



### ESTADO LIBRE ASOCIADO DE PUERTO RICO

### **GOBIERNO MUNICIPAL**

Guayanilla, Puerto Rico 00656

## OFICINA DEL ALCALDE HON. NELSON TORRES YORDÁN

9 de marzo de 2018

Sr. Fernando Gil Enseñat Secretario Departamento de la Vivienda

## RE: PROPUESTA DEL MUNICIPIO DE GUAYANILLA PARA USOS FONDOS CDBG - DR 2017

Reciban mi saludo y agradecimiento por darnos la oportunidad de exponer ante ustedes las estrategias que hemos desarrollado para adelantar el proceso de recuperación de nuestro pueblo de Guayanilla.

### I. HISTORIA

El 27 de febrero del 1833 Don Miguel De La Torre Gobernador y Capitán General de la isla de Puerto Rico, autorizó la creación del municipio de Guayanilla. Entre sus fundadores había franceses, italianos, venezolanos y peninsulares, en su mayoría catalanes. La vida municipal de Guayanilla comenzó en 1834.

### II. DATOS GENERALES

a. Superficie: 109,9 km<sup>2</sup>

b. Elevación: 49 m

c. Población: 21, 581.00

d. Ingreso per cápita: \$6,803.00

e. Desempleo: 18.7 %

### III. BARRIOS

a. El municipio está compuesto por diecisiete barrios: Pasto, Jagua Pasto, Barrero, Macaná, Quebrada Honda, Sierra Baja, Llano, Consejo, Quebradas, Jaguas, Magas, Cedro, Pueblo, Rufina, Indios, Playa y Boca.

### IV. UBICACIÓN GEOGRAFICA:

- a. Norte Adjuntas
- b. Sur Mar Caribe
- c. Este Peñuelas



### d. Oeste - Yauco

Nuestra historia nos muestra que desde su origen la facilidad de acceso a través de la bahía y siendo el valle que nos rodea tierra fértil, permitió a los vecinos cultivar la caña de azúcar en la costa y la siembra de café en las montañas, convirtiendo a Guayanilla en un territorio agrícola y próspero. Por esta razón se desarrollaron famosas haciendas de caña y café en los distintos barrios del pueblo; como lo fueron las Haciendas Fortuna, Rufina, San Colombano, Anita, Formalidad, entre otras.

Hoy precisamente el recurso agua y el impacto que históricamente ha tenido en nuestro pueblo nos da la base para la ponencia que presentamos ante ustedes y los proyectos e iniciativas que planteamos para tomar control sobre nuestro presente y poder planificar correctamente el desarrollo económico y social de nuestro pueblo.

### v. TRANSFONDO

Como todos sabemos tras la devastación causada por el paso de los huracanes Irma y María por nuestro territorio, sumado a la difícil situación económica que enfrenta el Gobierno de Puerto Rico y el impacto directo que esto tiene en los municipios. Se ha convertido en la prioridad de todos, la búsqueda de alternativas para impulsar el desarrollo económico y social de nuestro país a través de un proceso planificado y ordenado de recuperación y la inversión en áreas de infraestructura y vivienda,

A través del "SUPLEMENTAL APPROPIATIONS FOR DISASTER REQUIREMENTS 2017(Pub. L 115-56)" del 8 de septiembre de 2017, el Congreso de los Estados unidos asignó la cantidad de \$ 7.4 billones de dólares bajo el Programa de Community Development Block Grant Disaster Recovery (CDBG-DR) del Departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (HUD) para las jurisdicciones declaradas como zonas de desastre en los Estados Unidos. Dentro de esta asignación Puerto Rico tendrá acceso a \$ 1, 205, 743, 200.00 billones de dólares en fondos que permitirán atender necesidades no cubiertas bajo otros programas públicos y privados.

Como parte de los requisitos de esta legislación el Gobierno de Puerto Rico tiene que presentar ante HUD un Plan de Acción que detalle entre otros; el uso propuesto para los fondos asignados, criterios de elegibilidad, así como de qué forma se suplirán las necesidades de vivienda, infraestructura y recuperación económica.

Reconociendo la importancia de los municipios en cualquier Plan de Acción que se proponga para adelantar el proceso de recuperación de nuestro país hemos sido invitados por el Departamento de la Vivienda Estatal y Federal a participar en el proceso de vistas públicas requerido por Ley para desarrollar el mencionado Plan de Acción.

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Federal Register/Vol. 83, No. 28/Friday, February 9, 2018/Notices

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6066-N-01]

Allocations, Common Application, Waivers, and Alternative Requirements for 2017 Disaster Community Development Block Grant Disaster Recovery Grantees

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

SUMMARY: This notice allocates \$7.39 billion in Community Development Block Grant disaster recovery (CDBG- DR) funds appropriated by the Supplemental Appropriations for Disaster Relief Requirements, 2017, for the purpose of assisting in long-term recovery from 2017 disasters. This notice describes applicable waivers and alternative requirements, relevant statutory provisions for grants provided under this notice, the grant award process, criteria for action plan approval, and eligible disaster recovery activities. Given the extent of damage to housing in the eligible disaster areas and the very limited data at present regarding unmet infrastructure and economic revitalization needs, this notice requires each grantee to primarily consider and address its unmet housing recovery needs.

**DATES:** Applicability Date: February 14, 2018

### Allocations

The Supplemental Appropriations for Disaster Relief Requirements, 2017 (Pub. L. 115–56), approved September 8, 2017 (Appropriations Act) makes available \$7.4 billion in Community Development Block Grant disaster recovery (CDBG – DR) funds for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) (HCD Act) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the "most impacted and distressed" areas (identified by HUD using the best available data) resulting from a major disaster declared in 2017.

This notice allocates \$7,390,000,000 in CDBG–DR funds to assist in long-term recovery from 2017 disasters. In addition to the funds allocated in this notice, and in accordance with the Appropriations Act, \$10,000,000 will be transferred to the Department's Office of Community Planning and Development (CPD), Program



Office Salaries and Expenses, for necessary costs of administering and overseeing CDBG-DR funds made available under the Appropriations Act. This notice requires each grantee to primarily consider and address its unmet housing recovery needs. A grantee may also allocate funds to address unmet economic revitalization and infrastructure needs, but in doing so, the grantee must identify how unmet housing needs will be addressed or how its economic revitalization or infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas.

The law provides that grants shall be awarded directly to a State; local Indian tribes will be provided pursuant to the requirements of the Indian Community Development Block Grant program. To comply with statutory direction that funds be used for disaster-related expenses in the most impacted and distressed areas, HUD allocates funds using the best available data that cover all of the eligible affected areas.

TABLE 1—ALLOCATIONS UNDER PUBLIC LAW 115-56

Disaster No.	Grantee	Allocation	Minimum amount that must be expended for recovery in the HUD-identified "most impacted and distressed" areas
4336, 4339	Commonwealth of Puerto Rico.	1, 205, 743 ,200.00	Toa Baja, Canovanas, San Juan, Arecibo, Ponce, Bayamon, Caguas, Humacao, Vega Baja, Mayaguez, Corozal, Añasco, Toa Alta, Guayama, Naranjito, Juana Diaz, Salinas, Morovis, Carolina, Aguada, Yabucoa, Barranquitas, Rio Grande, Dorado, Cayey, Guaynabo, Vega Alta, Comerio, Loiza, Manatí, Ciales, Aibonito, Aguadilla, Santa Isabel, Orocovis, Coamo, Cidra, Juncos, Utuado, Naguabo, Trujillo Alto, Barceloneta, Las Piedras, Hatillo, Patillas, Gurabo, Cataño, San Sebastián, San Lorenzo, Aguas Buenas, Moca, Villalba, Isabela, Arroyo, Adjuntas, Camuy, Fajardo, Maunabo, Yauco, Lares  Municipios; 00650, 00624, 00765, 00656, 00664, 00678, 00773, 00677,

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00735, 00623, 00670, 00660, 00667,
00683, 00606, 00653 Zip Codes.

Pursuant to the Appropriations Act, HUD has identified the most impacted and distressed areas based on the best available data for all eligible affected areas. Other than the United States Virgin Islands, at least 80 percent of the total funds provided to the grantees under this notice must address unmet disaster needs within the HUD-identified most impacted and distressed areas, as identified in the last column in Table 1.

Grantees, other than the United States Virgin Islands, may determine where to use the remaining 20 percent of the allocation, but that portion of the allocation may only be used to address unmet disaster needs in those areas that the State determines are "most impacted and distressed" and received a presidential major disaster declaration pursuant to the disaster numbers listed in Table 1.

Grantees that received an allocation pursuant to Public Law 114–113, 114–223, 114–254, or 115–31 ("Prior Appropriations") must submit an action plan for disaster recovery not later than 90 days after the effective date of this notice. All other grantees receiving an allocation under this notice must submit an action plan not later than 120 days after the effective date of this notice. HUD will only approve action plans that meet the specific requirements identified in this notice under section VI, "Applicable Rules, Statutes, Waivers, and Alternative Requirements.



### Use of Funds

Grants under the Appropriations Act are only available for activities authorized under title I of the HCD Act related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from an eligible disaster. The Appropriations Act requires that prior to the obligation of CDBG-DR funds a grantee shall submit a plan detailing the proposed use of all funds, including criteria for eligibility, and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas. Therefore, grantees may only use funds for activities included in the action plan that are approved by the Secretary for disaster recovery that: (1) Are authorized under title I of the HCD Act or allowed by a waiver or alternative requirement published in this notice; and (2) respond to a disaster-related impact to infrastructure, housing, or economic revitalization in the most impacted and distressed areas. To inform the plan, grantees must conduct an assessment of community impacts and unmet needs to guide the development and prioritization of planned recovery activities, pursuant to paragraph A.2.a. in section VI below.

Grantees are advised that pursuant to this notice, CDBG-DR funds may not be used for activities reimbursable by or for which funds are made available by the Federal

Emergency Management Agency (FEMA) or the US Army Corps of Engineers (USACE). As such, the grantee must verify whether FEMA or USACE funds are available prior to awarding CDBG-DR funds to specific activities or beneficiaries.

Consistent with the policy framework of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), HUD is underscoring that disaster recovery is a partnership between Federal, state and local government, and reminding CDBG-DR grantees they should invest in their own recovery. This Notice does not limit, except as required by Public Law 105–276, the use of CDBG-DR funds toward the state or local contribution for other Federal programs (e.g., FEMA Public Assistance). However, HUD expects grantees to financially contribute to their recovery through the use of reserve or "rainy day" funds, borrowing authority, or retargeting of existing financial resources.

a. Action Plan. The action plan must identify the proposed use of all funds, including criteria for eligibility, and how the uses address necessary expenses related to disaster relief, long- term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2017. Funds dedicated for uses not described in accordance with paragraphs b. or c. under this section will not be obligated until the grantee submits, and HUD approves, an action plan amendment programming the use of those funds, at the necessary level of detail.

### The action plan must contain:

- (1) An impact and unmet needs assessment. Each grantee must develop a needs assessment to understand the type and location of community needs and to target limited resources to those areas with the greatest need. Grantees receiving an allocation under this notice must conduct a needs assessment to inform the use of CDBG-DR funds. Grantees must cite data mapping Grantees may use HUD's **AFFH** sources. affht/) or the CPD Mapping tool (https://egis.hud.gov/ egis.hud.gov/cpdmaps/) to inform their analysis. At a minimum, the needs assessment must:
  - Evaluate all aspects of recovery including housing (interim and permanent, owner and rental, single- family and multifamily, affordable and market rate, and housing to meet the needs of persons who were homeless pre-disaster), infrastructure, and economic revitalization;
  - Estimate unmet needs to ensure CDBG-DR funds meet needs that are not likely to be addressed by other sources of funds by accounting for the various forms of assistance available to, or likely



to be available to, affected communities (e.g., projected FEMA funds) and individuals (e.g., estimated insurance) and use the most recent available data to estimate the portion of need unlikely to be addressed by insurance proceeds, other Federal assistance, or any other funding sources (thus producing an estimate of unmet need);

- Assess whether public services (e.g., housing counseling, legal counseling, job training, mental health, and general health services) are necessary to complement activities intended to address housing, infrastructure, and economic revitalization and how those services are to be made accessible to individuals having wideranging disabilities including mobility, sensory, developmental, emotional, and other impairments;
- Describe the extent to which expenditures for planning activities will benefit the HUD-identified most impacted and distressed areas;
- Describe impacts geographically by type at the lowest level practicable (e.g., county level, zip code, neighborhood, or census tract); and
- Take into account the costs of incorporating mitigation and resilience measures to protect against the anticipated effects of future extreme weather events and other natural hazards and long-term risks.

HUD has developed a Disaster Impact and Unmet Needs Assessment Kit to guide CDBG- DR grantees through a process for identifying and prioritizing critical unmet needs for long-term community recovery. The Kit is available on the HUD Exchange website at: <a href="https://www.hudexchange.info/resources/documents/Disaster\_Recovery\_Disaster\_Impact\_Needs\_Assessment\_Kit.pdf">https://www.hudexchange.info/resources/documents/Disaster\_Recovery\_Disaster\_Impact\_Needs\_Assessment\_Kit.pdf</a>.

(2) A description of the connection between identified unmet needs and the allocation of CDBG-DR resources. Grantees must propose an allocation of CDBG-DR funds that primarily considers and addresses unmet housing needs. Grantees may also allocate funds for economic revitalization and infrastructure activities, but in doing so, must identify how any remaining unmet housing needs will be addressed or how its economic revitalization and infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas. Grantee action plans may provide for the allocation of funds for administration and planning activities and for public service activities, subject to the caps on such activities as described below.

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- (3) Each grantee must include a description of how it will identify and address the rehabilitation, reconstruction, replacement, and new construction of housing and shelters in the areas affected by the disaster. This includes any rental housing that is affordable to low- or moderate-income households as provided for in B.34 of section VI of this notice; public housing as provided for in B.33 of Section VI of this notice; emergency shelters and housing for the homeless; private market units receiving project-based assistance or with tenants that participate in the Section 8 Housing Choice Voucher Program; and any other housing that is assisted under a HUD program.
- (4) A description of how the grantee's programs will promote housing for vulnerable populations, including a description of activities it plans to address: (a) The transitional housing, permanent supportive housing, and permanent housing needs of individuals and families (including subpopulations) that are homeless and at-risk of homelessness; (b) the prevention of low- income individuals and families with children (especially those with incomes below 30 percent of the area median) from becoming homeless; and (c) the special needs of persons who are not homeless but require supportive housing (e.g., elderly, persons with disabilities, persons with alcohol or other drug addiction, persons with HIV/ AIDS and their families, and public housing residents. Grantees must also assess how planning decisions may affect members of protected classes, racially and ethnically concentrated areas, as well as concentrated areas of poverty; will promote the availability of affordable housing in low-poverty, nonminority areas where appropriate; and will respond to natural hazard- related impacts. Grantees are reminded that the use of recovery funds must meet accessibility standards, provide reasonable accommodations to persons with disabilities, and take into consideration the functional needs of persons with disabilities in the relocation process. Guidance on relocation considerations for persons with disabilities may be found in Chapter 3 of HUD's Relocation Handbook 1378.0 (available on the HUD Exchange website at: https://www.hud.gov/program\_offices/ administration/hudclips/handbooks/ cpd/13780). A checklist of accessibility requirements under the Uniform Federal Accessibility Standards (UFAS) is available at: http://www.hudexchange.info/resources/796/ufas-accessibilitychecklist/. The HUD Deeming Notice.79 FR 29671 (May 23, 2014) explains when HUD recipients can use 2010 ADA Standards with exceptions, as an alternative to UFAS to comply with Section 504.
- (5) A description of how the grantee plans to minimize displacement of persons or entities, and assist any persons or entities displaced.
- (6) A description of the maximum amount of assistance available to a beneficiary under each of the grantee's disaster recovery programs. A grantee may find it necessary to provide exceptions on a case-by-case



basis to the maximum amount of assistance and must describe the process it will use to make such exceptions in its action plan. At minimum, each grantee must adopt policies and procedures that communicate how it will analyze the circumstances under which an exception is needed and how it will demonstrate that the amount of assistance is necessary and reasonable.

- (7) A description of how the grantee plans to: Promote sound, sustainable long-term recovery planning informed by a post-disaster evaluation of hazard risk, especially construction standards and land-use decisions that reflect responsible floodplain and wetland management and take into account continued sea level rise, if applicable; and coordinate with other local and regional planning efforts to ensure consistency. This information should be based on the history of FEMA flood mitigation efforts and take into account projected increase in sea level (if applicable) and the frequency and intensity of precipitation events.
- (8) A description of how the grantee plans to adhere to the advanced elevation requirements established in paragraph B.32.e of section VI of this notice. Grantee decisions to elevate structures in a particular neighborhood or local government must be cost reasonable relative to other alternatives strategies, such as demolition of substantially-damaged structures with reconstruction of an elevated structure on the same site, property buyouts, or infrastructure improvements to prevent loss of life and mitigate future property damage.

The action plan should include an estimate of the average costs associated with elevating structures (updated as additional information becomes available through subsequent action plan amendments) and provide a description of how it will document on a neighborhood or local government level that elevation, as opposed to alternative strategies, is cost reasonable to promote a community's long-term recovery.

(9) A description of how the grantee will: (a) Design and implement programs or activities with the goal of protecting people and property from harm; (b) emphasize high quality, durability, energy efficiency, sustainability, and mold resistance; (c) support adoption and enforcement of modern and/or resilient building codes and mitigation of hazard risk, including possible sea level rise, high winds, storm surge, and flooding, where appropriate; and (d) implement and ensure compliance with the Green Building standards required in paragraph B.32.a of section VI of this notice. All rehabilitation, reconstruction, and new construction should be designed to incorporate principles of sustainability, including water and energy efficiency, resilience, and mitigating the impact of future disasters. Whenever feasible, grantees should follow best practices such as those provided by the U.S. Department of Energy's Guidelines for Home

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Energy Professionals—Professional Certifications and Standard Work Specifications found at <a href="https://energy.gov/eere/wipo/guidelines-home-energy-professionals-standards-work-specifications">https://energy.gov/eere/wipo/guidelines-home-energy-professionals-standards-work-specifications</a>. HUD also encourages grantees to implement green infrastructure policies to the extent practicable.

(10) Additionally, a grantee using grant funds for infrastructure must include a description of how the proposed infrastructure activities will advance long-term resilience to natural hazards and how the grantee intends to align these investments with other planned State or local capital improvements. Grantees should describe how preparedness and mitigation measures will be integrated into rebuilding activities and how the grantee will promote community-level and/or regional (e.g. multiple local jurisdictions) post-disaster recovery and mitigation planning.

Grantees must also describe how they will address the construction or rehabilitation of storm water management systems in flood impacted areas. State grantees must work with local governments in the most impacted and distressed areas to identify the unmet needs and associated costs of needed storm water infrastructure improvements.

- (11) A description of the grantee's proposed use of CDBG-DR funds to develop a disaster recovery and response plan that addresses long-term recovery and pre- and post-disaster hazard mitigation, if one does not currently exist.
- (12) A description of how the grantee will leverage CDBG-DR funds with funding provided by other Federal, State, local, private, and nonprofit sources to generate a more effective and comprehensive recovery. Examples of other Federal sources are those provided by HUD, FEMA (specifically the Public Assistance Program, Individual Assistance Program, Permanent Housing Construction Repair, where applicable, and Hazard Mitigation Grant Program), SBA (specifically the Disaster Loans program), Economic Development Administration, USACE, and the U.S. Department of Agriculture. The grantee should seek to maximize the outcomes of investments and the degree to which CDBG funds are leveraged. Grantees shall identify leveraged funds for each activity, as applicable, in the DRGR system.
- (13) A description of the standards to be established for construction contractors performing work in the jurisdiction and a mechanism for homeowners and small business owners to challenge construction work that does not meet these standards. HUD strongly encourages the grantee to require a warranty period post-construction, which includes a formal notification that is provided to homeowners on a periodic basis (e.g., 6 months and one month prior to expiration date of the warranty).

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- b. Funds Awarded Directly to a State. For State grantees, the action plan shall describe the method of distribution of funds to local governments and Indian tribes and/or descriptions of specific programs or activities the grantee will carry out directly. The description must include:
- c. Clarification of disaster-related activities. All CDBG-DR funded activities must clearly address an impact of the disaster for which funding was allocated. Given standard CDBG requirements, this means each activity must:
  - (1) Be a CDBG-eligible activity (or be eligible under a waiver or alternative requirement in this notice);
  - (2) meet a national objective; and
  - (3) address a direct or indirect impact from the major disaster in a Presidentially-declared county. A disaster-related impact can be addressed through any eligible CDBG- DR activity. Additional details on disaster-related activities are provided under section VI, parts B through D. Additionally, HUD has developed a series of CDBG-DR toolkits that guide grantees through specific grant implementation activities. These can be found on the HUD Exchange website athttps://www.hudexchange.info/programs/cdbg-dr/toolkits/.
  - (1) Housing. Typical housing activities include new construction and rehabilitation of single-family or multifamily units. Most often, grantees use CDBG-DR funds to rehabilitate damaged homes and rental units. However, grantees may also fund new construction (see paragraph B.32 of section VI of this notice) or rehabilitate units not damaged by the disaster if the activity clearly addresses a disaster related impact and is located in a disaster-affected area. This impact can be demonstrated by the disaster's overall effect on the quality, quantity, and affordability of the housing stock and the resulting inability of that stock to meet post-disaster needs and population demands. Grantees are also required to coordinate with HUD-certified housing counseling organizations to ensure information and services are made available to both renters and homeowners. Additional information for each grantee is available here: https://apps.hud.gov/offices/hsg/sfh/ hcc/hcs.cfm? web action=summary.
  - (2) Economic Revitalization. The attraction, retention and return of businesses and jobs to a disaster impacted area is critical to long term recovery. Accordingly, for CDBG-DR purposes, economic revitalization may include any CDBG-DR eligible activity that demonstrably restores and improves some aspect of the local economy through the attraction, retention and return of businesses and jobs. The activity may address job losses, or negative impacts to tax revenues or businesses. Examples of eligible activities include providing loans and grants to businesses to carry out eligible economic development activities, funding job training, making improvements to commercial/retail districts, and financing other efforts that attract/retain workers in devastated communities. All economic revitalization activities must address an economic impact(s) caused by the

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disaster (e.g., loss of jobs, loss of public revenue). Through its needs assessment and action plan, the grantee must clearly identify the economic loss or need resulting from the disaster, and how the proposed activities will address that loss or need. In proposing the use of CDBG-DR funds for economic revitalization under this notice, a grantee must identify how any remaining unmet housing needs will be addressed or how its economic development activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas.

- (3) Infrastructure. Typical infrastructure activities include the rehabilitation, replacement, or relocation of damaged public facilities and improvements including, but not limited to, bridges, water treatment facilities, roads, sewer and water lines, and storm water management systems. In proposing an allocation of CDBG–DR funds under this notice for infrastructure, a grantee must identify how any remaining unmet housing needs will be addressed or how its infrastructure activities will contribute to the long-term recovery and restoration of housing in the most impacted and distressed areas.
- (4) Preparedness and Mitigation. To ensure that CDBG-DR funds are used for authorized disaster recovery purposes, all assisted activities must respond to the impacts of the declared disaster identified in Table 1. HUD encourages grantees to incorporate preparedness and mitigation measures into CDBG-DR assisted activities to rebuild communities that are more resilient to future disasters. Mitigation measures that are not incorporated into those rebuilding activities must be a necessary expense related to disaster relief or long term recovery that responds to the eligible disaster.

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<sup>34.</sup> Addressing Unmet Affordable Rental Housing Needs. The grantee must identify in its action plan how it will address the rehabilitation, reconstruction, replacement, and new construction rental housing that is affordable to low- and moderate-income households in the most impacted and distressed areas and ensure that adequate funding from all available sources, including CDBG-DR grant funds, are dedicated to addressing the unmet needs identified in its action plan pursuant to paragraph A.2.a.3 of section VI of this notice. To meet the low-moderate housing national objective, affordable rental housing funded under this notice must be rented to a low- and moderate-income person at affordable rents. The grantee must impose a minimum affordability period of twenty (20) years enforced with recorded use restrictions or other mechanisms to ensure that rental housing remains affordable for the required period of time. The action plan must, at a minimum, provide (1) a definition of "affordable rents"; (2) the income limits for tenants of rental housing; (3) and minimum affordability period of twenty (20) years.

35. Housing incentives in disaster affected communities. Incentive payments are generally offered in addition to other programs or funding (such as insurance), to encourage households to relocate in a suitable housing development or an area promoted by the community's comprehensive recovery plan. For example, a grantee may offer an incentive payment (possibly in addition to a buyout payment) for households that volunteer to relocate outside of floodplain or to a lower-risk area.

37. Acquisition of real property; flood and other buyouts. Grantees under this notice are able to carry out property acquisition for a variety of purposes. However, the term "buyouts" as referenced in this notice refers to acquisition of properties located in a floodway or floodplain that is intended to reduce risk from future flooding or the acquisition of properties in Disaster

Risk Reduction Areas as designated by the grantee and defined below. HUD is providing alternative requirements for consistency with the application of other Federal resources commonly used for this type of activity. Grantees are encouraged to use buyouts strategically, as a means of acquiring contiguous parcels of land for uses compatible with open space, recreational, natural floodplain functions, other ecosystem restoration, or wetlands management practices. To the maximum extent practicable, grantees should avoid circumstances in which parcels that could not be acquired through a buyout remain alongside parcels that have been acquired through the grantee's buyout program. Grantees are reminded that real property acquisition with CDBG – DR funding, including buyout, is subject to the URA, including the real property acquisitions requirements at 49 CFR part 24, subpart B, as modified at paragraph A.23 of section VI of this notice.

43. Requirements for flood control structures. Grantees that use CDBG-DR funds to assist flood control structures (i.e., dams and levees) are prohibited from using CDBG-DR funds to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. Grantees that use CDBG-DR funds for levees and dams are required to: (1) Register and maintain entries regarding such structures with the U.S. Army Corps of Engineers National Levee Database or National Inventory of Dams; (2) ensure that the structure is admitted in the U.S. Army Corps of Engineers PL 84-99 Rehabilitation Program (Rehabilitation Assistance for Non-Federal Flood Control Projects); (3) ensure the structure is accredited under the FEMA National Flood Insurance Program; (4) enter into DRGR system the exact location of the structure and the area served and protected by the structure; and (5) maintain file documentation demonstrating that the grantee has conducted a risk assessment prior to funding the flood control structure and documentation that the investment includes risk reduction measures.



As with prior CDBG-DR appropriations, HUD is not obligated to allocate funds for all major disasters declared in 2017. HUD is directed to use the funds "in the most impacted and distressed areas." HUD has implemented this directive by limiting CDBG-DR formula allocations to jurisdictions with major disasters that meet two standards:

- (1) Individual Assistance/IHP designation. HUD has limited allocations to those disasters where FEMA had determined the damage was sufficient to declare the disaster as eligible to receive Individual and Households Program (IHP) funding.
- (2) Concentrated damage. HUD has limited the allocations to counties and zip codes with high levels of damage, collectively referred to as "most impacted areas". For this allocation, HUD is using the amount of serious unmet housing need as its measure of concentrated damage and limits the data used for the allocation only to counties exceeding a "natural break" in the data for their total amount of serious unmet housing needs. For purposes of this allocation, the serious unmet housing needs break occurs at \$10 million for counties and \$2 million for Zip Codes for the Commonwealth of Puerto Rico (Puerto Rico) and the United States Virgin Islands (Virgin Islands). The calculation for serious unmet housing needs are described below.

These allocations are thus based on the unmet costs to repair seriously damaged properties in most impacted areas. These do not capture expected resiliency costs, although grantees may choose to use the CDBG funds for resiliency expenses. The estimated damage is based on the following factors:

- (1) Repair estimates for seriously damaged owner-occupied units without insurance (with some exceptions) in most impacted areas after FEMA and SBA repair grants or loans;
- (2) Repair estimates for seriously damaged rental units occupied by renters with income less than 50% of Area Median Income in most impacted areas; and
- (3) Repair and content loss estimates for small businesses with serious damage denied by SBA.

### Methods for Estimating Unmet Needs for Housing

The data HUD staff have identified as being available to calculate unmet needs for qualifying disasters come from the FEMA Individual Assistance program data on housing-unit damage as of November 8, 2017 for Texas and Florida and as of December 22, 2017 for Puerto Rico and the Virgin Islands.



The core data on housing damage for both the unmet housing needs calculation and the concentrated damage are based on home inspection data for FEMA's Individual Assistance program, and supplemented by SBA data from its Disaster Loan Program. HUD calculates "unmet housing needs" as the number of housing units with unmet needs times the estimated cost to repair those units less repair funds already provided by FEMA and SBA.

For Puerto Rico and the Virgin Islands, owner damage is calculated based on both real property and personal property on findings by HUD that this likely is a more accurate estimate of serious homeowner damage in those areas. For these owner-occupied units, the damage grouping would be the higher damage categorization based on the calculation above or:

- Minor-Low: Less than \$2,500 of FEMA inspected personal property damage
- Minor-High: \$2,500 to \$3,499 of FEMA inspected personal property damage
  - Major-Low: \$3,500 to \$4,999 of FEMA inspected personal property damage or 1 to 4 feet of flooding on the first floor
  - $\bullet$  Major-High: \$5,000 to \$8,999 of FEMA inspected personal property damage or 4 to 6 feet of flooding on the first floor
- Severe: Greater than \$9,000 of FEMA inspected personal property damage or

determined destroyed and/or 6 or more feet of flooding on the first floor

To meet the statutory requirement of "most impacted" in this legislative language, homes are determined to have a most impacted or serious level of damage if they have damage of "major-low" or higher. Furthermore, a homeowner is determined to have unmet needs if they reported damage and no insurance to cover that damage and was outside the 1% risk flood hazard area. For all disasters, for homeowners inside the flood hazard area, only homeowners without insurance below 120% of Area Median Income are included in the estimated unmet needs.

FEMA does not inspect rental units for real property damage so personal property damage is used as a proxy for unit damage. Each of the FEMA inspected renter units are categorized by HUD into one of five categories:

- Minor-Low: Less than \$1,000 of FEMA inspected personal property damage
- Minor-High: \$1,000 to \$1,999 of FEMA inspected personal property damage
  - Major-Low: \$2,000 to \$3,499 of FEMA inspected personal property damage or 1 to 4 feet of flooding on the first floor

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- Major-High: \$3,500 to \$7,499 of FEMA inspected personal property damage or 4 to 6 feet of flooding on the first floor
- Severe: Greater than \$7,500 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor for rental properties, to meet the statutory requirement of "most impacted" in this legislative language, homes are determined to have a high level of damage if they have damage of "major-low" or higher. That is, they have a FEMA personal property damage assessment of \$2,000 or greater or flooding over 1 foot.

Furthermore, landlords are presumed to have adequate insurance coverage unless the unit is occupied by a renter with income less than 50% of Area Median Income. Units are occupied by a tenant with income less than 50% of Area Median Income are used to calculate likely unmet needs for affordable rental housing. In Puerto Rico and the Virgin Islands, units are occupied by a tenant with income less than the greater of the Federal poverty level or 50% of Area Median Income are used to calculate likely unmet needs for affordable rental housing. The average cost to fully repair a home for a specific disaster to code within each of the damage categories noted above is calculated using the average real property damage repair costs determined by the Small Business Administration for its disaster loan program for the subset of homes inspected by both SBA and FEMA for each eligible disaster.

JA 1

Because SBA is inspecting for full repair costs, it is presumed to reflect the full cost to repair the home, which is generally more than the FEMA estimates on the cost to make the home habitable. For each household determined to have unmet housing needs (as described above), their estimated average unmet housing need less assumed assistance from FEMA and SBA was calculated for Puerto Rico and the Virgin Islands: \$38,249 for major damage (low); \$41,595 for major damage (high); and \$66,066 for severe damage. Methods for Estimating Unmet Economic Revitalization Needs Based on SBA disaster loans to businesses, HUD calculates the median real estate and content loss by the following damage categories for each state:

- Category 1: real estate + content loss = below 12,000
- Category 2: real estate + content loss = 12,000–30,000
- Category 3: real estate + content loss = 30,000-65,000
- Category 4: real estate + content loss = 65,000–150,000
- Category 5: real estate + content loss = above 150,000

For properties with real estate and content loss of \$30,000 or more, HUD calculates the estimated amount of unmet needs for small businesses by multiplying the median damage estimates for the categories above by the number of small businesses denied an SBA loan, including those denied a loan prior to inspection due to inadequate credit or income (or a decision had not

been made), under the assumption that damage among those denied at preinspection have the same distribution of damage as those denied after inspection. Allocation Calculation Once eligible entities are identified using the above criteria, the allocation to individual grantees represent their proportional share of the estimated unmet needs. For the formula allocation, HUD calculates total serious unmet recovery needs as the aggregate of:

- Serious unmet housing needs in most impacted counties or countyequivalents
  - Serious unmet business needs For Texas, HUD announced an allocation on November 17, 2017, that reflected the 100% calculation of serious unmet housing and business needs as calculated using the methods above less \$57.8 million allocated from an earlier appropriation. For Florida, HUD announced an allocation on November 8, 2017, that reflected a 100% calculation of serious unmet housing and business needs. Data were not available for Puerto Rico and the Virgin Islands until late December 2017.

The remaining funds (\$1.7 billion of \$7.4 billion appropriated) are significantly less than the calculated serious unmet housing and business needs, and thus the allocations are only 57% of the estimated serious unmet housing and business needs for Puerto Rico and the Virgin Islands.

### VII. CONTEXTO

Históricamente el municipio de Guayanilla ha sido afectado en su capacidad y potencial de crecimiento económico, ampliación de oportunidades de vivienda y desarrollo de infraestructura por estar ubicado la mayor parte de su territorio desarrollable en zonas identificadas como inundables.

Esta condición en repetidas ocasiones ha detenido el interés de inversiones en proyectos de desarrollo económico y vivienda, por los altos costos de pre desarrollo y desarrollo que representa el construir en zonas inundables. Proyectos de mayor escala o volumen en nuestra área, como lo han sido potenciales desarrollos de vivienda de interés social han perdido su viabilidad económica por los altos costos relacionados a la construcción. Pero a la misma vez proyectos dirigidos a otros mercados de ingresos no han podido ser desarrollados, por razón de la alta tasa de desempleo y los bajos niveles de ingreso per cápita de nuestros residentes. Elementos causados principalmente por el impacto en el desarrollo económico de nuestra ciudad que representa para nuestros ciudadanos el que la mayoría de sus áreas desarrollables estén clasificadas como zonas inundables.

Al mismo tiempo la amplia clasificación de terrenos como zonas inundables en nuestro territorio a través del tiempo ha imposibilitado el mejoramiento de la calidad de vida de nuestros residentes en su carácter personal, por los altos costos relacionados a la construcción, mejoras y /o rehabilitación de vivienda



propia que tienen su origen en los requisitos para diseño, consultas, permisos, seguros y construcción de vivienda individual a nuestros ciudadanos.

Los problemas causados por la falta de canalización del Rio Guayanilla es otro elemento que históricamente ha afectado el desarrollo de nuestro Municipio. Durante el paso del Huracán María el Rio Guayanilla se salió en dos ocasiones separadas de su cauce afectando comercios, infraestructura y residencias de nuestro casco urbano (VER FOTOS). Pero esto lamentablemente no es un efecto aislado del Huracán María.

De un trabajo de investigación que recientemente hemos estado realizando, podemos presentar ante ustedes evidencia fotográfica y videos de que al menos desde 1975 por razón de la Tormenta Eloísa y posteriormente en los años 1998 - Huracán George y las lluvias de octubre de 2012 nuestro casco urbano ha sufrido daños similares en las áreas de vivienda, comercio, educación e infraestructura. Los estimados de pérdidas de negocio en nuestro casco urbano pueden superar los \$ 25 millones de dólares, si sumamos a esto las pérdidas que el municipio enfrenta en áreas como puentes y carreteras, infraestructura, utilidades, equipos y facilidades recreativas donde nuestros estimados iniciales rondan los \$ 8.5 millones (VER ANEJO) y las pérdidas de vivienda individual donde casi 2000 residencias sufrieron los embates de los Huracanes Irma y María. Podrán entender la grave situación que enfrentamos.

## 57

### TOTAL DE VIVIENDAS AFECTADAS

Pérdida Total	Perdidas de Techo	Perdidas Mobiliario	
248	589	1,100	
		10	
	Total	1,937	

**Nota**: Las pérdidas de mobiliarios incluye pérdidas de lavadoras, verjas, piso, camas mojadas, ropa mojada, muebles mojados, televisores mojados, puertas rotas, ventanas rotas, árboles encima de techos, casas inundadas, entre otros.

Ante este cuadro y el impacto directo que todo lo anterior tiene en las finanzas municipales y nuestra capacidad de continuar ofreciendo servicios a nuestros ciudadanos es que hoy me presento ante ustedes. Para a nombre de la buena gente de nuestro pueblo de Guayanilla solicitar que a través de la asignación de fondos CDBG-DR que el Departamento de la Vivienda y Desarrollo Urbano Federal ha puesto a la disposición del Gobierno de Puerto Rico, se viabilicen asignaciones de fondos para atender las áreas de vivienda e infraestructura en nuestro pueblo.

### \$ 60 millones

### 1. Canalización Rio Guayanilla

- a. Revisión planos
  - i. Consultas y permisos
  - ii. Compra y/o expropiación de terrenos
  - iii. Construcción

### 2. Vivienda

\$ 30 millones

- a Desarrollo proyecto de nueva construcción para venta o alquiler que viabilice la reubicación de familias con residencias en áreas inundables y/o afectadas por Huracán María
  - i. Compra terrenos, desarrollo y construcción de finca en el Barrio Quebradas, perteneciente a PRIDCO.
  - ii. Desarrollo de vivienda de interés social en solar propiedad del municipio, ubicado en Calle Barbosa al lado Alcaldía, frente al residencial Padre Nazario.

### b. Estorbos públicos

- i. Adquisición de terrenos y estructuras
- ii. Demoliciones
- iii. Permisología y diseño
- iv. Desarrollo de estructuras de dos plantas para el mercado de venta o alquiler accesible a personas sin hogar o en riesgo de perder su hogar
  - 1. Primer piso comercial
  - 2. Segundo piso residencial
- c. Programa de Rehabilitación de vivienda afectada por los huracanes para personas con titularidad.
  - Se propone el fortalecimiento de corporación municipal para el desarrollo de las fases construcción y mejoras de proyecto. Abaratando así los costos de construcción y viabilizando el que se maximicen los recursos disponibles.
  - ii. Establecimiento de gravámenes hipotecarios para garantizar la correcta utilización de las asignaciones, el beneficio directo por personas elegibles afectadas y evitar la especulación.



i. Establecimiento de condiciones restrictivas para garantizar la ocupación por sus residentes actuales y evitar la especulación.

ii. Fortalecimiento corporación municipal para desarrollo fase construcción y mejoras de proyecto

### IX. CONCEPTO

Los proyectos e iniciativas propuestas permitirán a nuestra administración atender la necesidad de vivienda en nuestra jurisdicción, pero a la misma vez viabilizar el desarrollo económico y social del pueblo de Guayanilla.

Nuestra realidad es que si no trabajamos con la canalización del Rio Guayanilla, la problemática de zonas clasificadas como inundables y el reducir la exposición a los repetidos daños a que estamos expuestos por la falta de proyectos de control de inundaciones en nuestro pueblo. Recurrentemente estaremos enfrentando los mismos problemas e invirtiendo dineros y recursos en áreas propensas a que se repitan los mismos daños y pérdidas.

El invertir en la canalización del Rio Guayanilla contribuirá al desarrollo de nuestro pueblo a corto, mediano y largo plazo. A la vez que promoverá el desarrollo de más y mejores oportunidades de vivienda para nuestros ciudadanos.

Las estrategias y proyectos que proponemos en el área de vivienda viabilizan un amplio abanico de oportunidades y el desarrollo económico en Guayanilla, ofreciendo opciones en el área de vivienda de alquiler, nueva construcción de residencias de interés social y a precios de mercado, la rehabilitación de estructuras y el desarrollo comercial.

La asignación de estos recursos permitirá a nuestra administración atender de inmediato las necesidades de nuestro pueblo, ofreciendo opciones para la inversión pública y privada, la creación de empleos y nuevas oportunidades de negocios a empresas locales existentes o de nueva creación, mejorando así la calidad de vida de nuestro pueblo.

Mediante los fondos solicitados el Municipio podrá promover iniciativas junto con los sectores público y privado a nivel Estatal y Federal para el pareo de fondos en actividades elegibles para HUD, que viabilizaran la consecución de las metas propuestas.



Las iniciativas propuestas promoverán las siguientes oportunidades en el área de vivienda:

- 1. Nueva Construcción
- 2. Alquiler
- 3. Rehabilitación
- 4. Adquisición y desarrollo de solares baldíos y/o estructuradas abandonadas
- 5. Vivienda para personas sin hogar y/o transicional
- 6. Opciones de viviendas para personas sin ingresos o limitados ingresos para evitar ciudadanos sin hogar.
- 7. Diseño y construcción de vivienda para personas con necesidades especiales
- 8. Oportunidades de vivienda para envejecientes
- 9. Oportunidades de desarrollo de áreas comerciales integradas a zonas residenciales

Estamos preparados para que a su conveniencia podamos sentarnos con su equipo de trabajo a discutir todas y cada una de estas iniciativas en detalle y confiamos que en su proceso de evaluación se pongan primero las necesidades del pueblo. Ya que ustedes al igual que yo, somos parte del liderato al cual nos ha tocado enfrentar, coordinar y dirigir el gran reto de la reconstrucción de nuestro país.

Juntos debemos trabajar para ofrecer a nuestros conciudadanos más amplias y mejores oportunidades de desarrollo, así como la opción real de una mejor calidad de vida.

Cordialmente;

Melson Torres Yordán

Alcalde

Municipio Guayanilla

# STORM ELOISA 1975

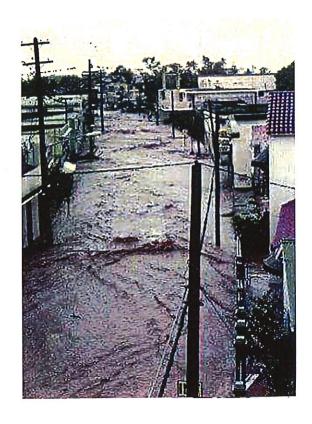


# STORM ELOISA 1975











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# HURRICANE GEORGE SEPTEMBER 1998



# HURRICANE GEORGE SEPTEMBER 1998









# OCTOBER RAINS 2012



# OCTOBER RAINS 2012















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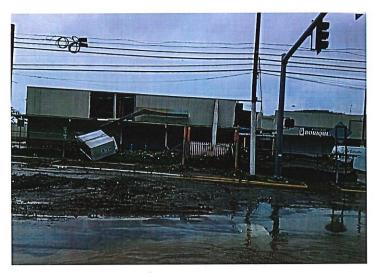


THE TORRENTIAL RAINS CAUSED UNPRECEDENT FLOODS IN OUR MUNICIPALITY OF GUAYANILLA. THE SPREAD ALONG LUIS MUÑOZ RIVERA STREET, THE MORNING BY THE MUNICIPALITY OF YABUCOA. THE RESIDENTIAL PADRE NAZARIO, VILLA DEL RÍO AND RICO ON WEDNESDAY, SEPTEMBER 20 AT 6:15 IN THE THE POWERFUL HURRICANE MARIA ENTERED PUERTO GUAYANILLA RIVER WENT OUT OF ITS CHANNEL AND SAME CAUSED RAVAGES THROUGHOUT THE ISLAND. SECTOR AÑASCO, THE PUBLIC SQUARE, THE BRIDGE OF MAGAS.







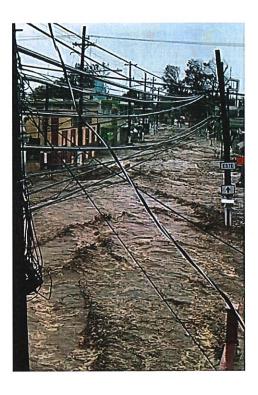




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### Estado Libre Asociado de Puerto Rico OFICINA DEL CONTRALOR

### Municipio de Guayanilla INDICADORES SOCIOECONÓMICOS\*

Extensión territorial del Municipio: \*\*\*FIPS 059

42.37 Millas <sup>2</sup>

Posición en extensión #37/78

***FIPS 059				
Dirección en Internet de OCPR: http://www.ocpr.gov.pr		Mental Constitution		Puerto Rico
	Unidad	Censo 2000	Censo 2010	Censo 2010
I. Información General				the same of the sa
Población***	Habitantes	23,072	21,581	3,725,789
Densidad poblacional	Habitantes/m <sup>2</sup>	.545	509	1,089
Población menor de 18 años ****	Por ciento	36.0	25.4	24.2
Población entre 18 y 65 años****	Por ciento	54.2	60.5	61.2
Población mayor de 65 años****	Por ciento	9.8	14.1	14.6 Puerto Rico
	11.11-1	0 2000	Comps 2040	Censo 2010
II. Características de la Población	Unidad	Censo 2000	Censo 2010	
Ingreso per cápita****	Dólares	\$ 2,711	\$ 6,803	\$ 10,355
Población debajo del nivel de pobreza (Individuos 18 años o más)****	Por ciento	69.4	51.6	34.7
Población 25 años o más graduada de escuela superior o más****	Por ciento	46.5	64.9	67.6
III. Encuesta de Grupo Trabajador	TERRIPE ST	Año natural	Año natural	Cambio
(Departamento del Trabajo y Recursos Humanos)	Unidad	2015	2016	Porcentual
Grupo trabajador	En miles	5,331	5,320	-0.2
Empleo total	En miles	4,292	4,325	3.0
Desempleo	En miles	1,039	995	-4.2
Tasa de desempleo	Por ciento	19.5	18.7	-4.1
TOTAL SECTION OF THE PARTY OF T		Año fiscal	Año fiscal	Año fiscal
IV. Gobierno Municipal	Unidad	2013-14	2014-15	2015-16
Finanzas:				
Ingreso total, según los presupuestos aprobados:	Dólares	\$ 9,211,567	\$ 10,029,364	\$ 9,708,718
Patentes municipales	Dólares	\$ 1,099,085	\$ 1,089,746	\$ 1,189,142
Contribución sobre la propiedad	Dólares	\$ 1,282,864	\$ 1,342,781	\$ 1,623,577
Otros ingresos	Dólares	\$ 6,829,618	\$ 7,596,837	\$ 6,895,999
Gastos corrientes, según los presupuestos aprobados	Dólares	\$ 5,931,420	\$ 6,102,258	\$ 6,292,998
Nómina	Dólares	\$ 3,280,147	\$ 3,927,106	\$ 3,415,720
Según los estados financieros auditados:				
Exceso ( deficiencia) de ingresos sobre gastos del año	Dólares	\$ 1,330,893	\$ 1,163,544	\$ 597,104
fiscal	Dolares	(\$2,513,901)	(\$1,406,016)	
Superávit o (déficit) al cierre del año fiscal	Dólares	\$ 1,282,005	\$ 1,552,044	\$ 939,668
Importe fondos federales recibidos	Dolares	\$ 1,118,234	\$ 1,041,364	\$ 1,186,242
Ingreso Impuesto sobre Venta y Uso (IVU)		\$ 15,479,000	\$ 14,797,000	\$ 14,105,000
Deuda pública municipal, según el B.G.F.**	Dólares	φ 15,479,000	Ψ 14,797,000	Ψ 17,100,000
Según certificado por el Municipio:				
Empleo total del Municipio	Personas	283	306	372
De confianza	Personas	9	16	16
Regulares	Personas	149	145	145
Transitorios	Personas	112	139	152
Irregulares	Personas	13	6	59

\*Véanse en nuestra página de Internet las definiciones de términos de los Indicadores de Municipios. Al igual Documentos Relacionados.

<sup>\*\*</sup> B.G.F.= Banco Gubernamental de Fomento para Puerto Rico, incluye deuda al banco y banca privada

<sup>\*\*\*</sup>Federal Information Processing Standard (FIPS) N/D= no disponible

N/A= no aplica

<sup>\*\*\*</sup> Para los datos actualizados de población puede acceder a la página del U.S. Census Bureau http://www.census.gov/popest/index.html \*\*\* Para los del 2010 son del American Community Survey - US Census Revisado: 31 de julio de 2017

## DAMAGES ESTIMATE CAUSED BY HURACANE MARIA 2017

CATEGORY	CLASIFICATION	ESTIMATED COST	
С	ROADS AND BRIDGES	\$6,514,665.00	
E	EQUIPMENT	\$75,149.00	
E	BUILDING	\$513,260.00	
E	VEHICLES	\$3,561.00	
F	UTILITIES	\$110,431.00	
G	RECREATIONAL AREAS	\$1,316,270.00	
		\$8,533,336.00	

