

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

June 5, 2019

City of Houston,
Housing and Community Development Department (HCDD)
2100 Travis, 9th Floor
Houston, TX 77002
(832) 394-6183/(832) 394-6018

REQUEST FOR RELEASE OF FUNDS

On or about **Thursday, June 13, 2019**, on behalf of the Houston Housing Authority (HHA), the City of Houston's Housing and Community Development Department will submit a request to the Texas General Land Office (GLO), who is acting in the role of the U.S. Department of Housing and Urban Development (HUD) for the release of the following funds:

Community Development Block Grant Disaster Recovery Round 2.2 (CDBG-DR) funds authorized by Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, (Public Law 110-329), enacted on September 30, 2008, as amended.

to undertake a project known as:

Project Title: Winrock Apartments (Acquisition)

Location: 1950 Winrock Boulevard (a.k.a. 2030 Winrock Blvd.), Houston, Harris County, Texas 77057

Purpose of Project: Acquisition of the Winrock Apartments by the Houston Housing Authority (HHA) for use as mixed-income housing. The property lies outside the 100 and 500-year floodplain. The complex contains a total of 19 two-story apartment buildings and one two-story Clubhouse, with 197,425 net rentable square feet. There are 227 living units at this property. Per HCAD the abbreviated legal description of this property is TRS 4 Block 6, Harris County, Texas.

This project will entail federal acquisition of an existing apartment complex for use as mixed-income housing.

Please note that this project entails straight acquisition with plans for minor, cosmetic renovations.

All funding will go to acquisition, and only to acquisition.

While an ASTM E1527-13 Phase I Environmental Site Assessment (ESA) completed in May 2019 found no evidence of on-site or off-site Recognized Environmental Conditions (RECs) with a potential to adversely impact the subject property, including a Lead-Based Paint Free Certification, due to the age of the apartment complex (1976), asbestos is assumed to be present on site.

As a condition of this acquisition, all asbestos will be appropriately handled, encapsulated, and removed when necessary according to Operations & Maintenance (O & M) Plan that address this substance when any future maintenance, rehab, or construction work is performed. All federal, state, and local requirements for asbestos must be followed when handling, encapsulating, or removing this substance, and all recommendations of the Phase I ESA must be followed in the handling, encapsulation, or removal of this substance.

Standard maintenance and care at the apartment is expected to prevent mold, but if any should arise, it will need to be addressed, treated, and mitigated accordingly per all applicable federal, state, and local requirements. It is highly recommended to follow the existing mold and moisture management plan for the property.

While no significant, major rehab is planned at this time or in the foreseeable future, if any significant rehab is performed in the future at any date while the property is HHA-owned, and there is any chance of displacement, any resident facing potential displacement will need to be relocated according to all requirements of the Uniform Relocation Act (URA), and the relocation plan in place for this property, which must be followed as a condition of HUD federal funding, will ensure said URA compliance. Additionally, any future rehab to the HHA property that impacts trees or the roof will need to be evaluated by a consultant so that compliance with the Migratory Bird Treaty Act is assured.

Grant No.: **B-08-DI-48-0001**

Amount of HUD Funding Requested: **\$20,000,000.00**

\$40,000,000.00—\$20,000,000.00 HUD/DR2 funds plus the additional funding is \$20,000,000.00 non-federal (\$15,000,000.00 bank financing and \$5,000,000.00 common equity). There will be no tax credits or any other soft monies coming from Harris County or TDHCA.

Please note that while the estimated cost of expected upcoming renovations (minor and cosmetic) is approximately \$1.5 million, none of this activity will be federally funded. This activity will have no potential to disturb asbestos.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58.35(a)(5) from National Environmental Policy Act requirements. This project could not convert to exempt most notably due to the asbestos mitigation requirements of the O & M plan for any potential future rehab post-acquisition, and also the conditions surrounding any potential future post-acquisition mold management, relocation, and Migratory Bird Treaty Act compliance while the property is owned by the HHA. Hence a public notice is required and a Request for Release of Funds (RROF) must be sent to GLO, acting in the role of HUD. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at the City of Houston, Housing and Community Development Department, 2100 Travis, 9th Floor, and may be examined or copied weekdays 8 A.M. to 5 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments to the City of Houston, Housing and Community Development Department, ATTN: Environmental Review Officer, 2100 Travis,

9th Floor, Houston, Texas 77002. All comments received by the close of **Wednesday, June 12, 2019** will be considered by the City of Houston prior to authorizing submission of a request for release of funds.

ENVIRONMENTAL CERTIFICATION

The City of Houston certifies to GLO, acting in the role of HUD that Sylvester Turner, in his capacity as Mayor, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. GLO's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Houston Housing Authority, as grant recipient, to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

GLO will consider objections to its release of funds and the City of Houston certification received by the close of **Friday, June 28, 2019** or a period of fifteen days from its receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer or other officer of the City of Houston approved by GLO/HUD; (b) the City of Houston has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to: Texas General Land Office – Community Development and Revitalization at P.O. Box 12873, Austin, Texas 78711-2873. Potential objectors should contact the GLO to verify the actual last day of the objection period.

Sylvester Turner, Mayor
City of Houston

