



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

May 10, 2018

The Honorable L.M. "Matt" Sebesta, Jr.
County Judge
Brazoria County
111 E. Locust Street
Angleton, TX 77515

Re: Brazoria County's Method of Distribution Amendment No. 1 – 2016 Floods and Storms CDBG-DR

Dear Judge Sebesta:

The Texas General Land Office Community Development and Revitalization division (GLO-CDR) has completed its review of all materials submitted to date in support of Brazoria County's (the County) proposed Method of Distribution (MOD) Amendment No. 1 for the Community Development Block Grant disaster recovery (CDBG-DR) funds reserved for the most impacted counties affected by the 2016 flood events. We are happy to inform you that the County's MOD Amendment No. 1 has been approved.

GLO-CDR approves the County's proposed formula-based allocation of infrastructure and housing funds to the identified entities. The terms of the approval are noted below:

1. Acceptance of the MOD does not indicate eligibility or approval of funding for any proposed projects.
2. The County's allocation must meet the requirement that 70 percent of funds benefit low- to moderate-income persons. Projects that do not meet HUD's national objective for benefitting low- to moderate-income persons may not be approved until this allocation requirement is met.

If you have any questions, please feel free to contact Alexandra Gamble, Manager, at alexandra.gamble@glo.texas.gov or (512) 475-5021.

Sincerely,

Martin Rivera, Jr., Deputy Director
Monitoring & Quality Assurance
Community Development and Revitalization

cc: Nancy Friudenberg, Program Director, Community Development & Welfare



County Method of Distribution for 2016 Floods CDBG-Disaster Recovery Allocation

Summary Information

Contact Information

County: **Brazoria County**

Principal Contact Name, Title: **Nancy Friudenberg, Program Director, Community Development & Welfare**

Principal Contact Telephone: **979-864-1860**

Principal Contact Email: **nancyf@brazoria-county.com**

Principal Contact Address: **1524 E. Mulberry, Suite 162**

City, State, Zip: **Angleton, TX, 77515**

Allocation Summary

County Allocation for All Activities: **\$15,807,714**

Infrastructure: \$14,226,943

Housing: \$1,580,771

Citizen Participation

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

Brazoria County, per its Citizen Participation Plan, uses several methods for encouraging citizen participation. Outreach efforts include newspaper advertisement, postings at Courthouse, on the County's website, Facebook, Twitter, Public Housing and Welfare office, Cities, non-profits and faith based organizations, public hearings and surveys. Brazoria County Community Development Department has also reached out to our non-profits, faith-based organizations, and organizations representing protected classes and low-to-moderate citizens to discuss unmet needs within the community related to CDBG-DR funds. A planning meeting was held, which prompted a survey for citizen input. Surveys are in both English and Spanish, which are the 2 main languages spoken in Brazoria County. The survey was placed on the County's website, as well as on Facebook and Twitter. AmeriCorps volunteers, who had been assisting the Long Term Recovery Team in helping residents with housing damage, also went door-to-door to distribute surveys in areas affected the most from the flooding. The survey was additionally emailed to local public service agencies and community leaders for input on projects. The County also held 2 public hearings, one during the day and one in the evening, in accessible locations and with additional special accommodation upon request, to provide flexibility for citizens to attend.

Public Planning Meeting

Date/Time: 05/15/2017 2:00 p.m. **Location:** Brazoria County East Annex
1524 E. Mulberry, Suite 144 Angleton TX 77515

Attendance: Jenna Masters and Gloria Luna, United Way of Brazoria County; Joe Ripple, County floodplain administrator; George Culver, LJA Engineering; Norman Schroeder, Disa Schulze, City of Holiday Lakes; Dude Payne, Commissioner Pct 1; Jo Mapel of Bailey’s Prairie; David Linder, Commissioner Pct 4; Heather Lagrone, Cynthia Hudson, Jay Franklin, Texas GLO; Nancy Friudenberg, Jennifer Crainer, Connie Garner, Bryan Frazier, Clay Forister, Brazoria County; Robin Crouch, Baker & Lawson; Juan Moya, Freese & Nichols.

First Public Hearing Information

Date/Time: 07/26/2017 5:30 p.m. **Location:** Brazoria County Courthouse Courtroom
111 E. Locust, Suite 102 Angleton, TX 77515

Attendance: Bob Fulbright, Sharon Skoruppa, Steve Stein, Johnny Bryant, Peggy Bryant, Nancy Friudenberg, and Jennifer Crainer

Second Public Hearing Information

Date/Time: 08/03/17 10:00 a.m. **Location:** Brazoria County Annex
1524 E Mulberry Angleton TX 77515

Attendance: David Ramsey, Susan Ramsey, Bob Fulbright, Jo Mapel, C. B. Robinson, III, Gerald Olson, Pct. 4 Commissioner David Linder, Nancy Friudenberg, Jennifer Crainer, and Bruce Spitzengel.

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

	Method	Date Sent	Documentation
<input checked="" type="checkbox"/>	Electronic Mail	7/17/2017	Attached
<input type="checkbox"/>	Fax		
<input checked="" type="checkbox"/>	Hand Delivery	7/17/2017	Attached (County Clerk’s Office for Courthouse posting)
<input type="checkbox"/>	Certified Mail		

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

	Method	Date Published	Documentation
<input checked="" type="checkbox"/>	County Website	7/17/2017	See Attached

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

	Newspaper Name	Date Published	Documentation
<input checked="" type="checkbox"/>	<i>Brazosport Facts</i>	7/17/2017	Attached
<input checked="" type="checkbox"/>	<i>La Voz</i>	7/24/2017	Attached

Citizen Comment Documentation

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached. Attached
<input checked="" type="checkbox"/>	A summary of the citizen comments and meeting discussion is attached. Attached

<p>Describe any efforts to notify and accommodate those with modified communication needs, such as posting information and providing interpretive services for other languages.</p>	<p>The public and local social service organizations were notified via public posting, newspapers, the website, and in writing to Gulf Coast MHMR, Brazoria County Center for Independent Living, Salvation Army, River of Hope, WIC, Health and Human Services Department, and the Long Term Recovery Team/United Way.</p> <p>One Public Hearing will be held in the Commissioner’s Courtroom at the Brazoria County Courthouse and one was held in Suite 162 at the Brazoria County East Annex. Both locations are ADA compliant. No special accommodations were requested to attend either of these public hearings, and special accommodations are always granted within the controls of the County, given reasonable time to do so.</p>
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Long-Term Planning and Recovery

Below is an explanation of how the region’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.

<p>Parts of Brazoria County sustained a significant damage during the 2016 flood event as a result of inadequate drainage systems. The County will focus on mitigating the physical drainage conditions that contributed to regional flooding and related property damage. As a result of these failures to function, the County will prioritize drainage activities in support of housing for infrastructure projects, specifically those that benefit low-and-moderate income areas.</p> <p>Brazoria County’s distribution plan fosters long term community recovery by collectively addressing regional failures to function that affected multiple neighborhoods in both unincorporated and incorporated areas of the County. Improvements will reduce the impact of flooding on housing, personal property, and public infrastructure. This plan provides for an efficient, uniform implementation of housing assistance by the County for the elevation and buyout of damaged or flooded homes.</p>

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 most impacted and distressed areas.

<p>The State of Texas Plan for Disaster Recovery estimates a \$3.8 million unmet housing need in Brazoria County related to the 2016 flood events, or approximately twelve percent (12%) of the County’s total unmet disaster recovery need of \$32 million (pp 20-24). FEMA data indicates owner-occupied properties represent around 80 percent of unmet housing needs, and 90 percent of the unmet need is located in the County’s unincorporated areas. Brazoria County intends to provide housing assistance to LMI households, which comprise 38% of all households in the County. Applying this share to the unmet housing need total yields an estimated LMI unmet housing need of approximately \$1.5 million or around 10% of the County’s total allocation. The County will use FEMA data to help identify homeowners that have unmet needs.</p>

The County may consider buyouts where elevation is not cost effective. Brazoria County does not currently plan to place a cap on per-house expenditures beyond any cap imposed by CDBG-DR regulation. Based on input from local non-profit organizations serving lower income, minority, elderly, disabled, and homeless populations, the County will prioritize “general” LMI rather than specific categories of LMI persons. Infrastructure projects will address debris clearance in primary drainage ways with recurrent flooding events in support of negatively impacted housing. Targeting these needs will foster long term recovery for residential areas that were most impacted by high water and the failure to function of targeted drainage systems during the 2016 flood event.

Method of Distribution Detail

The County is required to prepare a method of distribution between the eligible entities or projects. The GLO has directed the County to use a direct allocation technique based on objective, verifiable data. The Method of Distribution will identify how it meets benefiting 70% low-to-moderate persons requirement., supports minimum allocation amounts that help ensure project feasibility, and provides an explanation of the distribution factors selected.

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. 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.

Distribution Factors

The County has selected the following distribution factors:

The County will administer all local Disaster Recovery funds for both infrastructure and housing projects and will not make distributions to eligible entities. This decision was based on the following: (1) the cities impacted by the disaster events agree that the most significant impacts of the disaster were regional in nature; (2) all parties agree that given the regional extent and systemic interdependence of the impacts and any proposed solutions, the County is the logical entity to administer these funds; and (3) cities with major housing impacts agreed that the county has the experience and capacity necessary to complete housing projects in an efficient and uniform manner.

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Ability to Conduct Regional Projects across multiple jurisdictions	100	Maps of jurisdictional boundaries, and damaged housing units including those with unmet needs derived from FEMA housing damage data.	Brazoria County will use its CDBG-DR infrastructure funds for regional projects that principally benefit low-and-moderate income residents of multiple jurisdictions that contained significant housing damage during the 2016 flood event. These funds will be administered by the County, as the sole entity with jurisdiction across all impacted areas.

Ability to Provide Targeted Housing Assistance across multiple jurisdictions	100	Maps of jurisdictional boundaries and damaged housing units including those with unmet needs derived from FEMA housing damage data.	Brazoria County will use its CDBG-DR housing funds for housing elevation/buyout projects that principally benefit low-and-moderate income residents of jurisdictions that contained significant housing damage during the 2016 flood event. These funds will be administered by the County, as the sole entity with jurisdiction across all impacted areas.
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*Add more rows if needed

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

Eligible Activities

Grantee activities must be specifically related to 2016 disaster(s), and must meet the following criteria:

- Activity must be a CDBG-eligible project;
- Activity must be in response to a 2016 disaster(s)related impact in one of the following ways:
 - Direct verifiable damage from the disaster(s) that requires improvement of conditions, or
 - The facilities must have failed to function in the normal capacity as a result of the disaster(s).
- The County has added a stipulation that projects must meet a regionally-established recovery priority.

The County has addressed prioritization of eligible activities as follows:

The County has determined that recurrent flooding due to inadequate regional drainage facilities is the highest priority for infrastructure improvement in support of housing. In recognition of housing needs the County has determined that direct housing assistance is a priority and based on information gathered during the MOD process indicated that the majority of homeowners were assisted through insurance, FEMA Individual Assistance and SBA loans. Other households with unmet needs shall be prioritized based on factors appropriate for the use of Disaster Recovery funds. It is anticipated additional Disaster Recovery funding shall be provided and the County shall place any such funding into the non-housing infrastructure projects in support of housing.

<input checked="" type="checkbox"/>	The County has limited Grantees in the region to selecting projects meeting the following regional priority activities:		
Non-housing 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 checked="" type="checkbox"/>	Flood and Drainage Improvements	<input type="checkbox"/>	Specially Authorized Assistance to Private Utilities
<input checked="" type="checkbox"/>	Debris Removal (riparian)	<input type="checkbox"/>	Economic Development
<input type="checkbox"/>	Community Centers & Emergency Shelters (Existing)	<input type="checkbox"/>	Planning and Urban Environmental Design
<input type="checkbox"/>	Senior Centers	<input type="checkbox"/>	Fire Protection Facilities and Equipment
<input type="checkbox"/>	Parks, Playgrounds and other Recreational Facilities		

Housing Activities			
<input checked="" type="checkbox"/>	Single-family repair and rehabilitation	<input type="checkbox"/>	Multi-family repair and rehabilitation
<input type="checkbox"/>	Single-family replacement	<input type="checkbox"/>	Multi-family replacement
<input checked="" type="checkbox"/>	Single-family elevation of homes in flood plains	<input type="checkbox"/>	New Multi-family to replace multi-family
<input type="checkbox"/>	Single family relocation from flood plains or identified environmental	<input checked="" type="checkbox"/>	Buyouts
<input type="checkbox"/>	Planning related to housing		

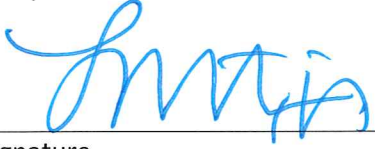
Reallocation of Funds

The county must identify the process of reallocation of funds from de-obligated funds and/or cost savings from completed projects:

Funds that are de-obligated and/or costs savings realized from completed projects will be reallocated to Brazoria County for other eligible projects. The County anticipates it may receive an additional allocation of \$1,182,820. Any additional allocation will be divided in the same proportion between infrastructure and housing as in the original Method of Distribution Allocation Summary without requiring further amendment.

Approval and Signatory Authority

A Resolution of the County 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.



 Signature

4/10/18

 Date

L.M. "Matt" Sebesta, Jr.

 Printed Name

Brazoria County Judge

 Title

matts@brazoria-county.com

 Email Address

979-864-1860

 Telephone Number



BRAZORIA COUNTY COMMISSIONERS' COURT

REGULAR SESSION

BE IT REMEMBERED THAT ON APRIL 10, 2018, THERE WAS BEGUN AND HOLDEN A REGULAR SESSION OF COMMISSIONERS' COURT.

1. CALL TO ORDER

This meeting was called to order at 9:00 AM.

2. ROLL CALL

THE FOLLOWING MEMBERS WERE PRESENT:

L.M. "Matt" Sebesta Jr. County Judge
Donald "Dude" Payne Commissioner, Precinct #1
Ryan Cade Commissioner, Precinct #2
Stacy L. Adams Commissioner, Precinct #3
David Linder Commissioner, Precinct #4
Joyce Hudman County Clerk

3. INVOCATION & PLEDGE OF ALLEGIANCE BY COMMISSIONER ADAMS

4. APPROVAL OF MINUTES

4.A. Commissioners' Court - Special Meeting - Mar 27, 2018 9:00 AM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

5. PUBLIC APPEARANCES

Members of the public may request permission to address the Court. Specific factual information or a recitation of existing policy may be furnished in response to an inquiry made by a member of the general public but any deliberation, discussion, or decision with respect to any subject about which the inquiry was made shall be limited to a proposal to place such subject on the agenda for a subsequent meeting for which notice is provided in compliance with the Texas Open Meetings Act unless said notice appears herein. The public is reminded that there is a five (5) minute time limit as outlined in Commissioners Court Order #6, dated August 31, 1987.

6. PROCLAMATIONS/RESOLUTIONS

6.A. Resolution - San Bernard National Wildlife Refuge Days

RESULT:	PASSED [UNANIMOUS]
MOVER:	David R. Linder, Commissioner
SECONDER:	Donald "Dude" Payne, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

6.B. Proclamation - Fair Housing Month

RESULT:	PASSED [UNANIMOUS]
MOVER:	Stacy L. Adams, Commissioner
SECONDER:	David R. Linder, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

7. FORMAL REPORTS AND APPEARANCES

7.A. Port Freeport Strategic Initiatives - Phyllis Saathoff

7.B. Kennemer, Masters & Lunsford, LLC

8. NEW BUSINESS

CONSENT

RESULT:	PASSED [UNANIMOUS]
MOVER:	Stacy L. Adams, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

8.A. Commissioner Precinct 1

8.A.1. Appoint Replacement to Brazoria County Library Board

8.B. Commissioner Precinct 4

8.B.1. Appointment to Brazoria County Library Board

8.C. County Clerk

8.C.1. County Clerk Collection Departments Quarterly Report - First Quarter - October 2017 to December 2017 FYE 2018

8.D. District Clerk

8.D.1. Deputation in the District Clerk's Office

8.E. Tax Assessor - Collector

- 8.E.1. Monthly Collections Report for February 2018
- 8.E.2. Waiver of Penalty and Interest on Delinquent Taxes
- 8.E.3. Account Number: 8110-4175-000 Resale Meeting of: April 2018

8.F. Auditor

- 8.F.1. Payment of Bills

8.G. CDBG/HUD/Welfare Department

- 8.G.1. Brazoria County Welfare Dept Monthly Reports
- 8.G.2. Brazoria County Housing Choice Voucher (Section 8) Program
- 8.G.3. 2018 HUD Income Limits for the Section 8 Program
- 8.G.4. Brazoria County Community Development – Disaster Recovery (CDBG-DR)
- 8.G.5. Brazoria County Community Development Con-Plan and Action Plan Amendment

8.H. Engineer

- 8.H.1. Moving a Line/Reconfiguration for Clegston Williams (Precinct 4)
- 8.H.2. Moving a Line/Reconfiguration for Rhonda and Roger Townes (Precinct 4)
- 8.H.3. Developers Agreement for The Centre at Kirby Ridge, CR 59
- 8.H.4. Projects Under Blanket Interlocal Agreements for Direct Assistance to Cities and Towns
- 8.H.5. Interlocal Agreement with Brazoria County and the Texas Department of Transportation
- 8.H.6. Close, Vacate, and Abandon a Public Road Right-of-Way (Precinct 2)
- 8.H.7. Amend Court Order 7.T.6. in Regards to the Length of Processing Time of Liens for Riverside Estates Subdivision
- 8.H.8. Assign Private Road Name as Alicia Lane (Precinct 2)
- 8.H.9. Assign Private Road Name as Rocha Lane (Precinct 4)
- 8.H.10. Authorize County Engineer to Issue Permits to Temporarily Close CR 723 for Testing
- 8.H.11. Topcon Base Station Host Agreement

8.H.12. Acceptance of Donation from Westin Homes and Properties, L.P.

8.I. Flood Plain

8.I.1. Beachfront Construction and Dune Protection Permit – 8014 CR 257, Freeport, Abstract 29 S.F. Austin Lot 15, Block 4, Key Largo Subdivision (Precinct 1)

8.I.2. Beachfront Construction and Dune Protection Permit – 8016 CR 257, Freeport, Abstract 29 S.F. Austin Lot 16, Block 4, Key Largo Subdivision (Precinct 1)

8.I.3. Waiver of all Permitting Fees Associated with the Brazoria County Fair Association RV Park

8.J. Health

8.J.1. DSHS Contract #HHS000097600001 for Immunization/Locals Grant Program

8.J.2. DSHS PHEP Contract #537-18-0103-00001 (Amendment No. 01/Renewal)

8.K. Information Systems

8.K.1. Out of State Travel

8.L. Purchasing Department

8.L.1. Renew ITB #16-31 Medical Supplies

8.L.2. Exempt Water Filtration System from Formal Procurement

8.L.3. Renew C#14-53 TBX Agreement (Total Boox, LTD) - Ebooks

8.L.4. Renew Road Materials Contracts

8.M. Toll Road Authority

8.M.1. County Treasurer's Monthly Cash and Investment Report for Toll Road Authority Funds for February 2018

DISCUSSION

8.N. Treasurer

8.N.1. Treasurer's Monthly Report and Investment Report for February 2018

RESULT: PASSED [UNANIMOUS]
MOVER: David R. Linder, Commissioner
SECONDER: Donald "Dude" Payne, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

8.O. Auditor

8.O.1. Brazoria County Toll Road Authority Fiscal Year 2017 Audit

RESULT: PASSED [UNANIMOUS]
MOVER: Donald "Dude" Payne, Commissioner
SECONDER: Ryan Cade, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

8.O.2. Fiscal Year 2017 Financial Audit

RESULT: PASSED [UNANIMOUS]
MOVER: David R. Linder, Commissioner
SECONDER: Stacy L. Adams, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

8.P. Emergency Management

8.P.1. Fees for Retail Fireworks Sites

RESULT: PASSED [UNANIMOUS]
MOVER: Stacy L. Adams, Commissioner
SECONDER: Donald "Dude" Payne, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

8.Q. Purchasing Department

8.Q.1. Solicit Bids for Signage for County Parks

Per Judge Sebesta - That Commissioner Payne be added to the list of names.

RESULT: PASSED [UNANIMOUS]
MOVER: David R. Linder, Commissioner
SECONDER: Stacy L. Adams, Commissioner
AYES: Judge Sebesta, Commissioner Payne, Commissioner Cade,
Commissioner Adams, Commissioner Linder

8.Q.2. Solicit Proposals and Qualifications for General Administration Professional Services for CDBG

RESULT:	PASSED [UNANIMOUS]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

8.R. Department Heads

Bryan Frazier - Director of Parks

9. CLOSED MEETING

The Commissioners' Court will conduct a closed meeting under the following section or sections of V.T.C.A. government Code, Chapter 551, subchapter D.; (After which the Court will reconvene in open session and may take any action deemed necessary based on discussion in closed meeting).

At 10:12 a.m. Commissioners' Court entered into Closed Session.

At 11:21 a.m. Commissioners Court was again in open session with all members present and the following order was had:

9.A. Texas Govt Code 551.071

Consultation with attorney in respect to pending or contemplated litigation, settlement offers, and matters where duty of public body's counsel to client, pursuant to code of professional responsibility of the State Bar of Texas, clearly conflicts with this chapter.

9.A.1. Settlement Agreement of a Property Damage Claim

RESULT:	PASSED [UNANIMOUS]
MOVER:	Donald "Dude" Payne, Commissioner
SECONDER:	Ryan Cade, Commissioner
AYES:	Judge Sebesta, Commissioner Payne, Commissioner Cade, Commissioner Adams, Commissioner Linder

9.A.2. Discuss Potential Litigation

No action taken at this time.

9.A.3. Discuss Potential Litigation

No action taken at this time.

9.B. Texas Govt Code 551.072

Deliberation concerning the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

9.B.1. Discuss Potential Purchase of Property

No action taken at this time.

10. ANNOUNCEMENTS

11. RECESS

As no further matters were to be had, Commissioners' Court recessed this Regular Session at 11:21 AM.

JOYCE HUDMAN, COUNTY CLERK
BRAZORIA COUNTY
EX-OFFICIO MEMBER COMMISSIONERS' COURT

Joyce Hudman

April 10, 2018
THE COMMISSIONERS' COURT OF BRAZORIA COUNTY
REGULAR SESSION

ORDER NO. 8.G.4

RE: Brazoria County Community Development – Disaster Recovery (CDBG-DR)

Approve the Method of Distribution Amendment for the 2016 Flood Event CDBG-DR application to the General Land Office and authorize the County Judge to sign any and all documents to effectuate these agreements.



County Method of Distribution for 2016 Floods CDBG-Disaster Recovery Allocation

Summary Information

Contact Information

County:	Brazoria County
Principal Contact Name, Title:	Nancy Friudenberg, Program Director, Community Development & Welfare
Principal Contact Telephone:	979-864-1860
Principal Contact Email:	nancyf@brazoria-county.com
Principal Contact Address:	1524 E. Mulberry, Suite 162
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<input checked="" type="checkbox"/>	<i>Brazosport Facts</i>	7/17/2017	Attached
<input checked="" type="checkbox"/>	<i>La Voz</i>	7/24/2017	Attached

Citizen Comment Documentation

<input checked="" type="checkbox"/>	The required copy of a sign-in sheet from the public hearing is attached. Attached
<input checked="" type="checkbox"/>	A summary of the citizen comments and meeting discussion is attached. 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 public and local social service organizations were notified via public posting, newspapers, the website, and in writing to Gulf Coast MHMR, Brazoria County Center for Independent Living, Salvation Army, River of Hope, WIC, Health and Human Services Department, and the Long Term Recovery Team/United Way.

One Public Hearing will be held in the Commissioner's Courtroom at the Brazoria County Courthouse and one was held in Suite 162 at the Brazoria County East Annex. Both locations are ADA compliant. No special accommodations were requested to attend either of these public hearings, and special accommodations are always granted within the controls of the County, given reasonable time to do so.

Long-Term Planning and Recovery

Below is an explanation of how the region'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.

Parts of Brazoria County sustained a significant damage during the 2016 flood event as a result of inadequate drainage systems. The County will focus on mitigating the physical drainage conditions that contributed to regional flooding and related property damage. As a result of these failures to function, the County will prioritize drainage activities in support of housing for infrastructure projects, specifically those that benefit low-and-moderate income areas.

Brazoria County's distribution plan fosters long term community recovery by collectively addressing regional failures to function that affected multiple neighborhoods in both unincorporated and incorporated areas of the County. Improvements will reduce the impact of flooding on housing, personal property, and public infrastructure. This plan provides for an efficient, uniform implementation of housing assistance by the County for the elevation and buyout of damaged or flooded homes.

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 most impacted and distressed areas.

The State of Texas Plan for Disaster Recovery estimates a \$3.8 million unmet housing need in Brazoria County related to the 2016 flood events, or approximately twelve percent (12%) of the County's total unmet disaster recovery need of \$32 million (pp 20-24). FEMA data indicates owner-occupied properties represent around 80 percent of unmet housing needs, and 90 percent of the unmet need is located in the County's unincorporated areas. Brazoria County intends to provide housing assistance to LMI households, which comprise 38% of all households in the County. Applying this share to the unmet housing need total yields an estimated LMI unmet housing need of approximately \$1.5 million or around 10% of the County's total allocation. The County will use FEMA data to help identify homeowners that have unmet needs.

The County may consider buyouts where elevation is not cost effective. Brazoria County does not currently plan to place a cap on per-house expenditures beyond any cap imposed by CDBG-DR regulation. Based on input from local non-profit organizations serving lower income, minority, elderly, disabled, and homeless populations, the County will prioritize “general” LMI rather than specific categories of LMI persons. Infrastructure projects will address debris clearance in primary drainage ways with recurrent flooding events in support of negatively impacted housing. Targeting these needs will foster long term recovery for residential areas that were most impacted by high water and the failure to function of targeted drainage systems during the 2016 flood event.

Method of Distribution Detail

The County is required to prepare a method of distribution between the eligible entities or projects. The GLO has directed the County to use a direct allocation technique based on objective, verifiable data. The Method of Distribution will identify how it meets benefiting 70% low-to-moderate persons requirement., supports minimum allocation amounts that help ensure project feasibility, and provides an explanation of the distribution factors selected.

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. 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.

Distribution Factors

The County has selected the following distribution factors:

The County will administer all local Disaster Recovery funds for both infrastructure and housing projects and will not make distributions to eligible entities. This decision was based on the following: (1) the cities impacted by the disaster events agree that the most significant impacts of the disaster were regional in nature; (2) all parties agree that given the regional extent and systemic interdependence of the impacts and any proposed solutions, the County is the logical entity to administer these funds; and (3) cities with major housing impacts agreed that the county has the experience and capacity necessary to complete housing projects in an efficient and uniform manner.

Distribution Factor*	Weight	Documentation Source	Explanation of Factor Selection and Weighting
Ability to Conduct Regional Projects across multiple jurisdictions	100	Maps of jurisdictional boundaries, and damaged housing units including those with unmet needs derived from FEMA housing damage data.	Brazoria County will use its CDBG-DR infrastructure funds for regional projects that principally benefit low-and-moderate income residents of multiple jurisdictions that contained significant housing damage during the 2016 flood event. These funds will be administered by the County, as the sole entity with jurisdiction across all impacted areas.

Ability to Provide Targeted Housing Assistance across multiple jurisdictions	100	Maps of jurisdictional boundaries and damaged housing units including those with unmet needs derived from FEMA housing damage data.	Brazoria County will use its CDBG-DR housing funds for housing elevation/buyout projects that principally benefit low-and-moderate income residents of jurisdictions that contained significant housing damage during the 2016 flood event. These funds will be administered by the County, as the sole entity with jurisdiction across all impacted areas.
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*Add more rows if needed

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

Eligible Activities

Grantee activities must be specifically related to 2016 disaster(s), and must meet the following criteria:

- Activity must be a CDBG-eligible project;
- Activity must be in response to a 2016 disaster(s)related impact in one of the following ways:
 - Direct verifiable damage from the disaster(s) that requires improvement of conditions, or
 - The facilities must have failed to function in the normal capacity as a result of the disaster(s).
- The County has added a stipulation that projects must meet a regionally-established recovery priority.

The County has addressed prioritization of eligible activities as follows:

The County has determined that recurrent flooding due to inadequate regional drainage facilities is the highest priority for infrastructure improvement in support of housing. In recognition of housing needs the County has determined that direct housing assistance is a priority and based on information gathered during the MOD process indicated that the majority of homeowners were assisted through insurance, FEMA Individual Assistance and SBA loans. Other households with unmet needs shall be prioritized based on factors appropriate for the use of Disaster Recovery funds. It is anticipated additional Disaster Recovery funding shall be provided and the County shall place any such funding into the non-housing infrastructure projects in support of housing.

<input checked="" type="checkbox"/>	The County has limited Grantees in the region to selecting projects meeting the following regional priority activities:		
Non-housing 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 checked="" type="checkbox"/>	Flood and Drainage Improvements	<input type="checkbox"/>	Specially Authorized Assistance to Private Utilities
<input checked="" type="checkbox"/>	Debris Removal (riparian)	<input type="checkbox"/>	Economic Development
<input type="checkbox"/>	Community Centers & Emergency Shelters (Existing)	<input type="checkbox"/>	Planning and Urban Environmental Design
<input type="checkbox"/>	Senior Centers	<input type="checkbox"/>	Fire Protection Facilities and Equipment
<input type="checkbox"/>	Parks, Playgrounds and other Recreational Facilities		

Housing Activities			
<input checked="" type="checkbox"/>	Single-family repair and rehabilitation	<input type="checkbox"/>	Multi-family repair and rehabilitation
<input type="checkbox"/>	Single-family replacement	<input type="checkbox"/>	Multi-family replacement
<input checked="" type="checkbox"/>	Single-family elevation of homes in flood plains	<input type="checkbox"/>	New Multi-family to replace multi-family
<input type="checkbox"/>	Single family relocation from flood plains or identified environmental	<input checked="" type="checkbox"/>	Buyouts
<input type="checkbox"/>	Planning related to housing		

Reallocation of Funds

The county must identify the process of reallocation of funds from de-obligated funds and/or cost savings from completed projects:

Funds that are de-obligated and/or costs savings realized from completed projects will be reallocated to Brazoria County for other eligible projects. The County anticipates it may receive an additional allocation of \$1,182,820. Any additional allocation will be divided in the same proportion between infrastructure and housing as in the original Method of Distribution Allocation Summary without requiring further amendment.

Approval and Signatory Authority

A Resolution of the County 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.

Signature

Date

Printed Name

Title

Email Address

Telephone Number

AFFIDAVIT OF POSTING

State of Texas
County of Brazoria

BEFORE ME, the undersigned Notary Public, on this day personally appeared,

Nancy Friudenberg, who, being by me duly sworn, stated:

1. Affiant is an employee of Brazoria County, Texas, and has personal knowledge of the facts stated in this affidavit.
2. On or before the date **March 21, 2018**, the **Amended Brazoria County Method of Distribution (MOD) for 2016 Floods CDBG-Disaster Recovery Allocation** was posted at:

http://brazoriacountytx.gov/departments/housing-and-urban-development

and remains posted at this location as of the date of this affidavit.

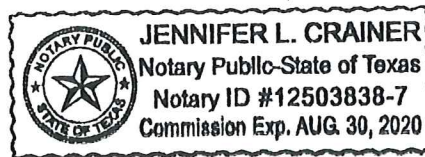
Nancy Friudenberg

Nancy Friudenberg
Program Director, Community Development & Welfare

SUBSCRIBED AND SWORN TO BEFORE ME by the above-named affiant on

April 25, 2018, to certify which witness my hand and seal of office.

Jennifer L. Crainer
Notary Public in and for the State of Texas



My Commission expires: Aug 30, 2020

**Brazoria County Method of Distribution
2016 Floods CDBG-Disaster Recovery Allocation
Amendment 1**

Summary of Public Comments Received

The amendment was made publicly available by permanent posting on the County's website at <http://brazoriacountytx.gov/departments/housing-and-urban-development> on March 21, 2018. No comments were received prior to approval of the Amendment during an open meeting of the Commissioners Court on April 10, 2018, and no comments have been received since the approval action as of May 10, 2018.