



**Council of Governments (COG) Method of Distribution  
Amendment 1  
Hurricane Harvey CDBG-Disaster Recovery  
Local Infrastructure Program**

**Contact Information**

Council of Governments:	<b>Deep East Texas (DETCOG)</b>
Principal Contact Name, Title:	<b>Lonnie Hunt, Executive Director</b>
Principal Contact Telephone:	<b>936-634-2247 ext. 5264</b>

**Local Infrastructure Program COG MOD Amount:**

\$7,464,224
-------------

**Reallocation Amount:**

HUD MID Total	<b>\$101,103</b>
State MID Total	<b>0</b>
<b>Total Reallocation Amount</b>	<b>\$101,103</b>

**Local Infrastructure Program Method of Distribution Amendment Detail**

The COG is required to prepare a method of distribution amendment 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. The distribution should be based on, but not limited to, unmet need tied back to Hurricane Harvey damages.

**Reallocation Summary**

The following is a summary of the reallocation process of funds, including entities that have declined funds, entities that are receiving reallocated funds, and eligible activities.

The purpose of this MOD Amendment is to reallocate \$101,103 in declined MOD funding that was originally allocated to San Augustine County.

The original MOD allocation was based on two distribution factors:

- (1) A \$100,000 set aside for each county included Presidential Disaster Declaration DR-4332; and
- (2) Remainder of funds distributed based on verified housing damages weighted by severity.

It is impossible for the MOD Amendment to include any set asides due to the limited amount of funds available. Therefore, the MOD Amendment allocates all available funding based on verified housing damages weighted by severity.

Because of the requirement to ensure allocation of at least a minimum percentage of funds to HUD-Most-Impacted (HUD-MID) Counties and Zip Codes, the MOD Amendment includes a Threshold Factor that an entity is only eligible if a majority of it's population is included in a HUD-MID area.

The amount of funding available (\$101,103) and the required minimum allocation (\$100,000) only allow for an allocation to one entity. Eligible entities are ranked based on weighted housing damages. The entire reallocation will go to the top-ranked eligible entity: San Jacinto County. San Jacinto County will be required to confirm acceptance of the reallocation and confirm it has an eligible project that meets the 70 percent LMI requirement; otherwise, the reallocation will go to the next highest ranking entity that accepts and confirms it has an eligible project.

### Reallocation Changes Table:

Attached is a table showing all jurisdictions that have had a change in allocation, including jurisdictions that have declined funds and the jurisdictions that have been reallocated those funds. All allocations must meet or exceed a floor of \$100,000 to help ensure sufficient funds for at least one eligible project.

Rellocation Table Page Number:	7
--------------------------------	---

### Distribution Factors

Have the distribution factors been amended? \*

<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
--------------------------	-----	-------------------------------------	----

\* Same distribution factor is used, but the set asides were eliminated.

The COG has selected the following distribution factors:

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
<b>Verified Housing Damages Weighted by Severity</b>	<b>100%</b>	<b>“FEMA Individual Assistance Housing Registrants Large Disasters-V1”</b>	<b>Most reliable &amp; comprehensive data available. Claims were verified by FEMA and 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</b>

\*Add more rows if needed

## Threshold Factors

(New Added Section)

If any, please describe threshold factors that were used to allocate funds.

Distribution Factor	Documentation Source	Explanation of Factor Selection
<b>More than 50 Percent of Entity's Population is Located in a HUD-MID Area.</b>	<b>Determination of HUD-MID areas: "State of Texas Plan for Recovery: Hurricane Harvey – Round 1."</b>  <b>Population statistics: U.S. Census Bureau's 2019 American Communities Survey.</b>	<b>Required to meet guidance provided by TXGLO that the MOD Amendment must ensure allocation of at least a minimum percentage of funds to HUD-MID Counties and Zip Codes. Since there is only enough funding for one allocation, that allocation must be to a HUD-MID area.</b>

## Eligible Activities

Have the eligible activities been amended?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

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 as amended.

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:

<input checked="" type="checkbox"/>	The COG has chosen not to limit Subrecipients in the region to projects meeting regional priority activities.		
<b>-OR-</b>			
<input type="checkbox"/>	The COG has limited Subrecipients 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 and should be referenced accordingly.

## **Low- and Moderate-Income Requirement**

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

Before being awarded the reallocated funds, the receiving entity will be required to acknowledge in writing that they will accept the funds, and that they have an eligible project which will meet the 70 percent LMI requirement. If the highest ranking entity cannot fulfill this requirement, the allocation will go to the next highest ranking entity that can.

## **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 MOD Amendment, DETCOG conducted a public hearing (Public Planning Meeting) within the Harvey Disaster area. To encourage greater participation, this meeting was held in conjunction with a regular monthly DETCOG Board Meeting which was open to the public and complied with provisions of the Texas Public Meetings Act. In addition, we promoted and conducted an online public information meeting for the convenience of all interested parties. Comments were also accepted by mail, email, or fax. A Solicitation of Public Comment notice was published in English and Spanish in seven 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 be sent to Cities, School Districts, the Alabama-Coushatta Tribe of Texas, and local Housing Authorities within these seven counties. The notice was posted publicly at the DETCOG office. The notice was posted on DETCOG's website with direct links in both English and Spanish on the homepage. The notice was posted in both English and Spanish on DETCOG 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 Appleseed, Texas Low Income Housing Information Service, Texas Association of Community Development Corporations, 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 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).

## Public Hearing Information

Meeting Type	Public Planning Meeting	MOD Public Hearing
Date(s):	October 27, 2022	November 22, 2022
Location(s):	Howard Civic Center, Newton TX	Polk County Commerce Center, Livingston TX
Total Attendance:	50	

*Direct Notice.* As required, direct 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	Public Planning Meeting	MOD Public Hearing
	Date(s) Sent	Date(s) Sent
<input checked="" type="checkbox"/> Email	10/19/2022	11/14/2022
<input checked="" type="checkbox"/> Fax	10/19/2022	11/14/2022
<input type="checkbox"/> Hand Delivery		
<input checked="" type="checkbox"/> Mail	10/19/2022	11/14/2022

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

Website Notice	Public Planning Meeting	MOD Public Hearing
Date(s)	10/20/2022	11/10/2022

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

Newspaper Name	Public Planning Meeting	MOD Public Hearing
	Date Published	Date Published
East Texas Banner -Kirbyville (Jasper Co.)	10/19/2022	11/16/2022
Newton County News (Newton Co.)	10/19/2022	11/16/2022
Sabine County Reporter (Sabine Co.)	10/20/2022	11/17/2022
Polk County Enterprise (Polk Co.)	10/20/2022	11/17/2022
San Augustine Tribune (San Augustine Co.)	10/20/2022	11/17/2022
San Jacinto News-Times (San Jacinto Co.)	10/20/2022	11/17/2022
Tyler County Booster (Tyler Co.)	10/20/2022	11/17/2022

## Public Comment Period

Provide the dates of the public comment period for the COG MOD Amendment.

Start Date:	10/21/2022	End Date:	12/9/2022	No. of Days:	50
-------------	------------	-----------	-----------	--------------	----

*Accommodations.* Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for persons with Limited English Proficiency and for people with hearing impairments or other access and functional needs (ADA compliance).

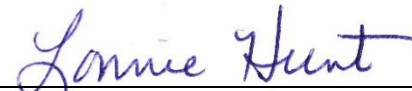
The Solicitation For Public Comment offered special accommodations if requested 24 hours in advance, and language interpreters or other special communication needs if requested 48 hours in advance. Even though no requests for special accommodations or communication needs were received, a Spanish language interpreter attended the meeting and was available to provide services if needed.

### **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.

### **Approval and Signatory Authority**

Attached is a Resolution from the COG 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.

  
\_\_\_\_\_  
Signature

11/10/2022  
\_\_\_\_\_  
Date

Lonnie Hunt  
\_\_\_\_\_  
Printed Name

Executive Director  
\_\_\_\_\_  
Title

[lhunt@detcog.gov](mailto:lhunt@detcog.gov)  
\_\_\_\_\_  
Email Address

936-544-6963 ext. 5264  
\_\_\_\_\_  
Telephone Number

# Reallocation Changes Table

## DETCOG Harvey Local Infrastructure MOD Amendment

Eligible Entity	Original Allocation		Reallocation	
	Allocation	Percentage of Allocation	Allocation	Percentage of Allocation
Jasper County	\$1,298,067	17.39%	\$1,298,067	17.39%
Newton County	\$1,609,719	21.57%	\$1,609,719	21.57%
Polk County	\$995,241	13.33%	\$995,241	13.33%
Sabine County	\$160,124	2.15%	\$160,124	2.15%
San Augustine County	\$101,103	1.35%	\$0	0.00%
San Jacinto County	\$2,155,799	28.88%	\$2,256,902	30.24%
Tyler County	\$757,502	10.15%	\$757,502	10.15%
City of Jasper	\$174,304	2.34%	\$174,304	2.34%
City of Kirbyville	\$102,597	1.37%	\$102,597	1.37%
City of Shepherd	\$109,768	1.47%	\$109,768	1.47%
	<b>\$7,464,224</b>	<b>100.00%</b>	<b>\$7,464,224</b>	<b>100.00%</b>

**Summary:**

San Augustine County declined original allocation of \$101,103.  
 \$101,103 was reallocated to San Jacinto County.

# DETCOG Local Infrastructure MOD Amendment Distribution Factors

County_FIPS	County_name	Jurisdiction	Unweighted						Weighted						Share of Total Weighted Damages	Rank
			Minor Low	Minor High	Major Low	Major High	Severe	Total Damages	Minor Low	Minor High	Major Low	Major High	Severe	Total Weighted Damages		
48241	San Jacinto County	San Jacinto County Uninc	638	226	152	169	55	1240	319	226	304	676	275	1800	29.62%	1
48241	Newton County	Newton County Uninc	435	143	152	140	23	893	217.5	143	304	560	115	1339.5	22.05%	2
48241	Jasper County	Jasper County Uninc	621	160	112	76	15	984	310.5	160	224	304	75	1073.5	17.67%	3
48241	Polk County	Polk County Uninc	462	94	56	48	17	677	231	94	112	192	85	714	11.75%	4
48351	Tyler County	Tyler County Uninc	393	61	54	34	4	546	196.5	61	108	136	20	521.5	8.58%	5
48351	Jasper County	Jasper city	186	23	8	4	2	223	93	23	16	16	10	158	2.60%	6
48373	San Jacinto County	Shepherd city	47	17	13	7	1	85	23.5	17	26	28	5	99.5	1.64%	7
48373	Jasper County	Kirbyville city	50	15	8	8	1	82	25	15	16	32	5	93	1.53%	8
48373	Polk County	Livingston town	53	4	1	4	0	62	26.5	4	2	16	0	48.5	0.80%	9
48373	San Jacinto County	Coldspring city	32	5	7	3	0	47	16	5	14	12	0	47	0.77%	10
48373	Tyler County	Ivanhoe city	49	4	1	0	1	55	24.5	4	2	0	5	35.5	0.58%	11
48373	Tyler County	Woodville town	31	5	1	2	0	39	15.5	5	2	8	0	30.5	0.50%	12
48407	Newton County	Newton city	36	2	2	0	1	41	18	2	4	0	5	29	0.48%	13
48407	Polk County	Onalaska city	27	4	1	1	0	33	13.5	4	2	4	0	23.5	0.39%	14
48407	San Jacinto County	Point Blank city	7	1	2	2	0	12	3.5	1	4	8	0	16.5	0.27%	15
48407	Jasper County	Browndell city	5	2	2	1	0	10	2.5	2	4	4	0	12.5	0.21%	T16
48457	Polk County	Goodrich city	5	2	0	2	0	9	2.5	2	0	8	0	12.5	0.21%	T16
48457	Polk County	Corrigan town	20	0	0	0	0	20	10	0	0	0	0	10	0.16%	18
48457	Tyler County	Chester town	7	1	0	0	0	8	3.5	1	0	0	0	4.5	0.07%	T19
48457	Tyler County	Colmesneil city	8	0	0	0	0	8	4	0	0	0	0	4	0.07%	T19
48457	Polk County	Seven Oaks city	6	0	0	0	0	6	3	0	0	0	0	3	0.05%	21
<b>Total</b>														<b>100.00%</b>		

**NOTE:** This sheet includes only entities that meet the Threshold Factor (more than 50% of county population lives in HUD MID Areas)