

# STATE OF IOWA ACTION PLAN

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## Utilizing Supplemental CDBG Disaster Recovery Funding from the Supplemental Appropriations Act (Public Law 110- 252), 2008

Through U.S. Department of Housing and Urban Development

Docket No. FR-5250-N-01

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**Iowa Department of Economic Development**  
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## INTRODUCTION

The State of Iowa is required to publish an Action Plan for Disaster Recovery (Action Plan) that describes the proposed use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding associated with the Supplemental Appropriations Act, 2008 (Public Law 110-252, approved June 30, 2008) for disaster relief of unmet needs resulting from tornadoes and flooding in the state.

This document will describe:

- ▶ the citizen participation process used to develop the Action Plan;
- ▶ eligible affected areas and applicants, and the methodology to be used to distribute funds to those areas and applicants;
- ▶ activities for which funding may be used; and
- ▶ grant administration standards.

This Action Plan will be used by the state to guide the distribution of \$85,000,000 of CDBG Disaster Recovery Funding toward meeting unmet housing, infrastructure, business, public service, public facility, and other needs in counties designated as Presidential Disaster Areas, as directed by Public Law 110-252 and HUD.

Amendments to this Plan will be expected as additional funds become available.

This Action Plan is in relation to the U.S. Department of Housing and Urban Development's Notice of Funding Availability provided in Federal Register / Volume \_\_, Number \_\_, Docket No. FR-5250-N-01.

## THE EFFECT OF THE DISASTERS AND IOWA'S RECOVERY NEEDS

In the late spring and early summer of 2008, the State of Iowa suffered through a series of disastrous events, tornados followed by record-breaking floods. In some cases, the same community was hit by both events. Also, in some Iowa communities the 2008 flood crested 8 feet higher than the flood of 1993.

Among the larger communities, Cedar Rapids, Iowa's second-largest city, was especially hard hit. It is estimated that 1300 blocks in Cedar Rapids were flooded to the point that repair/rehabilitation will be difficult to impossible in many of those areas.

It is estimated that, statewide, over 21,000 housing units have been damaged, with over 4200 of those destroyed or suffering major structural damage. Also, an estimated 2400 businesses were damaged physically, and another 3000+ have suffered economic losses. It is quite clear that FEMA and SBA assistance will not come close to covering all of the uninsured costs associated with the damage.

Following are estimates of damages compiled by the Rebuild Iowa Advisory Commission in just three community/economic development categories. (The full reports from the Commission are available at <http://rio.iowa.gov/>)

### *Economic and Workforce Development*

- ▶ Total estimated unmet need for small and intermediate businesses - \$2.78 billion
  - »» \$5.36 billion total assessed damage.
  - »» Approximately 4,800 non-manufacturing small businesses and 800 intermediate businesses were impacted.
- ▶ Large businesses experienced an estimated \$100 million in losses.
- ▶ Small business and non-profit corporations - \$600 million in lost revenue in one year in the Cedar Rapids area, according to a report from Iowa Commercial Realty in Cedar Rapids.
- ▶ Physical damage to businesses from a Safeguard Iowa online survey - \$426,011,267; economic loss - \$178,593,361.
- ▶ Manufacturing damages and lost income from the ISU Center for Industrial Research and Service (CIRAS) survey - \$100 million projected.
- ▶ Increase in unemployment rate from Iowa Workforce Development data – 3.9% in May; 4% in June; 4.3% in July.

- ▶ Initial claims for unemployment insurance program - increased by over 6,500 (over 44% increase) from May to June 2008, according to Mass Layoffs Statistics.

### *Housing*

Cost to communities and to the state to repair and replace the damage to housing:

- ▶ The total unmet housing need is \$946 million for single family and multi-family housing.
  - »» \$90 million is for rental property
  - »» \$856 million is for single family dwellings
- ▶ The unmet housing need represents need remaining after all insurance and government housing program assistance is taken into account.

### *Infrastructure and Transportation*

- ▶ Roads and bridges
  - »» Federal aid routes - \$30 million according to Iowa Department of Transportation as of August 8, 2008
  - »» County roads - \$43 million according to FEMA County Survey as of July 31, 2008
  - »» Roads and bridges - \$55 million according to FEMA as of July 29, 2008
- ▶ Public Transit - \$53 million according to Iowa Department of Transportation as of August 8, 2008  
Rebuild Iowa Advisory Commission
- ▶ Railroads, according to Iowa Department of Transportation as of August 8, 2008
  - »» Class 1 railroads - \$45 to \$60 million
  - »» Short line railroads - \$23 million
- ▶ Communications and Utilities
  - »» Telecommunications - \$66 million according to Iowa Telecom, rural independent telephone companies, and Qwest as of August 7, 2008
  - »» Public utilities (water, wastewater, power generation, communications) - \$342 million according to FEMA as of August 11, 2008
  - »» Private utilities and communications companies are not eligible for FEMA assistance.
- ▶ Flood control facilities (drainage channels, pumping facilities, some flood control facilities) - \$13 million according to FEMA estimates as of August 11, 2008
- ▶ Public buildings and equipment - \$380 million according to FEMA estimates as of August 11, 2008
  - »» In order for public buildings located in a floodplain to receive FEMA assistance, they must pay the first \$500,000 of cost for damage to the structure and \$500,000 of cost for damage to contents.
  - »» This creates an additional unmet need for many communities.
- ▶ Total estimated unmet need for public buildings and infrastructure - \$703 million
  - »» Total damages to publicly-owned buildings and infrastructure - \$798.3 million
  - »» Information was compiled in cooperation with other state and federal agencies by the Rebuild Iowa Office.

## FEDERAL AND STATE RESPONSES TO DATE

Congress has passed the Supplemental Appropriations Act, 2008 (PUBLIC LAW 110–252—JUNE 30, 2008), which appropriated \$300,000,000 in Community Development Block Grant funds related to disaster relief, long-term recovery, and restoration of infrastructure in areas covered by a declaration of major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of recent natural disasters. The State of Iowa has initially been allocated \$85,000,000 of the CDBG funds for recovery from the impacts of the severe storms, tornadoes, and flooding experienced in Iowa.

The state has been very active in responding to the disasters. On June 27, Governor Culver signed Executive Order 7 creating the Rebuild Iowa Office (RIO), whose mission is to lead the state of Iowa's efforts to rebuild safer, stronger and smarter in the wake of the 2008 severe storms and catastrophic flooding. The office envisions a resilient Iowa that will be safe, sustainable and economically strong for its people, reaffirming its ties to the land, rivers, environment and rich cultural history.

The Rebuild Iowa Office works closely with the Rebuild Iowa Advisory Commission, an appointed body of 15 bipartisan local officials and community members from across the state — many of whom were personally affected by the storms and flooding. The RIAC reports to the Lt. Governor and oversees nine recovery task forces, which will help facilitate public dialogue on complex recovery issues and make recommendations in focused issue areas.

Less than three weeks after Governor Culver signed Executive Order 7, the Rebuild Iowa Office opened its doors, held its first Rebuild Iowa Advisory Commission meeting and was fully staffed.

The initial report on the disaster and needed recovery efforts by RIO was released on September 2, 2008. In addition, nine individual Task Forces were assembled to study and report on separate aspects of the disaster damages and recovery needs. Those reports address the topics of

- ▶ Agriculture and Environment
- ▶ Cultural Heritage and Records Retention
- ▶ Economic and Workforce Development
- ▶ Education
- ▶ Flood Plain Management and Hazard Mitigation
- ▶ Housing
- ▶ Infrastructure and Transportation
- ▶ Long Term Recovery Planning
- ▶ Public Health and Health Care

Reports on each of these topics have also been produced and are available at <http://rio.iowa.gov/>

## CONSULTATION WITH LOCAL GOVERNMENTS

The Rebuild Iowa Office, the Rebuild Iowa Advisory Commission, the Rebuild Iowa Task Forces, and a variety of state agencies, including the Department of Economic Development, have had multiple discussions with local government staff and officials regarding the development of the 2008 Rebuild Iowa Disaster Recovery Action Plan.

The Commission held six meetings in July and August to tour damage in affected parts of Iowa, receive updates on recovery progress, and provide input to the Rebuild Iowa Office.

Members of the Commission also serve as Task Force Chairs for the nine RIO Recovery Task Forces. Task Force membership was solicited through a public process requesting Iowans to volunteer to serve in one of the nine areas. Responses were overwhelming, and all volunteers who applied were invited to participate as either a Task Force member or a Resource Group member. Over 500 Iowans ended up serving on the nine Task Forces. Many of these volunteers are local government officials.

In addition to feedback from Iowans and local governments during Commission and Task Force meetings, the Rebuild Iowa Office toured the state, reaching out to Iowans in affected areas. Speak Up Iowa! public input sessions provided an opportunity for RIO staff and federal agencies to connect with Iowans by linking them with resources, information, and assistance. In addition, the RIO sought feedback from all individuals regarding circumstances, issues, and impact related to their unique experiences with the disaster events and recovery.

Over 650 Iowans participated during the 45-day information-gathering time period through Task Force meetings, Speak Up Iowa! public input sessions, and through online and telephone feedback. A timeline of the RIAC public participation process is included in Appendix A.

The Department of Economic Development has had numerous meetings and discussions with representatives of entitlement communities, other local governments and Councils of Government to discuss recovery priorities and potential allocation methodologies. The Department will continue to coordinate and invite affected local governments to provide input on this action plan.

The 2008 State of Iowa Disaster Recovery Action Plan will be made available to citizens, affected local governments and other interested parties via publication on the Department's website as well as through email notification. All comments regarding the Action Plan will be considered. The Department will continue to utilize its website, email communications as well as traditional forms of communication to provide reasonable opportunity for citizen comment and ongoing citizen access to information on the use of grant funds.

In its regular CDBG and HOME programs, the IDED coordinates the application and award of funds for community development projects with the Iowa Finance Authority, Department of Natural Resources, and U.S. D.A. – Rural Development. These and other alliances will be continued and expanded to serve communities targeted for 2008 disaster recovery funding.

# FEDERALLY-DESIGNATED AREAS ELIGIBLE FOR ASSISTANCE

Counties where the CDBG Disaster Recovery Funds may be used were determined by the FEMA Declaration FEMA-1763-DR dated May 27, 2008, for Iowa Severe Storms, Tornadoes, and Flooding (May 27, 2008 and continuing.)

Eighty-six (86) of the 99 counties in the state have been included in one or more federal or state disaster declarations. The Federal Emergency Management Agency has designated 78 counties for individual assistance and 84 counties for public assistance. Governor Culver has declared a total of 86 counties as disaster areas.

Figure 1 is a map of the counties that are eligible under the FEMA Individual Assistance Program (IAP) and the Public Assistance Program (PAP) This map can also be accessed at the Federal Emergency Management (FEMA) website at <http://www.fema.gov> (general FEMA website) and more specifically at [http://www.gismaps.fema.gov/2008graphics/dr1763/dec\\_1763.pdf](http://www.gismaps.fema.gov/2008graphics/dr1763/dec_1763.pdf)

The CDBG Disaster Recovery Funding may be used in the 85 counties that are eligible for assistance under the two FEMA programs. (84 counties designated for Public Assistance, plus one county designated for Individual Assistance only.)

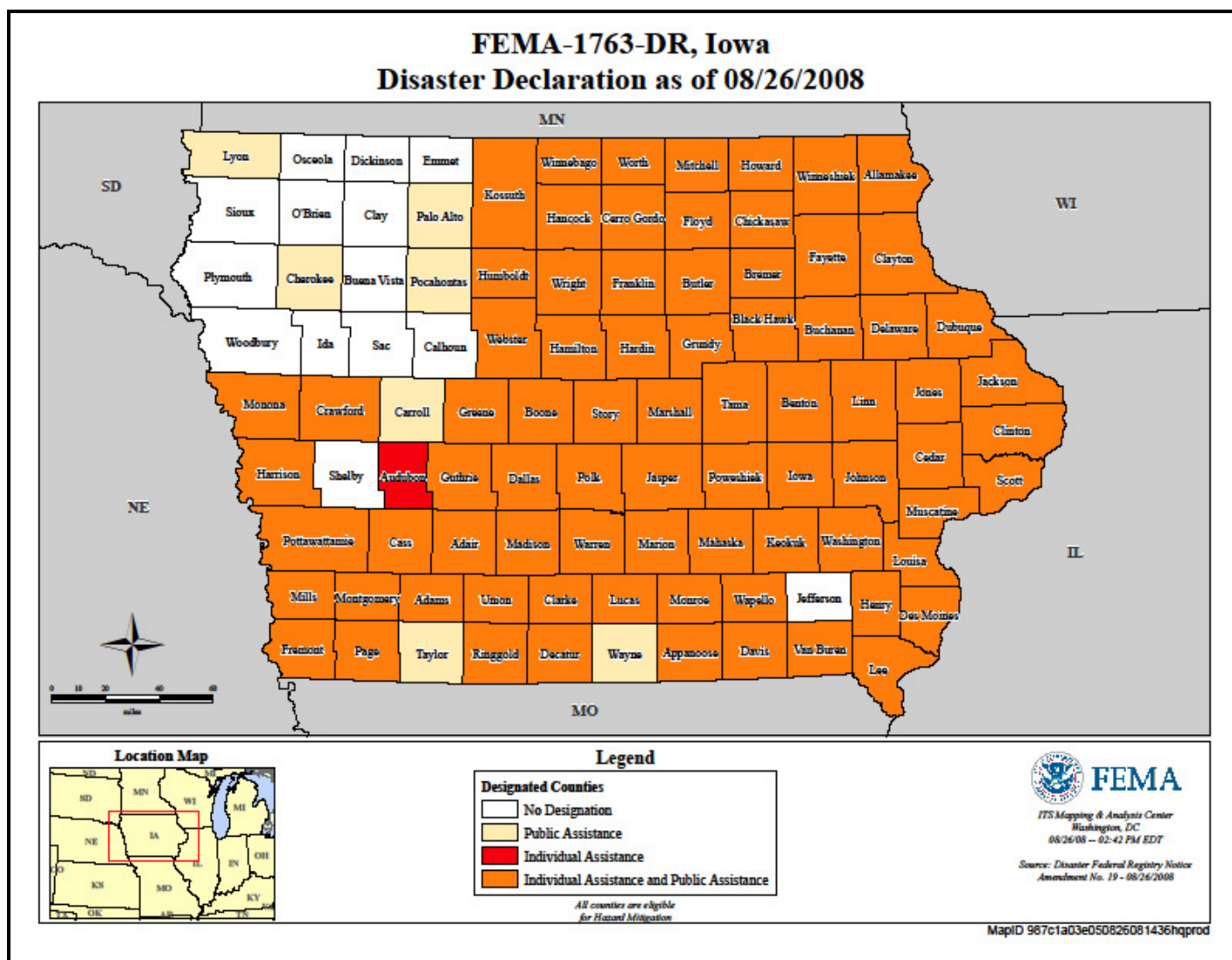


Figure 1

## PROMOTION OF SHORT- AND LONG-TERM RECOVERY PLANNING

The following immediate (short-term) and longer-term recommendations for action come from the initial 45-Day Report to the Governor from the Rebuild Iowa Commission.

### *Immediate (Short-Term) Recommendations*

- 1) Provide advice and support to individuals and families, businesses, farmers, nonprofit organizations, and others seeking assistance in making their way through the challenges of rebuilding their lives in a “case management” framework. Help will be easily accessed locally across the state for all categories of need, including:
  - ▶ Housing
  - ▶ Mental health and mental health first aid
  - ▶ Health care
  - ▶ Information on programs and assistance available
  - ▶ Completion of applications for assistance
  - ▶ Information on decision making, including protection from falling victim to unqualified contractors and fraudulent practices
  - ▶ Shortcutting local, state, and federal red tape in accessing assistance
- 2) Ensure immediate needs housing for all who need to be relocated, temporarily or permanently, before cold weather arrives.
- 3) Provide incentives immediately for Iowa’s struggling small businesses, microenterprises, and non-profits for restoration and rebuilding of their businesses.
- 4) Complete floodplain mapping for the entire state.
- 5) Identify and create funding options and provide flexibility for local and state governments to assist Iowa in rebuilding an even better Iowa.
- 6) Expedite the flow of funds from the federal level, through the state, and to the local levels of government.
- 7) Provide resources and capacity to ensure public health is maintained.

### *Subsequent (Long-Term) Recommendations*

Of course, once the initial recommendations are underway, there is an expectation that they will be supported and maintained over time. There is also an expectation that some will be developed, adjusted, and continued to the next level of implementation. The Commission also developed among its priorities a set of subsequent recommendations that will become part of the Commission’s consideration as it undertakes further work in the coming months.

- 1) Continue to provide advice and support to individuals seeking assistance in making their way through the challenges of rebuilding their lives in a “case management” framework while creating a lasting organizational capacity and process over time.
- 2) Ensure availability of adequate, affordable housing and the ability of individuals and families to rent or purchase those homes.
- 3) Provide incentives for Iowa’s struggling small businesses, microenterprises, and non-profits for restoration and rebuilding of their businesses.
- 4) Complete floodplain mapping for the entire state as begun under the immediate action items.
- 5) Identify, create, and sustain funding options and provide flexibility for local and state governments to assist Iowa in rebuilding an even better Iowa.
- 6) Invest in local emergency management agencies for the central coordination function and work in all areas of emergency management – preparedness, response, recovery, and mitigation.
- 7) Support integrated, regional planning to address recovery, and leverage multi-jurisdictional strengths for ongoing initiatives.
- 8) Promote and support communications and outreach initiatives to educate and support Iowans as they recover and plan for future disasters.
- 9) Move state policy forward and lead the discussion with regional and local interests on floodplain and watershed management.
- 10) Sustain community identity, quality of life, and cultural heritage.

## **PROMOTING HIGH QUALITY, DURABLE, ENERGY EFFICIENT, AND MOLD RESISTANT CONSTRUCTION METHODS**

All newly constructed multi-family and single-family housing must meet all locally adopted and enforced building codes, standards and ordinances. In the absence of locally adopted and enforced building codes, standards and ordinances, the requirements of the State Building Code apply. All newly constructed housing must also meet the requirements of the 2006 International Energy Efficiency Code.

All multi-family housing activities involving rehabilitation must meet all locally adopted and enforced building or housing codes, standards or ordinances. In the absence of locally adopted and enforced building or housing codes, standards or ordinances, the requirements of the State Building code apply.

The State Building Code (Department of Public Safety) has adopted the International Building Code and related publications.

All single-family housing activities involving rehabilitation must meet all locally adopted and enforced building or housing codes, standards or ordinances. In the absence of locally adopted and enforced building or housing codes, standards or ordinances, the requirements of the Iowa Minimum Housing Rehabilitation Standards apply (all communities with populations of less than 15,000). Communities with populations of 15,000 or greater are required by state law to adopt a housing code.

## **PROVISION OF ADEQUATE, FLOOD-RESISTANT HOUSING FOR ALL INCOME GROUPS THAT LIVED IN THE DISASTER-IMPACTED AREAS**

The State of Iowa will utilize a portion of its CDBG supplemental appropriation for affordable single family housing activities, including rehabilitation, homebuyer assistance and interim mortgage assistance. The Iowa Department of Economic Development will continue to coordinate and collaborate with the Iowa Finance Authority to provide funding for multifamily affordable housing in the impacted areas.

Iowa addresses its emergency shelter and transitional housing needs through its local Continuums of Care and the Balance of State Continuum of Care. The Iowa Finance Authority, through a memorandum of understanding with the Iowa Department of Economic Development, administers both the state and federal homeless programs that also provide emergency shelter and transitional housing funding to entities throughout the state. The needs of the homeless and those at risk of homelessness are being addressed through these programs.

Homeless shelters and transitional housing units in impacted areas will be eligible for assistance through the housing assistance component of this plan.

All new construction and rehabilitation must keep in mind the needs of the potential occupants of the units, particularly the needs of those with disabilities.

Iowa hopes to use its Homeless Management Information System (HMIS) as a tool to assess the needs of the individuals and families, as a way of linking them to the available services, as a record of how each family was assisted and finally as an indicator to see if needs still remain.

## METHOD OF DISTRIBUTION

The following are the activities proposed for Iowa's portion of the first \$100 million HUD disaster allocation. These were selected for immediacy of need and potential for timely project completions. The State anticipates that these and additional activities will also be funded under future allocation of the remaining \$200 million appropriated to HUD.

### HOUSING ACTIVITIES

Housing repair/rehabilitation, homebuyer assistance, and interim mortgage assistance.

Homes not slated for buyouts will receive assistance for needed rehabilitation. Households whose homes were destroyed or damaged beyond reasonable repair will be offered assistance on the down payment for replacement housing. Households who are within buyout areas will be offered assistance to maintain mortgages that would otherwise go into default, during the period before the buyout occurs.

- 1) Allocation for Activity: \$35 million will be allocated to this activity. Based on local need, each applicant will determine amounts to be spent among the sub-activities.
- 2) Eligible Applicants: Direct applicants for this activity are the HUD "Entitlement" cities of Ames, Cedar Falls, Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Waterloo, and West Des Moines, and Councils of Governments. Councils of Governments will apply on behalf of all cities and county areas (excluding the cities named above) that are Presidential-declared areas. Two or more Councils of Governments may submit a joint application for their combined regions. An Entitlement city listed above may elect to join with a Council of Governments-based region.

For Presidential-declared disaster areas outside a Council of Government region, counties may elect to apply singly, join with other counties, join with and adjacent Council of Government region. Likewise, an Entitlement city named above may join with a Council of Government, county or multi-county entity.

The intent is to provide coverage of the entire eligible area of the state. The Iowa Department of Economic Development will consult with all eligible applicants and may suggest appropriate combinations of areas.

- 3) Threshold Criteria:
  - (i). All proposed activities will take place in Presidential-declared disaster areas.
  - (ii). Application is from an eligible applicant
  - (iii). Applicant's capacity to undertake the activities
  - (iv). Applicant's area does not overlap area(s) of other selected applicants

All applicants meeting the threshold criteria will be selected.

A plan of action, following a template provided by the State, will be required from successful applicants

- 4) Allocation to Cities and Councils of Governments regions: Allocations from the amount devoted to this activity will be based on the extent of housing damage in the area. The measure that will be used for this is the amount of funds received within the applicants' jurisdictions under the FEMA Housing Assistance program, as a percentage of total FEMA Housing Assistance funds awarded.

### *Housing Buyouts – FEMA Match*

CDBG funds will be used as the 15% local match required for the FEMA home buyouts in flood-prone areas.

- 1) Allocation for Activity: \$20 million will be allocated to this activity
- 2) Eligible Applicants: Eligible applicants to the FEMA Hazard Mitigation Grant Program
- 3) Threshold criterion:
  - (i.) Receipt of an award commitment for the FEMA Hazard Mitigation Grant Program for housing buyouts.  
Criterion for Selection:
  - (ii.) Projects will be funded in order of priority determined by Iowa Homeland Security Emergency Management Division.
- 4) Grant Size limits: Limited to 15% of the total for housing buyouts in approved FEMA Hazard Mitigation Grant Programs awards.

### *New Housing Production*

Assistance will be provided to developers of new affordable rental and owner-occupied housing. These units will replace housing lost due to the disaster. The assistance may also be used for streets, sewer and water extensions linked to development of replacement housing.

- 1) Allocation for Activity: \$5 million will be allocated to this activity
- 2) Eligible Applicants: City and county governments, not-for-profit and for-profit housing developers.
- 3) Threshold criterion:
  - (i.) All projects will be located in Presidential-declared disaster counties.  
Criteria for Selection:
  - (ii.) Extent of loss of housing units in the neighborhood or community, especially those units affordable to low- and moderate income households.
  - (iii.) Capability and experience of the applicant
  - (iv.) Program subsidy cost per unit
  - (v.) Time frame for completion of housing units
  - (vi.) Proportion of units affordable to low- and moderate income household
  - (vii.) For new rental housing, priority will be given to projects involving the disaster set-aside of the Low Income Housing Tax Credit program administered by the Iowa Finance Authority.

All criteria will be weighted equally.

- 4) Grant Size limits: \$60,000 per housing unit

## ECONOMIC DEVELOPMENT

### *Small Business Stimulus*

Business owners suffering physical damage or economic loss will be offered forgivable loans up to \$50,000. The purpose of these loans is to provide working capital to help ensure business survival.

- 1) Allocation for Activity: \$10 million will be allocated to this activity.
- 2) Eligible Applicants: The same eligible applicants listed under Activity A. above, “Housing repair/rehabilitation, homebuyer assistance, and interim mortgage assistance”, are the eligible applicants for this activity.

- 3) Threshold Criteria:
- (i.) Capability and experience with business assistance programs, especially disaster relief
  - (ii.) Commitment to use the following criteria for assistance to individual businesses:
    - a) Business suffered physical damage or economic loss due to the 2008 disasters.
    - b) Receipt of a disaster loan offer from the U.S. Small Business Administration (SBA)
    - c) Assistance to be provided as a forgivable loan equal to 25% of the approved SBA loan, up to \$50,000.
    - d) Commitment to re-open business within 6 month of receipt of assistance

All applicants meeting the threshold criteria will be selected.

- 4) Program Grant Size: Grants to local program operators will be based on the total approved SBA disaster loan amounts within the operator's jurisdiction, as a percent of the total SBA disaster loan amount awarded.

## PUBLIC FACILITIES AND SERVICES

### *Public Infrastructure*

This assistance is for projects that FEMA or other sources cannot fund, but which are nevertheless critical to recovery. Examples include damaged water and sewer systems, storm drainage, levees, roads and bridges.

- 1) Allocation for Activity: \$10.75 million will be allocated to this activity
- 2) Eligible Applicants: City and county governments
- 3) Threshold Criteria
  - (i.) Project will address need arising from the 2008 disaster
  - (ii.) Project is the best alternative to resolve the need

Criteria for Selection:

  - (iii.) Urgency of the need for the facility; threat to health, safety, or welfare
  - (iv.) Sufficient other local, state, or federal funds either are not available or cannot be obtained in the period required.
  - (v.) Use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low- and moderate income households.

All criteria will be weighted equally.

- 4) Grant Size limits: No single project may be awarded more than 25% of all funds available for this activity.

## ADMINISTRATION

### *State Administration*

State administration will include staff, equipment, consultant, and other operating costs involved in selection, funding, assisting, and monitoring local projects, detailed quarterly reporting to HUD, documentation of adherence to all laws, and other expenses.

- 1) Allocation for Activity: Actual expenses up to the HUD limit of 5% of funds (\$4.25 million) will be allocated to this activity.

## **CONTACT INFORMATION AND LINKS TO ENTITLEMENT CITIES AND COGS**

Contact Information for Entitlement Cities and for COGs is shown in Appendices B and C to this Plan.

## **MONITORING STANDARDS AND PROCEDURES**

The Department will utilize time-tested State of Iowa CDBG Program monitoring policies and procedures for ensuring compliance with federal guidelines. These policies and procedures are consistent with those used by HUD to monitor state-administered and entitlement programs. In addition, the office of the Auditor of State (which reports to the Governor and the Legislature) and HUD frequently perform monitoring, assessment or auditing to ensure that the Department is in compliance with state and federal rules and regulations and to assist the state in providing guidance to CDBG recipients. The CDBG Program responds to these independent internal audit functions by modifying internal and external administration of the funding.

The Department will utilize its existing monitoring process to ensure that all contracts funded under this disaster recovery allocation are carried out in accordance with federal and state laws, rules and regulations. Expenditures will be disallowed if the use of the funds does not address disaster-related needs or are clearly not for the greatest needs. In such case, the local government receiving the funding would be required to refund the amount of the grant that was disallowed.

In determining appropriate monitoring of the grant, the Department will consider prior CDBG grant administration, audit findings, as well as factors such as complexity of the project. The Department will determine the areas to be monitored, the number of monitoring visits, and their frequency. All grants will be monitored at least once on site during the life of the activity. The monitoring will address program compliance with contract provisions, including national objective, financial management, and the requirements of 24 CFR Part 85. The Department will utilize the checklists similar to those used in monitoring regular program activities.

## **STEPS THE STATE WILL TAKE TO AVOID OR MITIGATE OCCURRENCES OF FRAUD, ABUSE, AND MISMANAGEMENT**

### 1) Administration and Staffing

The Iowa Department of Economic Development has been designated by Governor Culver as the administrator of Iowa's allocation of the Supplemental Appropriations Act, 2008. Further, the State of Iowa CDBG Program, within the Division of Community Development, will provide technical assistance to local government grant recipients and undertake administrative and monitoring activities to ensure compliance with applicable federal requirements.

### 2) National Objective

All activities must meet one of the three national objectives set out in the Housing and Community Development Act (address slum and blight, urgent need, or primarily benefit LMI persons). At least 50% of the Supplemental Funding will be used for activities that meet the National Objective of primarily benefiting persons of low- and moderate-income.

### 3) Administrative Costs

Subgrantees are strongly encouraged to minimize their administrative costs so that the amount available for program activities will be maximized. To promote this goal, the amount of allowable subgrantee administrative costs will be capped at a reasonable amount for each of the various activity categories (i.e. housing repair, public facilities, business assistance), but will not exceed 10% for any of the categories. In any instance where the subgrantee believes this amount is not sufficient for their activities, they may petition the IDED to allow administrative costs in an amount up to 15 percent of the grant or contract amount.

### 4) Program Changes through Contract Amendments

All subgrantees will be encouraged to carefully plan projects that meet the stated requirements and to specify activities, associated costs, and proposed accomplishments and beneficiaries in order to reduce the need for amending contracts.

Subgrantees should contact the IDED prior to requesting an amendment or contract modification that affects the budget, activities, beneficiaries, or time frame for accomplishing the proposed activities. Should a proposed amendment result in the need for modification of the Action Plan, the state will follow the process required by HUD for amending the Action Plan.

Substantial amendments may be cause to review the entire Application submitted to determine if the project is meeting its stated goals and its timelines.

5) Documentation

The use of the disaster funding is contingent upon certain requirements, and both the state and local government will be expected to certify that these requirements will be met or carried out. The chief elected official, or designee authorized by the local governing authority of the local government applying for funds will be required to certify in writing that the grant will be carried out in accordance with applicable laws and regulations.

In addition, local governments will be required to submit or maintain documentation that fully supports the application that is submitted to the Department. Failure to document that the project is needed as a result of the disaster(s), or to mitigate the effects of future disasters, will result in an application being declared ineligible. If this discovery is made after an award has been made, the contract with the local government may be terminated and the local government may have to repay any funds received to that point.

6) Reporting

Each awarded applicant must report on a form provided by the Department on the status of the activities undertaken and the funds drawn. Additional reporting requirements (i.e., annual audits, contractual obligations and minority business enterprise reports, as applicable) will be specified in the Department's contractual agreement. Some recipients may be asked to report using the online Disaster Recovery Grant Reporting system.

7) Citizen Complaints

All subgrantees and recipients should establish procedures for responding to citizens' complaints regarding to activities carried out utilizing these funds. Citizens should be provided with an appropriate address, phone number, and times during which they may submit such complaints. Subgrantees should provide a written response to every citizen complaint within 15 working days of the complaint.

8) Regulatory Requirements

Subgrantees must comply with fair housing, nondiscrimination, labor standards, and environmental requirements applicable to the CDBG Program, as follows:

- (i) Fair Housing: Each Subgrantee will be required to take steps to affirmatively further fair housing; and when gathering public input, planning, and implementing housing related activities, will include participation by neighborhood organizations, community development organizations, social service organizations, community housing development organizations, and members of each distinct affected community or neighborhood which might fall into the assistance category of low and moderate income communities.
- (ii) Nondiscrimination: Each Subgrantee will be required to adhere to the Departments' established policies which ensure that no person be excluded, denied benefits or subjected to discrimination on the basis race, color, national origin, religion, sex, familial status, and/or physical and mental handicap under any program funded in whole or in part by Federal CDBG funds. Subgrantees will be required to document compliance with all nondiscrimination laws, executive orders, and regulations.
- (iii) Labor Standards: Each Subgrantee will be required to oversee compliance with Davis-Bacon Labor Standards and related laws and regulations. Regulations require all laborers and mechanics employed by contractors or subcontractors on CDBG funded or CDBG assisted public works construction contracts in excess of \$2,000, or residential construction or rehabilitation projects involving eight or more units be paid wages no less than those prescribed by the Department of Labor and in accordance with Davis Bacon Related Acts.
- (iv) Environmental: Specific instructions concerning environmental requirements at 24 CFR Part 58 will be made available to all Subgrantees. Some projects will be exempt from the environmental assessment process, but all Subgrantees will be required to submit a Request for Release of Funds and Certification. Funds will not be released for expenditure until the Departments are satisfied

that the appropriate environmental review has been conducted. Subgrantees will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area 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.

## **ANTI-DISPLACEMENT AND RELOCATION**

Recipients will be expected to minimize displacement of persons or entities and assist any persons or entities displaced as a result of the disasters. This is not intended to limit the ability of the recipients to conduct buyouts for destroyed and extensively damaged units or units in a flood plain.

## **ACTION PLAN AMENDMENTS**

The following events would require a substantial amendment to the Action Plan:

- ▶ Addition or deletion of any allowable activity described in the Plan;
- ▶ Change in the planned beneficiaries;

Substantial amendments to the 2008 Rebuild Iowa Disaster Recovery Action Plan, if any, will be published on the Department's website, emailed to affected units of general local government and will provide for a public comment period. All comments will be considered.

# APPENDIX A: TIMELINE OF REBUILD IOWA EVENTS AND ACTIVITIES

## INITIAL 45 DAYS

Timeline of Rebuild Iowa Events and Activities – Initial 45 Days	
July 17, 2008	Initial RIAC Meeting (Des Moines)
July 28, 2008	Housing Task Force Meeting (Des Moines) Economic and Workforce Development Task Force Meeting (West Des Moines)
July 29, 2008	Infrastructure and Transportation Task Force Meeting (West Des Moines) Education Task Force Meeting (Ankeny)
July 30, 2008	Agriculture and Environment Task Force Meeting (West Des Moines) Cultural Heritage Task Force Meeting (West Des Moines) Records Retention Task Force Meeting (West Des Moines)
July 31, 2008	RIAC Meeting (Cedar Rapids) Speak Up Iowa! Listening Session (Cedar Rapids)
August 5, 2008	RIAC Meeting (Wapello) Speak Up Iowa! Listening Session (Wapello)
August 6, 2008	Public Health and Health Care Task Force Meeting (Urbandale) Floodplain Management Task Force Meeting (West Des Moines)
August 7, 2008	Long-Term Recovery Planning Task Force Meeting (Urbandale)
August 11, 2008	Speak Up Iowa! Listening Session (Red Oak)
August 12, 2008	Speak Up Iowa! Listening Session (Fort Dodge)
August 13, 2008	Agriculture and Environment Task Force Meeting (Johnston)
August 19, 2008	RIAC Meeting (Cedar Falls) Speak Up Iowa! Listening Session (Cedar Falls)
August 25-26, 2008	RIAC Meeting (Urbandale)
August 29, 2008	RIAC Meeting (Telephonic)
September 2, 2008	45 - Day Report to The Governor and Lt. Governor

45 - Day Report to the Governor

## **APPENDIX B: LIST OF COMMUNITY DEVELOPMENT/HOUSING CONTACTS FOR ENTITLEMENT COMMUNITIES**

Vanessa Baker-Latimer  
Housing Coordinator  
**City of Ames**  
PO Box 811  
Ames, IA 50010  
Phone: 515-239-5400  
FAX: 515-239-5404  
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Michelle Langenwalter  
Housing & Community Development Specialist  
**City of Cedar Falls**  
220 Clay Street  
Cedar Falls, IA 50613  
Phone: 319-268-5168  
FAX: 319-273-8610  
Email: [Michelle.Langenwalter@cedarfalls.com](mailto:Michelle.Langenwalter@cedarfalls.com)

Jane E. Benning  
Assisted Housing Manager  
Housing Services  
**City of Cedar Rapids**  
1211 6th Street SW  
Cedar Rapids, Iowa 52404  
Phone: 319-286-5873  
FAX: 319-286-5870  
Email: [j.benning@cedar-rapids.org](mailto:j.benning@cedar-rapids.org)

Brenda Carrico  
Community Development Program Coordinator  
**City of Council Bluffs**  
209 Pearl Street  
Council Bluffs, IA 51503  
Phone: 712-328-4629  
FAX: 712-328-4915  
Email: [bcarrico@councilbluffs-ia.gov](mailto:bcarrico@councilbluffs-ia.gov)

Rita Pribyl, Senior Manager  
Community Planning & Economic Development  
**City of Davenport**  
226 W. 4<sup>th</sup> Street  
Davenport, IA 52801  
Phone: 563-326-6171  
FAX: 563-328-6714  
Email: [rip@ci.davenport.ia.us](mailto:rip@ci.davenport.ia.us)

Carolyn C. Gathright  
Department of Housing Services  
**City of Des Moines**  
100 E. Euclid, Ste 101  
Des Moines, IA 50313  
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FAX: 515-242-2844  
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Timothy R. Waddell, Division Administrator  
Community Development Division-**IDED**  
200 E. Grand Avenue  
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Phone: 515-242-4780  
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Email: [tim.waddell@iowalifechanging.com](mailto:tim.waddell@iowalifechanging.com)  
[www.iowalifechanging.com/community/](http://www.iowalifechanging.com/community/)

Susan Minks; Neighborhood Development Division  
Community Development Department

**City of Des Moines**  
602 Robert D. Ray Drive  
Des Moines, IA 50309-1881  
Phone: 515-283-4779  
FAX: 515-237-1694  
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Bob Schulte  
Federal Programs Administrator  
**City of Des Moines**  
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FAX: 515-242-2844  
Email: [raschulte@dmgov.org](mailto:raschulte@dmgov.org)

AggieTauke  
Community Development Specialist  
**City of Dubuque**  
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Dubuque, IA 52001-3656  
Phone: 563-589-4212  
FAX: 563-690-6693  
Email: [atauke@cityofdubuque.org](mailto:atauke@cityofdubuque.org)

Steve Long  
Community Development Coordinator  
Iowa City Planning & Community Development  
**City of Iowa City**  
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FAX: 319-356-5217  
Email: [Steve-Long@iowa-city.org](mailto:Steve-Long@iowa-city.org)

Jeff W. Hanson  
Planning & Neighborhood Services Division Manager  
**City of Sioux City**  
405 6<sup>th</sup> St. PO Box 447  
Sioux City, IA 51102  
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Cell: 712-898-4503  
FAX: 712-279-0183  
Email: [jeffhanson@sioux-city.org](mailto:jeffhanson@sioux-city.org)

Rudy D. Jones  
Community Development Director  
**City of Waterloo**  
620 Mulberry St.  
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Christine Gordon  
Housing Planner  
Community & Economic Development Department  
**City of West Des Moines**  
4200 Mills Civic Parkway Suite 2E  
West Des Moines, IA 50265  
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FAX: 515-273-0603  
Email: [Christine.Gordon@wdm-ia.com](mailto:Christine.Gordon@wdm-ia.com)

## APPENDIX C: CONTACT LIST FOR COUNCILS OF GOVERNMENT

Tom Masey, Director

**Upper Explorerland Regional Planning Commission (UERPC)**

134 West Greene Street, P.O. Box 219

Postville, IA 52162

563/864-7551 (FAX 563/864-7535)

E-Mail: [uerpc@acegroup.cc](mailto:uerpc@acegroup.cc)

(Allamakee, Clayton, Fayette, Howard, Winneshiek Counties)

Joe Myhre, Director

**North Iowa Area Council of Governments (NIACOG)**

525 Sixth Street SW

Mason City, IA 50401

641/423-0491 (FAX 641/423-1637)

E-Mail: [niacog@niacog.org](mailto:niacog@niacog.org)

(Cerro Gordo, Floyd, Franklin, Hancock, Kossuth, Mitchell, Winnebago, Worth Counties)

Ted Kourousis, Interim Director

**Northwest Iowa Planning and Development Commission (NWIP&DC)**

217 West 5<sup>th</sup> Street, P.O. Box 1493

Spencer, IA 51301

712/262-7225 (FAX 712/262-7665)

E-Mail: [ted.kourousis@nwipdc.org](mailto:ted.kourousis@nwipdc.org)

(Buena Vista, Clay, Dickinson, Emmet, Lyon, O'Brien, Osceola, Palo Alto, Sioux Counties)

Jane Gilbert & Dwight Lang, Co-Directors

**Siouxland Interstate Metropolitan Planning Council (SIMPICO)**

1122 Pierce Street, P.O. Box 1077

Sioux City, IA 51102

712/279-6286 (FAX 712/279-6920)

E-Mail: [simpico@simpico.org](mailto:simpico@simpico.org)

(Cherokee, Dakota, Dixon, Ida, Monona, Plymouth, Woodbury Counties)

Cliff Weldon, Director

**Midas Council of Governments (MIDAS)**

602 – 1<sup>st</sup> Avenue, South

Fort Dodge, IA 50501

515/576-7183 (FAX 515/576-7184)

E-Mail: [cweldon-midas@dodgenet.com](mailto:cweldon-midas@dodgenet.com)

(Calhoun, Hamilton, Humboldt, Pocahontas, Webster, Wright Counties)

Marty Wymore, Director

**Region Six Planning Commission**

905 E. Main Street, Ste. A

Marshalltown, IA 50158

641/752-0717 (FAX 641/752-9857)

E-Mail: [mwymore@region6planning.org](mailto:mwymore@region6planning.org)

(Hardin, Marshall, Poweshiek, Tama Counties)

Sharon Juon, Director

**Iowa Northland Regional Council of Governments (INRCOG)**

229 East Park Avenue

Waterloo, IA 50703

319/235-0311 (FAX 319/235-2891)

E-Mail: [sjuon@inrcog.org](mailto:sjuon@inrcog.org)

(Black Hawk, Bremer, Buchanan, Butler, Chickasaw, Grundy Counties)

Kelley Deutmeyer, Director

**East Central Intergovernmental Association (ECIA)**

3999 Pennsylvania Avenue, Ste. 200

Dubuque, IA 52002

563/556-4166 (FAX 563/556-0348)

E-Mail: [kdeutmeyer@ecia.org](mailto:kdeutmeyer@ecia.org)

(Cedar, Clinton, Delaware, Dubuque, Jackson Counties)

Denise Bulat, Director

**Bi-State Regional Commission**

1504 Third Avenue

P.O. Box 3368

Rock Island, IL 61204-3368

309/793-6300 (FAX 309/793-6305)

E-Mail: [dbulat@bistateonline.org](mailto:dbulat@bistateonline.org)

(Muscatine, and Scott Counties)

Doug Elliott, Director  
**East Central Iowa Council of Governments (ECICOG)**  
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(Benton, Iowa, Johnson, Jones, Linn, Washington Counties)

Rick Hunsaker, Director  
**Region XII Council of Governments**  
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P.O. Box 768  
Carroll, IA 51401  
712/792-9914 (FAX 712/792-1757)  
E-Mail: [rhunsaker@region12cog.org](mailto:rhunsaker@region12cog.org)  
(Audubon, Carroll, Crawford, Greene, Guthrie, Sac, Dallas Counties)

MJ Broomfield, Director  
**Southwest Iowa Planning Council (SWIPCO)**  
1501 S.W. 7<sup>th</sup> Street  
Atlantic, IA 50022  
712/243-4196 (FAX 712/243-3458)  
E-Mail: [swipco@metc.net](mailto:swipco@metc.net)  
(Cass, Fremont, Harrison, Mills, Montgomery, Page, Pottawattamie, Shelby Counties)

Timothy J. Ostroski, Director  
**(SICOG) Southern Iowa Council of Governments**  
101 E. Montgomery St.  
P.O. Box 102  
Creston, IA 50801-0102  
641/782-8491 (FAX 641/782-8492)  
E-Mail: [sicog@sicog.com](mailto:sicog@sicog.com)  
(Adams, Clarke, Decatur, Madison, Ringgold, Taylor, Union Counties)

Ellen Foudree, Director  
**Area 15 Regional Planning Commission**  
651 Indian Hills Drive, Bldg. 17  
P.O. Box 1110  
Ottumwa, IA 52501  
641/684-6551 (FAX 641/684-4894)  
E-Mail: [area15rpc@ihcc.cc.ia.us](mailto:area15rpc@ihcc.cc.ia.us)  
(Davis, Jefferson, Keokuk, Mahaska, Van Buren and Wapello Counties)

Brian Tapp, Director  
**(SEIRPC) Southeast Iowa Regional Planning Commission**  
200 Front St., Ste. 400  
P.O. Box 397  
Burlington, IA 52601  
319/753-5107 (FAX 319/754-4763)  
E-Mail: [btapp@seirpc.com](mailto:btapp@seirpc.com)  
(Des Moines, Henry, Lee, Louisa Counties)

Paul F. Mullen, Director  
**(MAPA) Metropolitan Area Planning Agency**  
2222 Cumings  
Omaha, NE 68102  
402/444-6866 (FAX 402/342-0949)  
E-Mail: [mapa@mapacog.org](mailto:mapa@mapacog.org)  
(Mills and Pottawattamie Counties)

Tracy Daughterty-Miller, Director  
**Chariton Valley Planning & Development**  
Historical Courthouse Square District  
205 ½ N. 13<sup>th</sup> Street  
Centerville, IA 52544  
641/437-4359 (FAX 641/437-1161)  
E-Mail: [tmiller@charitonvalleyplanning.com](mailto:tmiller@charitonvalleyplanning.com)  
(Appanoose, Lucas, Monroe and Wayne Counties)

Tom Kane, Director  
**Central Iowa Regional Transportation Planning Alliance**  
6200 Aurora Ave., Ste. 300W, Merle Hay Centre  
Urbandale, IA 50322-2866  
515/334-0075 (FAX 515/334-0098)  
(Boone, Dallas, Jasper, Madison, Marion, Story, Polk and Warren Counties) \*Not a COG, but represent the counties in Central Iowa

## **APPENDIX D: WAIVERS APPROVED TO DATE**

A complete list of the waivers approved to date can be found in the September 11, 2008 Federal Register, page \_\_\_\_\_.

Following is a summary of the approved waivers. Refer to the Federal Register for the complete language on the approved waivers.

- ▶ Waiving 70% required overall benefit to LMI – adjusted to 50%
- ▶ Waiving requirement to distribute to units of local government only
- ▶ Waiving required consistency with consolidated plan
- ▶ Waiving Action Plan requirements; substituting an Action Plan for Disaster Recovery
- ▶ Waiving certain citizen participation requirements to streamline the process
- ▶ Waiving administration cap to allow up to 5%
- ▶ Waiving annual reporting requirements; substituting quarterly reporting
- ▶ Waiver to allow new housing construction
- ▶ Waiver allowing homeownership assistance to persons up to 120% of median income
- ▶ Limited waiver of anti-pirating provisions for business assistance
- ▶ Waiver of certain URA and relocation requirements
- ▶ Waiver to allow state flexibility on requirements re: program income
- ▶ Waiver of standard certifications; substituting alternative certifications
- ▶ Waiver allowing reimbursement for pre-agreement costs

## **APPENDIX E: DEPARTMENTS' RESPONSE TO PUBLIC COMMENT**

## **APPENDIX F: CERTIFICATIONS FOR STATE GOVERNMENTS, WAIVER AND ALTERNATIVE REQUIREMENT**

**In accordance with the applicable statutes and the regulations governing the consolidated plan and the Supplemental Appropriations Act, 2008, the State certifies that:**

- a) The state certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. (See 24 CFR 570.487(b)(2).)
- b) The state certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan in connection with any activity assisted with funding under the CDBG program.
- c) The state certifies its compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms, if required by that Part.
- d) The state certifies that the Action Plan for Disaster Recovery is authorized under state law and that the state, and any entity or entities designated by the state, possesses the legal authority to carry out the program for which it is seeking funding, in accordance with applicable HUD regulations and this Notice.
- e) The state certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24, except where waivers or alternative requirements are provided for this grant.
- f) The state certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR Part 135.
- g) The state certifies that it is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.115 (except as provided for in notices providing waivers and alternative requirements for this grant), and that each unit of general local government that is receiving assistance from the state is following a detailed citizen participation plan that satisfies the requirements of 24 CFR 570.486 (except as provided for in notices providing waivers and alternative requirements for this grant).
- h) The state certifies that it has consulted with affected units of local government in counties designated in covered major disaster declarations in the nonentitlement, entitlement and tribal areas of the state in determining the method of distribution of funding;
- i) The state 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, and restoration of infrastructure in areas covered by a declaration of major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of recent natural disasters.
  - 2) With respect to activities expected to be assisted with CDBG disaster recovery 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 disaster recovery funds shall principally benefit low- and moderate-income families in a manner that ensures that at least 50 percent of the amount is expended for activities that benefit such persons during the designated period.
  - 4) The state will not attempt to recover any capital costs of public improvements assisted with CDBG disaster recovery 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) The state certifies 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) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.
- k) The state certifies that it has and that it will require units of general local government that receive grant funds to certify that they have adopted and are enforcing:
  - 1) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent 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 non-violent civil rights demonstrations within its jurisdiction.
- l) The state certifies that each state grant recipient or administering entity has the capacity to carry out disaster recovery activities in a timely manner, or the state has a plan to increase the capacity of any state grant recipient or administering entity that lacks such capacity.
- m) The state certifies that it will not use CDBG disaster recovery funds for any activity in an area delineated as a special flood hazard area 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.
- n) The state certifies that it will comply with applicable laws.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title