

RESILIENT COMMUNITIES PROGRAM APPLICATION GUIDE



TEXAS GENERAL LAND OFFICE
COMMUNITY DEVELOPMENT & REVITALIZATION
CDBG-MIT

PURPOSE OF THIS DOCUMENT

This document is the main resource for governmental entities interested in the Resilient Communities Program (RCP). The document includes detailed information on grant categories, eligibility requirements, and how to apply. Prospective applicants are encouraged to review this document prior to applying, as well as during the creation and submission of an application. This document also includes important preliminary information regarding the steps following the application, including the award, contract, performance requirements, and reimbursement process. Prospective applicants are encouraged to review these sections to know what to expect after the application submission.

PROGRAM OVERVIEW

The Texas General Land Office (GLO) allocated up to \$100 million in Community Development Block Grant Mitigation (CDBG-MIT) funds for the Resilient Communities Program (RCP). RCP funds the development, adoption, and implementation of resilient building codes, flood damage prevention ordinances, zoning ordinances, comprehensive plans, and land use plans. Additionally, RCP funds an array of public service activities related to resilience.

The maximum grant amount is \$300,000 per applicant. For more information, view the Eligibility Requirements and the Performance Requirements sections. Proposed costs must be necessary, reasonable, and allocable to the RCP grant category or categories.

Program launch date is June 1, 2022. The end date is six (6) years from the launch. Applications will be processed on a continuous basis throughout the life of RCP, or until all funds have been exhausted.

At least 50% of the RCP budget will be used to address mitigation needs in the CDBG-MIT Most Impacted and Distressed (MID) areas identified by the United States Department of Housing and Urban Development (HUD). These areas are herein referred to as, “HUD MID areas”.

At least \$5,000,000 of the RCP budget will be used for public service activities that principally benefit low-and-moderate income (LMI) persons¹.

CONTACT INFORMATION

To learn more about the Resilient Communities Program, stay up to date with program updates, and start an RCP application, visit our website, linked below. Feel free to contact us with any questions you may have, using the email address or phone number, also below.

RCP Website: <https://recovery.texas.gov/rcp>

¹ An LMI person is defined by Section 102(a)(20) of the HCDA as a person in a family or an individual with annual income equal to or less than HUD’s Section 8 Low Income Limit, which is generally 80 percent of an area’s median family income adjusted for household size



Email: rcp.glo@recovery.texas.gov

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Communities are encouraged to also learn about RCP's companion program, the Local Hazard Mitigation Plans Program (LHMPP), which is actively accepting applications. Visit LHMPP's web page at recovery.texas.gov/mitigation/lhmpp.



GRANT CATEGORIES

Applicants can apply to one or more of the following grant categories:

BUILDING CODE

This grant category funds the development, adoption, and implementation of modern and resilient building codes. Building codes are the primary mechanism for communities to regulate the design and construction of new buildings and the renovation of existing buildings.

Building Codes must meet specific performance requirements: see the Performance Requirements section for more information.

FLOOD DAMAGE PREVENTION ORDINANCE

This grant category/eligible activity funds the development, adoption, and implementation of resilient flood damage prevention ordinances. This ordinance provides the framework for regulating what and how to build in a floodplain. Adopting such ordinance is a requirement for participating in FEMA's National Flood Insurance Program (NFIP). Exceeding the minimum ordinance requirements can make a community eligible to participate in the Community Rating System (CRS), which in turn can reduce the flood insurance premiums paid by a community's property owners.

Flood Damage Prevention Ordinances must meet specific performance requirements: see the Performance Requirements section for more information.

COMPREHENSIVE PLAN

This grant category/eligible activity funds the development and adoption of forward-looking Comprehensive Plans. These plans take the community goals and aspirations and formalize them into actionable policies that determine what can be built within a certain jurisdiction and where. Comprehensive plans themselves serve as guiding documents that provide the framework by which regulatory structures are created.

Comprehensive Plans must meet specific performance requirements: see the Performance Requirements section for more information.

LAND USE PLAN

This grant category/eligible activity funds the development and adoption of forward-looking Land Use Plans. These plans lay out the high-level distribution of existing and future land and their uses. Land-use plans also reflect long-term decisions pertaining to transportation, housing, and overall community development.

Land Use Plans must meet specific performance requirements: see the Performance Requirements section for more information.

ZONING ORDINANCE



This grant category/eligible activity funds the development, adoption, and implementation of Zoning Ordinances. These ordinances take the ideas outlined in the land use/comprehensive plans and codifies them into a legally binding development regulation.

Zoning Ordinances must meet specific performance requirements: see the Performance Requirements section for more information.

PUBLIC SERVICE ACTIVITIES

This grant category funds the execution of two types of public service activities: 1) Public Information activities leading to CRS credits, and 2) Education and Outreach activities to increase community knowledge around resilience.

(1) Public Information Activities Leading to CRS Credits: these are a specific set of activities detailed in the CRS Coordinator’s Manual². CRS is a voluntary incentive program for communities participating in the National Flood Insurance Program (NFIP). By completing one or more of these activities, an NFIP-participating community acquires CRS credits, which in turn can reduce the flood insurance premiums paid by a community’s property owners. An overview of the CRS Public Information activities is also available in the [Appendix B](#) of this document.

(2) Other Education and Outreach Activities: these are activities that focus on alerting communities and beneficiaries about opportunities to mitigate identified risks through insurance, best practices, and other strategies. Unlike Public Information Activities Leading to CRS Credits, which focus solely on flooding, these activities can also address other risk types, such as wildfires, drought, tornadoes, and winter weather³.

Public Service Activities must meet specific performance requirements: see the Performance Requirements section for more information.

² Public Information Activities are described in Series 300 (page 300-1 through 370-14) of the CRS Coordinator’s Manual, National Flood Insurance Program Community Rating System, FIA-15/2017, FEMA, available at: https://www.fema.gov/sites/default/files/documents/fema_community-rating-system_coordinators-manual_2017.pdf

³ For a list of all significant current and future disaster risks in the State of Texas, refer to the “State of Texas CDBG Mitigation (CDBG-MIT) Action Plan Amendment 1: Building Stronger for a Resilient Future” (p. 47-162), available at: <https://recovery.texas.gov/documents/action-plans/mitigation/mitigation-sap-amend-1.pdf>



REQUIREMENTS

ELIGIBILITY REQUIREMENTS

All applicants must meet the following eligibility requirements. GLO will verify the fulfillment of such requirements BEFORE an application can be deemed eligible. The information needed to verify the satisfaction of these requirements will be collected via the RCP application and, if needed, via an RFI.

Eligibility Requirements for All Grant Categories

- Applicant must be a City, County, Federally Recognized Tribe, or Council of Governments (COG).
- Applicant must have legal authority to adopt and enforce the proposed code/plan/ordinance. Note: COGs can apply on behalf of jurisdictions that have such legal authority.
- Applicant/beneficiary must be located in a Most Impacted and Distressed (MID) county or ZIP code⁴.
- Applicant cannot request more than \$300,000 throughout the lifetime of RCP.
- Applicant must demonstrate capacity to administer grant funds and complete the proposed work on time or describe how they will procure assistance to do so.
- Applicant must list any existing building codes, ordinances, and local and/or regional plans (if applicable)—including county or regional level hazard mitigation plans—and describe how those existing regulations and planning efforts relate to the project for which funding is requested.

For Public Service Activities grant category only

- Proposed public service activities must meet one of the following CDBG-MIT National Objectives:
 - Principally benefit LMI persons:
in order to meet this objective, applicant must demonstrate that at least 51 percent of the people served by the public service activity are LMI individuals. If the public service activity is intended to benefit all residents of a particular community, in order to meet this objective, at least 51 percent of those residents must be classified as LMI.
 - Urgent Need Mitigation:
In order to meet this objective applicant must demonstrate that the public service activities will result in measurable and verifiable reductions in the risk of loss of life and property from future disasters and yield community development benefits

⁴ These are counties and ZIP codes that received a federal disaster declaration in the 2015 Floods (DR-4223 and 4245), the 2016 Floods (DR-4266, DR-4269 and DR-4272), Hurricane Harvey (DR-4332), or the 2018 South Texas Floods (DR-4377). The list of MID counties and ZIP codes is included in the State of Texas CDBG-MIT Action Plan (p.307-316), available at <https://recovery.texas.gov/action-plans/mitigation/index.html>. Information on MID areas is also included in the [Appendix A](#) to this guide.



AFFH REQUIREMENTS

In order to assist applicants for U.S. Department of Housing and Urban Development (HUD) funding, GLO has established a series of elements and information regarding Fair Housing for applicants to prepare and consider in the development of their applications, programs, and projects.

Further, applicants may receive requests for technical assistance from individuals or groups representative of persons of low- and moderate-income that request assistance in developing proposals (including proposed strategies and actions to affirmatively further fair housing). Applicant strategies must be ready for such or similar requests. Finally, well developed strategies, actions, and citizen participation will expedite application and individual project reviews and, in-turn, release authorization to use funds more promptly. Recognizing that each project/plan and community is different and comes with its own unique circumstances, needs, and considerations, applicants are expected to candidly and objectively assess as much information as possible such that the determinative factors differ between and inform project choices.

Applicants must 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.

Applicant must also identify those activities already achieved to further fair housing, those activities to be undertaken if an award is made by CDBG-MIT, and when that activity will be complete.

Viable options to Affirmatively Further Fair Housing:

- Developing a strategy to pass a Fair Housing Ordinance
- Passing a Fair Housing Ordinance
- Initiating a Fair Housing counseling service
- Assisting Fair Housing groups
- Establishing a local complaint and monitoring process
- Providing Housing Choices outside historically minority and/or LMI neighborhoods
- Assisting Housing Projects that are racially mixed
- Enforcing Fair Housing Guidelines that are equivalent to a Fair Housing Ordinance
- Adopting and distributing Fair Housing practices
- Designating a Fair Housing Month
- Holding a special hearing to solicit input from the community
- Publishing the contact information – at the local, state, and federal levels – for reporting a Fair Housing complaint
- Developing policies and procedures that take the location of protected classes into account when deciding where to locate undesirable infrastructure improvements
- Other – Describe your process and how it affirmatively furthers fair housing

All proposed RCP applications will undergo an Affirmatively Further Fair Housing (AFFH) review by the GLO before final approval. Such review will include assessments of:

- A proposed project's/plan area demography,



- Socioeconomic characteristics,
- Housing configuration and needs,
- Educational, transportation, and health care opportunities,
- Environmental hazards or concerns; And
- All other factors material to the AFFH determination.

