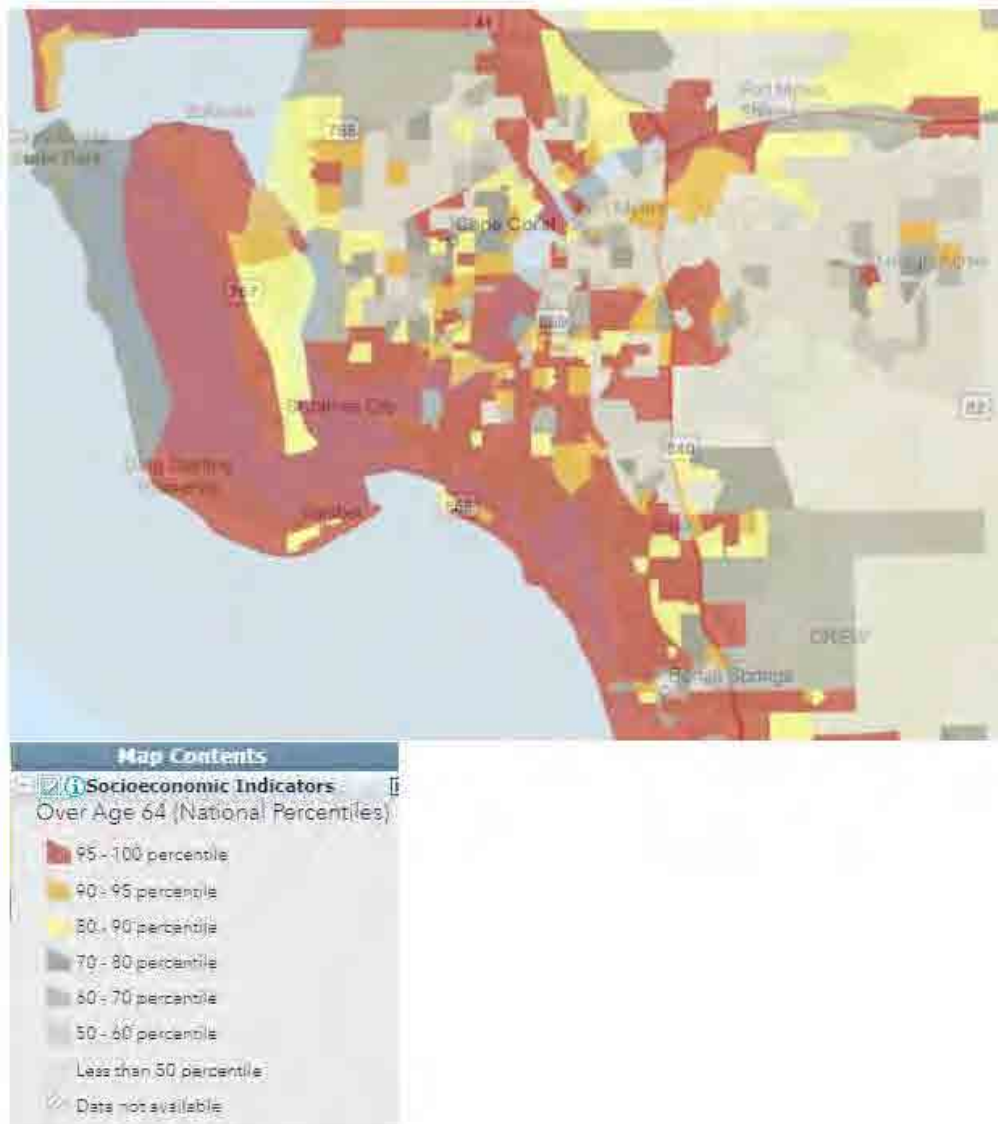


Figure 1: Public School Student Enrollment and Capacity

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

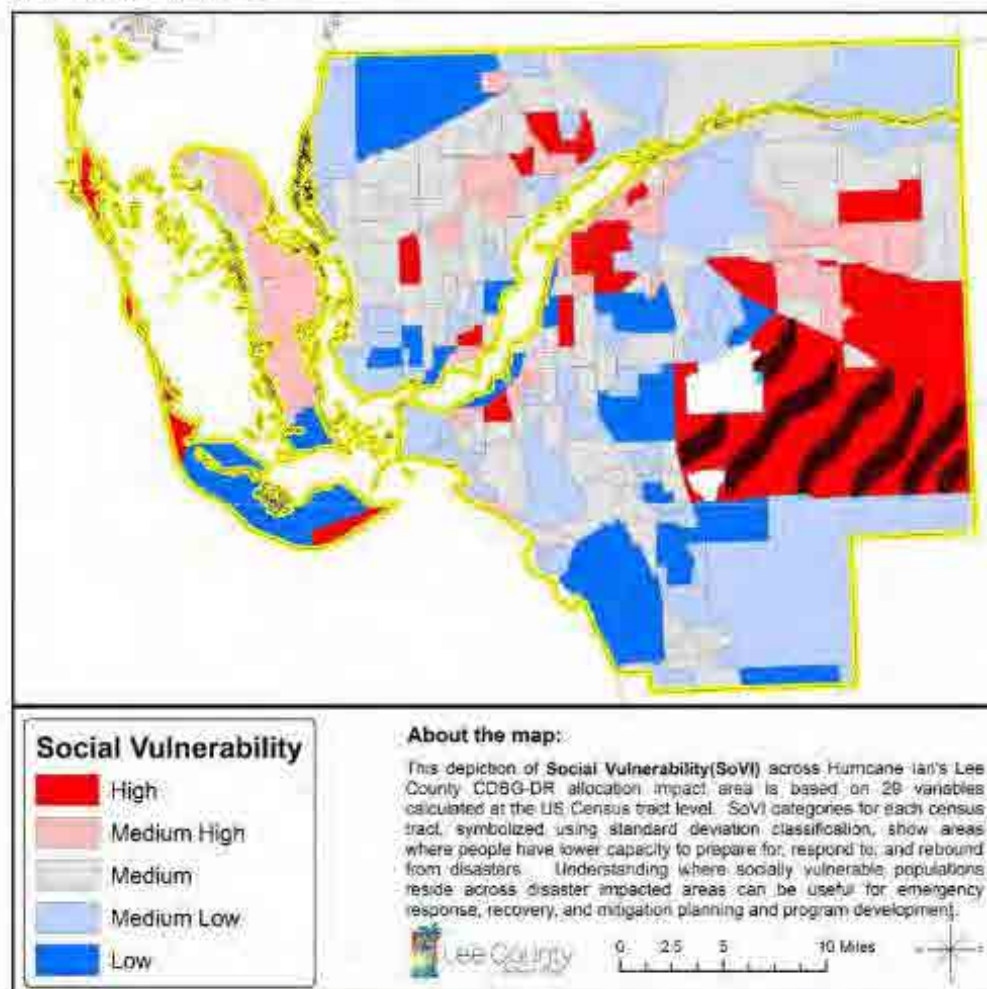


Figure 13 - The 5-Class Social Vulnerability Index (SoVI) by Census Tract for Lee County. ⁸¹

Unmet Needs Assessment pg. 60 (above)

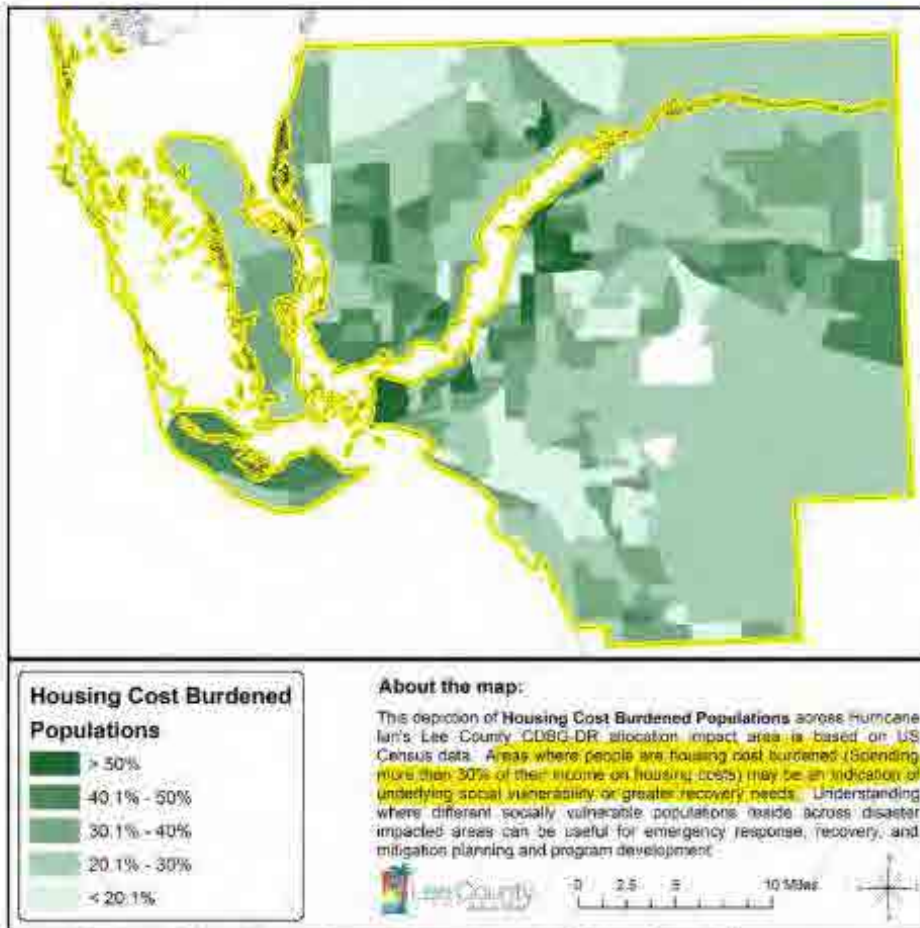


Figure 8 - A map of housing cost burdened populations within Lee County.²⁴

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

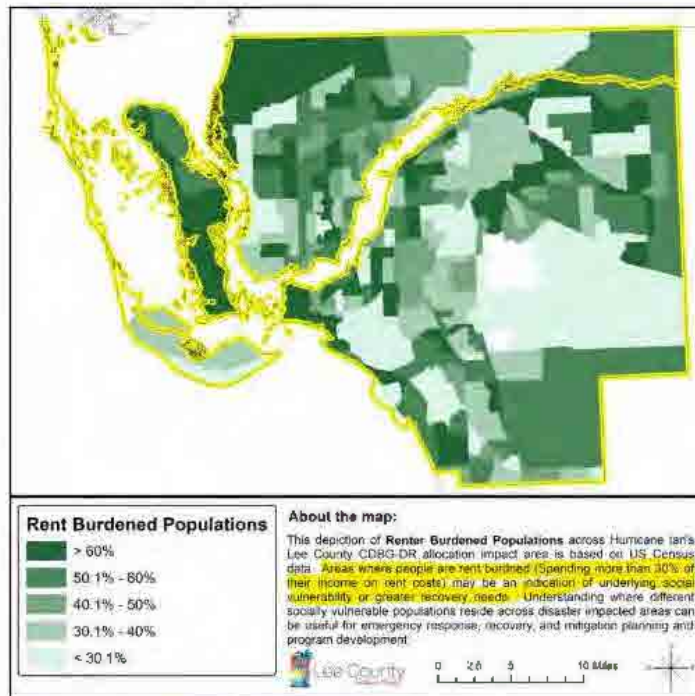


Figure 9 - A map of renter burdened populations within Lee County.²⁸

Unmet Needs Assessment (pg. 28)

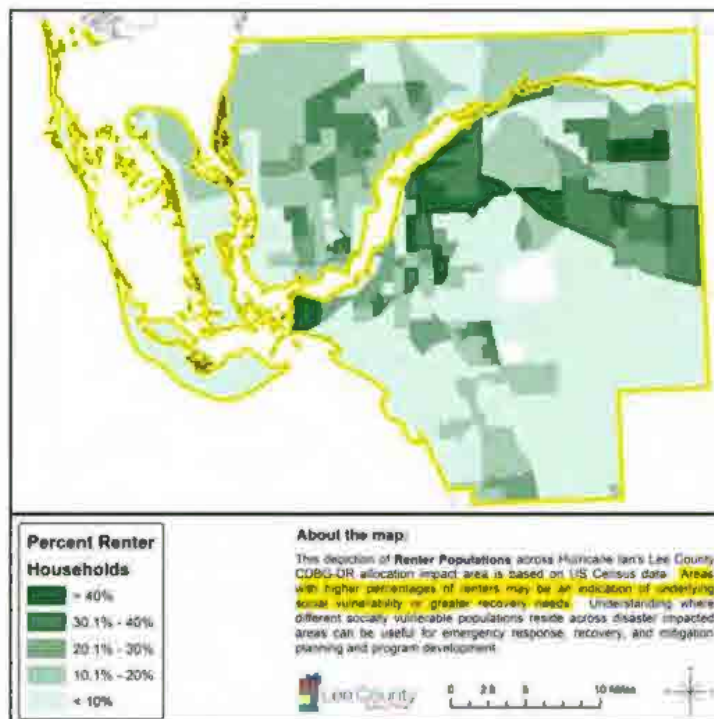


Figure 10 - The percent of renter households.²⁹

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

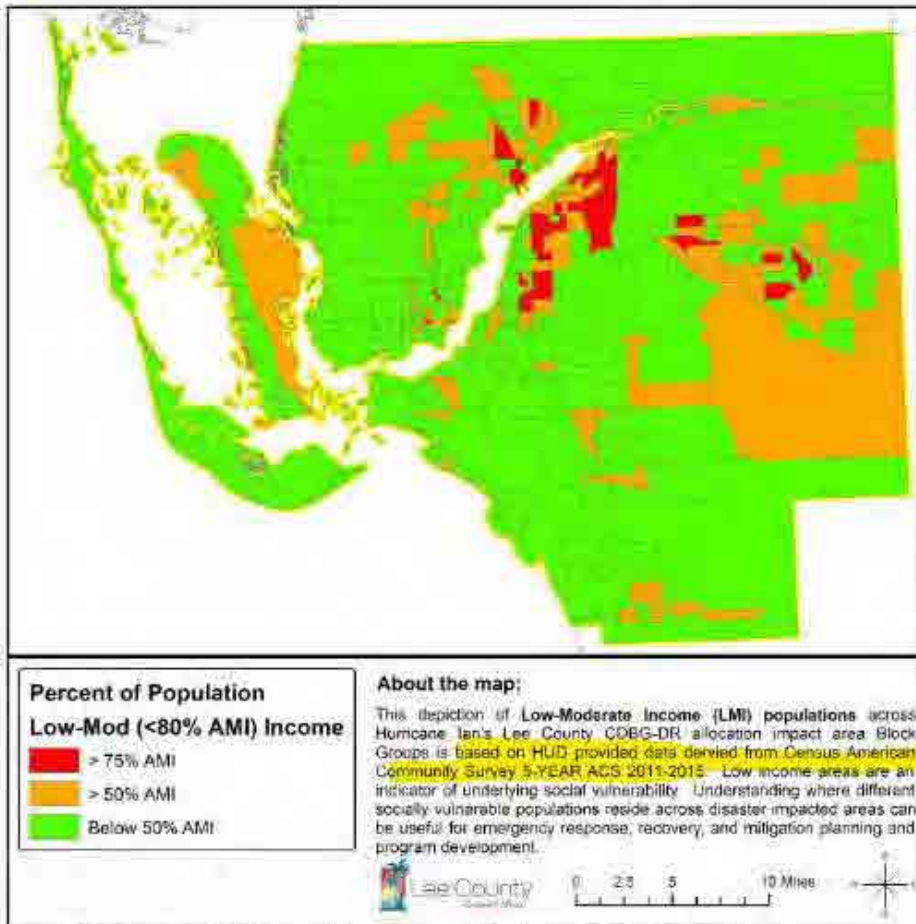


Figure 28 - The percent of LMI populations by census block group for Lee County, 1F.

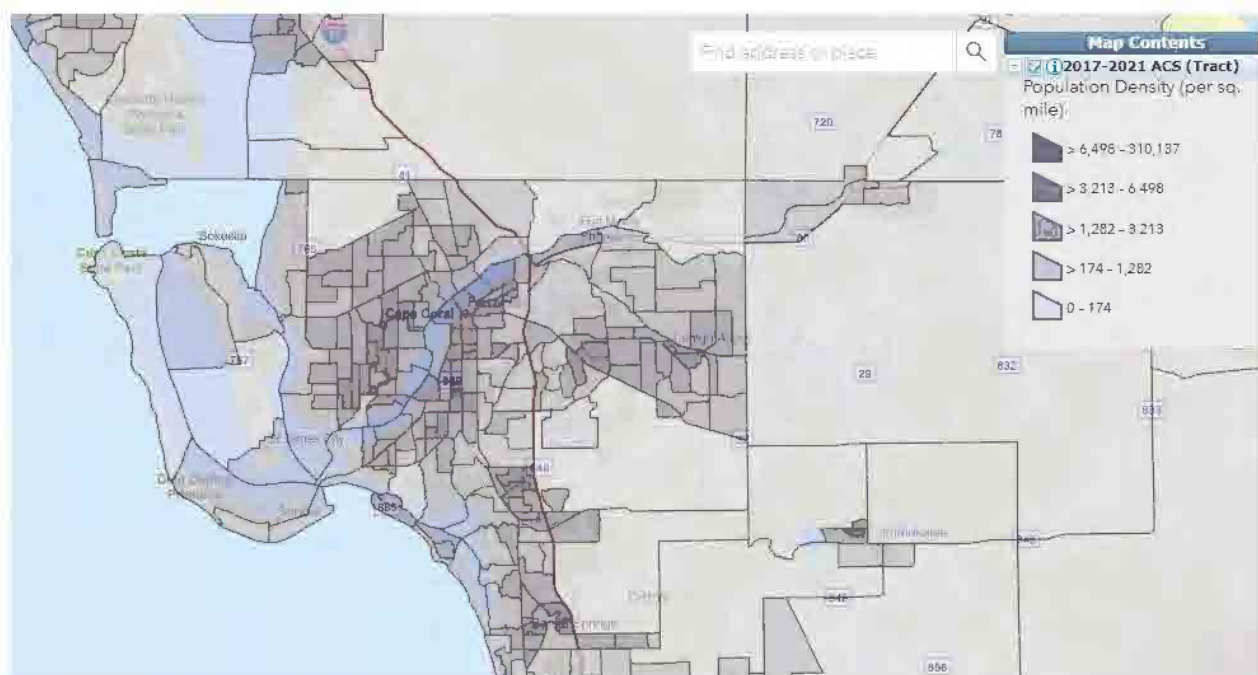
1) Overlay maps present inaccuracies and misrepresentations

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.

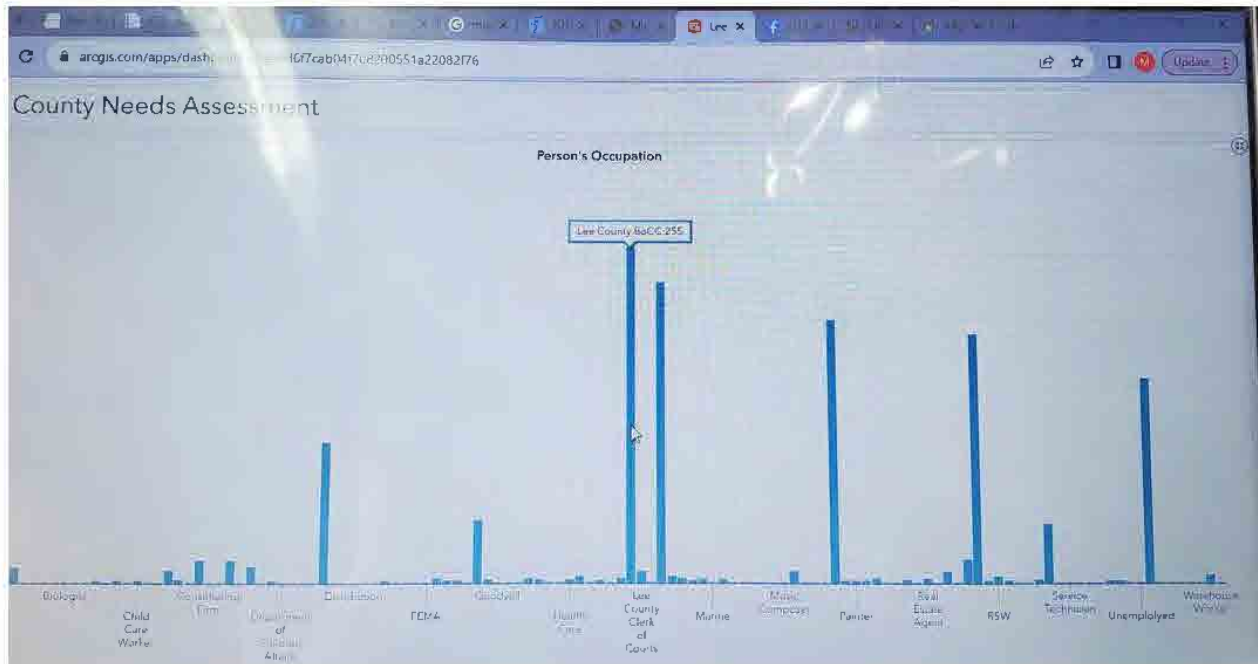
2. Allotment percentages

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>



Lee County Needs Assessment Dashboard, August 23, 2023

It appears that awareness of this program may unfairly benefit those in Lee County government and associates with insider knowledge and may in fact be a way to prioritize household need for the limited number of households to be ultimately served by CDBG-DR. As the tone of CDBG-DR funding becomes more “competitive” overall--- as technical details emerge, this insider knowledge may unfairly benefit those most closely aligned with Lee County Government operations, represent a “quick boost” for data in a program not well communicated though presently funded (February 2023) or unfairly prioritize Lee County administrators, applicants, or associates.

Since Hurricane Ian I have checked the Lee County Housing Authority site three times to try and understand CDBG-DR overlap with the local housing authority and familiarize myself with the features and programs. In all three instances waitlists for housing programs have been closed. How is it possible to honestly, accurately assess community housing need if programs are unknown to the public and waitlists are inexplicably, closed?

2) Allotment percentages

D. Planning percentage excessive and not timely one-year post hurricane, no wealth building targeting low to moderate income areas historically underserved

The Planning allotment of \$25 million is excessive one-year post storm. Work by municipalities, Lee County Government and other stakeholders has been robust and ongoing post Hurricane Ian. The

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.

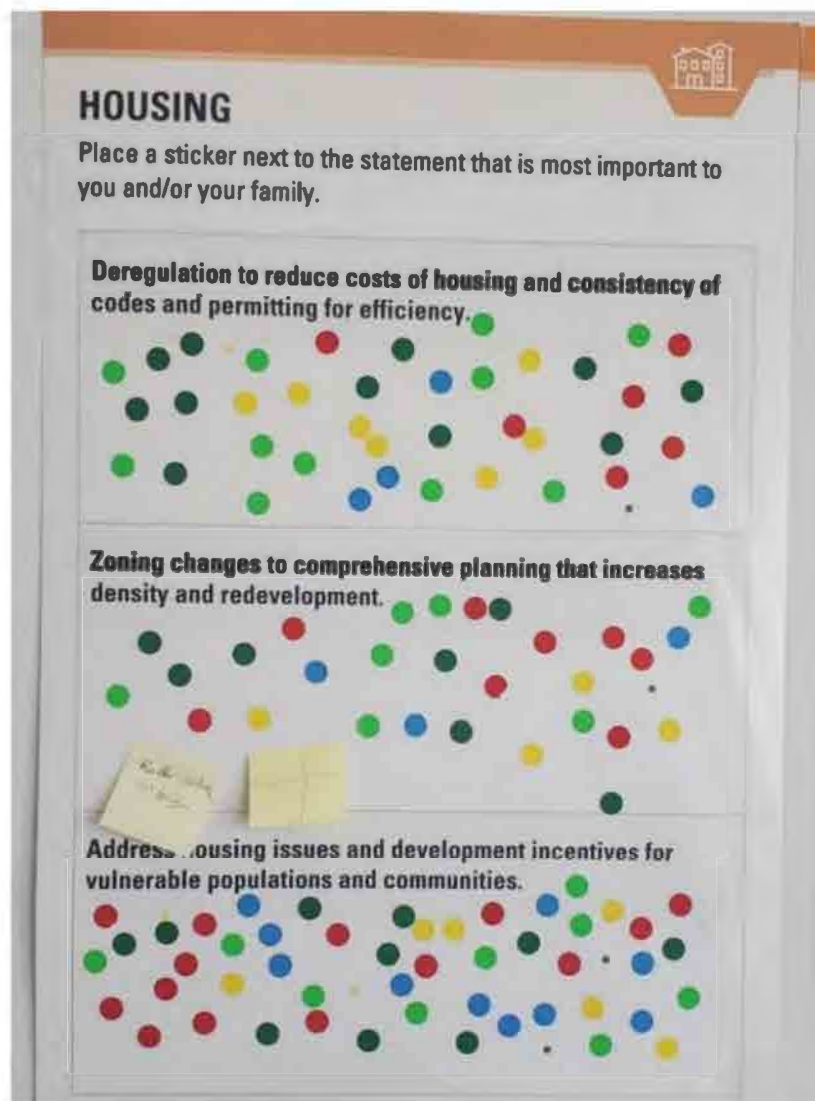
5) Public input process

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:

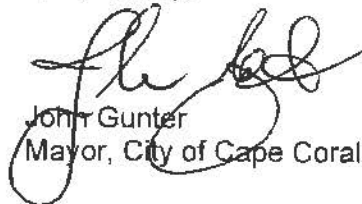
1. Funding allocation: The minimum project amount for infrastructure projects is \$5 million (p. 215). There are many worthy infrastructure projects under this amount, and a lower minimum will enable many additional projects to be completed.
 - a. Recommend a \$1 million project minimum.
2. Funding allocation: 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.

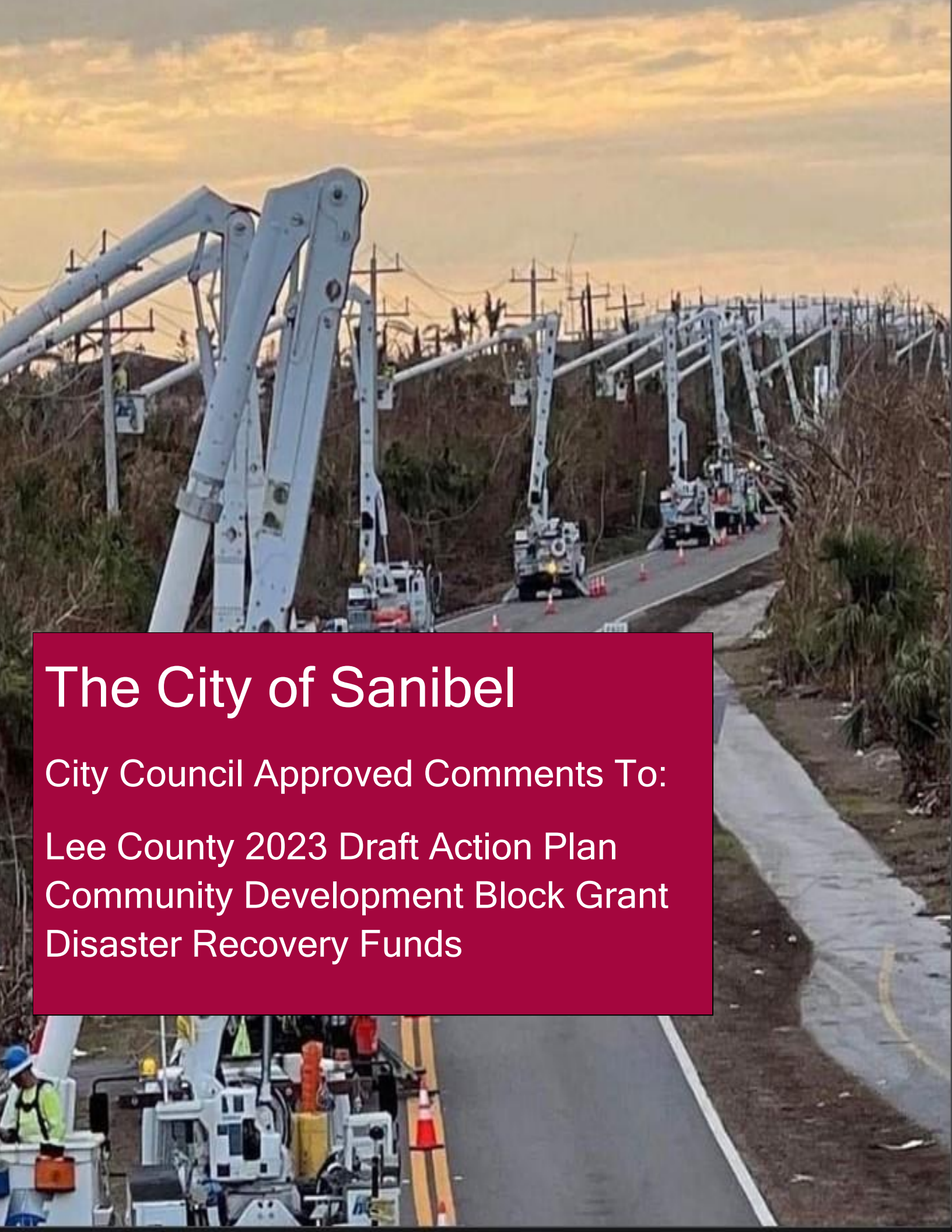
CDBG-DR funds provide Lee County and its municipalities with an incredible opportunity to enact change for years to come. The City of Fort Myers welcomes this opportunity with collaboration with Lee County Government, HUD, and fellow Lee County municipalities to implement this initiative. The City stands 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.

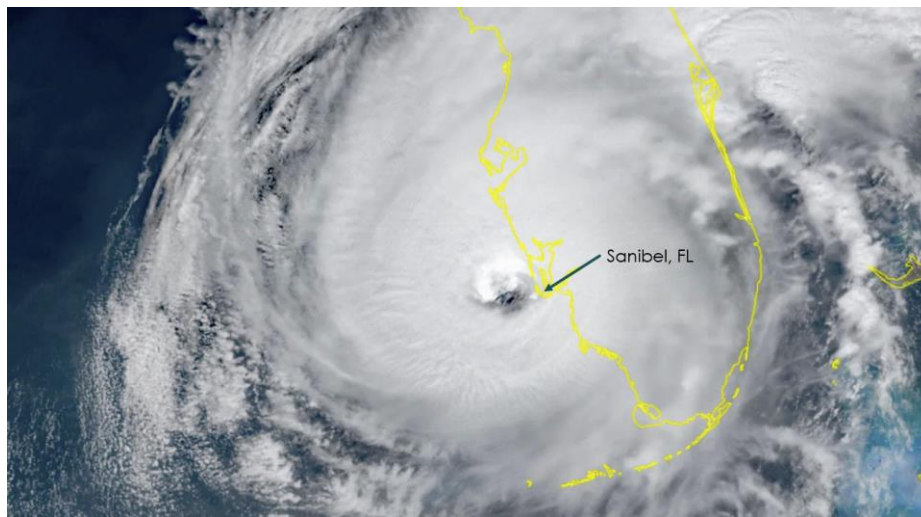
The hurricane breached the Sanibel Causeway, the only roadway that connects Sanibel to the mainland, in 5 different locations. Immediate access to the island following the storm was restricted to helicopters and a few boats that had escaped damage. The process to locate, assist and evacuate storm survivors 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

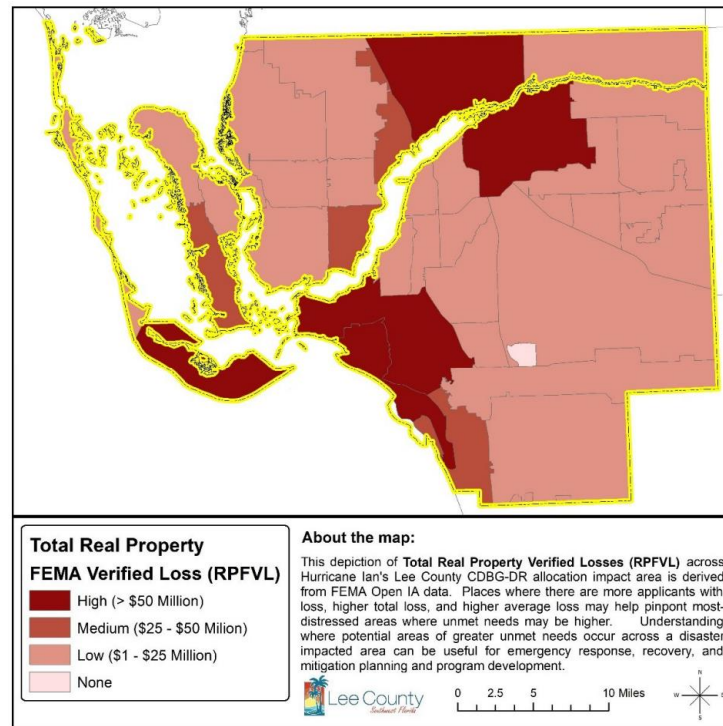
systems that serve to define Sanibel as a sanctuary barrier island were inundated with salt water.

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.

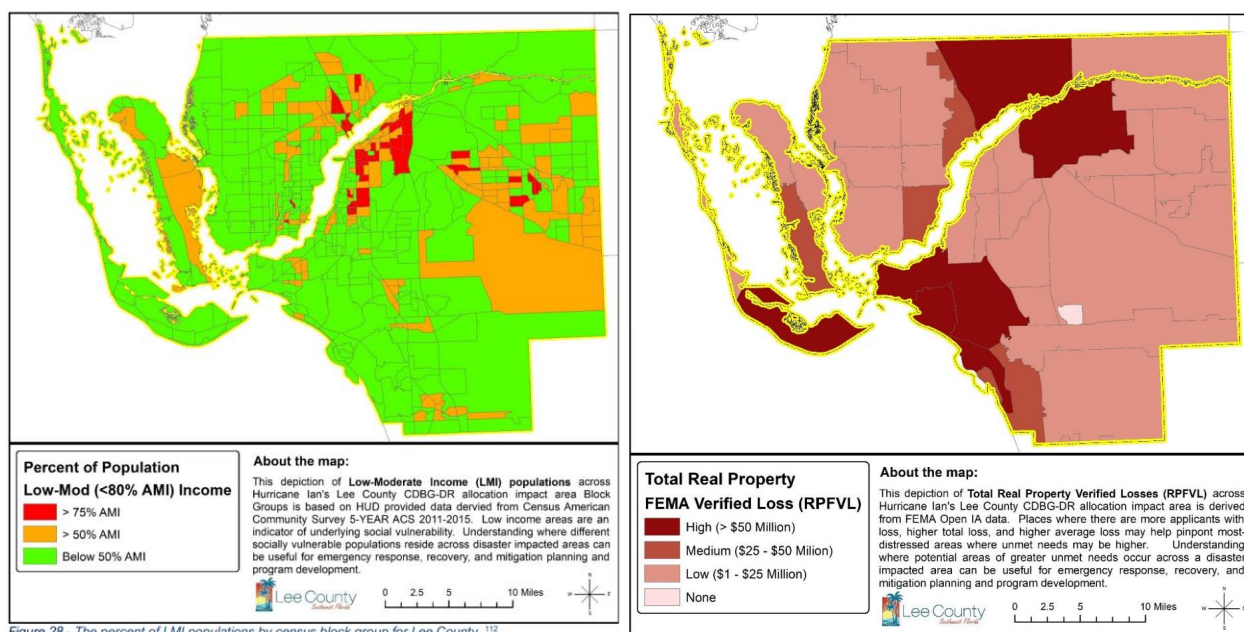


Figure 28 - The percent of LMI populations by census block group for Lee County. ¹¹²

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
- Owner & Renter Occupied Housing Rehabilitation, Reconstruction & Elevation - Multifamily & Single-Family Affordable Housing Development - Homebuyer Purchasing Assistance - Voluntary Residential Buyouts	- Hazard Mitigation Grant Program (HMGP) Matching Program - Critical Public Facilities & Infrastructure	- Long-term Recovery Group Unmet Needs – Individual/Family Case Management - Behavioral Health Services & System Of Care	- Resiliency / Recovery Focused Planning Studies - Behavioral Health System of Care Plan - Task Force Long-Term Recovery Plan - CDBG-DR Action Plan	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%

Category	Program Allocation Amount	% of Program Allocation
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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%

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:

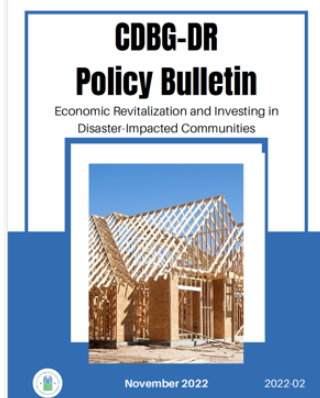
Many grantees carry out economic revitalization programs that provide working capital assistance to businesses.

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: - 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: - 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).

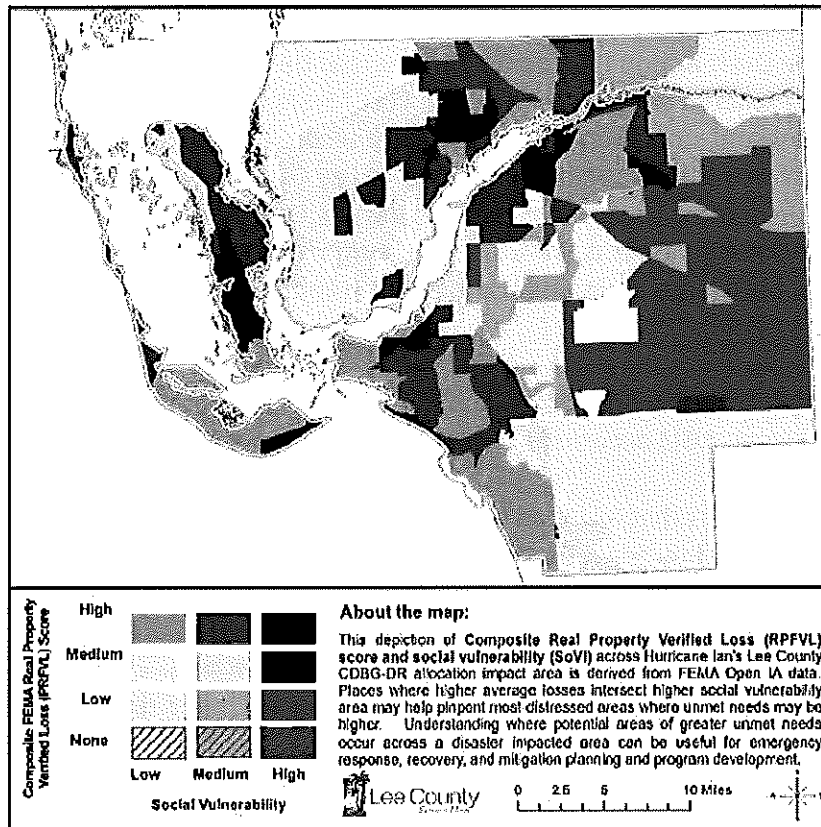


Figure 18 - The bivariate map displaying average real property loss and social vulnerability.⁶⁸

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	\$4,398,352,445	56.92%
Infrastructure	\$3,040,655,810	37.68%
Economic Revitalization	\$401,800,957	5.40%
Total Unmet Needs	\$8,840,809,212	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	☒	☒	
	No			☒
Hurricane Ian Tie-Back	Yes	☒		☒
	No		☒	
	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: _____

Name: _____

Title: _____

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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		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. 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.
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		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. Thank you, Cynthia Roush Ft Myers
33905		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.

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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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.



CDBG-DR

Action Plan Public Comments Amendment 2

Office of Strategic Resources & Government Affairs
1500 Monroe St, 4th Floor
(239) 533-2315
recovery@leegov.com
<https://cdbgdr.leegov.com>

City	Zip Code	General Comments
Fort Myers	33913	Dear CDBG-DR Action Plan Administrator(s) & Reviewer(s), 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. 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. 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. 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. 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. 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.

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.

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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.