



## **Council of Government (COG) Method of Distribution for 2017 Hurricane Harvey CDBG-Disaster Recovery Allocation**

### **Summary Information**

#### **Contact Information**

Council of Government (COG): **Deep East Texas**

Principal Contact Name, Title: **Lounie Hunt, Executive Director**

Principal Contact Telephone: **409-381-5254**

Principal Contact Email: **[lhunt@detcog.org](mailto:lhunt@detcog.org)**

Principal Contact Address: **210 Premier Drive**

City, State, Zip: **Jasper, TX 75951**

### **Allocation Summary**

COG Allocation for All Programs: **\$ 43,331,256**

Local Buyout and Acquisition Program Total: **\$ 35,867,032**

Local Infrastructure Program Total: **\$ 7,464,224**

### **Citizen Participation**

Below is a description addressing how the COG complied with their Citizen Participation Plan regarding citizen and non-governmental organization outreach, and any additional efforts exceeding GLO minimum public participation requirements:

Prior to development of the proposed Method of Distribution, DETCOG conducted two public hearing planning meetings in Buna, TX and Shepherd TX, both of which are located within the HUD-defined most impacted areas of our region. Comments were also accepted by mail, email, or fax. A Solicitation of Public Comment notice was published in English and Spanish in eight newspapers which are published in Jasper, Newton, Polk, San Augustine, San Jacinto, Sabine, and Tyler Counties. Notices were sent to the County Judge and County Clerk of each of these counties with a request for the notice to be posted publicly in the same location that meetings of the County Commissioners Court are posted. Notices were also sent to Cities, School Districts, and the local Housing Authorities within these seven counties. The notice was posted at the DETCOG office in an area that is available for public viewing 24 hours a day. The notice was posted on DETCOG's website and was linked to on DETCOG's social media pages (Facebook and Twitter). Notices were also be mailed, emailed, or faxed to identified housing advocacy organizations which are active within our region, including the Jasper Branch of NAACP, Texas Applesseed, Texas Low Income Housing Information Service, Texas Association of Community Development Corporations, Alabama-Coushatta Tribe of Texas and the Crockett Resource Center for Independent Living. In addition, the notices were sent to members of the DETCOG Board of Directors, which includes a Minority Representative from each county within the region. Notice of the public hearings was also posted in the Texas Register at the Texas Secretary of State website. Notices were also sent by mail, email, or fax to the following agencies: DETCOG Regional Housing Authority, DETCOG Housing Assistance Program, Hemphill Housing Authority, Jasper Housing Authority, Livingston Housing Authority, Newton Housing Authority, Pineland Housing Authority, San Augustine Housing Authority, Woodville Housing Authority, Texas

*(Citizen Participation, continued)*

Department of Health/Human Services Offices in Polk, Sabine, and Tyler Counties, the Jasper-Newton County Public Health District, and Burke (Regional Mental Health Authority). By June 14, 2018, the proposed Method of Distribution will be posted on the DETCOG website and made available for public viewing at the DETCOG office in Jasper TX and at the County Judge's offices in Jasper, Newton, Polk, Sabine, San Augustine, San Jacinto and Tyler Counties. A second Solicitation of Public Comment notice will be posted, published, and distributed to the same organizations and agencies listed above announcing the posting of the proposed Method of Distribution, a 14-day public comment period, and a third public hearing to be held at the DETCOG Board of Directors meeting on June 28, 2018 in Nacogdoches TX.

**First Public Hearing Information**

Date/Time: **May 29, 2018 – 6:00 pm** Location: **Jasper County JP Courtroom, Buna TX**

Attendance: **9 Persons** Public Planning Meeting:

*Personal Notice.* As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

Method	Date Sent	Documentation
<input checked="" type="checkbox"/> Electronic Mail	<b>May 22-23, 2018</b>	See attached certification
<input checked="" type="checkbox"/> Fax	<b>May 22-23, 2018</b>	See attached certification
<input checked="" type="checkbox"/> Hand Delivery	<b>May 22-23, 2018</b>	See attached certification
<input checked="" type="checkbox"/> U.S. Mail	<b>May 22-23, 2018</b>	See attached certification

*Internet Notice.* As required, public notice was distributed on the Internet at least **five (5)** days in advance using the following method:

Method	Date Published	Documentation
<input checked="" type="checkbox"/> COG Website	<b>May 22, 2018</b>	See attached certification

*Published Notice.* As required, notice of the public hearing was published in at least one regional newspaper at least **three (3)** days in advance. Notice of public hearing was published in the following regional newspaper(s):

Newspaper Name	Date Published	Documentation
<b>Buna Beacon</b> <sup>1</sup>		
<b>Kirbyville Banner</b> <sup>1</sup>		
<b>Newton County News</b> <sup>1</sup>		
<input checked="" type="checkbox"/> <b>Sabine County Reporter</b> <sup>1</sup>	<b><sup>1</sup> 5/23/2018</b>	Affidavits attached
<b>Polk County Enterprise</b> <sup>2</sup>	<b><sup>2</sup> 5/24/2018</b>	
<b>San Augustine Tribune</b> <sup>2</sup>		
<b>San Jacinto News-Times</b> <sup>2</sup>		
<b>Tyler County Booster</b> <sup>2</sup>		

**Citizen Comment Documentation**

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached.
<input checked="" type="checkbox"/>	A summary of the citizen comments, responses, meeting discussion is attached.
Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages (persons with Limited English Proficiency).	
The Solicitation For Public Comment offered special accommodations if requested 24 hours in advance, and language interpreters or other special communication needs if requested 48 hours in advance. No requests for special accommodations or communication needs were received.	

**Second Public Hearing Information**

Date/Time: **May 30, 2018 – 6:00 pm** Location: **Shepherd Community Center, Shepherd TX**

Attendance: **17 Persons** Public Planning Meeting:

*Personal Notice.* As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

Method	Date Sent	Documentation
<input checked="" type="checkbox"/> Electronic Mail	<b>May 22-23, 2018</b>	See attached certification
<input checked="" type="checkbox"/> Fax	<b>May 22-23, 2018</b>	See attached certification
<input checked="" type="checkbox"/> Hand Delivery	<b>May 22-23, 2018</b>	See attached certification
<input checked="" type="checkbox"/> U.S. Mail	<b>May 22-23, 2018</b>	See attached certification

*Internet Notice.* As required, public notice was distributed on the Internet at least **five (5)** days in advance using the following method:

Method	Date Published	Documentation
<input checked="" type="checkbox"/> COG Website	<b>May 22, 2018</b>	See attached certification

*Published Notice.* As required, notice of the public hearing was published in at least one regional newspaper at least **three (3)** days in advance. Notice of public hearing was published in the following regional newspaper(s):

	Newspaper Name	Date Published	Documentation
<input checked="" type="checkbox"/>	<b>Buna Beacon</b> <sup>1</sup> <b>Kirbyville Banner</b> <sup>1</sup> <b>Newton County News</b> <sup>1</sup> <b>Sabine County Reporter</b> <sup>1</sup> <b>Polk County Enterprise</b> <sup>2</sup> <b>San Augustine Tribune</b> <sup>2</sup> <b>San Jacinto News-Times</b> <sup>2</sup> <b>Tyler County Booster</b> <sup>2</sup>	<sup>1</sup> <b>5/23/2018</b> <sup>2</sup> <b>5/24/2018</b>	Affidavits attached
<input type="checkbox"/>			

**Citizen Comment Documentation**

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached.
<input checked="" type="checkbox"/>	A summary of the citizen comments, responses, and meeting discussion is attached.
	Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages.
	The Solicitation For Public Comment offered special accommodations if requested 24 hours in advance, and language interpreters or other special communication needs if requested 48 hours in advance. No requests for special accommodations or communication needs were received.

**Third Public Hearing Information** \*This page will be completed following the Public Hearing on June 28, 2018.

Date/Time: **June 28, 2018 – 12:30 pm** Location: **Nacogdoches County Annex, Nacogdoches TX**

Attendance: \_\_\_\_\_  
 Public Planning   
 Meeting: \_\_\_\_\_

*Personal Notice.* As required, personal notice was sent to eligible entities at least **five (5)** days in advance of the public hearing using the following method(s) (at least one must be selected):

Method	Date Sent	Documentation
<input checked="" type="checkbox"/> Electronic Mail	<b>6/14/2018</b>	
<input checked="" type="checkbox"/> Fax	<b>6/14/2018</b>	
<input checked="" type="checkbox"/> Hand Delivery	<b>6/14/2018</b>	
<input checked="" type="checkbox"/> Certified Mail	<b>6/14/2018</b>	

*Internet Notice.* As required, public notice was distributed on the Internet at least **five (5)** days in advance using the following method:

Method	Date Published	Documentation
<input checked="" type="checkbox"/> COG Website	<b>6/13/2018</b>	

*Published Notice.* As required, notice of the public hearing was published in at least one regional newspaper at least **three (3)** days in advance. Notice of public hearing was published in the following regional newspaper(s):

Newspaper Name	Date Published	Documentation
<b>Buna Beacon</b> <sup>1</sup>		
<b>Jasper Newsboy</b> <sup>1</sup>		
<b>Kirbyville Banner</b> <sup>1</sup>		
<b>Newton County News</b> <sup>1</sup>		
<input checked="" type="checkbox"/> <b>Sabine County Reporter</b> <sup>1</sup>	<b>Planned Dates:</b> <sup>1</sup> <b>6/20/2018</b>	
<b>Polk County Enterprise</b> <sup>2</sup>	<sup>2</sup> <b>6/21/2018</b>	
<b>San Augustine Tribune</b> <sup>2</sup>		
<b>San Jacinto News-Times</b> <sup>2</sup>		
<b>Tyler County Booster</b> <sup>2</sup>		
<input type="checkbox"/>		

**Citizen Comment Documentation**

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached.
<input checked="" type="checkbox"/>	A summary of the citizen comments, responses, and meeting discussion is attached.
	Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages.
	The Solicitation For Public Comment offers special accommodations if requested 24 hours in advance, and language interpreters or other special communication needs if requested 48 hours in advance.

## Long-Term Planning and Recovery

Below is an explanation of how the COG's method of distribution fosters long-term community recovery that is forward-looking and focused on permanent restoration of infrastructure, housing and the local economy and primarily, how these activities will contribute to the long-term recovery and restoration of housing in the HUD-identified most impacted and distressed areas and/or other impacted areas.

**DETCOG** has been tasked with developing the Method of Distribution for the Buyout/Acquisition and Local Infrastructure programs.

**Buyout/Acquisition:** The Buyout/Acquisition program support hazard mitigation, floodplain management goals, and resiliency by removing homeowners from the floodplain, thus eliminating vulnerability to future flooding situations. This program will help prevent repetitive loss and extreme risk to human health and safety. Eligible counties and cities will administer the program under the guidelines established by GLO and HUD. Subject to approval by GLO, the counties and cities may allocate all or a portion of their funding to other eligible entities within their boundaries. This Method of Distribution allocates \$26,504,840 to HUD-identified Most Impacted areas in the DETCOG region, which exceeds the State Action Plan's requirement of \$25,728,769.

**Local Infrastructure:** Restoration, repair, and enhancement of local infrastructure is vital not only for the long-term recovery and restoration of housing but for the long-term recovery and viability of communities. Our first priority has been a fair and equitable allocation of the funds available to our region. To ensure that the most effective use of the limited infrastructure funds available, maximum flexibility is needed at the local level. Therefore, all eligible activities will be allowed. Decisions about specific projects to be undertaken will be made by the governing boards of counties and cities, with input from the residents of their jurisdictions and in conformity with program guidelines established by GLO and HUD. This Method of Distribution ensures at least \$2,368,164 is directed to the HUD-identified Most Impacted areas in the DETCOG region, which exceeds the State Action Plan's requirement of \$1,214,779.

## Unmet Housing Needs

Below is an explanation of how unmet housing needs will be addressed or how economic revitalization or infrastructure activities will contribute to long-term recovery and restoration of housing in the HUD-identified most impacted and distressed areas and/or other impacted areas.

The Buyout/Acquisition program will address unmet housing needs of the most vulnerable survivors – those living within the floodplain. This program will improve resiliency, prevent repetitive loss, and reduce extreme risk to human health and safety.

The Local Infrastructure program will contribute to long-term recovery and restoration of housing in the HUD-identified most impacted and distressed areas and all other areas by restoring, repairing and enhancing critical infrastructure that provides services and access to homes. This includes roads, bridges, drainage systems, water and sewer, communication systems, backup power systems and other eligible projects.

## Affirmatively Furthering Fair Housing Statement

All subrecipients will certify that they will affirmatively further fair housing ("AFFH") in their grant agreements, and will receive GLO training and technical assistance in meeting their AFFH obligations. Additionally, all project applications will undergo AFFH review by GLO before approval of projects. Such review will include assessment of a proposed project's 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. Applications should show that projects are likely to lessen area racial, ethnic, and low-income concentrations, and/or promote affordable housing in low-poverty, nonminority areas in response to natural hazard related impacts.

### Low-to Moderate Income Requirement

Below is an explanation of how the method of distribution meets the 70 percent low-to moderate income (LMI) requirement for each program. This means that 70 percent of the funds must benefit areas that are 51% or more LMI households or benefit households with incomes below 80% of the Area Median Income (AMI).

This Method of Distribution requires that all subrecipients to which funds are allocated must adhere to all program rules as established by GLO and/or HUD. The rules currently include a requirement that at least 70 percent of the funds must benefit areas that are 51% or more LMI households or benefit households with incomes below 80% of the Area Median Income (AMI). Subrecipients must obtain a waiver from GLO and/or HUD in order to deviate from GLO/HUD rules.

### Local Buyout and Acquisition Program Method of Distribution Detail

The COG is required to prepare a method of distribution for the local buyout and acquisition program funds between the eligible cities, counties, and entities with eminent domain authority. The GLO has directed the COG to use a direct allocation technique based on objective and verifiable data.

#### Distribution Factors

The COG has selected the following distribution factors:

Distribution Factor	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Verified Housing Damages Weighted by Severity	100%	“FEMA Individual Assistance Housing Registrants Large Disasters-V1”	Most reliable and comprehensive data available. Claims are verified by FEMA & categorized by severity. Number and severity of claims are best indicator of overall impact of the disaster. Claims are weighted with the following multipliers: Minor Low: 0.5 Minor High: 1.0 Major Low: 2.0 Major High: 4.0 Severe: 5.0

All allocations must meet or exceed a floor of \$1,000,000 to help ensure sufficient funds for the Local Buyout and Acquisition program.

**Eligible Activities**

Activities must be specifically related to Hurricane Harvey, and must meet the following criteria as outlined in the State of Texas Plan for Disaster Recovery: Hurricane Harvey (Section IV.F.2.d).

The COG has addressed prioritization of eligible activities as follows:

<input checked="" type="checkbox"/>	The COG has chosen not to limit Grantees in the region to projects meeting regional priority activities.
<b>-OR-</b>	
<input type="checkbox"/>	The COG has limited Grantees in the region to selecting projects meeting the following regional priority activities:
<input type="checkbox"/>	Buyout <input type="checkbox"/> Activities designed to relocate families outside of floodplains
<input type="checkbox"/>	Acquisition <input type="checkbox"/> Public service within the 15 percent cap (e.g. housing counseling, legal counseling, job training, mental health, and general health services)
<input type="checkbox"/>	Relocation Assistance with buyout or acquisition <input type="checkbox"/> FEMA Hazard Mitigation Grant Program (HMGP) cost share
<input type="checkbox"/>	Demolition only

**Ineligible Activities**

Incentive payments to households that move to disaster-impacted floodplains. Activities located within the city limits of Houston and/or within Harris County are ineligible to participate in the program.

**Local Infrastructure Program Method of Distribution Detail**

The COG is required to prepare a method of distribution for the local infrastructure program funds between the eligible cities and counties. The GLO has directed the COG to use a direct allocation technique based on objective and verifiable data.

**Distribution Factors**

The COG has selected the following distribution factors:

Distribution Factor	Weight	Documentation Source	Explanation of Factor Selection and Weighting
\$100,000 Set-Aside for Each County in Presidential Disaster Declaration	N/A	Presidential Disaster Declaration DR-4332	Ensures each county in Disaster Declaration receives an allocation equal to or exceeding the GLO-established floor of \$100,000
Verified Housing Damages Weighted by Severity	100% After Set-Aside	“FEMA Individual Assistance Housing Registrants Large Disasters-VI”	Most reliable & comprehensive data available. Claims are verified by FEMA & categorized by severity. Number and severity of claims are best indicator of overall impact of the disaster. Claims are weighted with the following multipliers: Minor Low: 0.5 Minor High: 1.0 Major Low: 2.0 Major High: 4.0 Severe: 5.0

All allocations must meet or exceed a floor of \$100,000 to help ensure sufficient funds for at least one eligible project.



**Eligible Activities**

Activities must be specifically related to Hurricane Harvey, and must meet the following criteria as outlined in the State of Texas Plan for Disaster Recovery: Hurricane Harvey (Section IV.F.7.d).

Each infrastructure activity must demonstrate how it will contribute to the long-term recovery and restoration of housing.

The COG has addressed prioritization of eligible activities as follows:

<b>-OR-</b>	
<input checked="" type="checkbox"/>	The COG has chosen not to limit Grantees in the region to projects meeting regional priority activities.
<input type="checkbox"/>	The COG has limited Grantees in the region to selecting projects meeting the following regional priority activities:
<input type="checkbox"/>	Water Facilities <input type="checkbox"/> Specially Authorized Public Facilities & Improvements
<input type="checkbox"/>	Sewer Facilities <input type="checkbox"/> Public Services
<input type="checkbox"/>	Other Public Utilities (gas, et al) <input type="checkbox"/> Clearance & Demolition Activities
<input type="checkbox"/>	Street Improvements <input type="checkbox"/> Code Enforcement
<input type="checkbox"/>	Flood and Drainage Improvements <input type="checkbox"/> Senior Centers
<input type="checkbox"/>	Debris Removal <input type="checkbox"/> Economic Development
<input type="checkbox"/>	Community Centers & Emergency Shelters (Existing) <input type="checkbox"/> Parks, Playgrounds and other Recreational Facilities
<input type="checkbox"/>	Fire Protection Facilities and Equipment <input type="checkbox"/> Other CDBG-DR eligible activities related to infrastructure

**Ineligible Activities**

Ineligible activities for the local infrastructure program are outlined in the State of Texas Plan for Disaster Recovery: Hurricane Harvey (Section IV.F.7.e) and should be referenced accordingly.

**Reallocation of Unused Funds**

Subject to GLO approval, the following process will be used to reallocate any unused funds in either the Buyout/Acquisition Program or the Local Infrastructure Program:

1. Any unused funds that were allocated to a city will be reallocated to the county where the city is located. It is not necessary to reallocate a county's unused funds to a city because the county already has the ability to fund projects within any of its cities.
2. Any unused funds that were allocated or reallocated to a county shall be reallocated to the following entities in the order listed, assuming the entity has an eligible use for the funds which is approved by GLO. Should an entity not have an eligible project, or not require all of the reallocated funds, remaining funds will be offered to the next entity on the list that has an eligible project, until all funds have been exhausted.
  - a. San Jacinto County
  - b. Newton County
  - c. Jasper County
  - d. Polk County
  - e. Tyler County
  - f. Sabine County (Infrastructure only)
  - g. San Augustine County (Infrastructure only)
  - h. Back to DETCOG for a decision on reallocation

## Approval and Signatory Authority

A Resolution of the COG is attached approving the method of distribution and authorizing its submittal to the Texas General Land Office. I certify that the contents of this document and all related attachments are complete and accurate.

*\*The Resolution will be attached after final adoption by the DETCOG Board of Directors (scheduled for June 28, 2018).*

Signature

\_\_\_\_\_

Date

Printed Name

\_\_\_\_\_

Title

Email Address

\_\_\_\_\_

Telephone Number

Hurricane Harvey  
Regional Method of Distribution Allocation Summary

**COG: DETCOG**

<i>Required</i>	Local Buyout and Acquisition Program		Local Infrastructure Program		Total		
	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>	<i>Required</i>
City, County or Eligible Entity	Allocation	Percentage of Allocation	Allocation	Percentage of Allocation	Total Allocation	Percentage of Total Regional Allocation	70% Low-to-Moderate Income Benefit Requirement
Jasper County	\$6,820,960	19.02%	\$1,298,067	17.39%	\$8,119,027	18.74%	\$5,683,319
Newton County	\$8,005,224	22.32%	\$1,609,719	21.57%	\$9,614,943	22.19%	\$6,730,460
Polk County	\$4,746,977	13.23%	\$995,241	13.33%	\$5,742,218	13.25%	\$4,019,553
Sabine County		0.00%	\$160,124	2.15%	\$160,124	0.37%	\$112,087
San Augustine County		0.00%	\$101,103	1.35%	\$101,103	0.23%	\$70,772
San Jacinto County	\$11,807,489	32.92%	\$2,155,799	28.88%	\$13,963,288	32.22%	\$9,774,302
Tyler County	\$3,486,382	9.72%	\$757,502	10.15%	\$4,243,884	9.79%	\$2,970,719
City of Jasper	\$1,000,000	2.79%	\$174,304	2.34%	\$1,174,304	2.71%	\$822,013
City of Kirbyville		0.00%	\$102,597	1.37%	\$102,597	0.24%	\$71,818
City of Shepherd		0.00%	\$109,768	1.47%	\$109,768	0.25%	\$76,838
	\$35,867,032	100.00%	\$7,464,224	100.00%	\$43,331,256	100.00%	\$30,331,879
	Percentage of Total Allocation:	82.77%	17.23%		Low-to-Moderate Income Benefit Requirement	70%	70%