



# **2018 South Texas Floods CDBG-DR Action Plan: Supplemental Material**

## **2018 South Texas Floods Infrastructure Competition**

Applicant Eligibility and Scoring Criteria





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## A) Eligible Applicants

| <b>2018 South Texas Floods Infrastructure Competition Eligible Applicants</b> |
|---|
| Cities  |
| Counties  |

Entities may coordinate activities and submit a joint project that crosses jurisdictional boundaries. Each Applicant may submit a total of two applications, whether applying as the lone Applicant or jointly with another eligible jurisdiction(s).



## B) Eligible Applicant Areas

| <b>2018 South Texas Floods Infrastructure Competition</b> |                           |
|---|---------------------------|
| <b>HUD MID County</b>                                     | <b>State MID Counties</b> |
| Hidalgo   | Cameron                   |
|   | Jim Wells                 |

## C) Award Amounts

| <b>2018 South Texas Floods Infrastructure Competition</b> |                      |
|---|----------------------|
| <b>Maximum Award</b>                                      | <b>Minimum Award</b> |
| \$1,000,000   | \$250,000            |



## D) 2018 South Texas Floods Infrastructure Competition Scoring Criteria

| Question   | Criteria   | Maximum Points             | Self-Score |
|--|--|----------------------------|------------|
| <b>What is the Applicant's total damage per capita?</b>                                | <b>Damage Per Capita</b>   | <b>25 Points Possible</b>  |            |
|  | <i>Greater than \$500.00</i>   | <i>25 Points</i>           |            |
|  | <i>\$500.00 - \$100.01</i>   | <i>20 Points</i>           |            |
|  | <i>\$100.00 - \$50.01</i>  | <i>15 Points</i>           |            |
|  | <i>\$50.00 - \$25.01</i>   | <i>10 Points</i>           |            |
|  | <i>\$25.00 - \$0.01</i>  | <i>5 Points</i>            |            |
|  | <i>Less than \$0.01</i>  | <i>0 Points</i>            |            |
| <b>Does the project meet the low and moderate income (LMI) HUD National Objective?</b> | <b>LMI National Objective</b>  | <b>30 Points Possible</b>  |            |
|  | Project meets LMI national objective                                     | <i>30 Points</i>           |            |
|  | Project does not meet LMI national objective                             | <i>0 Points</i>            |            |
| <b>What is the cost per person benefiting?</b>   | <b>Cost Per Person Benefiting</b>  | <b>20 Points Possible</b>  |            |
|  | <i>Less than \$100.01</i>  | <i>20 Points</i>           |            |
|  | <i>\$100.01 - \$500.00</i>   | <i>16 Points</i>           |            |
|  | <i>\$500.01 - \$1,500.00</i>   | <i>12 Points</i>           |            |
|  | <i>\$1,500.01 - \$5,000.00</i>   | <i>8 Points</i>            |            |
|  | <i>\$5,000.01 - \$10,000.00</i>  | <i>4 Points</i>            |            |
|  | <i>Greater than \$10,000.00</i>  | <i>0 Points</i>            |            |
| <b>What is the Applicant's county Social Vulnerability Index (SoVI) score?</b>         | <b>Social Vulnerability Index</b>  | <b>15 Points Possible</b>  |            |
|  | <i>High</i>  | <i>15 Points</i>           |            |
|  | <i>Medium High</i>   | <i>11 Points</i>           |            |
|  | <i>Medium</i>  | <i>7 Points</i>            |            |
|  | <i>Medium Low</i>  | <i>3 Points</i>            |            |
|  | <i>Low</i>   | <i>0 Points</i>            |            |
|  | <i>Prorated SoVI Rank</i>  | <i>Calculated Points</i>   |            |
| <b>Is the applicant leveraging funds from other source(s)?</b>                         | <b>Leverage</b>  | <b>10 Points Possible</b>  |            |
|  | Non-CDBG leverage (a minimum value of 1% of the CDBG-DR funds requested) | <i>10 Points</i>           |            |
| <b>Total Possible Points</b>   |  | <b>100 Possible Points</b> |            |
| Tie Breaker: Higher Poverty Rate   |  |                            |            |



## 1) Total Damage Per Capita

Data Source: Local official infrastructure damage report estimates submitted to the Texas Division of Emergency Management (TDEM) as of November 17, 2020, **and** most recently available low- and moderate-income summary data (LMISD) for total population totals.

Maximum Points: 25 Points

|               |                     |           |
|---------------|---------------------|-----------|
| <b>Rank 6</b> | > \$500.00          | 25 Points |
| <b>Rank 5</b> | \$500.00 - \$100.01 | 20 Points |
| <b>Rank 4</b> | \$100.00 - \$50.01  | 15 Points |
| <b>Rank 3</b> | \$50.00 - \$25.01   | 10 Points |
| <b>Rank 2</b> | \$25.00 - \$0.01    | 5 Points  |
| <b>Rank 1</b> | Less than \$0.01    | 0 Points  |

Methodology: The total damage per capita is determined by dividing the jurisdiction's local official infrastructure damage report cost estimates submitted to TDEM, resulting from DR-4377 (2018 South Texas Floods), by the jurisdiction's total population as defined in the LMISD. For a multi-jurisdiction application, the jurisdictions populations will be combined, unless the jurisdictions are a county and a city located within the county, then the county population will be used.

If an eligible county is applying on behalf of another entity (non-city) within the county, and that entity is listed on the local official infrastructure damage report estimates submitted to the TDEM, the county amount and the entity amount will be combined. For example, County A applies on behalf of County A Drainage District, County A and County A Drainage District damage report estimates will be combined.

**Example 1:** City A had a local official infrastructure damage report estimate of \$3,500,000. The total population of City A is 10,500.

- 1)  $\$3,500,000$  (City A local official infrastructure damage estimate) /  $10,500$  (City A total population) = **\$333.33 (City A Damage per capita)**
- 2)  $\$333.33$  (Total Damage Per Capita) = **Rank 5, 20 Points**

**Example 2:** County A is submitting a project on behalf of Drainage District A. County A had a local official infrastructure damage report estimate of \$14,000,000 and Drainage District A had a local official infrastructure damage report estimate of \$670,000. County A has a total population of 400,000.

- 1)  $\$14,000,000$  (County local official infrastructure damage estimate) +  $\$670,000$  (Drainage District A local official infrastructure damage estimate) = **\$14,670,000 (Combined local official infrastructure damage estimate)**
- 2)  $400,000$  (County A total population) = **400,000 (Total population)**



- 3)  $\$14,670,000$  (County A and Drainage District A local official infrastructure damage estimate) /  $400,000$  (County A total population) =  **$\$36.68$  (County A and Drainage District A Damage Per Capita)**
- 4)  $\$36.68$  (Total Damage Per Capita) = **Rank 3, 10 Points**

**Example 3:** County A and City B are submitting a joint project and are in the same County (County A). County A had a local official infrastructure damage report estimate of  $\$7,500,000$  and has a total population of  $870,000$ . City B had a local official infrastructure damage report estimate of  $\$435,000$  and has a total population of  $17,000$ . However, since City B is within County A, the population will not be combined and only the population for County A will be used.

- 1)  $\$7,500,000$  (County A local official infrastructure damage estimate) +  $\$435,000$  (City B local official infrastructure damage estimate) =  **$\$7,935,000$  (Combined local official infrastructure damage estimate)**
- 2)  $870,000$  (County A total population) =  **$870,000$  (Total population)**
- 3)  $\$7,935,000$  (County A and City B local official infrastructure damage estimate) /  $870,000$  (County A and City B total population) =  **$\$9.12$  (County A and City B damage per capita)**
- 4)  $\$9.12$  (Total Damage Per Capita) = **Rank 2, 5 Points**



## 2) LMI National Objective

Data Source: National Objectives Information section of the TIGR application **and** supporting documentation.

Maximum Points: 30 Points

|   |           |
|---|-----------|
| <b>Project meets LMI National Objective</b>         | 30 Points |
| <b>Project does not meet LMI National Objective</b> | 0 Points  |

Methodology: The activity will be reviewed to identify if the proposed project meets the low and moderate income (LMI) HUD National Objective. Project beneficiary information will be reviewed to determine this HUD National Objective. This will be verified during the application review process according to the guidance in the application guide.

Failure to accurately transcribe complete and accurate LMI beneficiary data into the National Objective Information section of the TIGR application will negate potential points for this criterion.





### 3) Cost Per Person Benefiting

Data Source: CDBG-DR project requested amount as indicated on the submitted SF-424 **and** total project beneficiaries as indicated in the National Objective section of the TIGR application.

Maximum Points: 20 Points

|               |                          |           |
|---------------|--------------------------|-----------|
| <b>Rank 6</b> | < \$100.01               | 20 Points |
| <b>Rank 5</b> | \$100.01 – \$500.00      | 16 Points |
| <b>Rank 4</b> | \$500.01 – \$1,500.00    | 12 Points |
| <b>Rank 3</b> | \$1,500.01 – \$5,000.00  | 8 Points  |
| <b>Rank 2</b> | \$5,000.01 – \$10,000.00 | 4 Points  |
| <b>Rank 1</b> | > \$10,000.01            | 0 Points  |

Methodology: The cost per person ratio is determined by dividing the CDBG-DR project application amount by the number of total project beneficiaries.

**Example 1:** City A has submitted a project application amount of \$300,000. The total project beneficiaries are 1,850.

- 1)  $\$300,000$  (project application amount) / 1,850 (total project beneficiaries) = **\$162.16 per person benefiting (Rank 5, 16 Points)**

**Example 2:** County A and City B are submitting a joint project. The project application amount of the joint project is \$850,000. The total project beneficiaries are 92,500.

- 1)  $\$850,000$  (project application amount) / 92,500 (total project beneficiaries) = **\$9.19 per person benefiting (Rank 6, 20 Points)**



#### 4) Social Vulnerability Index

Data Source: Social Vulnerability Index (SoVI) Score (County Level Data). For multi-county projects, project beneficiaries by county must be submitted by the applicant. Applicants can submit this data using the Supplemental Multiple County Scoring Form.

Maximum Points: 15 Points

|                             |                    |                   |
|-----------------------------|--------------------|-------------------|
| <b>Rank 5</b>               | High               | 15 Points         |
| <b>Rank 4</b>               | Medium High        | 11 Points         |
| <b>Rank 3</b>               | Medium             | 7 Points          |
| <b>Rank 2</b>               | Medium Low         | 3 Points          |
| <b>Rank 1</b>               | Low                | 0 Points          |
| <b>Multi-County Project</b> | Prorated SoVI rank | Calculated Points |

A county that is placed in the “High” ranking of the Social Vulnerability Index indicates that this location is among the most socially vulnerable in the state.

Methodology:

##### **Method 1:**

- If the proposed project service area is wholly within one (1) county (either in the unincorporated areas or both the unincorporated areas and incorporated areas), then the county SoVI rank will be used.

##### **Method 2:**

- If the proposed project service area is in multiple counties (either in the unincorporated areas or both the unincorporated areas and incorporated areas), then the overall project SoVI rank will be calculated as a multi-county prorated SoVI rank based on project beneficiaries across the multiple-county area.

##### **Steps for Method 2:**

1. Identify which counties the project beneficiaries are located in.
2. Identify the SoVI rank for each county.
3. Identify the total project beneficiaries.
4. Identify the number of beneficiaries located in each county.
5. Multiply each county’s SoVI rank by the county project beneficiaries.
6. Sum the products of each county’s SoVI rank by county project beneficiaries.
7. Divide the sum of the products of each county’s SoVI rank by county project beneficiaries by the total project beneficiaries.



8. The quotient is the calculated score rounded to the nearest hundredth place.

**Method 1.**

**Example 1: (Individual or Joint Applicant, One Eligible County):** City A is submitting a project that will have project beneficiaries only in City A. City A is located within County B. The County B SoVI rank will be used. County B has a “High” SoVI score (Rank 5, 15 Points). The applicable SoVI score will be calculated as seen below:

- 1) High = Rank 5
- 2) **Rank 5 = 15 Points**

**Method 2.**

**Example 2: (Individual or Joint Applicant, Multiple Eligible Counties):** County A and County B are submitting a project that will have project beneficiaries in a total of two eligible counties in both the incorporated and unincorporated areas of County A and County B.

|                                    | <b>SoVI Rank</b> | <b>Points</b> | <b>Project Beneficiaries</b> |
|------------------------------------|------------------|---------------|------------------------------|
| County A                           | Medium           | 7             | 4,000                        |
| County B                           | Medium High      | 11            | 6,000                        |
| <b>Total Project Beneficiaries</b> |                  |               | <b>10,000</b>                |

- 1) 7 (County A Rank Points) X 4,000 (County A Project Beneficiaries) = **28,000**
- 2) 11 (County B Rank Points) X 6,000 (County B Project Beneficiaries) = **66,000**
- 3) 28,000 + 66,000 = **94,000**
- 4) 4,000 (County A Project Beneficiaries) + 6,000 (County B Project Beneficiaries) = **10,000**
- 5) **94,000 / 10,000 = 9.4 Points**



## 5) Leverage

Data Source: CDBG-DR project requested amount as indicated on the submitted SF-424 **and** leverage documentation from state, federal, local, nonprofit, or private funding sources (see requirements below).

Maximum Points: 10 Points

|   |           |
|---|-----------|
| <b>Non-CDBG Leverage (a minimum value of 1% of the CDBG-DR funds requested)</b> | 10 Points |
| <b>Non-CDBG Leverage (a value less than 1% of the CDBG-DR funds requested)</b>  | 0 Points  |

Methodology: The leverage documentation from a federal, state, local, nonprofit, or private funding source will be reviewed to determine the amount of leveraged funds utilized for the proposed project. In order to receive points under this criterion, the leveraging must have a minimum value of 1% of the CDBG-DR funds requested. For purposes of this criterion, leveraged funds include equipment, materials, and cash from the applicant and/or sources from other than the requesting entity or entities if the application contains a joint project that crosses jurisdictional boundaries. CDBG-DR and CDBG-MIT funds used as leverage are ineligible for scoring purposes.

In order to receive points under this criterion,

- The leverage documentation must identify the amount and type of funds being leveraged.

### **Acceptable Leverage Documentation (including but not limited to):**

- Commitment letters from an elected or appointed official with the ability to allocate the funds
- Resolutions from the applicable governing body
- Meeting minutes indicating the amount and approval from the applicable governing body

### **Unacceptable Leverage Documentation including but not limited to (points will not be awarded for leverage based on the following documents):**

- SF-424 (only)
- Environmental Exempt Form
- Bond documents
- Meeting Agendas



## 6) Tie-breaker: Higher Poverty Rate

Data Source: Most recently available American Community Survey (ACS) 5-year estimates Table S1701.

Methodology: The poverty rate within a jurisdiction(s) is determined by reviewing the “Percent Below Poverty Level” column of the ACS 5-year estimates Table S1701 and, if necessary, reviewing the “Total” column and “Below Poverty Level” column of ACS Table S1701 to calculate the percent below poverty level for a multiple jurisdictional area.

### **Method 1:**

- If the proposed project service area is wholly within one (1) city, then the city “Percent Below Poverty Level” information will be used.
- If the proposed project service area is wholly within one (1) county (either in the unincorporated areas or both the unincorporated areas and incorporated areas), then the county “Percent Below Poverty Level” information will be used.

### **Method 2:**

- If the proposed project service area is wholly within multiple cities, then the “Total” population and total amount of people “Below Poverty Level” for each city will be used. A calculation will then be applied to determine the percent below poverty level for the applying jurisdictions.
- If the proposed project service area is in multiple counties (either in the unincorporated areas or both the unincorporated areas and incorporated areas), then the “Total” population and total amount of people “Below Poverty Level” for each county will be used. A calculation will then be applied to determine the percent below poverty level for the applying jurisdictions.

### **Steps for Method 2:**

1. Identify which jurisdictions the project service area is located in.
2. Identify which Method 2 scenario applies.
3. Identify the applicable “Below Poverty Level” populations for each jurisdiction.
4. Sum the “Below Poverty Level” populations totals for each jurisdiction.
5. Identify the applicable “Total” populations for each jurisdiction.
6. Sum the applicable “Total” populations for each jurisdiction.
7. Divide the sum of the calculated “Below Poverty Level” population by the sum of the calculated “Total” population for the applicable jurisdictions.



8. The quotient of the equation is then the rate to be used to determine the higher rate in the case of a tie breaker.

**Method 1.**

**Example 1:** County A has a “percent below poverty level” of 15.5% as seen in ACS 5- year estimates Table S1701.

- 1) 15.5% (County A percent below poverty level)

**Method 2.**

**Example 2:** City A and City B are submitting a joint project application with a project service area within both cities.

|              | <b>Population Below Poverty Level</b> | <b>Total Population</b> |
|--------------|---------------------------------------|-------------------------|
| City A       | 6,392                                 | 27,695                  |
| City B       | 4,810                                 | 18,174                  |
| <b>Total</b> | <b>11,202</b>                         | <b>45,869</b>           |

- 1)  $6,392$  (City A “Below Poverty Level” population) +  $4,810$  (City B “Below Poverty Level” population) =  $11,202$  (Sum of “Below Poverty Level”)
- 2)  $27,695$  (City A “Total” population) +  $18,174$  (City B “Total” population) =  $45,869$  (Sum of “Total” population)
- 3)  $11,202$  (Sum of “Below Poverty Level”) /  $45,869$  (Sum of “Total” population) =  $0.244$
- 4)  $0.244 = 24.4\%$



## **E) 2018 South Texas Floods Infrastructure Competition Eligible Activities**

- i. Flood control and drainage repair and improvements, including the construction or rehabilitation of storm water management system;
- ii. Restoration of infrastructure (such as water and sewer facilities, streets, provision of generators, removal of debris, bridges, etc.);
- iii. Public Facilities;
- iv. Buyouts or Acquisition with or without relocation assistance, down payment assistance, housing incentives, and demolition;
- v. Activities designed to relocate families outside of floodplains;
- vi. Demolition, rehabilitation of publicly or privately owned commercial or industrial buildings, and code enforcement;
- vii. Economic development (such as microenterprise and small business assistance, commercial rehabilitation, and special economic development activities, including prioritizing assistance to businesses that meet the definition of a small business). Any projects funding for-profit entities must be evaluated and selected in accordance with guidelines (established in Appendix A to 24 CFR part 570) developed by HUD and comply with HUD underwriting guidance;
- viii. Public service (such as job training and employment services, healthcare, childcare, and crime prevention within the 15 percent cap); and
- ix. Planning.



## **F) 2018 South Texas Floods Infrastructure Competition Ineligible Activities**

- i. CDBG–DR funds may not be used to enlarge a dam or levee beyond the original footprint of the structure that existed prior to the disaster event. CDBG–DR funds for levees and dams are required to:
  - a. Register and maintain entries regarding such structures with the USACE National Levee Database or National Inventory of Dams;
  - b. Ensure that the structure is admitted in the USACE PL 84–99 Rehabilitation Program (Rehabilitation Assistance for Non-Federal Flood Control Projects);
  - c. Ensure the structure is accredited under the FEMA NFIP; and
  - d. Maintain file documentation demonstrating a risk assessment prior to funding the flood control structure and documentation that the investment includes risk reduction measures.
- ii. Funds may not be used to assist a privately owned utility for any purpose. A private utility, also referred to as an investor-owned utility, is owned by private investors and is for-profit as opposed to being owned by a public trust or agency (e.g., a coop or municipally owned utility);
- iii. Funds may not be provided to a for-profit entity for an economic development project under section 105(a)(17) of the HCDA unless such project has been evaluated and selected in accordance with guidelines developed by HUD pursuant to section 105(e)(2) of the HCDA for evaluating and selecting economic development projects;
- iv. Buildings and facilities used for the general conduct of government (e.g., city halls, courthouses, and emergency operation centers);
- v. No disaster recovery assistance will be considered with respect to any part of a disaster loss that is reimbursable by FEMA, the USACE, insurance, or another source due in part to the restrictions against duplication of benefits outlined in this Action Plan. An activity underway prior to the Presidential disaster declaration will not qualify unless the disaster directly impacted said project;
- vi. By law, (codified in the HCD Act as a note to 105(a)), the amount of CDBG–DR funds that may be contributed to a USACE project is \$250,000 or less;





- vii. Section 582 of the National Flood Insurance Reform Act of 1994, as amended, (42 U.S.C. 5154a) prohibits flood disaster assistance in certain circumstances. In general, it provides that no Federal disaster relief assistance made available in a flood disaster area may be used to make a payment (including any loan assistance payment) to a person for “repair, replacement, or restoration” for damage to any personal, residential, or commercial property if that person at any time has received Federal flood disaster assistance that was conditioned on the person first having obtained flood insurance under applicable Federal law and the person has subsequently failed to obtain and maintain flood insurance as required under applicable Federal law on such property. No disaster assistance may be provided for the repair, replacement, or restoration of a property to a person who has failed to meet this requirement; and
  
- viii. If the property is purchased through the use of eminent domain, the ultimate use of that property may not benefit a particular private party and must be for a public use.



## G)Application Selection Process Example

Each applicant may submit a total of two (2) applications, whether applying as the lone applicant or jointly with another eligible jurisdiction(s). Each application must consist of one project. Depending on demand, no applicant will be awarded for their second application until all successful eligible applicants have been awarded funding at least once.

| <b>Applications</b>               |                         |                          |                |
|-----------------------------------|-------------------------|--------------------------|----------------|
| <b>Applicant(s)</b>               | <b>Application Type</b> | <b>Application Score</b> | <b>Awarded</b> |
| City A Application                | Individual              | 98.5                     | Yes            |
| City B and City C Application     | Joint                   | 95.1                     | Yes            |
| County A Application              | Individual              | 94                       | Yes            |
| County A and County B Application | Joint                   | 91.8                     | Queued         |
| City B Application                | Individual              | 87.4                     | Queued         |
| County C Application              | Individual              | 84.1                     | Yes            |
| County B Application              | Individual              | 79.7                     | Yes            |
| County D and County E Application | Joint                   | 75.3                     | Yes            |
| City C Application                | Individual              | 70.9                     | Queued         |
| County C and City A Application   | Joint                   | 68.7                     | Queued         |
| City D Application                | Individual              | 64.3                     | Yes            |
| County D and County E Application | Joint                   | 62.1                     | Queued         |
| <b>Application Queue</b>          |                         |                          |                |
| <b>Applicant</b>                  | <b>Application Type</b> | <b>Application Score</b> | <b>Awarded</b> |
| County A and County B Application | Joint                   | 91.8                     | Yes            |
| City B Application                | Individual              | 87.4                     | Yes            |
| <b>FUNDING DEPLETED</b>           |                         |                          |                |
| City C Application                | Individual              | 70.9                     | No             |
| County C and City A Application   | Joint                   | 68.7                     | No             |