

Harris County Community Services Department

EXECUTIVE SUMMARY

U.S. Department of Housing and Urban Development Entitlement Grant Program – CARES Act

September 19, 2024

Background

As authorized by 42 U.S.C. 11364a(c)(1), HUD has determined to make a special allocation of Emergency Solutions Grants (ESG) funding to Harris County (Recipient) to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after December 20, 2019, whose needs are not otherwise served or fully met by existing Federal disaster relief programs, including the Transitional Sheltering Assistance (TSA) program under such Act (42 U.S.C. 5170b). This allocation of "Rapid Unsheltered Survivor Housing" (RUSH) funding under the ESG Program is in response to the President's major disaster declaration dated July 9, 2024, DR-4798-TX, for Hurricane Beryl; May 17, 2024, DR-4781-TX for the severe storms, straight-line winds, tornadoes, and flooding; and Federal Emergency Management Agency's (FEMA's) determination that this disaster was severe enough to activate its TSA program.

On August 6, 2024, Commissioners Court approved the Housing and Community Development's submission of the Program Year (PY) 2024 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD). Then on August 13, 2024, HCD submitted the PY2024 Action Plan to include a total of 20,090,917 in Entitlement funds to HUD for review and approval.

On August 28, 2024, HUD allocated \$383,630 in ESG Rapid Unsheltered Survivor Housing (RUSH) funding to Harris County to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after December 20, 2019, whose needs are not otherwise served or fully met by existing Federal disaster relief programs, including the Transitional Sheltering Assistance (TSA) program under such Act (42 U.S.C. 5170b).

Receipt of the supplemental funding allocation from HUD allows Harris County to proceed with developing a substantial amendment to the approved PY2024 Annual Action Plan. Once submitted, HUD will review the substantial amendment and approval will result in the release of supplemental grant agreements for execution.

Recommendation

It is recommended that Commissioners Court authorize the Executive Director of Housing and Community Development or her designee to accept the ESG RUSH Supplemental Grant Allocation from the U.S. Department of Housing and Urban Development.

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the _____ day of _____, 2024, with the following members present, to-wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct 1
Adrian Garcia	Commissioner, Precinct 2
Tom S. Ramsey	Commissioner, Precinct 3
Lesley Briones	Commissioner, Precinct 4

and the following members absent, to-wit: _____, constituting a quorum, when among other business, the following was transacted:

ORDER APPROVING TO DEVELOP THE SUBSTANTIAL AMENDMENT TO THE PY2024 ANNUAL ACTION PLAN

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

	Yes	No	Abstain
Judge Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ramsey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Briones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

RECITALS:

WHEREAS, as authorized by 42 U.S.C. 11364a(c)(1), HUD has determined to make a special allocation of Emergency Solutions Grants (ESG) funding to Harris County (Recipient) to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after December 20, 2019, whose needs are not otherwise served or fully met by existing Federal disaster relief

programs, including the Transitional Sheltering Assistance (TSA) program under such Act (42 U.S.C. 5170b); and

WHEREAS, this allocation of "Rapid Unsheltered Survivor Housing" (RUSH) funding under the ESG Program is in response to the President's major disaster declaration dated July 9, 2024, DR-4798-TX, for Hurricane Beryl; May 17, 2024, DR-4781-TX for the severe storms, straight-line winds, tornadoes, and flooding; and Federal Emergency Management Agency's (FEMA's) determination that this disaster was severe enough to activate its TSA program; and

WHEREAS, on August 6, 2024, Commissioners Court approved the Housing and Community Development's submission of the Program Year (PY) 2024 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD). Then on August 13, 2024, HCD submitted the PY2024 Action Plan to include a total of 20,090,917 in Entitlement funds to HUD for review and approval; and

WHEREAS, on August 28, 2024, HUD allocated \$383,630 in ESG Rapid Unsheltered Survivor Housing (RUSH) funding to Harris County to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after December 20, 2019, whose needs are not otherwise served or fully met by existing Federal disaster relief programs, including the Transitional Sheltering Assistance (TSA) program under such Act (42 U.S.C. 5170b); and

WHEREAS, receipt of the supplemental funding allocation from HUD allows Harris County to proceed with developing a substantial amendment to the approved PY2024 Annual Action Plan; and

WHEREAS, Harris County Housing and Community Development requests approval to accept the supplemental ESG RUSH funding in the amount of \$383,630 to include as a substantial amendment to the PY2024 Annual Action Plan.

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

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

Section 2: The Executive Director of Housing and Community Development or her designee is authorized to amend the Program Year 2024 Annual Action Plan.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

The Honorable Lina Hidalgo
Harris County
1001 Preston, Suite 911
Houston, TX 77002-1805

Dear Judge Hidalgo:

I offer my best wishes for all Texans impacted by Hurricane Beryl and the severe storms, straight-line winds, tornadoes, and flooding recently experienced in your county.

As authorized by 42 U.S.C. 11364a(c)(1), HUD has determined to make a special allocation of Emergency Solutions Grants (ESG) funding to Harris County (Recipient) to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after December 20, 2019, whose needs are not otherwise served or fully met by existing Federal disaster relief programs, including the Transitional Sheltering Assistance (TSA) program under such Act (42 U.S.C. 5170b). This allocation of "Rapid Unsheltered Survivor Housing" (RUSH) funding under the ESG Program is in response to the President's major disaster declaration dated July 9, 2024, DR-4798-TX, for Hurricane Beryl; May 17, 2024, DR-4781-TX for the severe storms, straight-line winds, tornadoes, and flooding; and Federal Emergency Management Agency's (FEMA's) determination that this disaster was severe enough to activate its TSA program.

Specifically, HUD is making \$383,630 in RUSH funding available to Harris County. This initial allocation was determined using a formula that is based on 42 U.S.C. 11364a(c)(1) and that takes into account the number of persons experiencing sheltered or unsheltered homelessness (based on the most recent Point-in-Time count) in counties or local municipalities that are within the declared disaster areas and the Fair Market Rent for a 1-bedroom apartment in those areas. "Declared disaster areas" refers to areas identified as eligible for FEMA Individual Assistance when a major disaster is declared. Subject to availability of funding, HUD may make a second allocation of RUSH funding as explained in the notice HUD published in the July 18, 2024 Federal Register ([RUSH Notice](#)¹).

This RUSH funding will be subject to the same Federal requirements that apply to annual ESG funding, except as otherwise stated in the RUSH Notice or a later HUD notice, waiver, or rule.

Please refer to section IV of the RUSH Notice for the submission requirements for RUSH funding. The certifications that must be included in each submission for RUSH funding are provided in the attachments to this letter. These certifications exclude the standard ESG certification about

¹ The RUSH Notice can be viewed at <https://www.federalregister.gov/documents/2024/07/18/2024-15852/allocation-formula-applicable-requirements-and-waivers-and-suspension-of-requirements-for-rapid>.

matching contributions, because matching contributions are not required for RUSH funding, as explained in the RUSH Notice.

If Harris County decides not to accept this funding, please email your clearly stated refusal to Norm Suchar (norman.a.suchar@hud.gov), Director of the Office of Special Needs Assistance Programs, within 14 days of receiving this letter.

HUD's Office of Community Planning and Development (CPD) is committed to continuing to work with your jurisdiction to successfully meet the urgent and complex challenges facing your community. If you or your staff have questions, please contact your local CPD Field Office Director.

Sincerely,

A handwritten signature in black ink, appearing to read 'M M' followed by a flourish, and the date '8/28/24' written to the right of the signature.

Marion M. McFadden
Principal Deputy Assistant Secretary
for Community Planning and Development

Attachments

ATTACHMENT 1

General Certifications

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying -To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction - The submission of the consolidated plan is authorized under State law and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan - The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 75.

Signature of Authorized Official

Date

Title

ATTACHMENT 2

ESG Certifications

The Emergency Solutions Grants Program Recipient certifies that:

Major rehabilitation/conversion – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – If ESG funds are used for shelter operations or essential services related to street outreach or emergency shelter, the jurisdiction will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the jurisdiction serves the same type of persons (e.g., families with children, unaccompanied youth, veterans, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The jurisdiction will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for these individuals.

Confidentiality – The jurisdiction has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the jurisdiction will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the jurisdiction undertakes with assistance under ESG are consistent with the jurisdiction’s consolidated plan.

Discharge Policy – The jurisdiction will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly

funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Signature of Authorized Official

Date

Title